

# ZONING REPORT

Case # 0623-03

Applicant & Subject Property			
<p><b>City Council District:</b> 3  <b>Owner:</b> Victor Valdez  <b>Applicant:</b> Joe Ortiz  <b>Address:</b> 5922 Kostoryz Road, located along the east side of Kostoryz Road, south of Holly Road and Crestwater Drive, and north of Saratoga Boulevard.  <b>Legal Description:</b> Lot 39, Block 6, Crestmont Unit 2  <b>Acreage of Subject Property:</b> 0.80 acre  <b>Pre-Submission Meeting:</b> May 18, 2023</p>			
Zoning Request			
<p><b>From:</b> "RM-2" Multifamily District  <b>To:</b> "CN-1" Neighborhood Commercial District  <b>Purpose of Request:</b> The applicant is proposing a future multi-family or commercial development.</p>			
Land Development & Surrounding Land Uses			
	Zoning District	Existing Land Use	Future Land Use
Site	"RM-2" Multi-Family	Vacant	Medium-Density Residential
North	"CN-1" Neighborhood Commercial, "RS-6" Single-Family 6	Public/Semi-Public Use, Low-Density Residential, <i>(Crestmont Unit 2 and 5, Tabernacle of Praise Church)</i>	
South	"RS-6" Single-Family 6	Agricultural	
East		Low-Density Residential <i>(Crestmont Unit 2 and 6)</i>	
West			
<p><b>Plat Status:</b> The property is platted. (Map Records of Nueces County Volume 53, Page 44)  <b>Military Compatibility Area Overlay District (MCAOD, Effective August 22, 2022):</b> NOLF Cabaniss Field. The property is within the vertical obstruction subzone of the Military Compatibility Area Overlay District of NOLF Cabaniss.  <b>Code Violations:</b> None.</p>			
Transportation and Circulation For Kostoryz Road			
	Designation-Urban Street	Section Proposed	Section Existing
Kostoryz Road	"A1" Minor Arterial, Undivided	4 Lanes, 95 feet	5 Lanes (Incl. 1 turning lane), 120 feet

**Transit:** The Corpus Christi RTA provides service to the subject property via *Route 15 Kostoryz/Carroll High School* to the *Port Ayers Station* through three bus stops along the east side of Kostoryz Road.

**Bicycle Mobility Plan:** The subject property is at the center (0.5 - 0.6-mile radius) of a proposed mobility infrastructure loop that runs along the drainage ditches east, west, and south of the site to and along Tiger Lane to the north. The eastern and northern segments are indicated as one-way cycle tracks (on both sides of each road) with the remainder as off-road multi-use trails.

### Utilities

**Gas:** A “10-inch” WS gas line exists along the east side of Kostoryz Road and a “2-inch” WS line along its west side.

**Stormwater:** A “36-inch” and a “66-inch” RCP stormwater line exist along Kostoryz Road.

**Wastewater:** An “8-inch” and “10-inch” service line exists along the west side of Kostoryz Road.

**Water:** A “12-inch” ACP water line exists along the east side of Kostoryz Road.

### Corpus Christi Comprehensive Plan

**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 Southside Area Development Plan (Adopted on March 17, 2020).

**Water Master Plan:** A “12-inch” water line has been proposed along the east side of Kostoryz Road.

**Wastewater Master Plan:** No improvements have been proposed.

**Stormwater Master Plan:** No improvements have been proposed.

### Public Notification

Number of Notices Mailed

- 20 within a 200-foot notification area
- 5 outside 200-foot notification area

In Opposition

- 2 inside the notification area
- 0 inside the notification area
- 5.74% in opposition within the 200-foot notification area'

### Public Hearing Schedule

**Planning Commission Hearing Date:** June 14, 2023

**City Council 1<sup>st</sup> Reading/Public Hearing Date:** July 25, 2023

**City Council 2<sup>nd</sup> Reading Date:** August 8, 2023

### Background:

The subject property is a vacant lot zoned “RM-2” Multi-Family that abuts an “RS-6” zoned residential subdivision to the east, a neighborhood commercial district with public and civic use to the north, and an approximately 75-acre tract of land with agricultural use zoned “RS-6” to the south. The properties at the northern extremity of the block (near Holly Road) are zoned “CN-1”

Neighborhood Commercial with commercial uses and the ones at the end (near Saratoga Boulevard) are zoned “RM-3” Multi-Family and “RS-6” Single-Family 6 with public and civic uses. In between these properties are several other residential subdivisions. The subject property is within the vertical obstruction subzone of the NOLF Cabaniss’ Military Compatibility Overlay District, which is less than a mile south.

The applicant is requesting a change of zoning to the “CN-1” Neighborhood Commercial District to allow a multi-family or commercial development. While the “RM-2” Multi-Family District allows for multi-family use, a Neighborhood Commercial district widens the range of development options.

