PLANNING COMMISSION FINAL REPORT

Case No. 0715-05 **HTE No.** 15-10000041

Planning Commission Hearing Date: July 29, 2015

Applicant	& Legal	escription
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Applicant/Representative: John Kendall and The Boston Group

Owner: Cloudcroft Land Ventures, Inc.

Legal Description/Location: Being 10.293 acres of land out of Lot 13 and 14, Section 55, Flour Bluff Encinal Farm and Garden Tracts, located along the south side of Graham Road approximately 260 feet east of Waldron Road.

Zoning Request From: "RM-1" Multifamily 1 District

To: "CG-2" General Commercial District

Area: 10.293 acres

Purpose of Request: To allow the development of a boat storage facility.

		Existing Zoning District	Existing Land Use	Future Land Use
and	Site	"RM-1" Multifamily 1	Vacant	Commercial and Medium Density Residential
	North	"CG-2" General Commercial	Commercial and Vacant	Medium Density Residential
Existing Zoning Land Uses	South	"RM-1" Multifamily 1	Public Semi-Public and Vacant	Public Semi-Public
Ë	East	"IH" Heavy Industrial	Heavy Industrial	Light Industrial
	West	"CG-2" General Commercial	Commercial and Vacant	Commercial

ADP, Map & Violations

Area Development Plan: The subject property is located within the boundaries of the Flour Bluff Area Development Plan and is planned for medium density residential uses. The proposed rezoning to the "CG-2" General Commercial District is not consistent with the adopted Future Land Use Plan, but some elements of the Flour Bluff Area Development Plan.

Map No.: 035031

Zoning Violations: None

Transportation

Transportation and Circulation: The subject property has approximately 260 feet of street frontage along Graham Road, which is a "C1" Minor Residential Collector street, and 50 feet of street frontage along Waldron Road which is an "A2" Secondary Arterial Divided street.

R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2013)
Street R.C	Graham "C1" Minor Residential Collector		60' ROW 40' paved	57' ROW 18' paved	N/A
	Waldron Road	"A2" Secondary Arterial Divided	100' ROW 54' paved	86' ROW 61' paved	15,938 ADT

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "RM-1" Multifamily 1 District to the "CG-2" General Commercial District to allow the development of a boat storage facility.

Development Plan: The proposed rezoning is in the Flour Bluff area. The applicant is proposing a boat storage facility on 10.293 acres of land, which fronts mostly Graham Road and has access to Waldron Road. There will be four buildings on site for a total of 295 boat stalls. Each stall will be approximately 481 square feet. One employee will remain on site. Customers will have access seven days a week during the operating hours of 8 a.m. to 5 p.m. A 10-foot-wide buffer yard and 5 buffer yard points will be required along the property line adjacent to the "RM-1" Multifamily 1 District. Along the property lines adjacent to the "IH" Heavy Industrial, a 15-foot-wide buffer yard and 15 buffer points will be required.

Existing Land Uses & Zoning: North and west of the subject property is zoned "CG-2" General Commercial and consists of an O'Reilly Auto Parts retail store, a boat repair shop, vacant land fronting Waldron Road and Mango Car Wash. South of the subject property is zoned "RM-1" Multifamily 1 where a church, St. Peter's By the Sea, is located and vacant land. East of the subject property is zoned "IH" Heavy Industrial with a gas plant on it.

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

Comprehensive Plan & Area Development Plan Consistency: The subject property is located within the boundaries of the Flour Bluff Area Development Plan (ADP). The proposed rezoning to the "CG-2" General Commercial District is not consistent with the adopted Future Land Use Plan's designation of the property as medium density residential. Additionally, the following are pertinent elements of the Comprehensive Plan and should be considered:

 Existing industrial uses south of South Padre Island Drive and between Waldron Road and Laguna Shores should be encouraged to transition into uses compatible to adjacent proposed multi-family land uses if, and when the current uses are discontinued. – Flour Bluff Area Development Plan Policy Statement B.12

