

STAFF REPORT

Case No. 0915-05
 HTE No. 15-10000049

Planning Commission Hearing Date: September 23, 2015

| | | | | |
|--|--|--|--|--|
| Applicant & Legal Description | <p>Applicant/Owner: Patricia H. Wallace, Trustee #2 Representative: Urban Engineering Legal Description/Location: Being a 115.72-acre tract of land of Lots 22 through 27, Section 25, Flour Bluff and Encinal Farm and Garden Tracts, located along the south side of Yorktown Boulevard between Fred's Folly Drive and Starry Road.</p> | | | |
| Zoning Request | <p>From: "RS-6" Single-Family 6 District and "FR" Farm Rural District To: "RS-4.5" Single-Family 4.5 District Area: 115 Acres Purpose of Request: To allow single-family development and cluster housing development.</p> | | | |
| Existing Zoning and Land Uses | | Existing Zoning District | Existing Land Use | Future Land Use |
| | <i>Site</i> | "RS-6" Single-Family 6 District and "FR" Farm Rural District | Vacant | Low Density Residential |
| | <i>North</i> | "FR" Farm Rural, "RS-4.5" Single-Family 4.5 and "RM-2" Multifamily 2 | Vacant and Low Density Residential | Medium Density Residential |
| | <i>South</i> | "FR" Farm Rural | Vacant | Low Density Residential |
| | <i>East</i> | "RE" Residential Estate and "FR" Farm Rural | Low Density Residential, Commercial and Vacant | Low Density Residential, Medium Density Residential, Estate Residential and Park |
| | <i>West</i> | "FR" Farm Rural | Vacant | Medium and Low Density Residential |
| ADP, Map & Violations | <p>Area Development Plan: The subject property is located within the boundaries of the Southside Area Development Plan and is planned for low density residential uses. The proposed rezoning to the "RS-4.5" Single-Family 4.5 District is consistent with the adopted Future Land Use Map. Map No.: 041029 Zoning Violations: None</p> | | | |

| | | | | | |
|-----------------------|--|---------------------------------------|-------------------------|-------------------------|------------------------------|
| Transportation | Transportation and Circulation: The subject property is located along the south side of Yorktown Boulevard between Fred's Folly Drive and Starry Road. Fred's Folly Drive and Starry Road are classified by the Urban Transportation Plan as local residential streets. Yorktown Boulevard is classified as an "A3" Primary Arterial Divided street. The subject property has approximately 1,960 feet of frontage along Yorktown Boulevard and approximately 2,570 feet along Starry Road. | | | | |
| Street R.O.W. | Street | Urban Transportation Plan Type | Proposed Section | Existing Section | Traffic Volume (2013) |
| | Yorktown Boulevard | "A3" Primary Arterial Divided | 130' ROW 79' paved | 152' ROW 33' paved | N/A |
| | Starry Road | Local Residential | 50' ROW 28' paved | 47' ROW 15' paved | N/A |

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "RS-6" Single-Family 6 District and "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District.

Development Plan: The proposed rezoning is to allow construction of Phase 1 of Riverbend Subdivision consisting of 103 residential lots. Riverbend Subdivision is planned for a total of 594 lots. Some of the subdivision is planned for cluster housing. The recently approved preliminary plat for the Riverbend subdivision is attached for reference.

Existing Land Uses & Zoning: The property to the north of the subject property is zoned "FR" Farm Rural, "RS-4.5" Single-Family 4.5 and "RM-2" Multifamily 2 Districts. The land to the north is primarily vacant except for two single-family dwellings in the "FR" Farm Rural and "RS-4.5" Single-Family 4.5 Districts. The property to the south is zoned "FR" Farm Rural and is vacant. The property to the east is zoned "RE" Residential Estate and "FR" Farm Rural Districts. Most of the property is vacant with one single-family dwelling and a commercial use in the "FR" Farm Rural District. The property to the west is zoned "FR" Farm Rural District and is vacant.

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

Plat Status: The subject property is in the process of being platted.

Comprehensive Plan & Area Development Plan Consistency: The subject property is located within the boundaries of the Southside Area Development Plan (ADP) and the rezoning to "RS-4.5" Single-Family 4.5 District is consistent with elements of the Southside ADP and the adopted Future Land Use Map's designation of the property as

a low density residential use. The proposed rezoning if approved will further various policies of the Comprehensive Plan including but not limited to the following:

- Comprehensive Plan Policy Statements:
 - o New development should occur in a pattern which is cost effective. The City should encourage new development where services can be provided economically and, wherever possible, promote contiguous development.
 - o Encouraging infill development on vacant tracts within developed areas (Comprehensive Plan, Residential Policy Statement F).

Department Comments:

- The requested rezoning to the “RS-4.5” Single-Family 4.5 District furthers various policies and goals of the Comprehensive Plan and the Southside Area Development Plan pertaining to residential development and infill development.
- The subject property is suited for the proposed uses allowed by the “RS-4.5” Single-Family 4.5 District, i.e. low density residential uses.
- The “RS-4.5” Single-Family 4.5 District is compatible with the present zoning and conforming uses of nearby property and to the character of the surrounding area.
- The Zoning Map amendment will not have a negative impact upon the surrounding neighborhood.

