

ZONING REPORT

Case # 0422-02

Applicant & Subject Property

City Council District: 3
Owner: Behmann Brothers Foundation
Applicant: MVR Construction Company
Address and Location: 602 Saratoga Boulevard, located along the north side of Saratoga Boulevard, south of West Point Road and east of Old Brownsville Road
Legal Description: 255.684 acres out of Tracts 1 thru 6, William J. Robertson Farm Tracts
Acreage of Subject Property: 159.5 acres
Proposed Tracts: Tract 1 – 80.8 acres, Tract 2 – 78.7 Acres* = 158 Acres

Zoning Request

From: “FR” Farm Rural District
To: Tract 1 – “RS 4.5” Single-Family 4.5 Residential, Tract 2 – “RE/SP” Estate Residential District with a Special Permit
Purpose of Request: To allow for single-family residential homes.

Land Development & Surrounding Land Uses

	Zoning District	Existing Land Use	Future Land Use
Site	“FR” Farm Rural	Agricultural	Medium Density Residential
North	“IC” Industrial Compatible, “IL” Light Industrial	Agricultural	Light Industrial, Medium Density Residential
South	Outside City Limits	Agricultural	Outside City Limits
East	“RS-6” Single-Family 6	Agricultural	Medium Density Residential
West	“FR” Farm Rural, “RMH” Manufactured Home, “IL” Light Industrial	Agricultural, Mobile Home, Vacant	Medium Density Residential, High Density Residential

Plat Status: Property is not platted.
Air Installation Compatibility Use Zone (AICUZ): Yes. Accident Potential Zone II (APZ-2) (2013 Joint Land Use Study, “Safety Subzone”)
Code Violations: None.

Transportation & Circulation for Saratoga Boulevard

Urban Street ¹	Designation ¹	Section Proposed ¹	Section Existing ¹
Saratoga Boulevard	A3 Primary Arterial Divided	6 Lanes, Median 130 Feet	2 Lanes, 25 Feet No Shoulder

Road ²	Segment Length ²	Total Volume ²	Total Capacity ²	Volume to Capacity Ratio ²
Saratoga Boulevard	0.81 mile (West from CR 35)	10,835	13,934	0.78

	1.0 mile (East from Old Brownsville Road)	4,753	13,934	0.34
Distance to Bicycle Network³	Bicycle Infrastructure³			
		Segment Proposed³	Segment Existing	
To the east and to the north 2.4 miles	1-Way Cycle Track (Both Sides)	None		
<p>1 City of Corpus Christi Urban Transportation Plan 2 Corpus Christi MPO Travel Demand Model Volumes 3 Strategic Plan for Active Mobility</p>				
<p>Transit: The Corpus Christi RTA provides service to the subject property via Bus Route 19 Ayers with a bus stop (Greenwood @ Sanderson) approximately 1.0 miles to east of the subject property.</p>				
Utilities				
<p>Gas: 4-inch gas service line located along Saratoga Boulevard. Stormwater: Storm ditch located along Saratoga Boulevard. Wastewater: 6-inch Vitrified Clay Pipeline (VCP) along Saratoga Boulevard (Greenwood Wastewater Treatment Area) Force Main. Wastewater Master Plan: Proposed 18-inch line along the southern boundary of Saratoga Boulevard (State Highway 357). Water: 54-inch CSCP line located Saratoga Boulevard.</p>				
Corpus Christi Comprehensive Plan				
<p>Plan CC: Provides a vision, goals, and strategies, to guide, regulate, and manage future development and redevelopment within the corporate limits and extraterritorial jurisdiction (ETJ) was adopted in 2016. Area Development Plan (ADP): According to Plan CC the subject property is located within the Westside Area Development Plan (Adopted February 28, 1995, update currently underway). Future Land Use Map: Medium Density Residential. Water Master Plan: Currently, there are no proposed improvements. Wastewater Master Plan: 5 proposed manholes throughout property, proposed mains. Stormwater Master Plan: Currently, there are no proposed improvements.</p>				
Public Notification				
<p>Number of Notices Mailed – 13 within 200-foot notification area Returned Notices: In Favor – 1 inside notification area In Opposition – 1 inside notification area 5.84% in opposition within the 200-foot notification area</p>				
Public Hearing Schedule				
<p>Planning Commission Hearing Date: May 4, 2022 (TABLED) Planning Commission Hearing Date: June 15, 2022 City Council 1st Reading/Public Hearing Date: August 30, 2022 City Council 2nd Reading Date: September 6, 2022</p>				