- Expansion of commercial or industrial use into residential areas may be permitted only if the expansion maintains or improves the residential desirability of the impacted area. – Comprehensive Plan Land Use Statement E
- Minimize the impact of commercial areas on adjacent, existing or future residential areas through the use of compact design, screening fences, open space and landscaping – Comprehensive Plan Commercial Land Use Policy B
- Expansion of commercial uses into or within residential areas may be permitted only if such expansion maintains or improves the residential desirability of the impacted neighborhoods. – Comprehensive Plan Commercial Land Use Policy D
- Encourage all business areas to develop and maintain a pleasing environment Comprehensive Plan Commercial Land Use Policy E

Plat Status: The property will need to be re-platted.

Department Comments:

- The existing zoning of "RM-1" Multifamily 1 is not a desirable location for residential uses because of its adjacency to an "IH" Heavy Industrial District where a gas plant currently is in operation.
- A zoning of "CG-2" General Commercial District allows for an expansion of the commercial zoning to the northwest of the subject property where the O'Reilly Auto Parts retail store is located, which provides further buffer between the gas plant and the developed properties due west and to the south.
- The property to be rezoned is suitable for uses permitted by the zoning district that would be applied by the proposed amendment.
- It is staff's opinion that the proposed rezoning is compatible with the present zoning and conforming uses of nearby property and to the character of the surrounding area.
- The rezoning is consistent with elements of the city's Comprehensive Plan.
- The rezoning is compatible with the adjacent neighborhood and land uses.
- The zoning map amendment does not have a negative impact on the surrounding neighborhood.

<u>Planning Commission and Staff Recommendation:</u>

Approval of the change of zoning from the "RM-1" Multifamily 1 District to the "CG-2" General Commercial District.

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Number of Notices Mailed – 12 within 200-foot notification area

9 outside notification area

As of August 4, 2015:

In Favor – 0 inside notification area

- 0 outside notification area

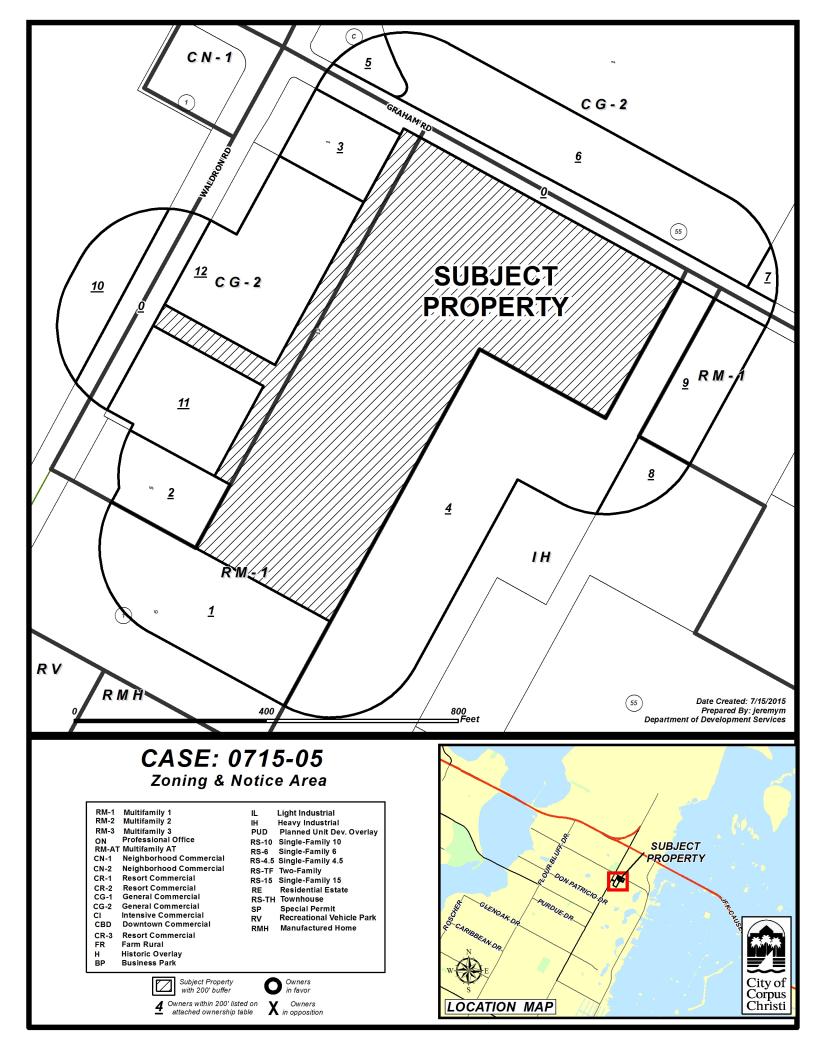
In Opposition – 0 inside notification area