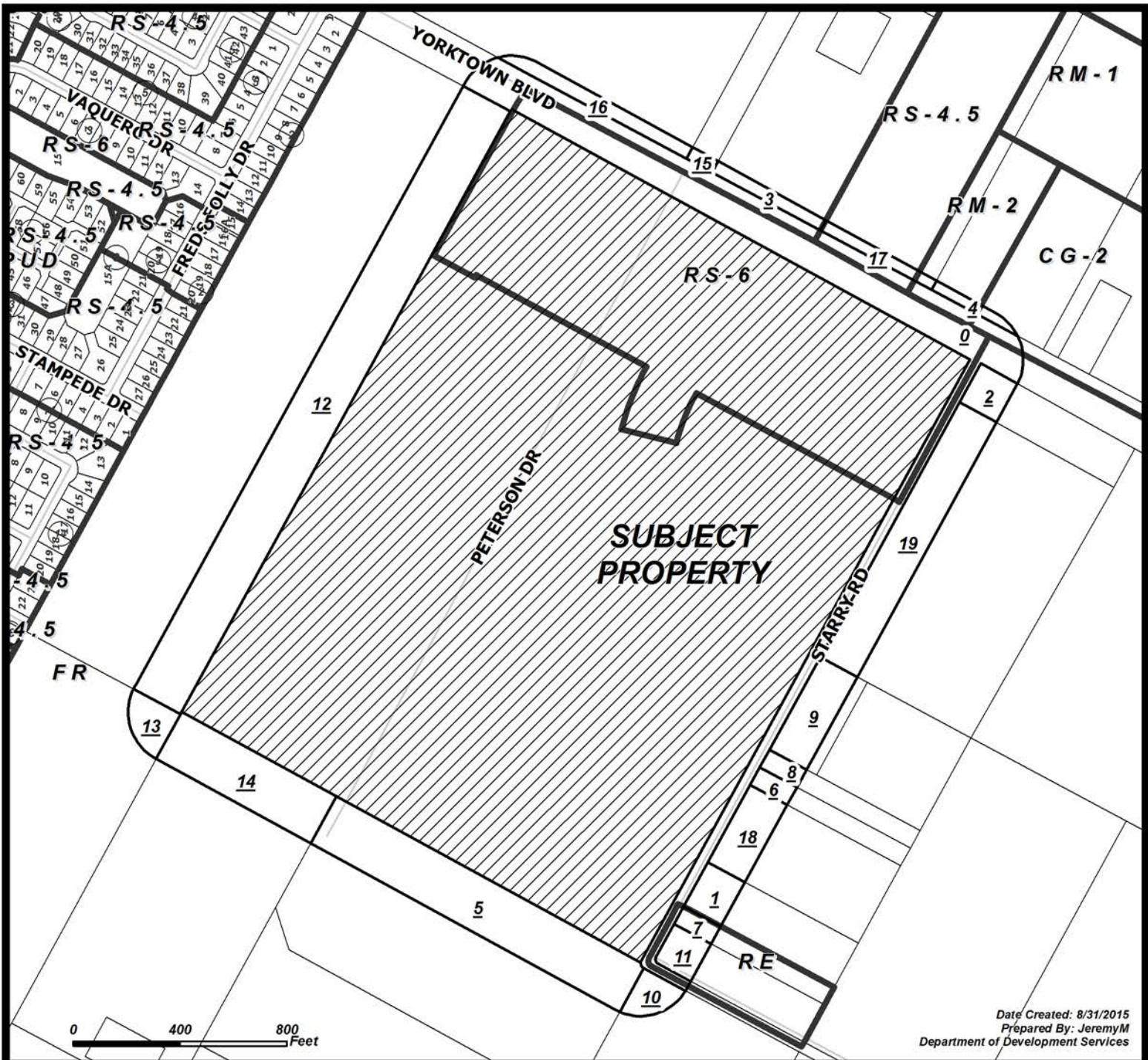
Staff Recommendation:

Approval of the rezoning to the “RS-4.5” Single-Family 4.5 District.

| | |
|----------------------------|--|
| Public Notification | Number of Notices Mailed – 19 within 200-foot notification area 1 outside notification area |
| | <u>As of September 16, 2015:</u> |
| | In Favor – 0 inside notification area – 0 outside notification area |
| | In Opposition – 0 inside notification area – 0 outside notification area |
| | Totaling 0.00% of the land within the 200-foot notification area in opposition. |

Attachments:

1. Location Map (Existing Zoning & Notice Area)
2. Application
3. Preliminary Plat

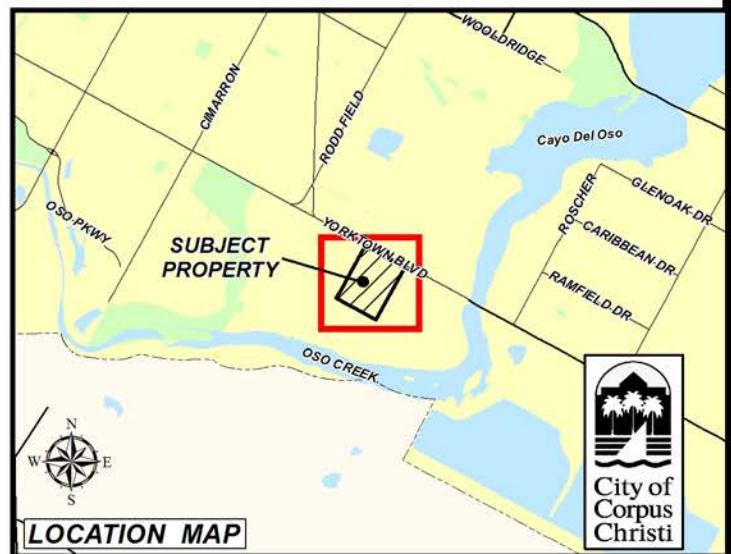


Date Created: 8/31/2015
 Prepared By: Jeremy M
 Department of Development Services

CASE: 0915-05 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



5-10000049



REZONING APPLICATION

Office Use Only

Development Services Dept.
P.O. Box 9277
Corpus Christi, Texas 78469-9277
(361) 826-3240
Located at 2406 Leopard Street

Case No.: 0915-05 Map No.: 041029
PC Hearing Date: 9-23-15 Proj.Mgr: Jessica Alford

Hearing Location: City Hall, Council Chambers, 1201 Leopard Street
Hearing Time: 5:30 p.m.

