

CITY COUNCIL ZONING REPORT

Case No.: 0713-01

HTE No. 13-1000026

Planning Commission Hearing Date: July 31, 2013

Applicant & Legal Description	<p>Applicant: City of Corpus Christi Owners: James R. Byrn (Lots 4C and 4B) & Hilbur Mason (Lot 4A) Legal Description/Location: Being a 1.205-acre tract of land out of Lot 4A, Block 1, and all of Lots 4B and 4C, Block 2, Brezina Farm Tracts, as shown on the map provided, located along Brezina Road, approximately 1,400 feet south of Bratton Road.</p>			
Zoning Request	<p>From: "IL" Light Industrial District To: "IC" Industrial Compatible District Area: 3.28 Purpose of Request: To rezone property to a zoning district that is compatible with Navy flight patterns and consistent with the City's Comprehensive Plan.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"IL" Light Industrial	Light Industrial Uses & Vacant	Light Industrial
	<i>North</i>	"RS-6" Single-Family 6	Light Industrial and Vacant Uses	Light Industrial
	<i>South</i>	"RS-6" Single-Family 6	Public/Semi-Public & Estate Residential	Light Industrial & Public/Semi-Public
	<i>East</i>	"RS-6" Single-Family 6	Vacant	Light Industrial
	<i>West</i>	"FR" Farm Rural	Public/Semi-Public	Public/Semi-Public
ADP, Map & Violations	<p>Area Development Plan: The subject properties are located within the boundaries of the Southside Area Development Plan (ADP) and are planned for light industrial uses. The proposed change of zoning to the "IC" Industrial Compatible District is consistent with the adopted Future Land Use Plan. Map No.: 047034 Zoning Violations: None</p>			
Transportation	<p>Transportation and Circulation: The subject properties have 170 feet of frontage along the east side of Brezina Road and approximately 186 feet of frontage along the west side of Brezina Road, which is a "C1" Minor Residential Collector street.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Brezina Rd.	"C1" Residential Collector	60' ROW 40' paved	60' ROW 14' paved	Not Available

Staff Summary:

Requested Zoning: The requested rezoning is from the "IL" Light Industrial District to the "IC" Industrial Compatible District. The "IC" District was created for use where there is a potential threat to public health and safety and where residential uses or uses that congregate large groups of people should be avoided. The current "IL" District allows certain uses that are likely to congregate large groups of people or which could present a greater hazard in an Accident Potential Zone. Some of the uses in the Light Industrial District which are not allowed in the "IC" Industrial Compatible District include: auditoriums, detention facilities, cafeterias, medial facilities, vocational trade or business schools, above ground fuel tanks.

Air Installation Compatible Use Zone (AICUZ): This rezoning will create greater compatibility and protect public health and safety under Navy flight patterns. The property requested for rezoning is under an Accident Potential Zone 1 (APZ-1) as defined in the Navy's 2009 Air Installation Compatible Use Zone Study. The study recommends residential uses or uses that could congregate large groups of people to be prohibited under Accident Potential Zone 1. Prior to the Navy's 2009 AICUZ Study, the subject property was not designated as an Accident Potential Zone.

As a follow up to the 2009 Navy AICUZ Study, the City conducted a Joint Land Use Study. The JLUS Policy Committee, on May 9, 2013, formerly accepted the study as part of the Department of Defense Office of Economic Adjustment grant. The JLUS Policy Committee was composed of the Mayor, one City Councilperson, the County Judge, Vice President of TXA&M CC, and two Planning Commissioners.

JLUS Study recommendation LU-3B recommends that the City rezoning undeveloped property around Cabaniss Field to ensure compatibility of new development. Rezoning the property to the IC District will help to prevent incompatible uses under the Cabaniss Field Runway 31 flight pattern.

Existing Land Uses & Zoning: Existing uses on the properties include Fast Flow Pipe and Supply Inc. and a warehouse. Both uses are allowed in the proposed "IC" Industrial Compatible District. Fast Flow Pipe & Supply, located on the west side of Brezina Road includes two buildings and a storage yard. On the east side of Brezina Road, the property consists of one storage building and undeveloped land.

North of the subject properties are light industrial uses and vacant land zoned "RS-6" Single-Family 6 District. South and east of the subject properties is vacant land and a single family residence zoned "RS-6" Single-Family 6 District. West of the subject properties is Cabaniss Field zoned "FR" Farm Rural District.