Comprehensive Plan Consistency:

Plan CC: The proposed rezoning consistent with following Goals and Strategies for Decision Makers:

- Future Land Use, Zoning and Urban Design
 - Promote the proper location of land uses based on compatibility, locational needs, and characteristics of each use.
 - Encourage orderly growth of residential, commercial, and industrial areas.
- Housing and Neighborhoods
 - Encourage appropriate transitions between commercial and residential developments and between high and low-density residential developments.

Westside Area Development Plan: The proposed rezoning is consistent with the following:

- The City should evaluate zoning districts where existing zoning should be changed to implement the Land Use Plan.

Future Land Use Map: The proposed rezoning is consistent with the Future Land Use Map with proposed medium-density residential uses.

Air Installation Compatibility Use Zone (AICUZ) and Joint Land Use Study (JLUS): The proposed rezoning is consistent with the AICUZ and JLUS which do not recommend residential above 2 dwelling units per acre. The AICUZ land use compatibility guidelines state, "Suggested maximum density for detached single-family housing is 1-2 dwelling units per acre. In a Planned Unit Development (PUD) of single-family detached units were clustered housing development results in large open area, this density could possibly be increased provided the amount of surface area covered by structures does not exceed 20% of the PUD total area. A PUD encourages clustered development that leaves large open areas."

Traffic Impact Analysis:

Per the UDC:

3.29 Traffic Impact Analysis (TIA)

3.29.6. Planning Commission Report

The Planning Commission **shall** make a report to the City Council on all Traffic Impact Analysis it considers in conjunction with requests for rezoning. The Planning Commission may make a recommendation for approval, modification, or denial of the zoning case based on other planning factors in addition to its review of a Traffic Impact Analysis. In addition, the Planning Commission may recommend, in addition to measures defined above, that a study of the Transportation Plan be made to determine amendments required to ensure adequate long-term capacity.

The conclusions of the TIA are as follows:

The traffic capacity of the existing S.H. 357 (Saratoga Boulevard) two lane rural roadway section can accommodate Units 1 through 5 of the proposed development and maintain a Level of Service of D or better. The traffic capacity of S.H. 357 will need to be increased to accommodate the remaining units of the development and maintain the desired traffic level of service. In addition, traffic accessing the proposed development will be generating a high percentage of turning movements onto and off S.H. 357. Therefore, proposed street intersection construction should include right turn deceleration lane and protected left turn lane improvements. As traffic volumes increase or as additional street connections are proposed, raised median or "worm" turning lanes should be considered. All proposed street connections and associated improvements will need to be coordinated

and approved by TXDOT, as S.H. 357 is under TXDOT jurisdiction. Traffic data and calculations will require further review with TXDOT to identify warrants for intersection signage and/or signalization. TXDOT does not currently list any proposed studies or improvements to this section of S.H. 357 in their online project tracker system.

Note: The property's frontage is a TxDOT (Texas Department of Transportation) managed road. As such, City Traffic Engineering has submitted the TIA to TxDOT. Due to the large nature of the project, TxDOT has not yet completed their review and they currently do not have a projected date of completion.

Staff Analysis: "While the comprehensive plan is consulted when making decisions about rezonings. . . It does not justify the denial of a plat or the development of land." (Plan CC). Staff reviewed the subject property's background information and the applicant's purpose of the rezoning request and conducted research into the properties land development history to include platting, zoning, existing surrounding land uses and potential code violations.

- The proposed rezoning is consistent with the JLUS and AICUZ which recommend residential at 2 dwelling units per acre.
- The proposed zoning is consistent with the Future Land Use Map.
- During the platting phase, the developer will be responsible for installing utility infrastructure that is consistent with the latest adopted master plans. Additionally, the Texas Department of Transportation (TxDot) will be involved to discuss any improvements that will be required including but not limited to the widening of Saratoga Boulevard, installing improved shoulders, installing sidewalks, traffic signals, and/or the installation of a dedicated acceleration/deceleration lane.