* A MAXIMUM OF FIVE REZONINGS CASES ARE SCHEDULED PER HEARING.
* INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

1. Applicant: Urban Engineering Contact Person: Xavier Galvan
Mailing Address: 2725 Swantner Drive
City: Corpus Christi State: Tx ZIP: 78404 Phone: (361) 854-4187 ext. 217
E-mail: [REDACTED] Cell: ()

2. Property Owner(s): Patricia H. Wallace, Trustee #2 Contact Person: John Wallace
Mailing Address: 101 N. Shoreline, Suite 600
City: Corpus Christi State: Tx ZIP: 78401 Phone: (361) 882-5435
E-mail: [REDACTED] Cell: ()

3. Subject Property Address: South of Yorktown Blvd between Rancho Vista & Starry Road Area of Request (SF/acres): 115.72 acres
Current Zoning & Use: RS-6 and FR - Agricultural Proposed Zoning & Use: RS-4.5 (residential)
12-Digit Nueces County Tax ID: 2476-0025-0210, 2476-0025-0212, 2476-0025-0220 and 2476-0025-0250
Subdivision Name: _____ Block: _____ Lot(s): _____
Legal Description if not platted: Lots 22 through 27, Section 25, F.B.&E.F.&G.T.

4. Submittal Requirements: many mtgs
 Early Assistance Meeting: Date Held not required; with City Staff Jessica Alford
 Land Use Statement Disclosure of Interest Copy of Warranty Deed
IF APPLICABLE:
 Peak Hour Trip Form (if request is inconsistent with Future Land Use Plan) Site Plan for PUD or Special Permit
 Metes & Bounds Description with exhibit if property includes un-platted land (sealed by RPLS) Lien Holder Authorization
 Appointment of Agent Form if landowner is not signing this form

I certify that I have provided the City of Corpus Christi with a complete application for review, that I am authorized to initiate this rezoning
on behalf of the Property Owner(s); and [Signature]
[Signature] Owner or Agent's Signature [Signature] Applicant's Signature
Patricia H. Wallace Owner or Agent's Printed Name Eugene C. Urban, Jr. Urban Engineering Applicant's Printed Name

Office Use Only: Date Received: 8/13/15 Received By: AD ADP: SS
Rezoning Fee: 6526.75 + PUD Fee 0 + Sign Fee 50.00 = Total Fee \$6576.75
No. Signs Required 5 @ \$10/sign Sign Posting Date: _____

15-10000049

LAND USE STATEMENT

1. State the purpose of the request and include applicable background information as to the development plan for the property, i.e., usage of property, number and square footage(s) of existing and/or proposed building(s)/unit(s), building(s)/unit(s) height, parking plans/spaces, phasing schedule of development, number of employee(s) associated with the office, business or industrial development, hours of operation, modification or demolition plans for existing structure(s), type, area and setback of signage, etc.

The owner is requesting a change of zoning from FR and RS-6 to RS-4.5. This change of zoning request is for a portion of the 594 lot, Riverbend Subdivision as shown on recently approved preliminary plat. The first phase will include 103 residential lots. This request conforms with the future land use.

2. Identify the existing land uses adjoining the area of request:

North - Yorktown Boulevard

South - Agricultural - (Zoned - FR)

East - Agricultural - (Zoned - FR)

West - Agricultural - (Zoned - FR)

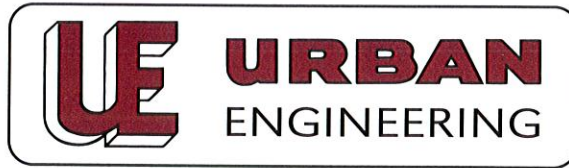


Exhibit A
115.72 Acre Zoning Tract

STATE OF TEXAS
COUNTY OF NUECES

Fieldnotes, for a 115.72 Acre Zoning Tract, of Lots 22-27, Section 25, Flour Bluff and Encinal Farm and Garden Tracts, a map of which is recorded in Volume A, Pages 41-43, Map Records of Nueces County, Texas; said 115.72 Acres being more fully described by metes and bounds as follows:

Commencing, at a Mag Nail found, on the Centerline of Yorktown Boulevard, a public roadway, the East corner of Lot 21, said Section 25, the North corner of the said Lot 22, from whence, a Mag Nail found, for the North corner of Lot 7, Section 34, said Flour Bluff and Encinal Farm and Garden Tracts, the East corner of the said Lot 24, bears South 61°17'51" East, 1982.31 feet;

Thence, South 28°42'09" West, with the Southeast line of the said Lot 21, the Northwest line of the said Lot 22, at 40.00 feet pass a 5/8 inch iron rod, with red plastic cap stamped "URBAN ENGR. C.C. TX" found, on the Southwest Right-of-Way of Yorktown Boulevard, in all 65.00 feet, to the Point of Beginning and North corner of this tract;

Thence, South 61°17'51" East, 1957.32 feet, for the East corner of this tract;

Thence, South 28°41'33" West, 2575.00 feet, to the Northeast line of Lot 8, Section 24, said Flour Bluff and Encinal Farm and Garden Tracts, the Southwest line of the said Lot 25, for the South corner of this tract;

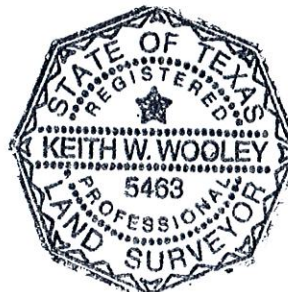
Thence, North 61°17'51" West, 1957.77 feet, to a 5/8 inch iron rod, with red plastic cap stamped "URBAN ENGR. C.C. TX" found, in the North corner of the said Lot 6, the East corner of Lot 5, said Section 24, the South corner of Lot 28, said Section 25, for the West corner of the said Lot 27 and of this tract;

Thence, North 28°42'09" East, 2575.00 feet, to the Point of Beginning, containing 115.72 acres (5,040,679 Square Feet) of land, more or less.