The subject property was originally zoned for single family uses by the City when the property was annexed on April 11, 1989. Subsequently, the property owners requested rezoning to the Light Industrial District on January 13, 2004.

Comprehensive Plan & Area Development Plan (ADP) Consistency: The subject properties are located within the boundaries of the Southside Area Development Plan and the rezoning is consistent with the adopted Future Land Use Plan, which designates the properties for a light industrial uses.

Property Owner Outreach:

- Both property owners are in agreement with the rezoning to the "IL" Industrial Compatible District.
- The property owners were also invited to the JLUS public workshops held in October 2012 and March 2013. Aggregate attendance at these two meetings was approximately 225 citizens.

Department Comments:

- The purpose of the Cabaniss Field airport is to provide training to student pilots on the twin engine T-44 aircraft.
- The subject property is partially developed with two "IC" Industrial Compatible District uses.
- Aircraft accidents are very rare, but if there is an accident the Navy has determined the AICUZs as the most likely locations.
- City action to disregard Navy guidelines could contribute to a realignment or closure of NASCC if the Navy cannot continue to safely conduct their mission at NASCC and Cabaniss Field.
- A recent national assessment of land use compatibility was conducted at all Navy installations. While the assessment was not made available to the public, DOD personnel familiar with the study indicated that NASCC has a comparatively large number of incompatible structures under Navy flight patterns.
- Rezoning to the "IC" Industrial Compatible District will help to protect public health, safety and welfare by preventing new uses that are not compatible with Navy use guidelines.

Planning Commission and Staff Recommendation (July 31, 2013):

Approval of the change of zoning from the "IL" Light Industrial District to the "IC" Industrial Compatible District.

Public Notification	Number of Notices Mailed – 4 within 200’ notification area; 2 outside notification area
	<u>As of August 1, 2013:</u>
	In Favor – 0 (inside notification area); 0 (outside notification area)
	In Opposition – 0 (inside notification area); 0 (outside notification area)
	For 0% in opposition within 200 feet and For 0% of the area being rezoned in opposition.

Attachments:

1. Location Map (Aerial)
2. Air Installation Compatible Use Zones and In Favor and Opposed map
3. Existing Land Use map
4. Future Land use map



Date created: 01/2013
 Prepared By: [redacted]
 Department of Development Services

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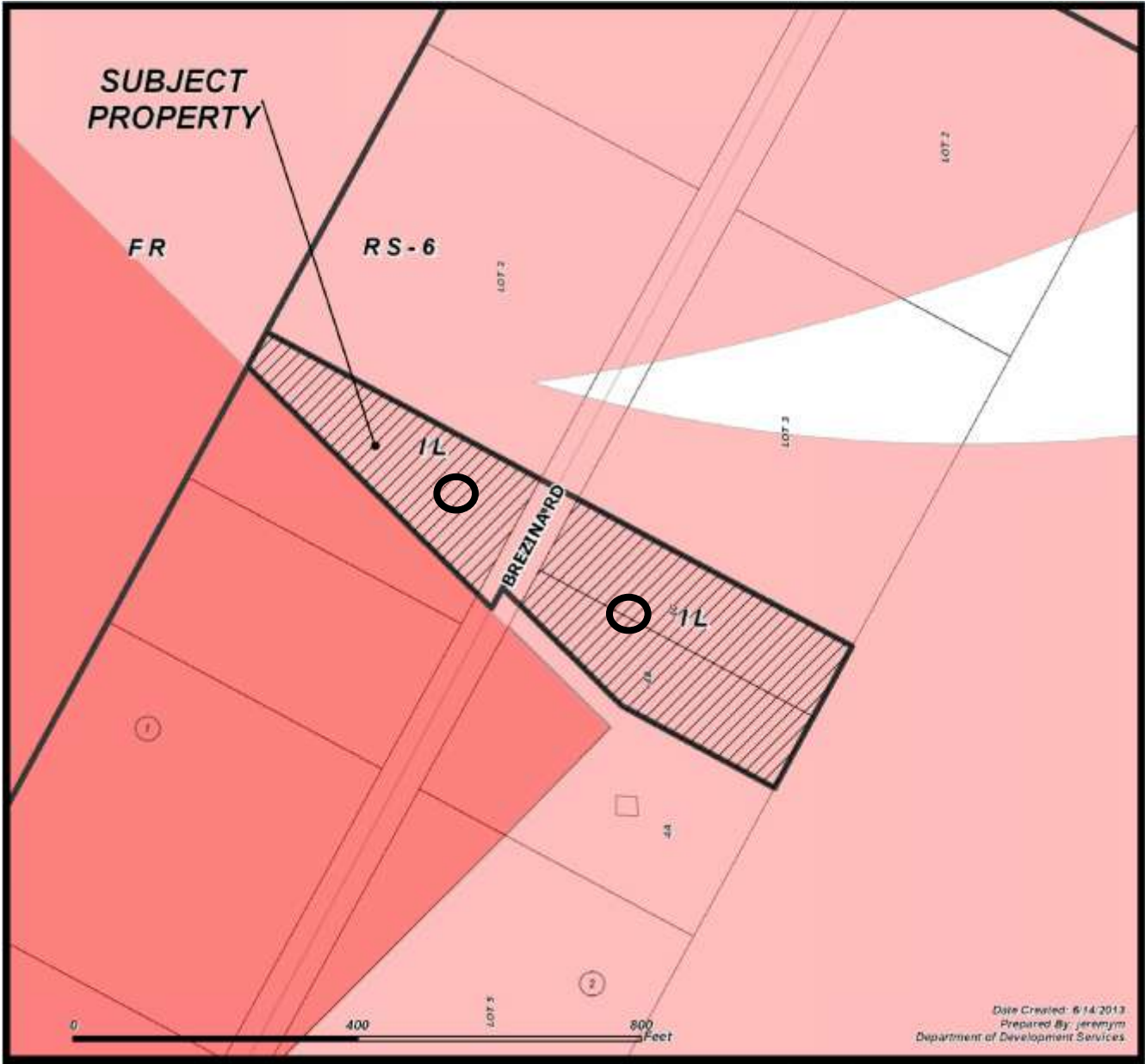
2013 AERIAL WITH SUBJECT PROPERTY



