

PLANNING COMMISSION FINAL REPORT

Case No. 0116-01

HTE No. 15-10000068

Planning Commission Hearing Date: January 13, 2016

Applicant & Legal	Applicant: Ketan Bhakta Owner: Mint Business Professionals, LLC Legal Description/Location: Lot 61, Block 3, 100 South Padre, located on the southwest corner of Enterprize Parkway and Opportunity Drive.			
Zoning Request	From: "IL" Light Industrial District To: "CG-2" General Commercial District Area: 1.63 acres Purpose of Request: To allow the development of a hotel.			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	Site	"IL" Light Industrial	Vacant	Research/Business Park
	North	"IL" Light Industrial	Vacant	Research/Business Park
	South	"IL" Light Industrial	Vacant	Research/Business Park
	East	"IL" Light Industrial	Vacant	Research/Business Park
	West	"IL" Light Industrial	Commercial	Research/Business Park
ADP, Map & Violations	Area Development Plan: The subject property is located within the boundaries of the Westside Area Development Plan and is planned for Research/Business Park uses. Research/Business Park uses include commercial uses in addition to some light industrial uses. Therefore, the proposed rezoning to the "CG-2" General Commercial District is consistent with the adopted Future Land Use Plan and the Westside Area Development Plan. Map No.: 051041 Zoning Violations: None			
Transportation	Transportation and Circulation: The subject property has approximately 340 feet of street frontage along Opportunity Drive and 110 feet of frontage along Enterprize Parkway. While these streets are not designated on the Urban Transportation Plan, both streets are built to a collector street standard.			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Enterprise Parkway.	Local	60' ROW 40' paved	70' ROW 50' paved	N/A
	Opportunity Drive	Local	60' ROW 40' paved	70' ROW 40' paved	N/A

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the “IL” Light Industrial to the “CG-2” General Commercial District to allow the development of a hotel.

Development Plan: The applicant is proposing to develop a hotel on a 1.63 acre tract of land. The proposed hotel will consist of 70 units, totaling 45,000 square feet and four stories.

Existing Land Uses & Zoning: The subject property is vacant and zoned “IL” Light Industrial District. All the adjacent property is zoned “IL” Light Industrial. Properties to the north, south and east have agricultural uses. The property to the west has a commercial use, The Comfort Inn Suites.

AICUZ: The subject property is not 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 Westside Area Development Plan (ADP). The proposed rezoning to the “CG-2” General Commercial District is consistent with the Westside ADP and the adopted Future Land Use map designation of the property as Research/Business Park. The uses permitted in the “CG-2” General Commercial District, and specifically the hotel use is a type of use that would complement and likely be found in a “business park”. The following are pertinent elements of the Comprehensive Plan and should be considered:

- Business areas that feature mixed office use and retail activities should be encouraged. (Corpus Christi Policy Statements: Land Use - Commercial Policy A.) As the area develops, a hotel in this location can help to support the vision for this area as a business park by allowing for overnight lodging for business men and women who could then walk within the business park to their work destination.
- There is no abutting residentially used or zoned property that could be negatively affected by the commercial uses allowed in the “CG-2” General Commercial District.
- Commercial activities which generate large volumes of traffic should have direct access to an arterial without having to traverse low-density areas. (Corpus Christi Policy Statements Land Use – Commercial Policy F.) While the site does not have direct access to an arterial, the access that the site has is almost equivalent

to direct access since the road system is of sufficient size to handle commercial traffic and there are no low-density residential areas that must be traversed prior to accessing South Padre Island Drive.

Plat Status: The subject property is platted.

Department Comments:

- The proposed rezoning is consistent with the Comprehensive Plan.
- The proposed rezoning is compatible the present zoning, nearby uses and the character of the surrounding area.
- The “CG-2” District allows overnight accommodation uses including hotels. The “BP” Research/Business Park District was considered as a possible zoning district for this rezoning as the “BP” District also permits overnight accommodation uses such as a hotel use. However, the “BP” District could not be used since the district requires a five-acre minimum site size and the subject property only contains 1.63 acres.
- The proposed zoning will not have a negative impact on the surrounding neighborhood.

