

# PLANNING COMMISSION FINAL REPORT

Case No. 0114-03  
 HTE No. 13-10000047

**Planning Commission Hearing Date:** January 15, 2014

<b>Applicant &amp; Legal Description</b>	<p><b>Applicant/Owner:</b> The Mostaghasi Investment Trust  <b>Legal Description/Location:</b> Being a 15.567-acre tract of land, more or less, out of Lot 3, Block 1, The Forum Mall, and out of a portion of Lot 15, Section 27, Flour Bluff and Encinal Farm and Garden Tracts, located on the east side of Rodd Field Road and approximately 600 feet north of Wooldridge Road.</p>			
<b>Zoning Request</b>	<p><b>From:</b> "RM-1" Multifamily 1 District and "CN-1" Neighborhood Commercial District  <b>To:</b> "RS-4.5" Single-Family 4.5 District  <b>Area:</b> 15.567 acres  <b>Purpose of Request:</b> To allow construction of a single-family residential subdivision.</p>			
<b>Existing Zoning and Land Uses</b>		<b>Existing Zoning District</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>
	<i>Site</i>	"RM-1" Multifamily 1 & "CN-1" Neighborhood Commercial	Vacant	Commercial & Medium Density Residential
	<i>North</i>	"CG-2" General Commercial, "RM-1" Multifamily 1 & "FR" Farm Rural	Vacant	Commercial & Medium Density Residential
	<i>South</i>	"RM-3" Multifamily 3	Vacant	Commercial & Medium Density Residential
	<i>East</i>	"RS-4.5" Single-Family 4.5 & "RM-1" Multifamily 1	Vacant & Low Density Residential	Low Density Residential & Medium Density Residential
	<i>West</i>	"CN-1" Neighborhood Commercial & "CG-2" General Commercial	Vacant & Commercial	Commercial
<b>ADP, Map &amp; Violations</b>	<p><b>Area Development Plan:</b> The subject property is located within the boundaries of the Southside Area Development Plan and is planned for commercial uses and medium-density residential uses. The proposed rezoning to the "RS-4.5" Single-Family 4.5 District is not consistent with the adopted Future Land Use Plan.  <b>Map No.:</b> 040033  <b>Zoning Violations:</b> None</p>			

<b>Trans- portation</b>	<b>Transportation and Circulation:</b> The subject property has 60 feet of street frontage along Rodd Field Road which is a “A3” Primary - Arterial Divided Street.				
<b>Street R.O.W.</b>	<b>Street</b>	<b>Urban Transportation Plan Type</b>	<b>Proposed Section</b>	<b>Existing Section</b>	<b>Traffic Volume (2011)</b>
	Rodd Field Rd.	“A3” Primary- Arterial Divided Street	120’ ROW 65’ paved	130’ ROW 79’ paved	22,799 ADT

**Staff Summary:**

**Requested Zoning:** The applicant is requesting a rezoning from the “CN-1” Neighborhood Commercial District and the “RM-1” Multifamily 1 District to the “RS-4.5” Single-Family 4.5 District in order to construct an 80-lot single-family residential subdivision. The lots will vary in size from 5,700 to 6,800 square feet with 25-foot deep front yards. A single-family residential subdivision is an allowed use in the existing “RM-1” Multifamily 1 District, but the development of a single-family residential subdivision within a multifamily zoning district requires construction of larger utility lines and street widths than a single-family zoning district would require. Down-zoning the subject property allows the developer to follow the design and infrastructure regulations of a typical low-density residential development.

**Existing Land Uses & Zoning:** North of the subject property is vacant land zoned “CG-2” General Commercial District, “RM-1” Multifamily 1 District and “FR” Farm Rural District. East of the subject property is a single-family neighborhood zoned “RS-4.5” Single-Family 4.5 District and vacant land zoned “RM-1” Multifamily 1 District. South of the subject property is vacant land zoned “RM-3” Multifamily 3 District. West of the subject property is vacant land zoned “CN-1” Neighborhood Commercial District and a bar, Dewey’s Beer Garden, zoned “CG-2” General Commercial District.

**AICUZ:** The subject property is **not** located in one of the Navy’s Air Installation Compatibility Use Zones (AICUZ).

**Comprehensive Plan & Area Development Plan Consistency:** The subject property is located within the boundaries of the Southside Area Development Plan. The proposed rezoning to the “RS-4.5” Single-Family 4.5 District is not consistent with the adopted Future Land Use Plan’s designation of the property for commercial uses along Rodd Field Road and medium-density residential uses on the majority of the property.