Subject Property







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	



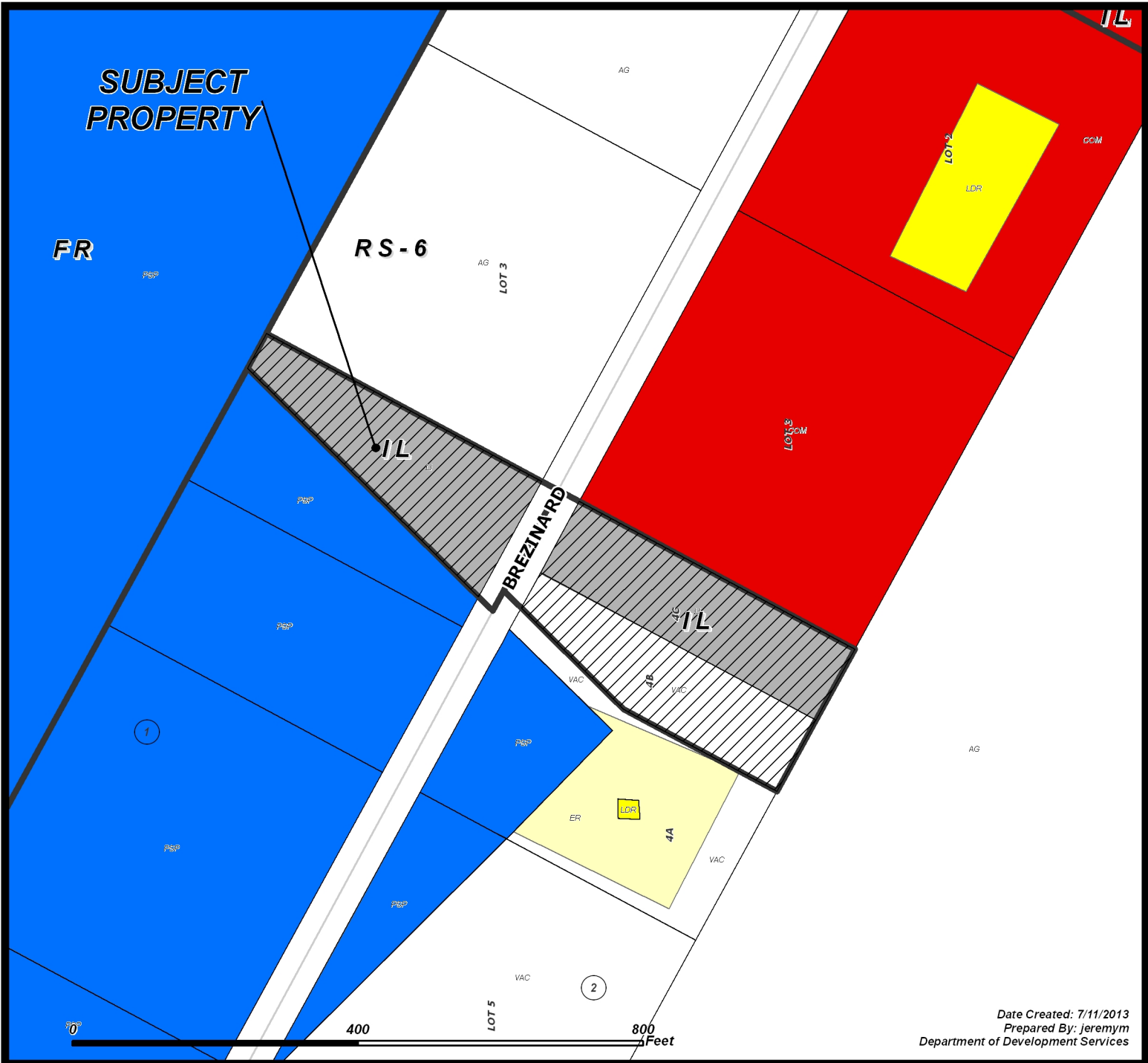


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AIR INSTALLATION COMPATIBLE USE ZONE

-  Runway
-  Clear Zone
-  Accident Potential Zone 1
-  Accident Potential Zone 2
-  Owners in Favor
-  Owners in opposition