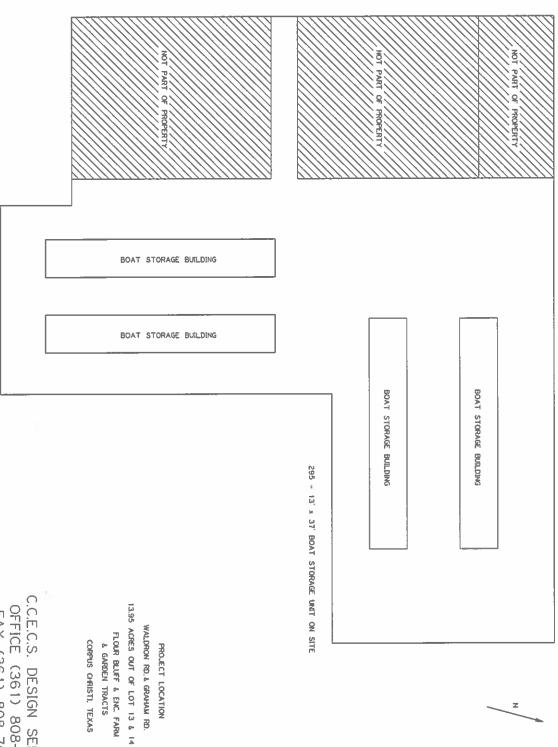
- 1 outside notification area

Totaling 0.00% of the land within the 200-foot notification area in opposition.

Attachments:

- 1. Location Map (Existing Zoning & Notice Area)
- 2. Site Plan
- 3. Application
- 4. Public Comments Received





GRAHAM RD.

C.C.E.C.S. DESIGN SERVICES OFFICE (361) 808-7600 FAX (361) 808-7633



Development Services Dept. P.O. Box 9277 Corpus Christi, Texas 78459-9277 (361) 826-3240 Located at 2408 Leopard Street

REZONING APPLICATION

PC Hearing Date: 7-29-15

Hearing Location: City Hall, Council Chamber

Use Only

Office

Case No.: 07/5-05 Map No.: 035031

7-29-15 Proj.Mgk-Jesseco

Hearing Location: City Hall. Council Chambers, 1201 Leopard Street Hearing Time: 5:30 p.m.