Bearings are based on GPS, NAD 83, State Plane Coordinates, Texas South Zone 4205. This description was prepared from field work performed July 2004 and does not represent a current on the ground survey.

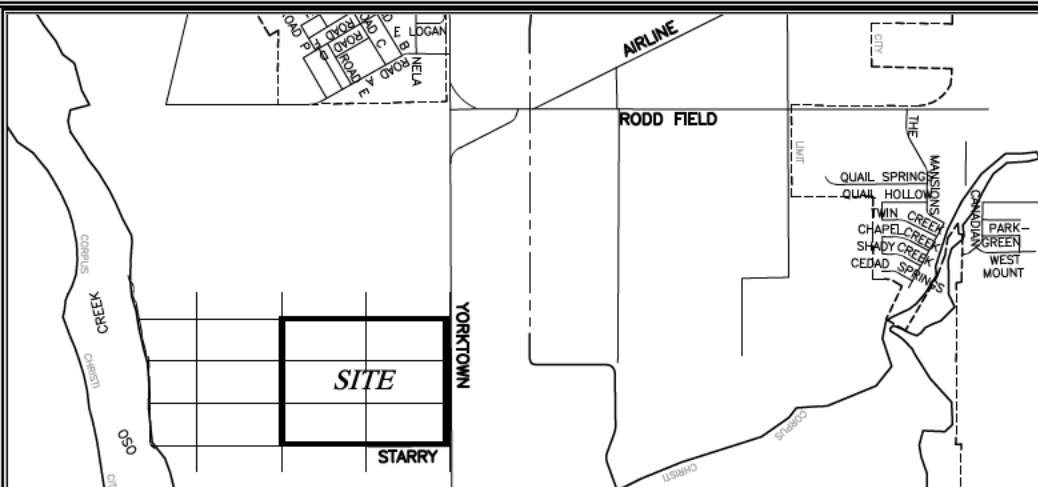
Unless this fieldnotes description, including preamble, seal and signature, appears in its entirety, in its original form, surveyor assumes no responsibility for its accuracy.

Also reference accompanying sketch of tract described herein.



URBAN ENGINEERING

Keith W. Wooley, R.P.L.S.
License No. 5463



LOCATION MAP N.T.S.

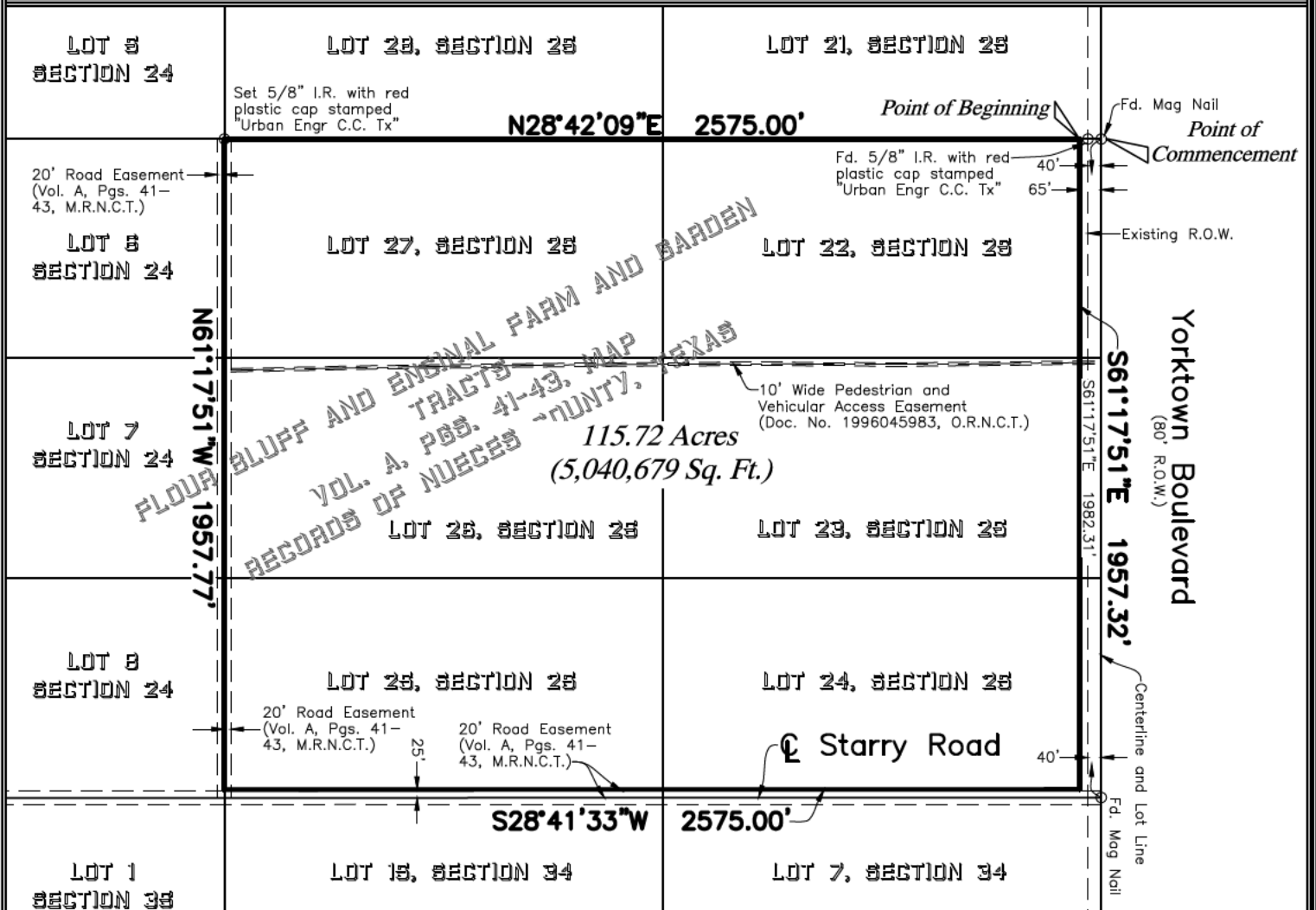


Exhibit B
Sketch to Accompany

FIELDNOTES for a 115.72 Acre Zoning Tract, of Lots 22-27, Section 25, Flour Bluff and Encinal Farm and Garden Tracts, a map of which is recorded in Volume A, Pages 41-43, Map Records of Nueces County, Texas.



