

# PLANNING COMMISSION REPORT

Case No. 0122-04

INFOR No. 21ZN1051

**Planning Commission Hearing Date:** January 12, 2022

<b>Applicant &amp; Legal Description</b>	<b>Owner:</b> Saratoga Palms Properties, Ltd. <b>Applicant:</b> Urban Engineering <b>Location Address:</b> 5409 Lipes Boulevard <b>Legal Description:</b> 9.43-acre tract out of Lots 6 and 7, Section 6, Flour Bluff and Encinal Farm and Garden Tracts, located on the south side of Lipes Boulevard, west of South Staples Street, and east of Sun Wood Drive			
<b>Zoning Request</b>	<b>From:</b> "RM-1/SP" Multifamily District with a Special Permit <b>To:</b> "RM-1/SP" Multifamily District with a Special Permit <b>Area:</b> 9.43 acres <b>Purpose of Request:</b> To allow for the construction of an apartment complex with increased density.			
<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/SP" Multifamily District with a Special Permit	Medium Density Residential	High Density Residential
	<i>North</i>	"RS-6" Single-Family 6 District	Park and Low Density Residential	Permanent Open Space and Medium Density Residential
	<i>South</i>	"RS-6" Single-Family 6 District	Low Density Residential	Medium Density Residential
	<i>East</i>	"RM-1/SP" Multifamily District with a Special Permit	Medium Density Residential	High Density Residential
	<i>West</i>	"RM-1/SP" Multifamily District with a Special Permit	Medium Density Residential	High Density Residential
<b>ADP, Map &amp; Violations</b>	<b>Area Development Plan:</b> The subject property is located within the boundaries of the Southside Area Development Plan and is planned for a high-density residential use. The proposed rezoning to the "RM-1/SP" Multifamily District with a Special Permit is consistent with the adopted Comprehensive Plan (Plan CC). <b>City Council District:</b> 5 <b>Zoning Violations:</b> None			
<b>Transportation</b>	<b>Transportation and Circulation:</b> The subject property has approximately 630 feet of street frontage along Lipes Boulevard which is designated as a "C1" Minor Collector Street. According to the Urban Transportation Plan, "C1" Minor Collector Streets can convey a capacity between 1,000 and 3,000 Average Daily Trips (ADT).			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Lipes Boulevard	"C1" Minor Collector	60' ROW 40' paved	60' ROW 35' paved	N/A

### **Staff Summary:**

**Development Plan:** The subject property is 9.43 acres in size. The developer is proposing a 246-unit apartment complex consisting of three-story tall buildings with 466 parking spaces. The applicant is seeking to amend the existing special permit to allow a density of 28 dwelling units per acre.

**Existing Land Uses & Zoning:** The subject property was rezoned to the "RM-1/SP" Multifamily District with a Special Permit in 2015. To the north across Lipes Boulevard is Crossgate Park and residential homes zoned "RS-6" Single-Family 6 District. To the south are residential homes zoned "RS-6" Single-Family 6 District. To the east are two multifamily developments zoned "RM-1/SP" Multifamily District with a Special Permit and consisting of a combined 169 dwelling units. To the west is a vacant property zoned "RM-1/SP" Multifamily District with a Special Permit with a 60-unit apartment complex currently under construction and the Incarnate Word Convent zoned "RM-1" Multifamily District.

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

**Plat Status:** The property is not platted.

### **Utilities:**

**Water:** 12-inch C900 line located along Lipes Boulevard.

**Wastewater:** 12-inch VCP line located along Lipes Boulevard.

**Gas:** 8-inch Service Line located along Lipes Boulevard.

**Storm Water:** 48-inch line located along Lipes Boulevard.

**Plan CC & Area Development Plan Consistency:** The subject property is located within the boundaries of the Southside Area Development Plan and is planned for a high-density residential use. The proposed rezoning to the "RM-1/SP" Multifamily District with a Special Permit is consistent with the adopted Comprehensive Plan (Plan CC). The following policies should be considered:

- 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)
- Encourage residential infill development on vacant lots within or adjacent to existing neighborhoods. (Future Land Use, Zoning, and Urban Design Policy Statement 3)
- Support the separation of high-volume traffic from residential areas or other noise-sensitive land uses. (Future Land Use, Zoning, and Urban Design Policy Statement 3)

- Encourage direct arterial access for high-density apartments or interior access from a street designed specifically to collect the apartment traffic and distribute it directly to an arterial without passing through a lower density residential area. (Future Land Use, Zoning, and Urban Design Policy Statement 3)
- Encourage convenient access from medium-density residential development to arterial roads. (Future Land Use, Zoning, and Urban Design Policy Statement 3)

**Department Comments:**

- The proposed rezoning is consistent with the adopted Comprehensive Plan (Plan CC) and compatible with the adjoining properties.
- The original Special Permit approved by Ordinance #030434 allows a density up to 22 dwelling units per acre and to prohibit dumpsters being located less than 50 feet to the shared property line with the residential homes to the south.
- Based on the existing Special Permit, the maximum capacity of units available without the rezoning is 207 dwelling units. The applicant is requesting to construct 246-units which is a difference of 39 units.

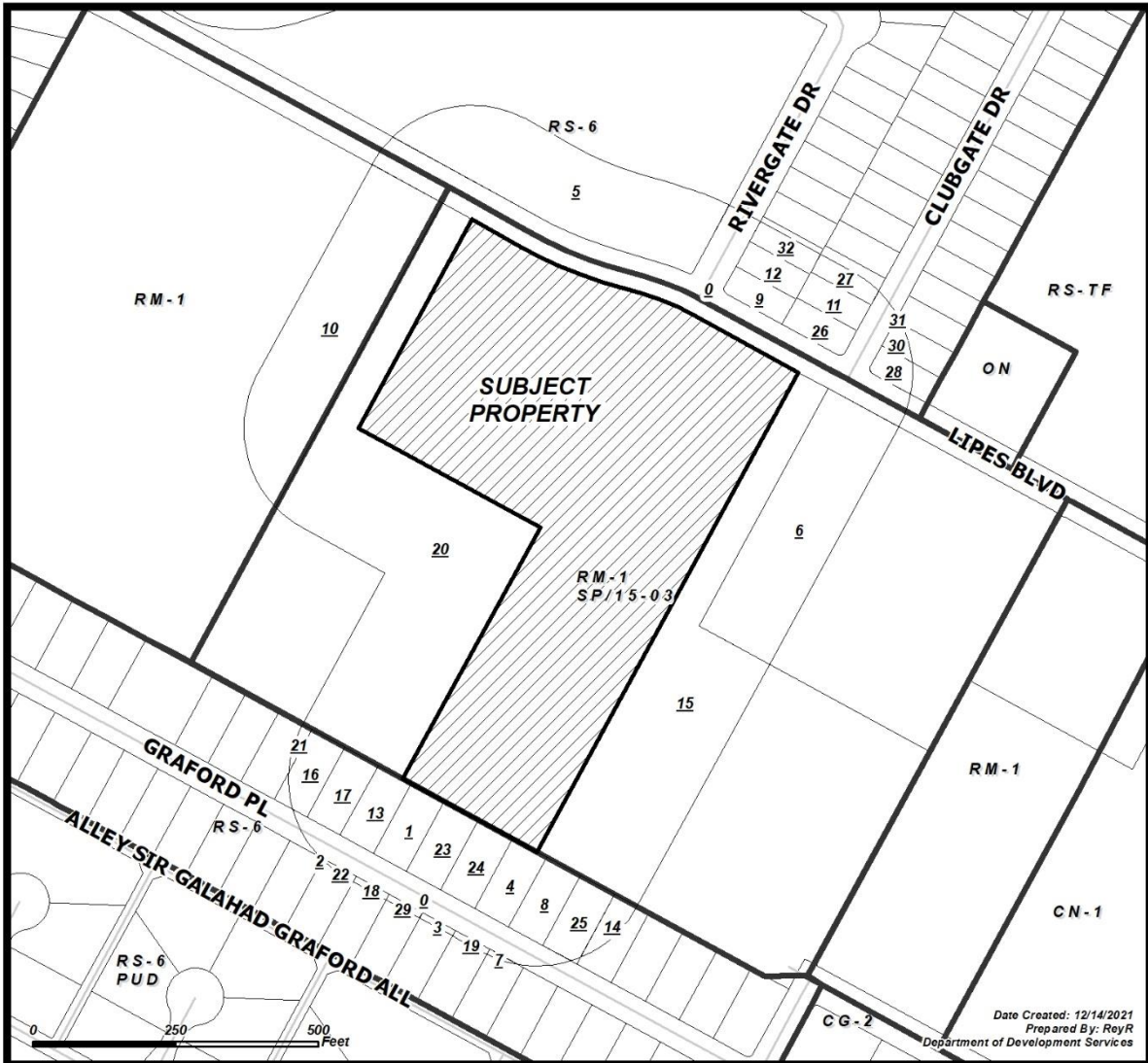
**Staff Recommendation:**

Approval of the change of zoning from the "RM-1/SP" Multifamily District with a Special Permit to the "RM-1/SP" Multifamily District with a Special Permit.

<b>Public Notification</b>	Number of Notices Mailed – 32 within 200-foot notification area. 4 outside notification area
	<b><u>As of January 6, 2022:</u></b>
	In Favor – 0 inside notification area – 0 outside notification area
	In Opposition – 1 inside notification area – 0 outside notification area
	Totaling 0.81% 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:**

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



### Case # 0122-04 ZONING & NOTICE AREA

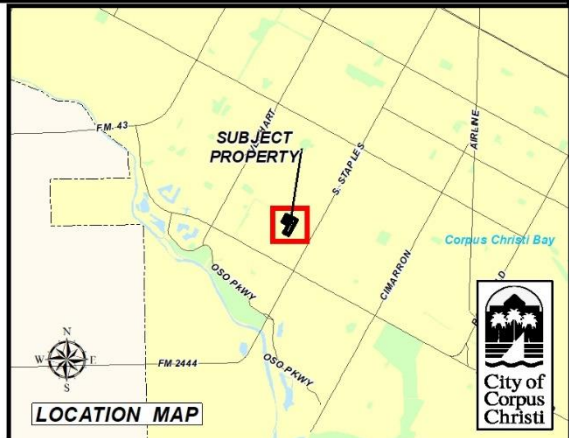
RM-1	Multifamily 1	IL	Light Industrial
RM-2	Multifamily 2	IH	Heavy Industrial
RM-3	Multifamily 3	PUD	Planned Unit Dev. Overlay
ON	Professional Office	RS-10	Single-Family 10
RM-AT	Multifamily AT	RS-6	Single-Family 6
CN-1	Neighborhood Commercial	RS-4.5	Single-Family 4.5
CN-2	Neighborhood Commercial	RS-TF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





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. 0122-04**

**Saratoga Palms Properties, Ltd.** has petitioned the City of Corpus Christi to consider a change of zoning from the **"RM-1/SP" Multifamily District with a Special Permit** to the **"RM-1/SP" Multifamily District with a Special Permit, not resulting in a change to the Future Land Use Map. The proposed development is a multifamily apartment complex.** The property to be rezoned is described as:

**A property located at or near 5409 Lipes Boulevard and being 9.43-acre tract out of Lots 6 and 7, Section 6, Flour Bluff and Encinal Farm and Garden Tracts, located on the south side of Lipes Boulevard, west of South Staples Street, and east of Sun Wood Drive.**

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 **Wednesday, January 12, 2022**, 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: Ruben Reyes  
Address: 8178 Marseille Drive City/State: Corpus Christi Tx  
( ) IN FAVOR ☒ IN OPPOSITION Phone: 361-500-4700  
REASON:

Ruben Reyes  
Signature

SEE MAP ON REVERSE SIDE  
INFOR Case No.: 21ZN1051  
Property Owner ID: 12

Case No. 0122-04  
Case Manager: Andrew Dimas  
Email: AndrewD2@octexas.com