* A MAXIMUM OF FIVE REZONINGS CASES ARE SCHEDULED PER HEARING. *INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

	Located at 2408 Leopard Street					
1.	Applicant June 10 property Special Filement B=37- on Contact Person: John Kestock					
	Mailing Address: 343 KAST 2 NUNTH SUITE 107					
	City: PEXBULG State: 19 ZIP: 83 940 Phone: (361) 808-7206					
	City: PEX BURG State: 19 Zip: 83 940 Phone: (361) 808-7606 E-mail: TREE TO THE BOSTON Cell: (361) 960-0639					
2.						
	Mailing Address: 6901 S. PAGNE ISLAND Dr. SUITE 102					
	City: CORPUS CHRISTI State: TK: ZIP: 78412 Phone: (BEY) 279-0648					
	E-mail Cell: (367) 81.5-5411					
_	Subject Property Address: WALDOW PO Area of Request (SF/acres): 13.955 PERCS					
3.	Current Zoning & Use: RM-/ Proposed Zoning & Use: CG-2 10.293 Acre					
	12-Digit Nueces County Tax ID: 2476 - 2055-1305					
	Place: 1 nt(s):					
-3	Subdivision Marie.					
	Legal Description if not platted: 13.758 ACS OUT OF LOTS 13+ 14 SEC. 55 FLOR BLOFF + ENC. FRM GON TR.					
4.	Submittal Requirements:					
	Early Assistance Meeting: Date Held; with City Staff					
	☐ Land Use Statement ☐ Disclosure of Interest ☐ Copy of Warranty Deed					
	IF APPLICABLE: Deck Hour Trip Form (if request is inconsistent with Future Land Use Plan) Site Plan for PUD or Special Permit					
	Peak Hour Trip Form (if request is inconsistent with Future Land Use Plan) Site Plan for PUD or Special Permit Metes & Bounds Description with exhibit if property includes un-platted land (sealed by RPLS) Lien Holder Authorization					
	Appointment of Agent Form if landowner is not signing this form					
H	is that I have a wided the City of Comus Christi with a complete application for review; that I am authorized to initiate this rezoning					
'`	as or on behalf of the Property Owner(s); and the information provided is accurate.					
14	Applicant's Signature Applicant's Signature					
١	Spine Fillmore JOHN FENDELL					
0	wyer or Agent's Printed Name Applicant's Printed Name					
	Office Use Only: Date Received: 6-29-15 Received By: JABP ADP: FB					
l °	Rezoning Fee: #1976.75 + PUD Fee N/A + Sign Fee #20.00 = Total Fee #1996.75					
	lezoning Fee: 1776.79 + POD Fee					
N	io. Signs Required @ 3 Tuisign					

K/DEVELOPMENTSVCS/SHAREDILAND DEVELOPMENT/APPLICATION FORMS/REZONING/ZONING APPLICATION 2016.DOC

Form Revised 5/12/2015

STATE OF TEXAS COUNTY OF NUECES

Field Notes of 10.293 acres of land being out of Lot 13 and 14, Section 55, Flour Bluff Encinal Farm Garden Tract, as shown on a map recorded in Volume "A", Pages 41 = 42, Map Records Nueces County, Texas. Said 10.293 acre tract also being out of a 15.90 acre tract deed recorded in Document No. 2003039114, Deed Records Nueces County, Texas. Said 10.293 acre tract being more particularly described as follows.

BEGINNING at a point in the south right of way of Graham Road, for the northeast corner of Lot 1, Block 1, Waldron Road Subdivision, as shown on a map recorded in Volume 67, Page 318, Map Records Nueces County, Texas, and for the northwest corner of this survey.

THENCE with the south right of way of Graham Road, South 61°20'34" East, a distance of 657.26 feet to a point for an outside corner of the Flour Bluff Gas Plant Unit 2, as shown on a map recorded in Volume 34, Page 140, Map Records Nueces County, Texas, and for the northeast corner of this survey.

THENCE South 28°32"20" West, a distance of 327,28 feet to a point for an inside corner of said Flour Bluff Gas Plant Unit 2, and for an outside corner of this survey.

THENCE North 61°27'08" West, a distance of 300.27 feet to a point for an outside corner of said Flour Bluff Gas Plant Unit 2 and for an inside corner of this survey.

THENCE South 28°39'26" West, a distance of 631.62 feet to a point for the northeast corner of Lot 6, Block 1, Flour Bluff Garden Unit 2, as shown on a map recorded in Volume 36, Page 172, Map Records Nucces County, Texas, and for the southeast corner of this survey.

THENCE with the north line of said Lot 6, North 61°25'42" West, a distance of 319.10 feet to a point for the southeast corner of Lot 5, Block 1, Waldron Road Subdivision, as shown on a map recorded in Volume 67, Page 56, Map Records Nueces County, Texas, and for the southwest corner of this survey.

THENCE with the east line of said Lot 5, North 28°34'18" East, a distance of 150.00 feet to a point for the northeast corner of said Lot 5, and for an inside corner of this survey.

THENCE North 61°26'02" West, a distance of 37.14 feet to a point for an outside corner of this survey.

THENCE North 28°34'18" East, a distance of 213.76 feet to a point for an inside corner of this survey.

THENCE North 61°20°34" West, a distance of 262.41 feet to a point in the east right of way of Waldron Road for an outside corner of this survey.

THENCE with the east right of way of Waldron Road, North 28"34'18" East, a distance of 50.00 feet to a point for an outside corner of this survey.

THENCE South 61°20'34" East, a distance of 262.41 feet to a point for an inside corner of this survey.

THENCE North 28°34'18" East, a distance of 546.25 feet to the POINT of BEGINNING, and containing 10.293 acres of land, more or less.

Notes:

1.) Bearings are based on Global Positioning System NAD 83 (93) 4205 Datum.

I, Ronald E. Brister do hereby certify that this survey of the property legally described herein is correct to the best of my knowledge and belief.

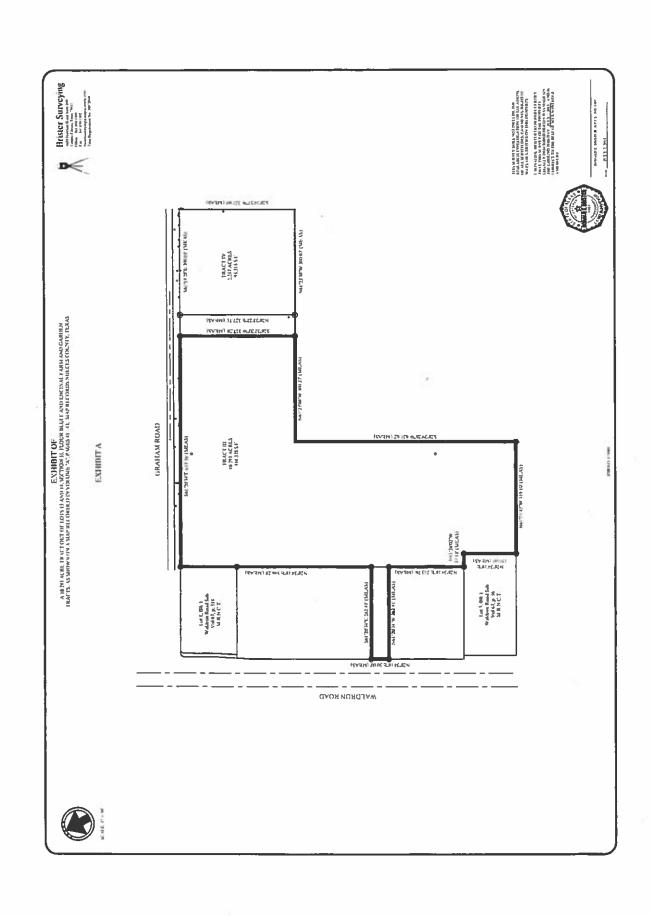
Ronald E. Brister, RPLS No. 5407

Konga E. Bruste

Date: June 30, 2015.

RONALD E BRISTER D

Jeb No. 15975



LAND USE STATEMENT

The property in question is 13.95 acres and currently zoned RM-1, Multifamily. It is the owner's intent to rezone the property to CG-2, General Commercial to allow the construction of a boat storage facility. There will be four buildings on site, with a total of 295 boat stalls, the stalls will 481 square foot in area.

There will be 1 employee on site customers will access the facility 7 days a week, from the hours of 8:00 am to 5:00 pm.

Land uses of the adjoining areas:

North - CG-2

South - RMH

East - IH

West - RM-1





Development Services 2406 Leopard Street, Corpus Christi, TX 78408 Phone: (361)826-3240 www.cctexas.com

PEAK HOUR TRAFFIC (PHT) FORM

A Traffic Impact Analysis (TIA) determination must be made prior to the submittal of any rezoning application, site plan or street closure request. The Peak Hour Traffic Generation (PHT) Form is required to be completed for developments that are projected to contain 500 or fewer weekday peak hour (A.M. or P.M.) trips (UDC Section 3.29.4).