DATE: July 16, 2015
 SCALE: 1"=500'
 JOB NO.: 39595.B5.02
 SHEET: 1 of 1
 DRAWN BY: RLG
 urbansurvey1@urbaneng.com
 © 2015 by Urban Engineering



DISCLOSURE OF INTERESTS

City of Corpus Christi Ordinance 17112, as amended, requires all persons or firms seeking to do business with the City to provide the following information. **Every question must be answered.** If the question is not applicable, answer with "NA".

NAME: Patricia H. Wallace, Trustee #2

STREET: 101 N. Shoreline CITY: Corpus Christi, Texas ZIP: 78401

FIRM is: Corporation Partnership Sole Owner Association Other _____

DISCLOSURE QUESTIONS

If additional space is necessary, please use the reverse side of this page or attach separate sheet.

1. State the names of each "employee" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

| Name | Job Title and City Department (if known) |
|------------|--|
| <u>N/A</u> | _____ |
| _____ | _____ |

2. State the names of each "official" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

| Name | Title |
|------------|-------|
| <u>N/A</u> | _____ |
| _____ | _____ |

3. State the names of each "board member" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

| Name | Board, Commission, or Committee |
|------------|---------------------------------|
| <u>N/A</u> | _____ |
| _____ | _____ |

4. State the names of each employee or officer of a "consultant" for the City of Corpus Christi who worked on any matter related to the subject of this contract and has an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

| Name | Consultant |
|------------|------------|
| <u>N/A</u> | _____ |
| _____ | _____ |

CERTIFICATE

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Corpus Christi, Texas as changes occur.

Certifying Person: John Wallace Title: owner
(Print Name)

Signature of Certifying Person: [Signature] Date: 7/30/15



DISCLOSURE OF INTERESTS

City of Corpus Christi Ordinance 17112, as amended, requires all persons or firms seeking to do business with the City to provide the following information. **Every question must be answered.** If the question is not applicable, answer with "NA".

NAME: Patricia H. Wallace, Trustee #2
STREET: 101 N. Shoreline CITY: Corpus Christi, Texas ZIP: 78401
FIRM is: Corporation Partnership Sole Owner Association Other _____

DISCLOSURE QUESTIONS

If additional space is necessary, please use the reverse side of this page or attach separate sheet.

1. State the names of each "employee" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

| Name | Job Title and City Department (if known) |
|------------|--|
| <u>N/A</u> | _____ |
| _____ | _____ |

2. State the names of each "official" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

| Name | Title |
|------------|-------|
| <u>N/A</u> | _____ |
| _____ | _____ |

3. State the names of each "board member" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

| Name | Board, Commission, or Committee |
|------------|---------------------------------|
| <u>N/A</u> | _____ |
| _____ | _____ |

4. State the names of each employee or officer of a "consultant" for the City of Corpus Christi who worked on any matter related to the subject of this contract and has an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

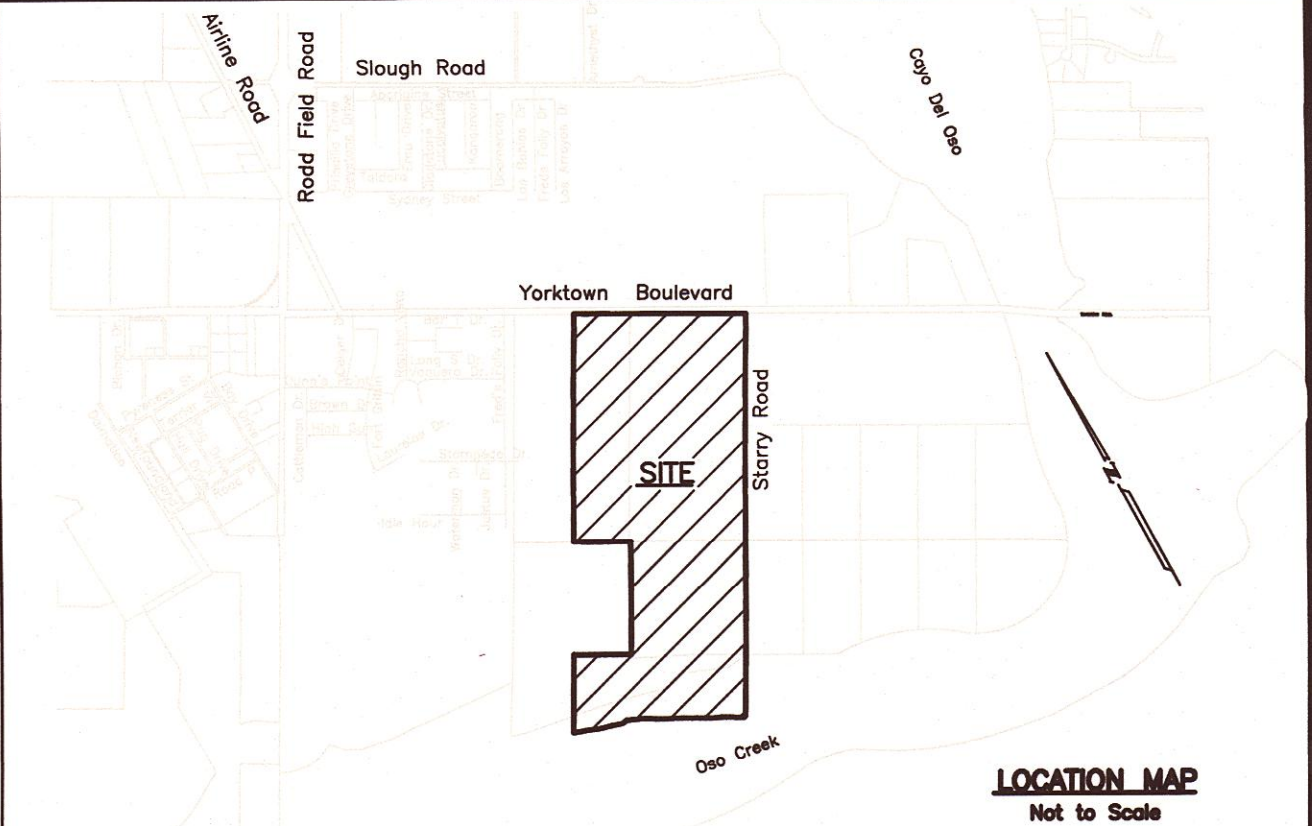
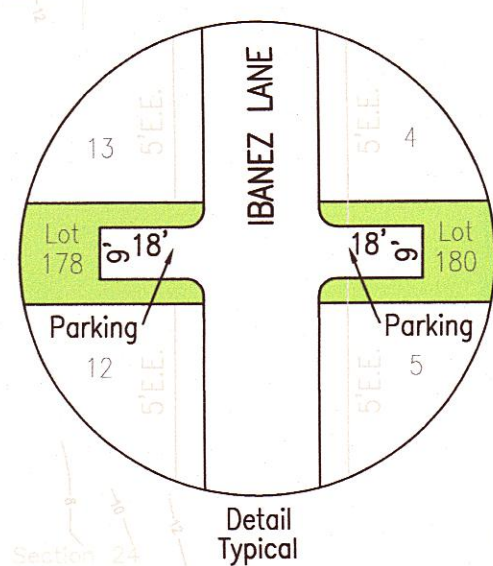
| Name | Consultant |
|------------|------------|
| <u>N/A</u> | _____ |
| _____ | _____ |