After tabling of this case on May 4, 2022, staff met with the applicant. Of particular importance was the initial incompatibility with the AICUZ. Staff discussed with the applicant the possibility of separating the subject property into two parcels within the AICUZ (Safety Subzone of the Joint Land Use Study (JLUS)) as the point of reference. The applicant has formally amended their rezoning application to a request for the "RS-4.5" Single-Family 4.5 District and the "RE/SP" Residential Estate District with a Special Permit.

As such Tract I, which is 80.8 acres and is NOT in the AICUZ, is proposed to be rezoned "RS-4.5" Single-Family 4.5 District with a maximum potential density of approximately 875 homes, while Tract II, which is 78.7 acres and IS in the AICUZ, is proposed to be rezoned to "RE/SP" Estate Residential with a Special Permit. The Special Permit clusters density on Tract II consistent with clustered housing recommended in the AICUZ.

Approximately, a total of 134 acres are in the "Safety Subzone". According to JLUS/AICUZ, at 2 du/ac, 268 homes could be developed. Tract II is proposed "RE/SP" Estate Residential" with a Special Permit and a remainder tract of 62.21 acres will remain "FR" Farm Rural District. For Tract II, ten percent will be open space (7.18 acres) leaving 64.61 acres developable. 244 homes at 4 dwelling units per acre are to be constructed on the 78.7 acres, according to metes and bounds. Acres within a Special Flood Hazard Area (SFHA) designation total 62.21. In sum, that is an open space percentage of 46.43%. 55.3 acres in Tract I will remain "FR" Farm Rural in Accidental Potential Zone II (APZ II). See Table 1, 2 and 3 below:

Table 1: Acreage

Total Acres	264
Acres in Accident Potential Zone 2 (APZ-2)	134
Acres designated AE, AO	62.21

Zones AE and AO are designations of Special Flood Hazard Areas (SFHA) as per the Federal Emergency Management Agency (FEMA)

Table 2: Density

Acres Developable	71.79
Acreage Calculation	134 acres – 62.21 acres = 71.79 acres
Potential Homes (pre-open space requirement)	287
Homes Calculation	71.79 acres x 4 du/a = 287 homes
Potential Homes (10% Open Space Req.)	258
Homes Calculation	71.79 acres-10%= 64 acs.@ 4du/ac=258 du's
Overall density of all property in APZ-2	134 acres/258 du's = 1.92 du/ac*