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Peak P.M.
Trips 4.98
W Width (FT)
10'

Note: This completed and reviewed form must accompany any subsequent application for the IDENTICAL project. CHANGES to the proposed project will require a new TIA determination to be made.



DISCLOSURE OF INTERESTS

City of Corpus Christi Ordinance 17112, as amended, requires all persons or firms seeking to do business with the City to provide the following information. *Every question must be answered*. If the question is not applicable, answer with "NA".

NAME: THE BOSTON GROUP	
STREET: 343 GAST 2 NONTH # 107 CITY	: REXBURG ID ZIP: 83440
FIRM is: Corporation Partnership Sole	Owner Association Other
DISCLOSI	URE QUESTIONS
If additional space is necessary, please use the revers	e side of this page or attach separate sheet.
 State the names of each "employee" of the constituting 3% or more of the ownership in the 	City of Corpus Christi having an "ownership interest" e above named "firm".
Name	Job Title and City Department (if known)
MA	
2. State the names of each "official" of the constituting 3% or more of the ownership in the	City of Corpus Christi having an "ownership interest" e above named "firm".
Name	Title
N	
State the names of each "board member" of t constituting 3% or more of the ownership in th	the City of Corpus Christi having an "ownership interest" e above named "firm".
Name	Board, Commission, or Committee
Np	
4. State the names of each employee or officer of on any matter related to the subject of this common of the ownership in the above named "fir	f a "consultant" for the City of Corpus Christi who worked ntract and has an "ownership interest" constituting 3% or m".
Name /	Consultant
ada	
	RTIFICATE
withheld disclosure of any information requested; an	ect as of the date of this statement, that I have not knowingly ad that supplemental statements will be promptly submitted to price as a changes occur.
Certifying Person: Spincer Filly	10-e Title: Manage
(Pfint Name)	
Signature of Certifying Person:	Date: 6/28/15
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DISCLOSURE OF INTERESTS

City of Corpus Christi Ordinance 17112, as amended, requires all persons or firms seeking to do business with the City to provide the following Information. <u>Every question must be answered</u>. If the question is not applicable, answer with "NA".

NAI	ME: Cloude	croft La	nd Ven	tures,				
STF	REET: 701 A	/ers			CITY: Corp	us Christi		ZIP: 78404
FIR	M is: Corpo	pration C	Partners	ship C	Sole Owner	Association	Other	
				DIS	CLOSURE Q	JESTIONS		
ll ac	ditional space	is necessa	ry, please	use the	reverse side o	of this page or atta	ch separate	sheet.
1.						f Corpus Christi named "firm".	having a	n "ownership interest"
	Name					Job Title and C	ity Departn	nent (if known)
	none							
2.	State the na constituting 3	mes of ea	ach "office of the ov	cial" of vnershi	the City of	Corpus Christi named "firm".	having ar	n "ownership interest"
	none					. 1 I I I		
	HOHE							
3.						of Corpus Chris named "firm".	iti haying i	an "ownership interest"
	Name					Board, Commi	ssion, or Co	ommittee
	none							
4,	State the nam on any matter more of the o	related to	the subj	ect of ti	ila contract s	nsultant" for the (and has an "owne	City of Con irship Inter	pus Christi who worked rest" constituting 3% or
	Name					Consultant		
	none							
l e	certify that all in ithheid disclosu	nformation ire of any ir	nomation	request	ed; and that s	f the date of this st	ments will b	at I have not knowingly e promptly submitted to
Сег	tifying Person:	Kim Co					Title: Atto	orney-in-Fact
Sign	nature of Certify	•	1/	1 1 1	Cot		Date: 7/1	3/15



DISCLOSURE OF INTERESTS

City of Corpus Christi Ordinance 17112, as amended, requires all persons or firms seeking to do business with the City to provide the following information. <u>Every question must be answered</u>. If the question is not applicable, answer with "NA".