CERTIFICATE

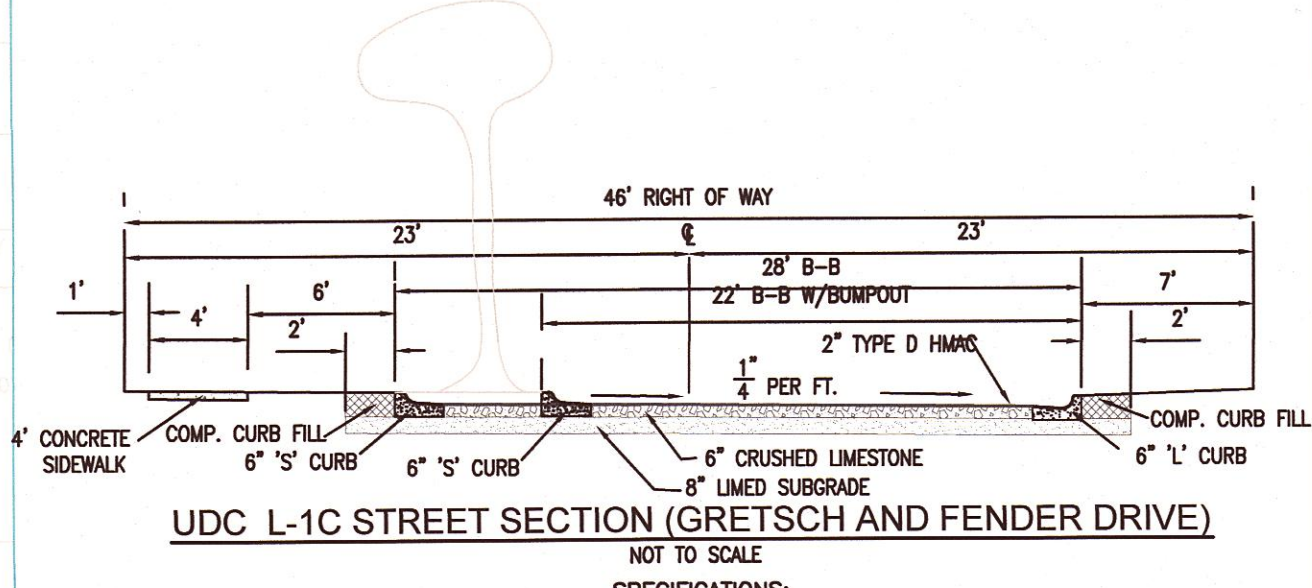
I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Corpus Christi, Texas as changes occur.

Certifying Person: Patricia H. Wallace Title: Owner
(Print Name)

Signature of Certifying Person: [Handwritten Signature] Date: _____

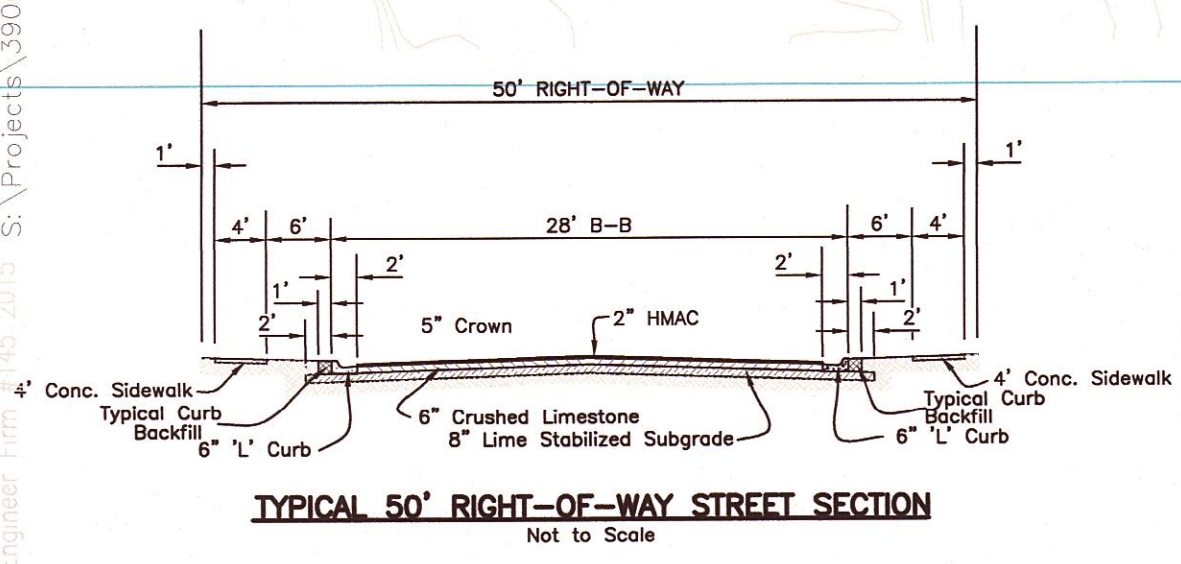


- NOTES:
- The property is currently undeveloped and is Zoned Farm Rural (FR) and RS-6. Proposed zoning is RS-4.5.
 - The portion of the property to be developed is in Flood Zone B, per Flood Insurance Rate Map for Nueces County, Texas (Unincorporated Area) Panel 540 of 705 Community Panel Number 485494 0540 C map revised March 18, 1985.
 - A Pollution Prevention Plan will be submitted with any plans of development for this property.
 - Residential Driveways are prohibited direct access to Yorktown Boulevard (Lots 1-16, Block 1; Lots 35 and 36, Block 2; Lots 1-14, Block 3).
 - Residential Driveways are prohibited direct access to STARRY ROAD (Lots 14-29, Block 3; Lots 1-15, Block 15).
 - All areas west of Oso Parkway are for future undetermined residential use.
 - There is no off-site drainage onto this property and the storm sewer plan as shown complies with the City of Corpus Christi Master Plan.
 - The receiving water for the storm water runoff from this property is the Oso Creek. The TCEQ has not classified the aquatic life use for Oso Creek, but it is recognized as an environmentally sensitive area. The Oso Creek flows directly into the Oso Bay. The TCEQ has classified the aquatic life use for the Oso Bay as "exceptional" and "oyster waters" and categorized the receiving water as "contact recreation use."
 - The actual boundary of Oso Creek shall be determined at the time of final platting.
 - All jurisdictional wetlands shall be delineated and any required permits shall be obtained from the U.S. Army Corps of Engineers or other appropriate regulatory agencies before work that may disturb the wetlands commences.
 - All properties will be rezoned to the proper zoning prior to filing the final plat and construction.
 - All temporary drainage easements shall be maintained by the HOA.
 - This project is not within an AICUZ Boundary or Noise contour.
 - Water and wastewater fees shall be paid prior to recordation of the final plat.
 - Lots 22-27, Block 17 cannot be platted as multiple lots, unless Oso Parkway is constructed to its full roadway width.
 - Water and Sewer will be located within the common areas.



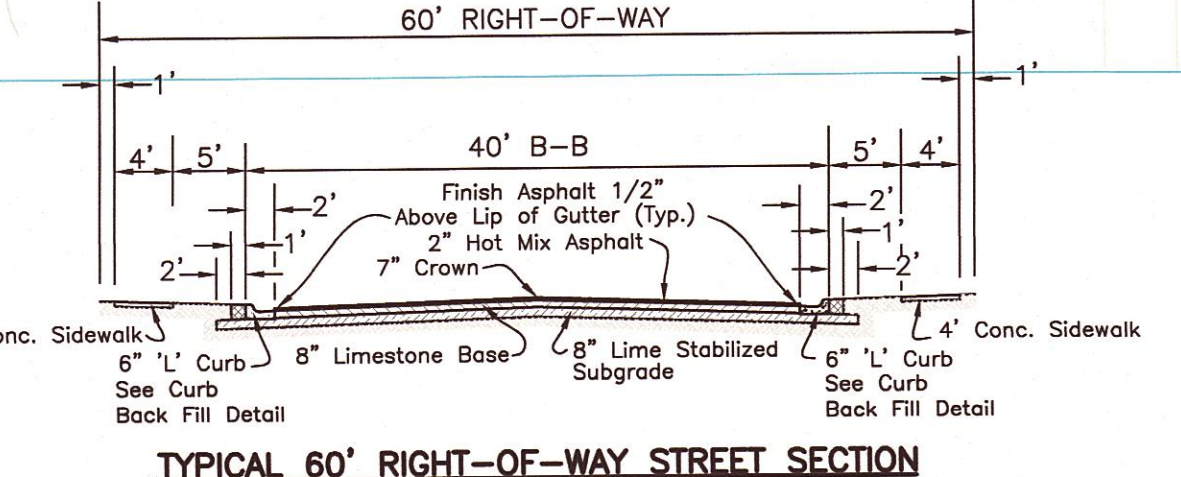
2" TYPE D HOT MIX ASPHALTIC CONCRETE PRIME COAT MC-30 AT 0.15 GAL/SQ. YD. 6" CRUSHED LIMESTONE (TY A, GR 1); COMPACTED TO 95% MOD. PROCTOR DENSITY MOISTURE SHALL BE WITHIN ±2% OPTIMUM MOISTURE 8" COMP. LIME STABILIZED SUBGRADE (5% BY DRY WT.); COMPACTED TO 95% STD. PROCTOR DENSITY MOISTURE SHALL BE WITHIN ±2% OPTIMUM MOISTURE.