**Comprehensive Plan Consistency:**

- **Plan CC:** The proposed rezoning is consistent with the following Goals and Strategies for decision makers:
  - Transportation and Mobility
    - Promote desirable patterns of development consistent with the UTP (Urban Transportation Plan) and the comprehensive plan.
  - Future Land Use, Zoning, and Urban Design
    - Encourage the protection and enhancement of residential neighborhoods.
    - Promote a balanced mix of land uses to accommodate continuous growth and promote proper location of land uses based on compatibility, location needs, and character of each use.
    - Support the separation of high-volume traffic from residential areas.
    - Continue to consider the compatibility of proposed uses with military airfield operations when making decisions on rezoning requests.
    - Avoid development that is incompatible with the operation of military airfields and the airport.
  
- **Future Land Use Map:** The proposed rezoning is inconsistent with the FLUM (Future Land Use Map).
  - Designated future land use: Medium-Density Residential.
  
- **Area Development Plan :** The proposed rezoning is consistent with the visions of the Southside Area Development Plan.

**Staff Analysis:**

Staff reviewed the subject property’s background information and the applicant’s purpose for the rezoning request and conducted research into the property’s land development history to include platting, zoning, existing surrounding land uses, and potential code violations. Staff compared the proposed zoning’s consistency with the applicable elements of the comprehensive plan. As a result of the above analysis, staff notes the following:

- The proposed rezoning is consistent with many elements of Plan CC (The City of Corpus Christi Comprehensive Plan), however, is inconsistent with the FLUM (Future Land Use Map). The designated future land use is medium-density residential.
- The current zoning district limits the lot to multi-family and limited public and civic uses. A neighborhood commercial district widens the range of development to multi-family, additional public and civic uses, and neighborhood-scale commercial developments.

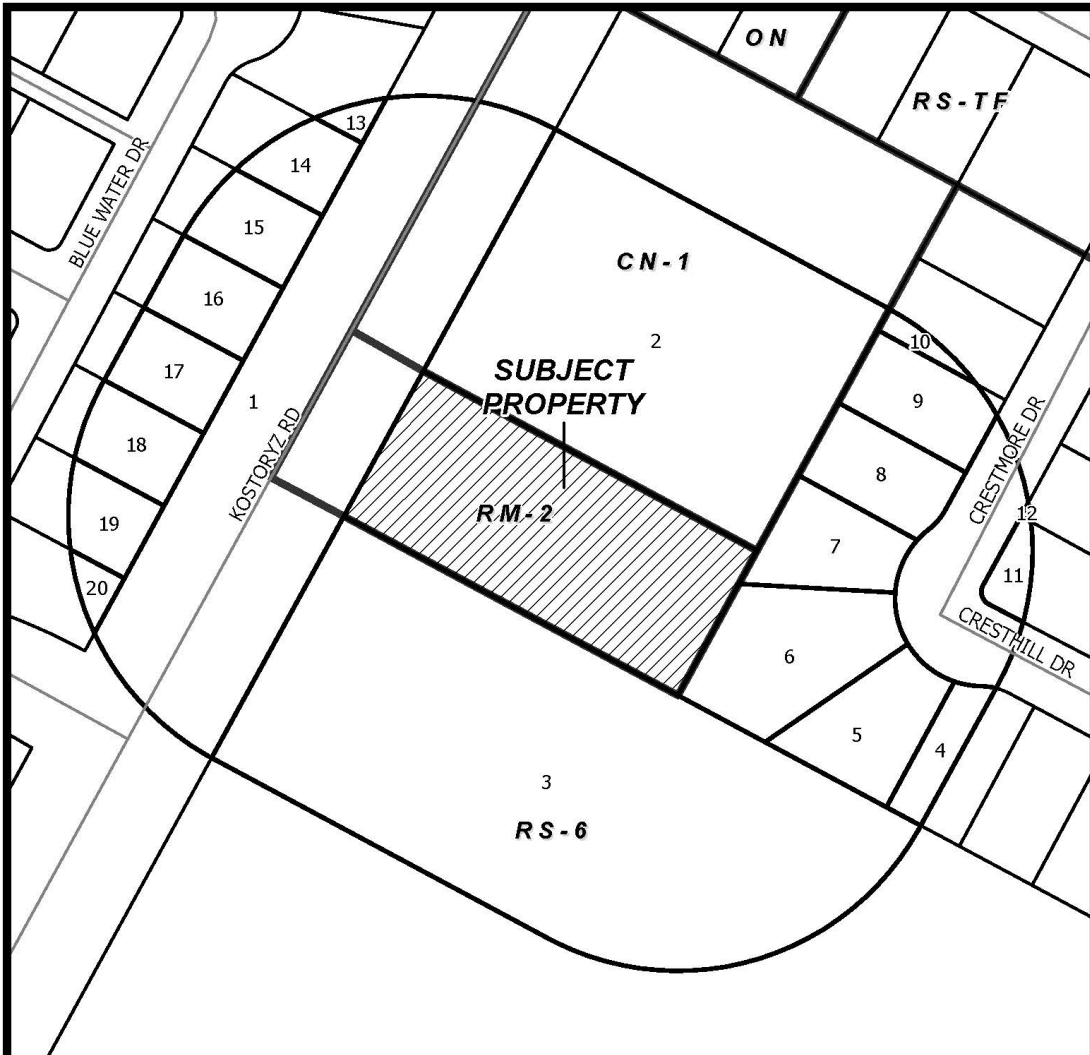
- Plan CC (The City of Corpus Christi Comprehensive Plan) encourages orderly development and the protection and enhancement of neighborhoods. The development pattern of the area and the plan infer that commercial zoning may be more suitable than the current district and would appear to be more coordinated.
- An amendment to the FLUM (Future Land Use Map), per the applicant's request, would re-designate the future use at the subject property as commercial. While a commercial future use will likely increase the approval of a more intense commercial district in the future, as the character of the corridor is subject to change, developments would still be subject to strict standards that regulate scale, loading areas, buffer yards, and more.
- The proposed rezoning is compatible with the zoning and uses of the nearby properties and expands the abutting "CN-1" Neighborhood Commercial District pocket. The large "RS-6" zoned tract south of the subject property may likely follow the existing residential-to-commercial pattern of development (as buffer zones and mid-block placement) along Kostoryz Road and may connect both "CN-1" pockets at either side of the lot in the future.
- The rezoning will not have a negative impact on the surrounding neighborhood. Plan CC encourages the allocation of commercial uses within neighborhoods to serve the everyday needs of their residents at a scale that will not be imposing. The change in zoning will augment the availability of essential neighborhood services. The plan also supports the separation of traffic, using commercial developments as a buffer zone, from sensitive land uses such as the residential subdivision beyond.