NAME: DOHN KENDALL	
STREET: 5864 S. STAPLES# 30/ CITY: 4	CALPUS CHRISTI TX ZIP: 78413
FIRM is: Corporation Partnership Sole Ow	vner Association Other
DISCLOSUR	E QUESTIONS
f additional space is necessary, please use the reverse s	side of this page or attach separate sheet.
. State the names of each "employee" of the Ci constituting 3% or more of the ownership in the a	ity of Corpus Christi having an "ownership interest" above named "firm".
Name	Job Title and City Department (if known)
Ma	
2. State the names of each "official" of the City constituting 3% or more of the ownership in the a	y of Corpus Christi having an "ownership interest" above named "firm".
Name /	Title
m/a	
S. State the names of each "board member" of the constituting 3% or more of the ownership in the a Name	above named "firm". Board, Commission, or Committee
I. State the names of each employee or officer of a on any matter related to the subject of this contramore of the ownership in the above named "firm" Name	"consultant" for the City of Corpus Christi who worked act and has an "ownership interest" constituting 3% or ". Consultant
<u> </u>	
I certify that all information provided is true and correct withheld disclosure of any information requested; and the	IFICATE as of the date of this statement, that I have not knowingly hat supplemental statements will be promptly submitted to
the City of Corpus Christ	ti, Texas as changes occur.
Certifying Person: (Print Name)	Date: 6-28-15
Signature of Certifying Person	Date: 6-28-/5

APPOINTMENT OF AGENT

As owner of the subject property, I hereby appoint the person designated below to act for me, as my agent in this request. Name of Agent: JOHN KENDOKK Mailing Address: 5866 S. STAPLES SUITE 301 City: CORPUS CHRISTI State: TX. Zip: 78413 Home Phone: () NA Business Phone: (361) 808-760 Cell: (361) 960-0039 I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to: Be the point of contact between myself and the City of Corpus Christi; make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; consent to legally binding modifications; conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me. I understand that the City of Corpus Christi will deal only with a fully authorized agent. At any time it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications related to this application are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, I agree to hold harmless and indemnify the City of Corpus Christi, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter. If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have the legal authority to make this binding appointment on behalf of the entity, and every reference herein to "I", "my", or "me" is a reference to the entity. *Signature of Agent: Title: PRESIDENT Printed/Typed Name of Agent: Jehn / Enoste Date: 6-29-15 *Signature of Property Owner: Manager Title: Manager Printed/Typed Name of Property Owner: <u>Sunce Fillmore</u> Date: 6/28/15 *Signature of Property Owner: ______ Title: _____ Printed/Typed Name of Property Owner: _______ Date: _____ *Signature of Property Owner: ______ Title:_____

Printed/Typed Name of Property Owner: ______ Date: _____

^{*}Application must be signed by the individual applicant, each partner of a partnership, or by an authorized officer of a corporation or association.

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 commission 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. 0715-05

John Kendall and The Boston Group have petitioned the City of Corpus Christi to consider a change of zoning from the "RM-1" Multifamily 1 District to the "CG-2" General Commercial District, resulting in a change to the Future Land Use Plan from medium density residential to commercial uses. The property to be rezoned is described as:

Being 10.293 acres of land out of Lot 13 and 14, Section 55, Flour Bluff Encinal Farm and Garden Tracts, located along the south side of Graham Road approximately 260 feet east of Waldron Road.

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 <u>Wednesday</u>, <u>July 29</u>, <u>2015</u>, during one of the Planning Commission's regular meetings, which begins at <u>5:30 p.m.</u>, 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: KEITH HANSON	
Address: 331 GRAHAM ROAD	City/State: Coreps Christ: Towns
() IN FAVOR (X) IN OPPOSITION	Phone: 361-23 Z-3067
REASON: DRAINAGE + ENSIROnmental ISSU Quality of hile parts	es & Rombuy, Forfastructum
SEE MAP ON REVERSE SIDE 7 -2015 Signature	
Property Owner ID:	Case No. 0715-05

Project Manager: Jessica Alford

HTE# 15-10000041

City of Corpus Christi Development Services Dept. P.O. Box 9277 Corpus Christi, Texas 78469

> Keith Hanson Area Resident 331 Graham Road Corpus Christi, TX 78418