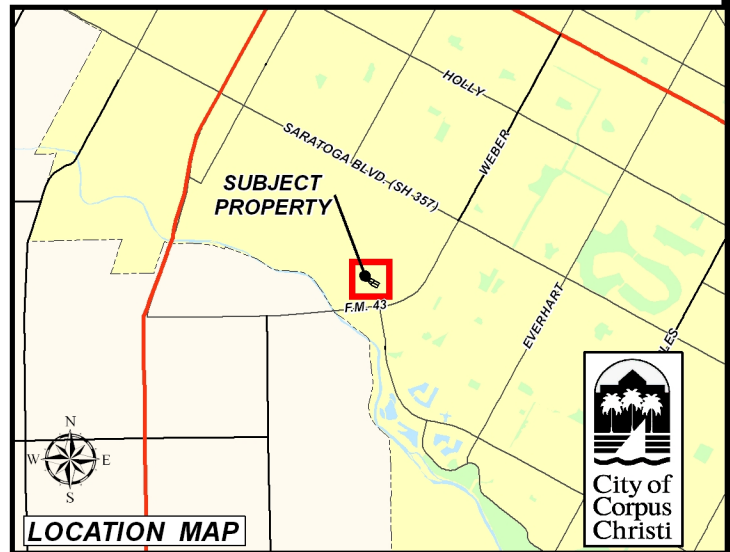


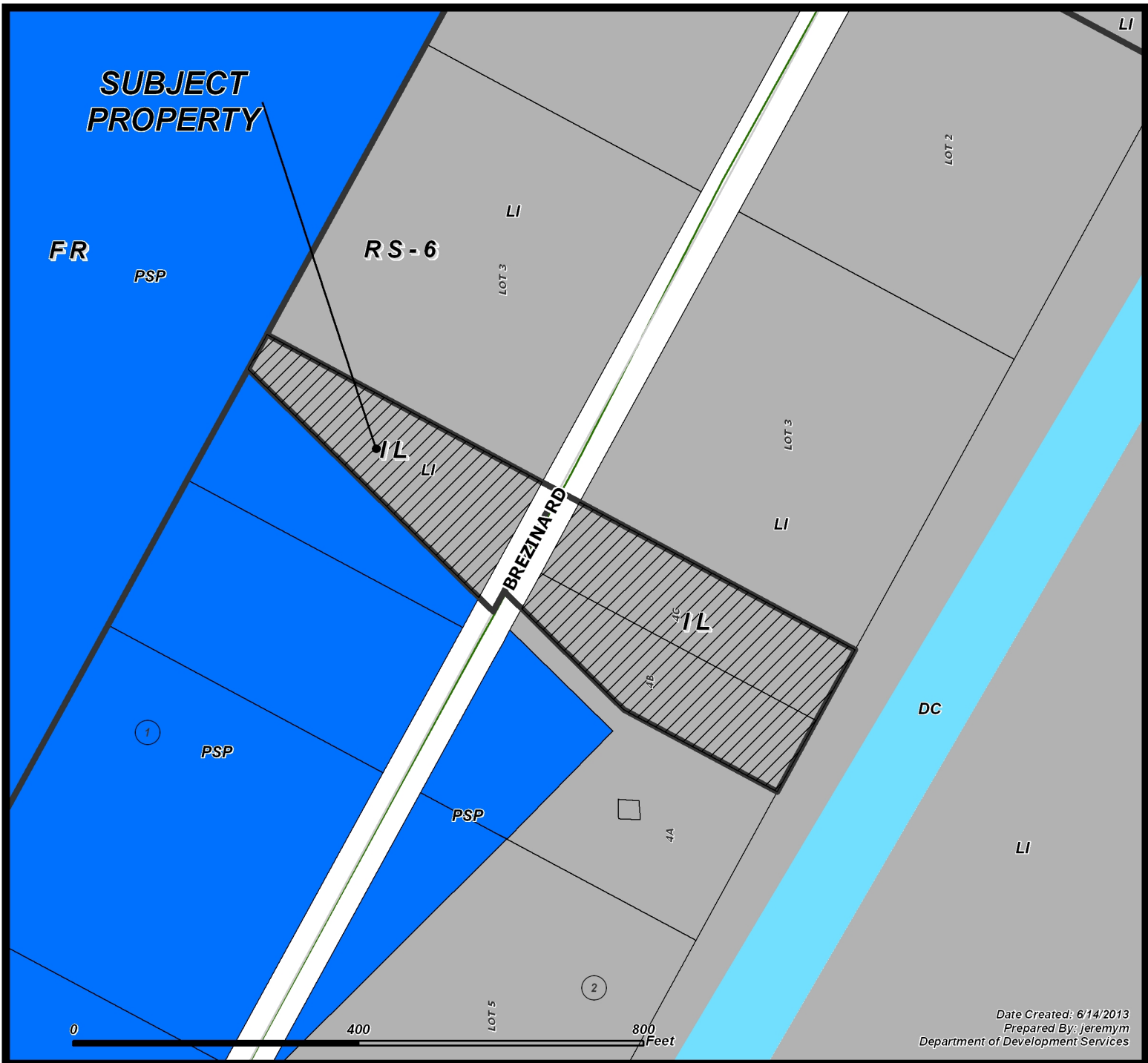
Date Created: 7/11/2013
 Prepared By: jeremym
 Department of Development Services

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EXISTING LAND USE

- | | |
|------------------------------------|--|
| ER Estate Residential - ER | LI Light Industrial - LI |
| LDR Low Density Res. - LDR | HI Heavy Industrial - HI |
| MDR Med Density Res. - MDR | PSP Public Semi-Public - PSP |
| HDR High Density Res. - HDR | P Park |
| MH Mobile Home - MH | DC Drainage Corridor - DC |
| VAC Vacant - VAC | CP Conservation/Preservation - CP |
| PO Professional Office - PO | W Water |
| COM Commercial - COM | |

Map Scale: 1:2,400





Date Created: 6/14/2013
 Prepared By: Jeremym
 Department of Development Services

CASE: 0713-01 FUTURE LAND USE

- | | |
|--------------------------|--------------------------------|
| Agricultural/Rural - AR | Tourist - TOR |
| Estate Residential - ER | Research/Business Park - RBP |
| Low Density Res. - LDR | Light Industrial - LI |
| Med Density Res. - MDR | Heavy Industrial - HI |
| High Density Res. - HDR | Public Semi-Public - PSP |
| Mobile Home - MH | Park |
| Vacant - VAC | Drainage Corridor - DC |
| Professional Office - PO | Dredge Placement - DP |
| Commercial - COM | Water |
| | Conservation/Preservation - CP |

- Transportation Plan**
- | | |
|-------------|-------------|
| Existing | Proposed |
| Expressways | Expressways |
| Arterials | Arterials |
| Collectors | Collectors |
| Parkway | Parkway |
| Railroad | Railroad |

Map Scale: 1:2,400