*AICUZ Guidelines recommend a maximum density of 2 du/ac within APZ-2

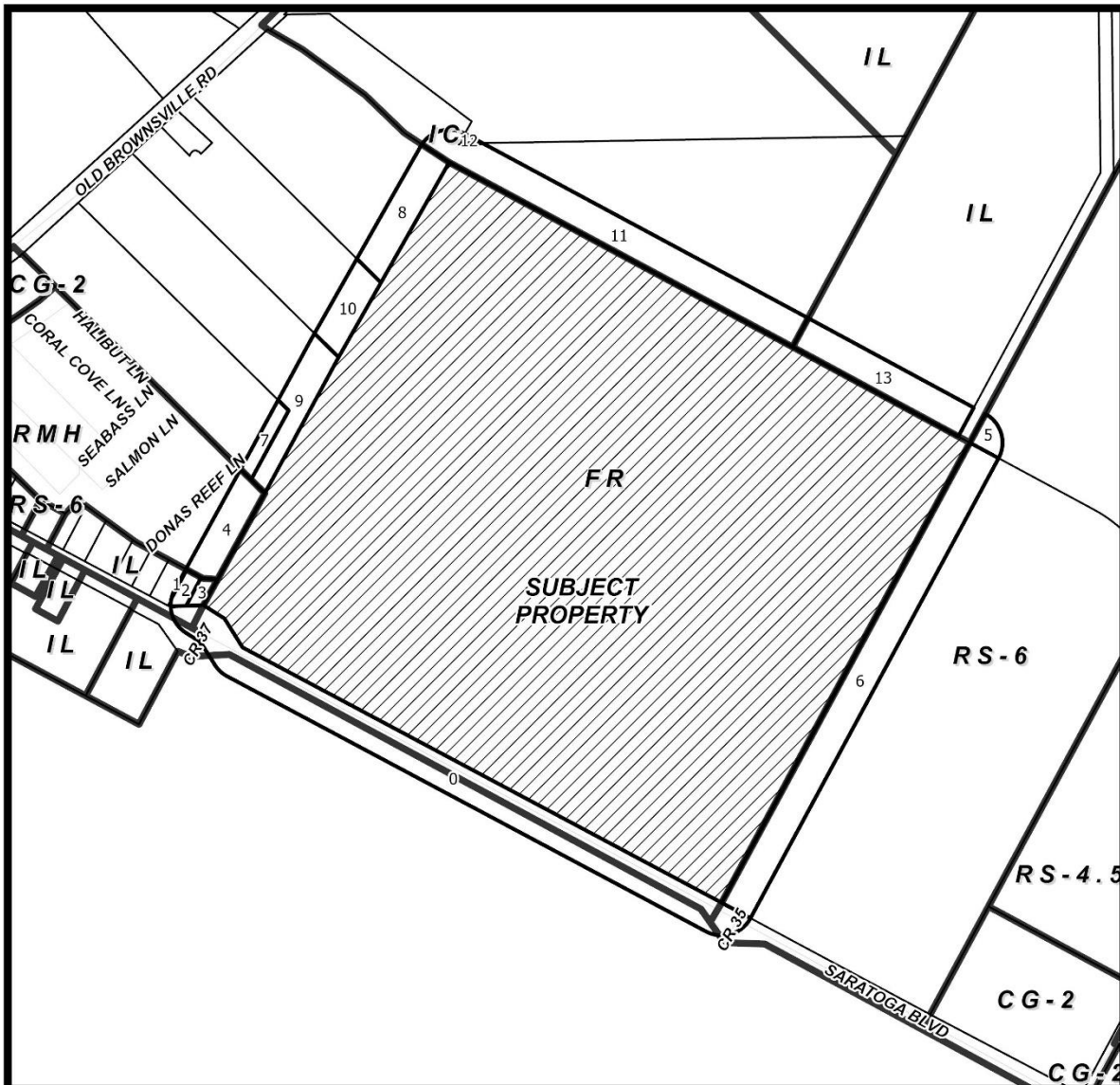
Planning Commission and Staff Recommendation: Approval of the “RS 4.5” Single-Family Residential District for Tract I and approval of “RE/SP” Estate Residential District with a Special Permit and subject to the following conditions:

1. **Density:** The only use permitted under this Special Permit, other than those permitted by right in the “RE” Estate Residential District is the use of single-family residential homes at a maximum density of 4 dwelling units per acre.
2. **Development Standards:** Each single-family property shall be designed in accordance with the “RS-4.5” Single-Family 4.5 District standards listed in Section 4.3.3 of the Unified Development Code (UDC).
3. **Stormwater:** Any surface detention and/or retention storm water ponds must drain within 48 hours.
4. **Open Space:** 10% of the property must be designated as an open space. Land located within the Special Flood Hazard Area (SFHA) is not eligible to be considered as open space
5. **Flood Hazard Areas:** Single-family homes may not be constructed on property designated as a Special Flood Hazard Area as per the latest approved floodplain map.
6. **Other Requirements:** The conditions listed herein do not preclude compliance with other applicable UDC and Building and Fire Code Requirements.
7. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within 12 months of this ordinance unless a complete building permit application has been submitted, and the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

Attachments:

- A. Location Map (Existing Zoning & Notice Area)
- B. Tract I and II
- C. Returned Notices
- D. Traffic Impact Analysis