**Plat Status:** The subject property is currently in the process of being platted for a single-family subdivision.

**Department Comments:**

- This rezoning would expand the “RS-4.5” Single-Family 4.5 District located east of the subject property.

- Although inconsistent with the adopted Future Land Use Plan, expanding the “RS-4.5” Single-Family 4.5 District to the east would not adversely affect the surrounding properties. The proposed rezoning is compatible with the surrounding zoning districts and land uses.
- This rezoning would require the commercial properties on Rodd Field Road to increase their buffer yard requirements somewhat beyond what would have been required if the subject property were to remain zoned “RM-1” Multifamily 1 District. Additionally, expansions of the commercial buildings would be required to setback from the single-family dwellings a distance twice the height of the commercial buildings.
- The subject property has been undeveloped almost 30 years ago when it was originally platted in 1984 as The Forum Mall. Rezoning to a single-family district would allow development of this underutilized piece of land to meet residential housing demand.

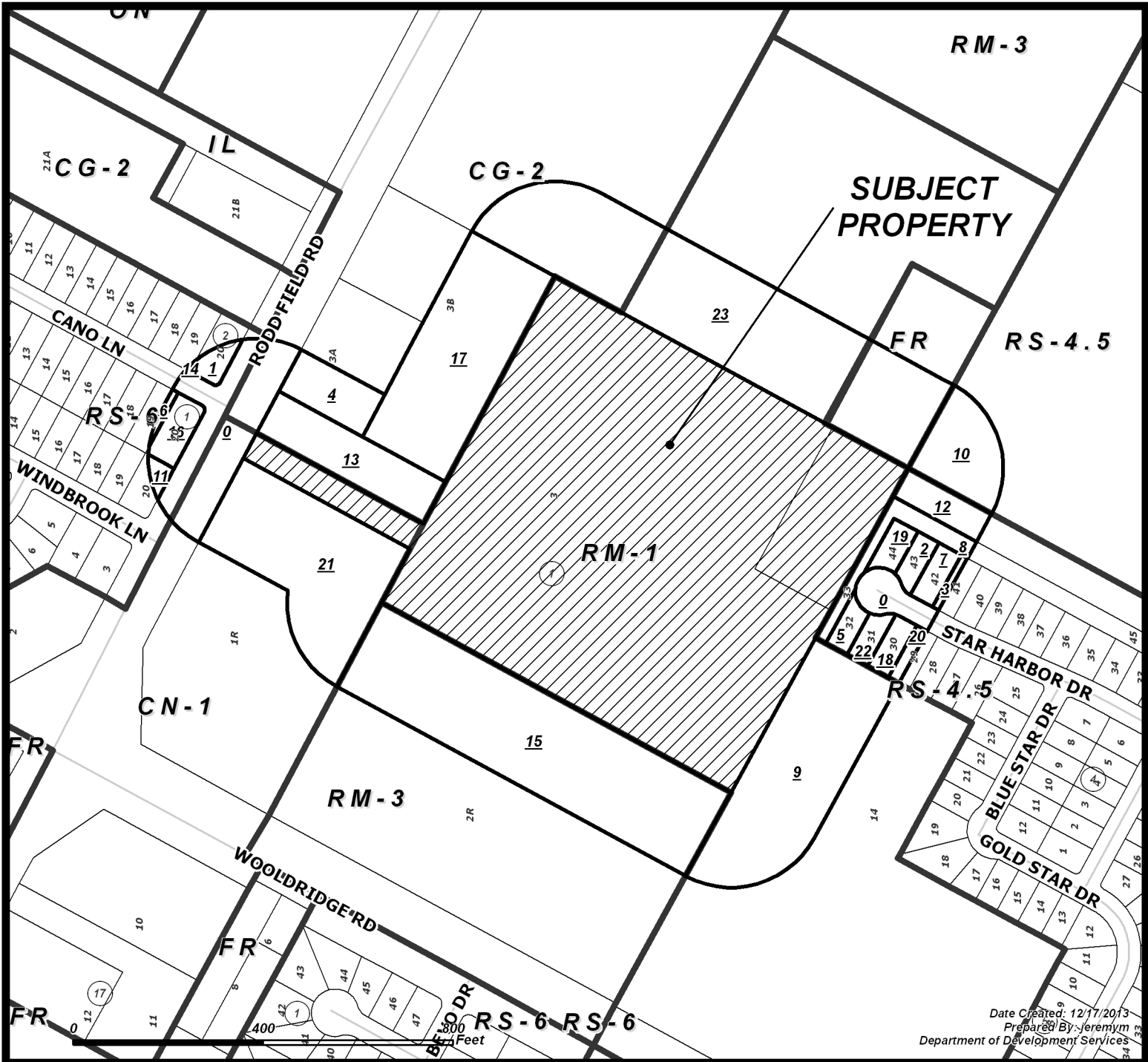
**Planning Commission and Staff Recommendation (January 15, 2014):**