After evaluation of case materials provided and subsequent staff analysis including land development, surrounding uses and zoning, transportation and circulation, utilities, Comprehensive Plan consistency, and considering public input, staff recommends approval of the change of zoning.

**Planning Commission and Staff Recommendation (June 14, 2023):** Approval of the change of zoning from the "RM-2" District to the "CN-1" Neighborhood Commercial District.

**Attachment(s):** (1) Existing Zoning and Notice Area map, (2) Return Notices

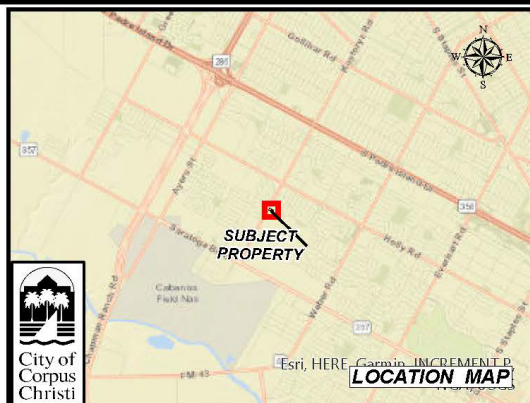
**ATTACHMENT A: EXISTING ZONING AND NOTICE AREA**



**CASE: 0623-03**  
**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





**ATTACHMENT B: RETURN NOTICES**

**PUBLIC HEARING NOTICE  
CITY PLANNING COMMISSION  
Rezoning Case No. 0623-03**

Victor Valdez has petitioned the City of Corpus Christi to consider a change of zoning from the “RM-2” Multi-Family District to the “CN-1” Neighborhood Commercial 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 5922 Kostoryz Road and described as Lot 39, Block 6, Crestmont Unit 2, located along the east side of Kostoryz Road, south of Holly Road and Crestwater Drive, and north of Saratoga Boulevard. See the map on the reverse side.**



The Planning Commission will conduct a public hearing to discuss and formulate a recommendation to the City Council. The public hearing will be held on **Wednesday, June 14, 2023**, 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.

The Planning Commission may recommend to the 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. For more information, please call (361) 826-3240.

Persons with disabilities planning to attend this meeting, who may require special services, are requested to contact the City Secretary’s Office at least 48 hours in advance at 361-826-3240.

Si usted desea dirigirse al Consejo de Ajuste y su inglés es limitado, habrá un interprete en la junta para ayudarle. Para más información, favor de llamar al Departamento de Servicios de Desarrollo (361) 826-3240.

*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.*

7 Tex. Admin. Code §211.006(d) To be on the record, this form must be filled out, signed by the current property owner(s), and returned in its entirety via mail to the return address on this notice or via email to [zoning@cctexas.com](mailto:zoning@cctexas.com).

Property Owner(s) Name: Rick Trevino & Christina Trevino  
Address: 3301 Cresthill Drive Phone No: 361-249-5600

( ) IN FAVOR     IN OPPOSITION

REASON:

[Handwritten Signature]  
Signature

Planner Assigned: Saradja Registre  
Email: [saradjar@cctexas.com](mailto:saradjar@cctexas.com)  
Phone: 361-826-3574  
INFOR Case No: 23ZN1018  
Property Owner ID:



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Property Owner(s) Name: SANDRA ESCOBAR  
Address: 5861 Crestmore DR CCTx Phone No: 361 549 4373

( ) IN FAVOR     IN OPPOSITION

REASON: Will make many changes to our quite old neighborhood - Traffic, TAXES will go up, \*

Sandra Escobar  
Signature

Planner Assigned: Saradja Registre  
Email: [saradjar@cctexas.com](mailto:saradjar@cctexas.com)  
Phone: 361-826-3574  
INFOR Case No: 23ZN1018  
Property Owner ID: