

ZONING REPORT

Case # 0922-02

Applicant & Subject Property

City Council District: 1

Owner: HEP Javelina Company LLC

Applicant: HEP Javelina Company LLC

Address: 1108 McBride Lane

Location: Along the east side of McBride Lane, north of Interstate 37 and south of Up River Road.

Legal Description: 17.49 acres consisting of various tracts of Dunn Tract, Ehlers Garden Tracts, and Best Addition as submitted by metes and bounds.

Acreage of Subject Property: 17.49 acres (40 individual lots)

Pre-Submission/Early Assistance Meeting: 7/20/2022

Zoning Request

From: IL" Light Industrial District

To: "IH" Heavy Industrial District

Purpose of Request: The proposed use is the deployment of a small-scale, commercial demonstration project to showcase Infinium technology for the conversion of carbon dioxide and hydrogen into cleaner synthetic fuels and chemicals.

Land Development & Surrounding Land Uses

	Zoning District	Existing Land Use	Future Land Use
Site	"IL" Light Industrial	Light Industrial, Vacant	Government
North	"IL" Light Industrial	Light Industrial, Professional Office	Light Industrial, Heavy Industrial, Commercial
South	"IL" Light Industrial	Light Industrial, Vacant	Light Industrial, Government
East	"IH" Heavy Industrial	Heavy Industrial	Light Industrial, Heavy Industrial
West	"IL" Light Industrial	Light Industrial, Public/Semi-Public	Light Industrial, Heavy Industrial

Plat Status: Two of the approximately 40 lots are platted. The remainder is not platted.

Air Installation Compatibility Use Zone (AICUZ): No.

Code Violations: None.

Transportation and Circulation FOR McBride Lane

McBride Lane	Designation-Urban Street	Section Proposed	Section Existing
	"C1" Residential Collector	2 Lanes 60' R.O.W.	2 Lanes 28 Feet

Transit: The Corpus Christi RTA provides transit services via *Bus Route 27 Leopard* with two bus stops near Sammons and Rhode approximately ½ mile to the south.

Utilities	
Gas: 4-inch WS gas line along the southern end of the property on McBride Lane. Stormwater: Storm ditch along both sides of McBride Lane. Wastewater: 18-inch clay along the east side of McBride Lane. Water: 6-inch waterline along the east side of McBride Lane.	
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 Westside Area Development Plan (Adopted February 21, 1995). Future Land Use Map: Designated Light Industrial, Government. Water Master Plan, Wastewater Master Plan, Stormwater Master Plan: Currently, there are no proposed improvements.	
Public Notification	
Number of Notices Mailed:	<ul style="list-style-type: none"> • 16 within the 200-foot notification area • 4 outside the 200-foot notification area
Number Returned in Favor:	<ul style="list-style-type: none"> • 0 inside notification area
Number Returned in Opposition:	<ul style="list-style-type: none"> • 0 inside notification area
PERCENT IN OPPOSITION:	<ul style="list-style-type: none"> • 0% in opposition within the 200-foot notification area
Public Hearing Schedule	
Planning Commission Hearing Date: September 7, 2022 City Council 1st Reading/Public Hearing Date: October 18, 2022 City Council 2nd Reading Date: October 25, 2022	

Background:

The applicant is requesting a change in zoning for 17.49 acres consisting of various tracts of Dunn Tract, Ehlers Garden Tracts, and Best Addition as submitted by metes and bounds.

Net Zero Carbon One, LLC (“Infinium”), has selected Corpus Christi for the deployment of a small-scale, commercial demonstration project to showcase Infinium technology for the conversion of carbon dioxide and hydrogen into cleaner synthetic fuels and chemicals. The proposed industrial facility is designed to produce approximately 50 barrels of product per day.

Net zero is about ‘balancing’ or canceling out the carbon we produce. We reach net zero when the amount of greenhouse gas we produce is no more than the amount taken away. Zero carbon concerns the emissions produced from a product or service – it means no carbons are given off at all.

Carbon dioxide will be sourced from the Javelina Facility owned by Howard Energy Partners (HEP) and located in Corpus Christi, Texas, and from other largely anthropogenic sources.

Hydrogen will be sourced from the Javelina Plant and from the electrolysis of water using primarily renewable energy.

The facility and offices will be constructed on property owned by Howard Energy Partners. Construction is expected to commence in 2022 and completed in 2023. The facility will be constructed in the form of a combination of modules and larger vessels. A total of ten fabricated modules will be installed on-site, along with tanks and process vessels. The tallest structure will be 65 feet in height. When operational, the site will employ approximately 22 employees, working in shifts. The employees will be housed in modular offices (1600 square feet) and a control room (400 square feet) of Parking for approximately 25 cars will be provided near the offices. The facility will operate 24 hours a day, seven days a week, 365 days a year, with operations staff on-site at all times of operation.

Comprehensive Plan Consistency:

PLANCC - The proposed rezoning is consistent with the following Goals and Strategies for Decision Makers:

- Economy and Workforce
 - Corpus Christi has a diversified economy of well-paying jobs *that build on existing industry strengths and technological innovation.*
 - Promote the technological strengths of companies in the oil and gas cluster by supporting new product development and expansion into new markets.
 - Promote strong lines of communication between local government and businesses to ensure timely response to business needs.
 - Support investment of resources and capacity that support new venture startups and growth.
- Future Land Use, Zoning, and Urban Design
 - Promote a balanced mix of land uses to accommodate continued growth and promote the proper location of land uses based on compatibility, locational needs, and characteristics of each use.

FUTURE LAND USE MAP (FLUM) - The proposed rezoning for heavy industrial uses is inconsistent with the FLUM and would require an amendment:

- Designated Future Land Use: Light Industrial, Government.

Staff Analysis:

“While the comprehensive plan is consulted when making decisions about rezoning, it does not justify the denial of a plat or the development of land.” (Plan CC). 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 not consistent with the Future Land Use Map.
- However, the proposed rezoning is consistent with many broader elements of the Comprehensive Plan.

- Industrial uses are typically located near major transportation routes and are small-to-medium in scale. The site is appropriate.
- The proposed development is compatible with the surrounding uses.
- Industrial uses are typically located near major transportation routes such as highways, in this case IH 37.

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 denial of the change of zoning.

Staff Recommendation: Approval of the rezoning to the “IH” Heavy Industrial District.

ATTACHMENT A: EXISTING ZONING AND NOTICE AREA

