

PLANNING COMMISSION FINAL REPORT

Case No. 0821-05
 INFOR No. 21ZN1031

Planning Commission Hearing Date: August 18, 2021

Applicant & Legal Description	<p>Owner: Michael McDonough Applicant: Michael McDonough Location Address: 6342 Old Brownsville Road Legal Description: 14.89 acres situated in the "Rincon Del Oso" Enriquez Villareal Grant, A-1, and being part of that same 16.437-acre tract described in a Warranty Deed recorded in Document No.2004027432 of the Nueces County Official Records, located along north side of Old Brownsville Road and west of Saratoga Boulevard (State Highway 357).</p>			
Zoning Request	<p>From: "RS-6" Single-Family 6 District To: "FR" Farm Rural District Area: 14.89 acres Purpose of Request: To allow for the continued use of horse stables.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"RS-6" Single-Family 6 District	Commercial	Commercial
	<i>North</i>	"FR" Farm Rural District	Vacant	Light Industrial
	<i>South</i>	"RS-6" Single-Family 6 District	Commercial	Commercial
	<i>East</i>	"FR" Farm Rural District	Vacant	Light Industrial
	<i>West</i>	"RS-6" Single-Family 6 District	Vacant	Light Industrial
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Westside Area Development Plan and is planned for a commercial use. The proposed rezoning to the "FR" Farm Rural District is generally consistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map. City Council District: 3 Zoning Violations: None</p>			
Transportation	<p>Transportation and Circulation: The subject property has approximately 350 feet of street frontage Old Brownsville Road which is designated as a "A3" Primary Arterial Street. According to the Urban Transportation Plan, "A3" Primary Arterial Streets can convey a capacity between 30,000 and 48,000 Average Daily Trips (ADT).</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Old Brownsville Road	"C3" Primary Collector	130' ROW 79' paved	120' ROW 50' paved	6,737 ADT (2014)

Staff Summary:

Development Plan: The subject property is 14.89 acres in size. The applicant is proposing the continued use of horse stables.

Existing Land Uses & Zoning: The subject property is currently zoned "RS-6" Single-Family 6 District and consists of horse stables that have been in operation since the 1970s. The subject property was annexed in 1962. To the north, east, and west are large tract vacant properties zoned "FR" Farm Rural District and "RS-6" Single-Family 6 District respectively. To the south are two single-family homes zoned "RS-6" Single-Family 6 District.

AICUZ: The subject property is located in one of the Navy's Air Installation Compatibility Use Zones (AICUZ), specifically Accident Potential Zone 2 (APZ-2). According to the Compatible Land Use Guidelines, a farm or livestock use is acceptable in the APZ-2 designated areas.

Plat Status: The property is not platted.

Utilities:

- **Water:** 16-inch DIP line located along Old Brownsville Road.
- **Wastewater:** 4-inch PVC FM line located along Old Brownsville Road.
- **Gas:** 6-inch Service Line located along Old Brownsville Road.
- **Storm Water:** Roadside ditches located along Old Brownsville Road.

Plan CC & Area Development Plan Consistency: The subject property is located within the boundaries of the Westside Area Development Plan and is planned for a commercial use. The proposed rezoning to the "FR" Farm Rural District is generally consistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map. The following policies should be considered:

- Encourage orderly growth of new residential, commercial, and industrial areas (Future Land Use, Zoning, and Urban Design Policy Statement 1).
- Promote a balanced mix of land uses to accommodate continuous growth and promote the proper location of land uses based on compatibility, locational needs, and characteristics of each use (Future Land Use, Zoning, and Urban Design Policy Statement 1).
- Continue to consider the compatibility of proposed uses with military airfield operations when making decisions on rezoning requests. (Future Land Use, Zoning, and Urban Design Policy Statement 4).

- Avoid development that is incompatible with the operation of military airfields and the airport. (Future Land Use, Zoning, and Urban Design Policy Statement 4).

Department Comments:

- The proposed rezoning is generally consistent with the adopted Comprehensive Plan (Plan CC), compatible with the adjoining properties, and does not have a negative impact upon adjacent properties. The proposed rezoning warrants an amendment to the Future Land Use Map.
- The use has been in operation since the 1970s. The former Corpus Christi Zoning Ordinance did not allow farm, agricultural, and livestock uses by-right in the former “R-1B” One-Family Dwelling District (now known as the “RS-6” Single-Family 6 District). The proposed rezoning would bring the livestock use into compliance with the UDC.
- According to AICUZ Compatible Land Use Guidelines, a farm or livestock use is acceptable in the APZ-2 designated areas.
- Section 5.2.19 of the Unified Development Code (UDC) states, “A public or private stable shall be permitted in accordance with the use tables in Article 4 provided that the stable shall be located a minimum of 300 feet from a residential structure that is located on any property in separate ownership.”

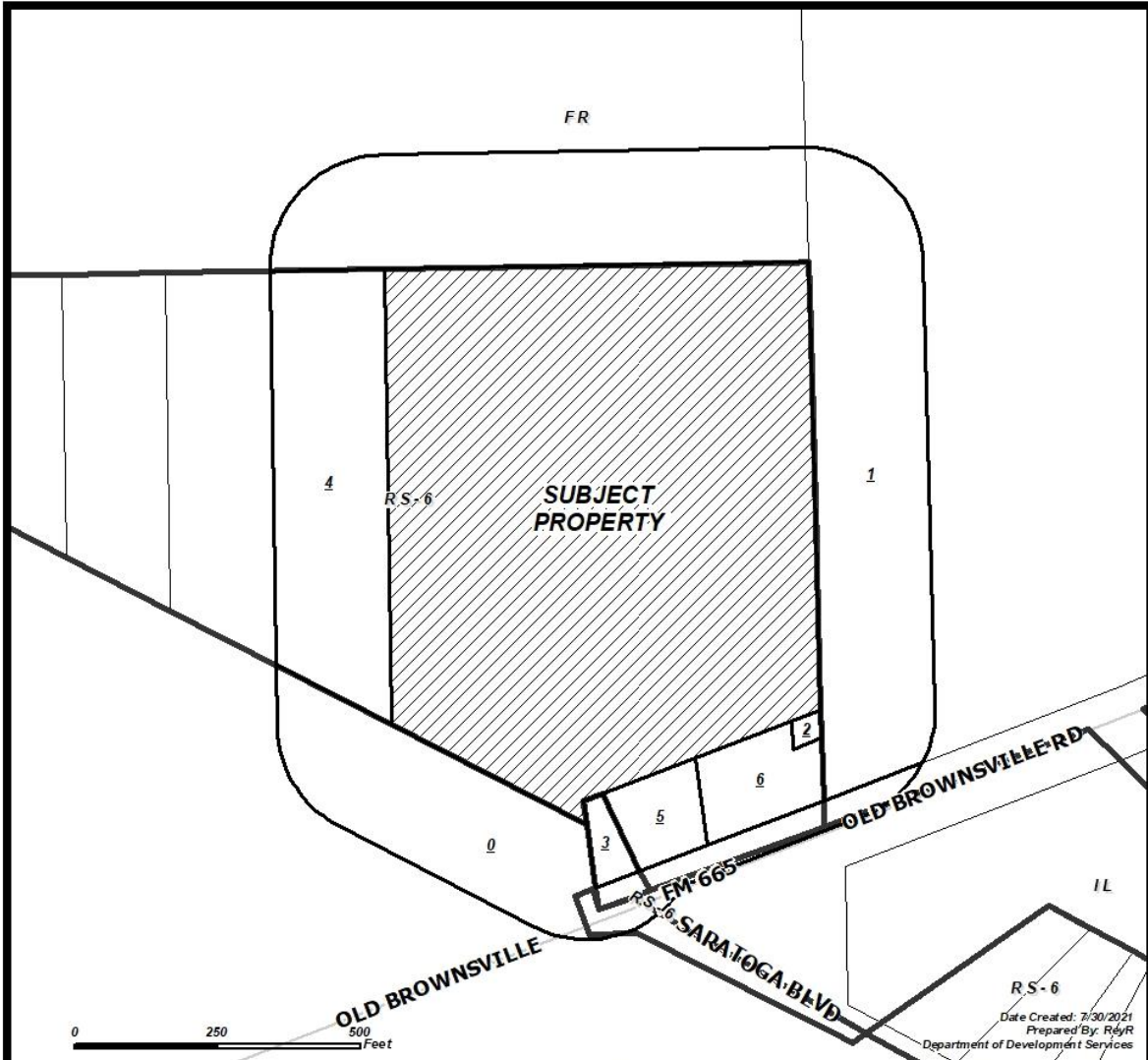
Planning Commission and Staff Recommendation (August 18, 2021):

Approval of the change of zoning from the “RS-6” Single-Family 6 District to the “FR” Farm Rural District.

Public Notification	Number of Notices Mailed – 6 within 200-foot notification area. 1 outside notification area
	<u>As of August 13, 2021:</u>
	In Favor – 1 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.
*Created by calculating the area of land immediately adjoining the subject property and extending 200-foot therefrom. The opposition is totaled by the total area of land that each individual property owner owns converted into a percentage of the total 200-foot notification area. Notified property owner’s land in square feet / Total square footage of all property in the notification area = Percentage of public opposition	

Attachments:

- A. Location Map (Existing Zoning & Notice Area)
- B. Public Comments Received (if any)



Date Created: 7/30/2021
Prepared By: RlyR
Department of Development Services

CASE: 0821-05
ZONING & NOTICE AREA

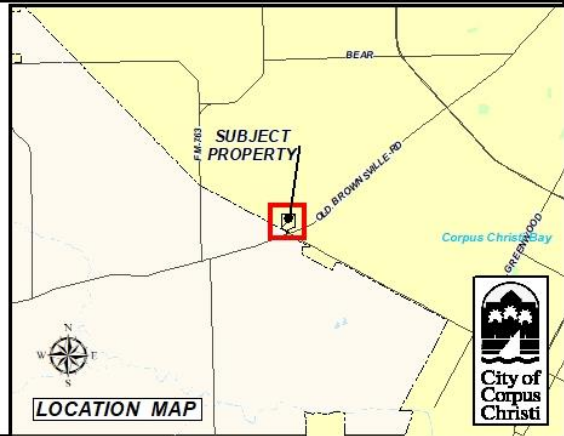
RM-1 Multifamily 1	L Light Industrial
RM-2 Multifamily 2	IH Heavy Industrial
RM-3 Multifamily 3	PUD Planned Unit Dev. Overlay
ON Professional Office	RS-10 Single-Family 10
RM-AT Multifamily AT	RS-6 Single-Family 6
CN-1 Neighborhood Commercial	RS-4.5 Single-Family 4.5
CN-2 Neighborhood Commercial	RS-TF 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



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. 0821-05**

Michael McDonough has petitioned the City of Corpus Christi to consider a change of zoning from the **"RS-6" Single-Family 6 District** to the **"FR" Farm Rural District, resulting in a change to the Future Land Use Map.** The property to be rezoned is described as:

6342 Old Brownsville Road and described as being 14.89 acres situated in the "Rincon Del Oso" Enriquez Villareal Grant, A-1, and being part of that same 16.437-acre tract described in a Warranty Deed recorded in Document No.2004027432 of the Nueces County Official Records, located along north side of Old Brownsville Road and west of Saratoga Boulevard (State Highway 357).

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, August 18, 2021**, 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: Michael M. McDonough

Address: 3516 CR 57 City/State: Robstown, TX

IN FAVOR () IN OPPOSITION Phone: 361-813-0088

REASON: For 50 yrs its been a horse stable + before that it was farm q.s. Has been in the same family since the 1850s,

Michael McDonough
Signature