ATTACHMENT A: EXISTING ZONING AND NOTICE AREA



CASE: 0422-02
Zoning and notice Area

RM-1	Multifamily 1	IL	Light Industrial
RM-2	Multifamily 2	IH	Heavy Industrial
RM-3	Multifamily 3	PUD	Planned Unit Dev. Overlay
ON	Professional Office	RS-10	Single-Family 10
RM-AT	Multifamily AT	RS-6	Single-Family 6
CN-1	Neighborhood Commercial	RS-4.5	Single-Family 4.5
CN-2	Neighborhood Commercial	RS-TF	Two-Family
CR-1	Resort Commercial	RS-15	Single-Family 15
CR-2	Resort Commercial	RE	Residential Estate
CG-1	General Commercial	RS-TH	Townhouse
CG-2	General Commercial	SP	Special Permit
CI	Intensive Commercial	RV	Recreational Vehicle Park
CBD	Downtown Commercial	RMH	Manufactured Home
CR-3	Resort Commercial		
FR	Farm Rural		
H	Historic Overlay		
BP	Business Park		

Subject Property with 200' buffer

Owners in favor

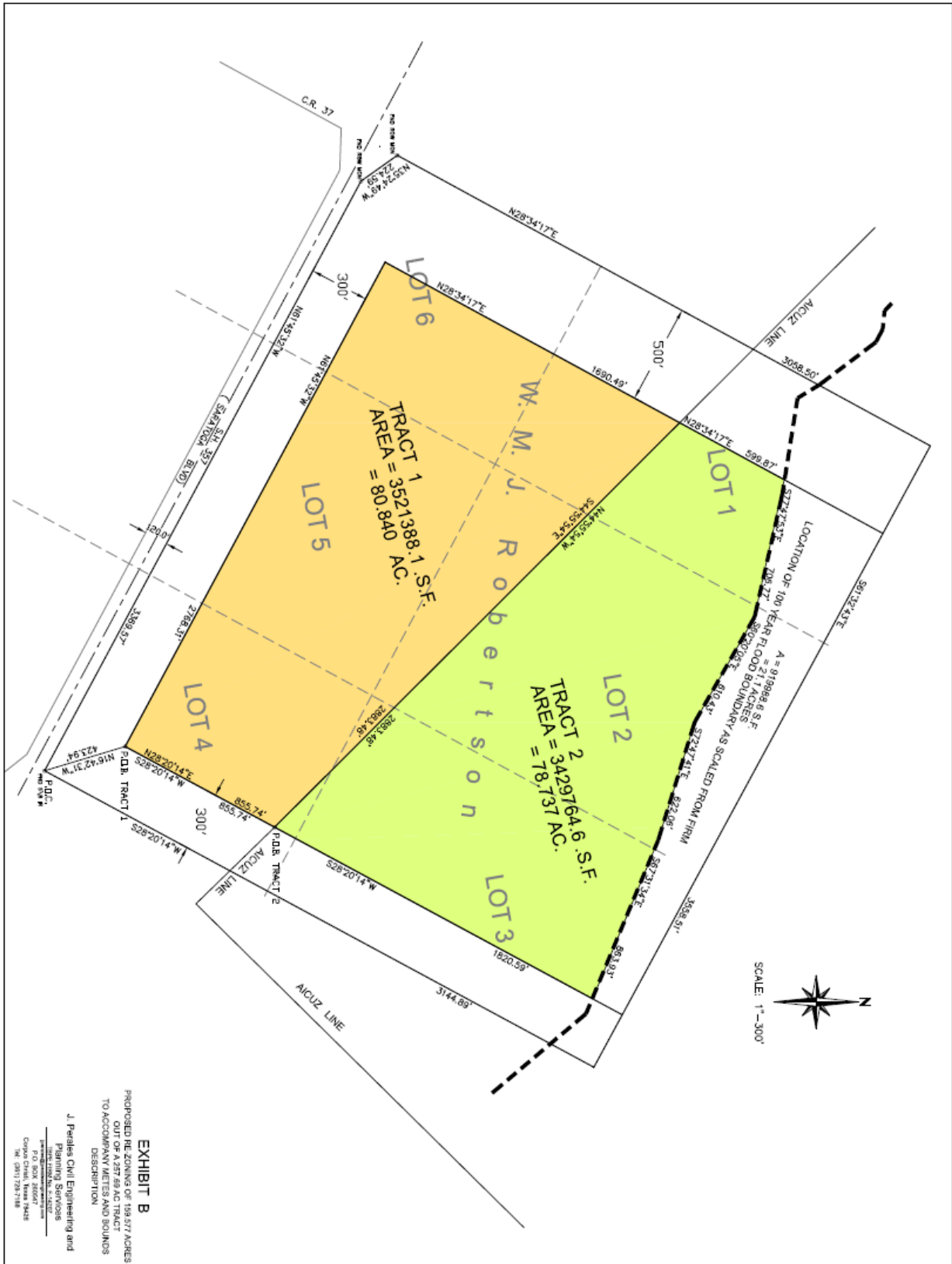
Owners within 200' listed on attached ownership table