NOTE:
FOR CLAY SOILS ONLY: STREET CROSS SECTION SHALL BE CONSTRUCTED OVER A 12" INCH SECTION OF COMPACTED RAW SUBGRADE TO 90% STANDARD PROCTOR, FROM WHICH THE 8" HIGH-IMPACT SUBGRADE SHALL BE SCARIFIED AND CONSTRUCTED.



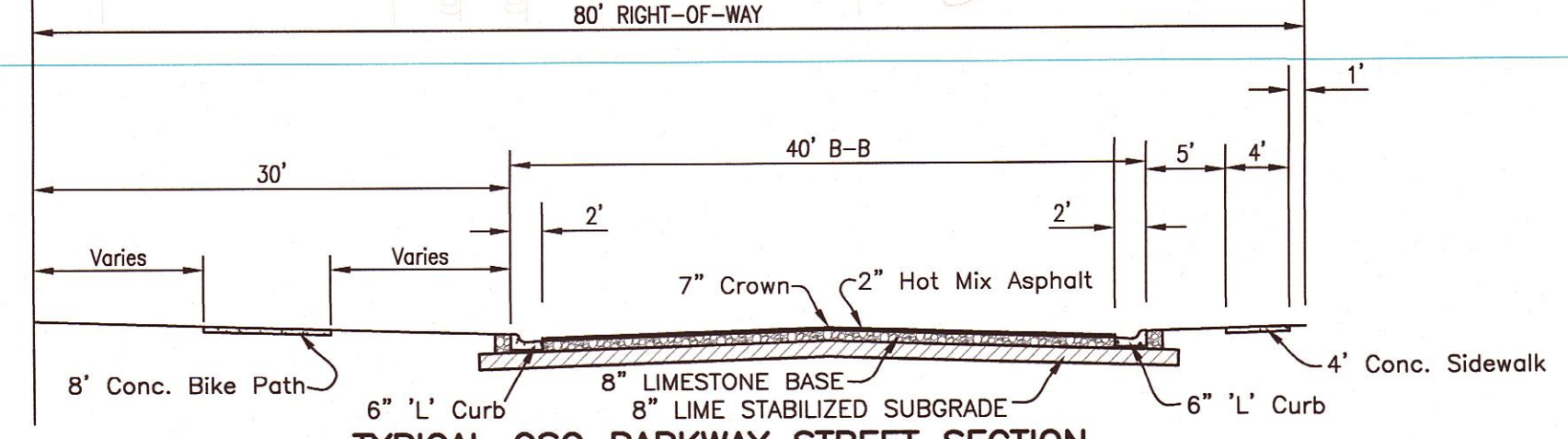
2" Type D Hot Mix Asphaltic Concrete
6" Crushed Limestone (TY A, GR 1); Compacted to 95% Std. Proctor Density
Moisture shall be within ±3% Optimum Moisture
8" Comp. Lime Stabilized Subgrade (5% by Dry Wt.); Compacted to 95% Std. Proctor Density
Moisture shall be within ±3% Optimum Moisture
Prime Coat MC-30 at 0.15 Gal/Sq. Yd.

NOTE:
For Clay Soils Only: Street cross section shall be constructed over a 12" inch section of compacted raw subgrade to 90% Standard Proctor, from which the 8" high-impact subgrade shall be scarified and constructed.

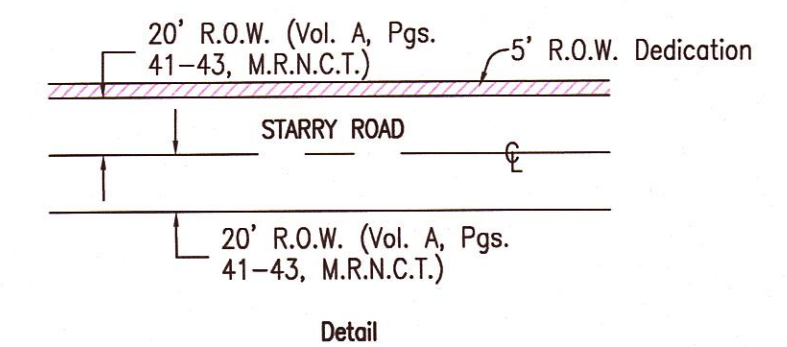


2" Type D Hot Mix Asphaltic Concrete
8" Limestone Base (TY A, GR 1); Compacted to 95% Std. Proctor Density
Moisture shall be within ±3% of Optimum Moisture
8" Comp. Lime Subgrade (5% by Wt.); Compacted to 95% Standard Proctor Density
Moisture shall be within ±3% of Optimum Moisture
Prime Coat MC-30 at 0.15 Gal/Sq. Yd.

NOTE:
For Clay Soils Only: Local and Residential Collector cross sections shall be constructed over a 12-inch section of compacted raw subgrade to 90% Standard Proctor, from which the 8-inch lined subgrade shall be scarified and constructed.



2" Type D Hot Mix Asphaltic Concrete
8" Limestone Base (TY A, GR 1); Compacted to 95% Modified Proctor Density
Moisture Content shall be within ±3% of Optimum Moisture
8" Comp. Lime Stabilized Subgrade (5% by Wt.); Compacted to 95% Standard Proctor Density
Moisture Content shall be within ±3% of Optimum Moisture
Prime Coat MC-1 at 0.15 Gal/Sq. Yd.



GRAPHIC SCALE
1"=200'

PRELIMINARY PLAT
for
RIVERBEND SUBDIVISION
Corpus Christi, Texas
Being 195.3 acres of land out of all of Lots 22 through 27, Section 25, all of Lots 7 and 8, Section 24, and portions of Lots 9, 10 and 11, Section 24, Flour Bluff and Encinal Farm and Garden Tracts.

ENGINEER:
Urban Engineering Firm #145
2725 Swantner Drive
Corpus Christi, Texas 78404
361-854-3101

OWNER/DEVELOPER:
Patricia H. Wallace, Trustee #2
101 N. Shoreline, Suite 600
Corpus Christi, Texas 78401