Approval of the change of zoning from the “CN-1” Neighborhood Commercial District and the “RM-1” Multifamily 1 District to the “RS-4.5” Single-Family 4.5 District.

<b>Public Notification</b>	<p>Number of Notices Mailed – 22 within 200-foot notification area  3 outside notification area</p> <p><b><u>As of January 16, 2014:</u></b></p> <p>In Favor – 1 inside notification area; 0 outside notification area  In Opposition – 0 inside notification area; 0 outside notification area</p> <p>Totaling 0.00% of the area within 200 feet of the subject property in opposition.</p>
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Attachments:

- A. Location Map (Existing Zoning & Notice Area)
- B. Site Plan

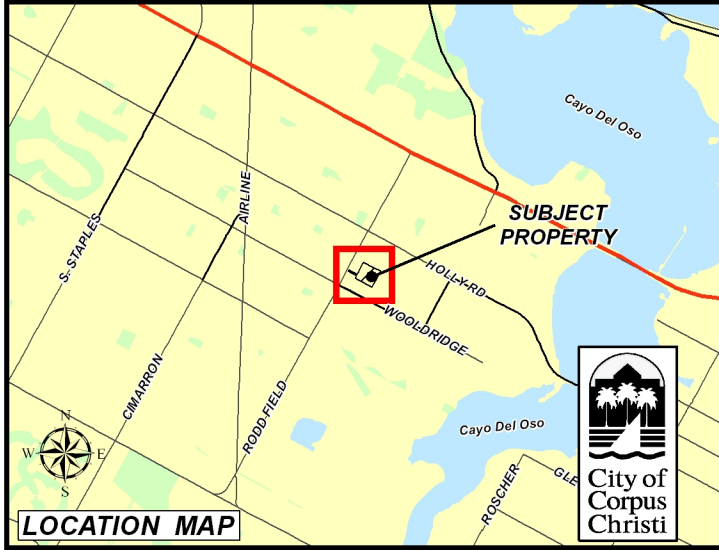


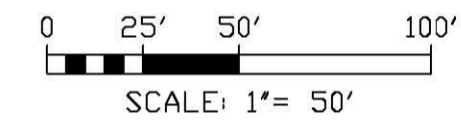
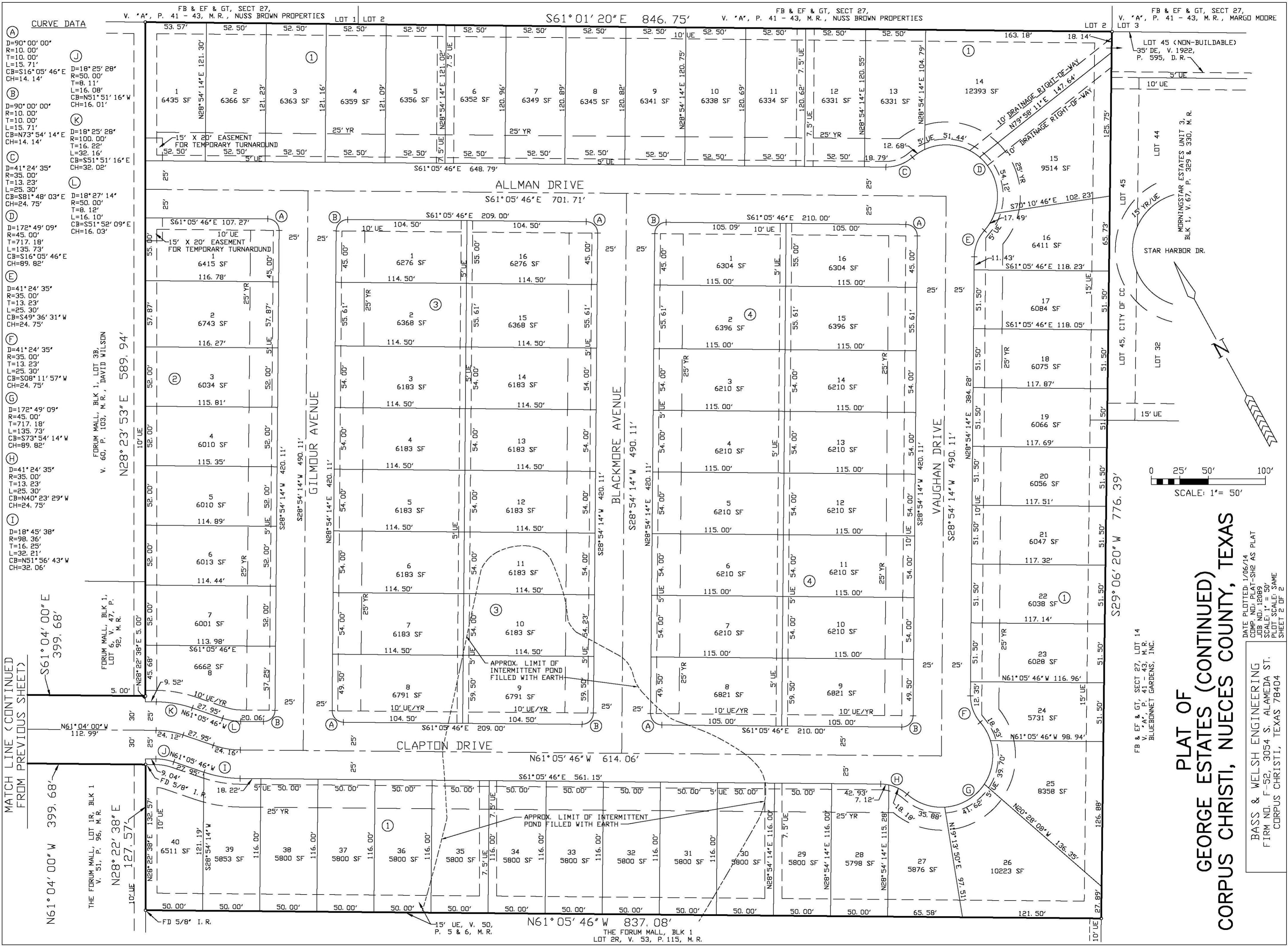
Date Created: 12/17/2013  
 Prepared By: Jeremym  
 Department of Development Services

## CASE: 0114-03 ZONING & 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





**PLAT OF  
GEORGE ESTATES (CONTINUED)  
CORPUS CHRISTI, NUECES COUNTY, TEXAS**