Owners in opposition



Esri, HERE, LOCATION MAPS

ATTACH MENT B: Tracts I and II



Persons with disabilities planning to attend this meeting, who may require special services, are requested to contact the Development Services Department at least 48 hours in advance at (361) 826-3240. Personas con incapacidades, que tienen la intención de asistir a esta junta y que requieren servicios especiales, se les suplica que den aviso 48 horas antes de la junta llamando al departamento de servicios de desarrollo, al número (361) 826-3240.

If you wish to address the Commission during the meeting and your English is limited, please call the Development Services Department at (361) 826-3240 at least 48 hours in advance to request an interpreter be present during the meeting. Si usted desea dirigirse a la comisión durante la junta y su inglés es limitado, favor de llamar al departamento de servicios de desarrollo al número (361) 826-3240 al menos 48 horas antes de la junta para solicitar un intérprete ser presente durante la junta.

**CITY PLANNING COMMISSION
PUBLIC HEARING NOTICE
Rezoning Case No. 0422-02**

Behmann Brothers Foundation has petitioned the City of Corpus Christi to consider a change of zoning from the **"FR" Farm-Rural District** to the **"RS-4.5" Single Family 4.5 District, resulting in a change to the Future Land Use Map.** The property to be rezoned is described as:

A property located at or near 602 Saratoga Boulevard and described as 255.684 acres out of Tracts 1 thru 6, William J. Robertson Farm Tracts, located along the north side of Saratoga Boulevard, south of West Point Road and east of Old Brownsville Road.

The Planning Commission may recommend to City Council approval or denial, or approval of an intermediate zoning classification and/or Special Permit. Approval of a change of zoning, if inconsistent with the City's Comprehensive Plan, will also have the effect of amending the Comprehensive Plan to reflect the approved zoning.

The Planning Commission will conduct a public hearing for this rezoning request to discuss and formulate a recommendation to the City Council. The public hearing will be held on **Wednesday, May 4, 2022**, during one of the Planning Commission's regular meetings, which begins at **5:30 p.m.**, in the City Council Chambers, 1201 Leopard Street. You are invited to attend this public hearing to express your views on this rezoning request. For more information, please call (361) 826-3240.

TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE DEVELOPMENT SERVICES DEPARTMENT, P. O. BOX 9277, CORPUS CHRISTI, TEXAS 78469-9277. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

NOTE: In accordance with the Planning Commission By-Laws, no discussion shall be held by a member or members of this Commission with an applicant or appellant concerning an application or appeal, either at home or office, or in person, by telephone call or by letter.

Printed Name: MARCOS MORALES

Address: 1730 17TH ST City/State: Corpus Christi, Texas

() IN FAVOR (X) IN OPPOSITION Phone: (361) 882-5557
(Work #)

REASON:
I AM CONCERNED THAT COMPLAINTS WILL BE CALLED IN TO THE CITY AND/OR POLICE IN REGARDS TO NOISE OR SMELL FROM MY FARM ANIMALS. IF NOT THEN PROCEED!
MARCOS MORALES
Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 22ZN1011
Property Owner ID:8

Case No. 0422-02
Case Manager: Elena Buentello
Email: elenab@cctexas.com

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Printed Name: GREER EVANS
Address: 3311 SANDERLING City/State: AUSTIN TX 78746
 IN FAVOR () IN OPPOSITION Phone: 512 750 3888

REASON:

Greer Evans
Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 22ZN1011
Property Owner ID:11

Case No. 0422-02
Case Manager: Elena Buentello
Email: elenab@cctexas.com