DATE PLOTTED: 1/06/14  
CMP. NO. PLAT-SHE AS PLAT  
JOB NO. 12069  
SCALE: 1" = 50'  
PLOT SCALE: SAME  
SHEET 2 OF 2

BASS & WELSH ENGINEERING  
FIRM NO. F-52, 3054 S. ALAMEDA ST.,  
CORPUS CHRISTI, TEXAS 78404

FB & EF & GT, SECT 27,  
V. "A", P. 41 - 43, M.R.,  
BLUEBONNET GARDENS, INC.

MORNINGSTAR ESTATES UNIT 3,  
BLK 1, V. 67, P. 329 & 330, M.R.

FB & EF & GT, SECT 27,  
V. "A", P. 41 - 43, M.R.,  
NUSS BROWN PROPERTIES

FB & EF & GT, SECT 27,  
V. "A", P. 41 - 43, M.R.,  
NUSS BROWN PROPERTIES

FB & EF & GT, SECT 27,  
V. "A", P. 41 - 43, M.R.,  
MARGO MOORE

MATCH LINE (CONTINUED  
FROM PREVIOUS SHEET)

THE FORUM MALL, LOT 1R, BLK 1,  
V. 51, P. 96, M.R.

FORUM MALL, BLK 1,  
LOT 5, V. 47, P.  
92, M.R.

FORUM MALL, BLK 1, LOT 3B,  
V. 60, P. 103, M.R., DAVID WILSON

15' X 20' EASEMENT  
FOR TEMPORARY TURNAROUND

15' X 20' EASEMENT  
FOR TEMPORARY TURNAROUND

APPROX. LIMIT OF  
INTERMITTENT POND  
FILLED WITH EARTH

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FILLED WITH EARTH

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