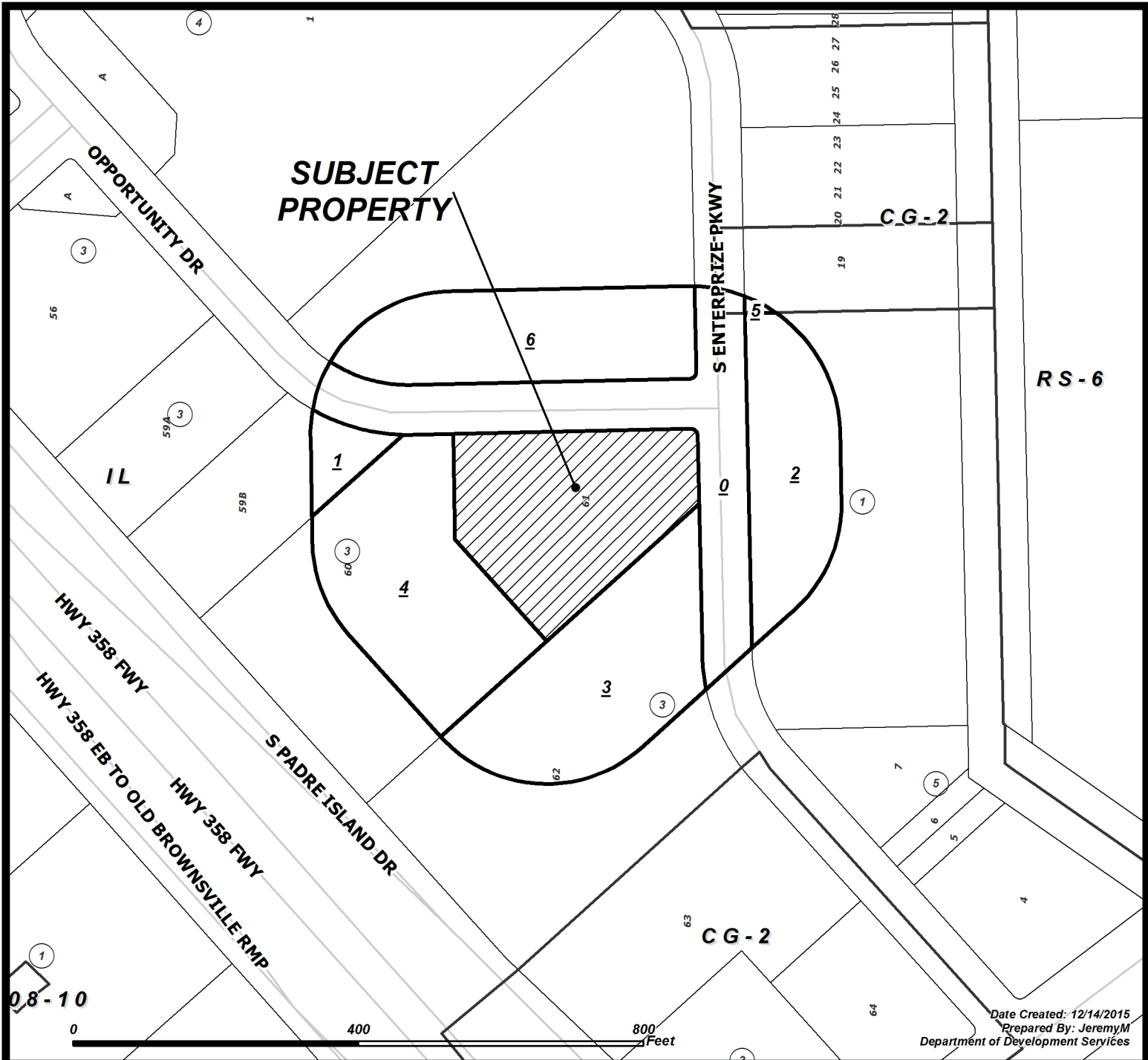
Planning Commission and Staff Recommendation:

Approval of the change of zoning from the “IL” Light Industrial District to the “CG-2” General Commercial District. The vote was unanimous with Chairman Ramirez and Commissioners Braselton and Chupe being absent.

Public Notification	Number of Notices Mailed – 6 within 200-foot notification area 8 outside notification area
	<u>As of January 19, 2016:</u>
	In Favor – 0 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.

Attachments:

1. Location Map (Existing Zoning & Notice Area)
2. Application
3. Public Comments Received (if any)



CASE: 0116-01 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

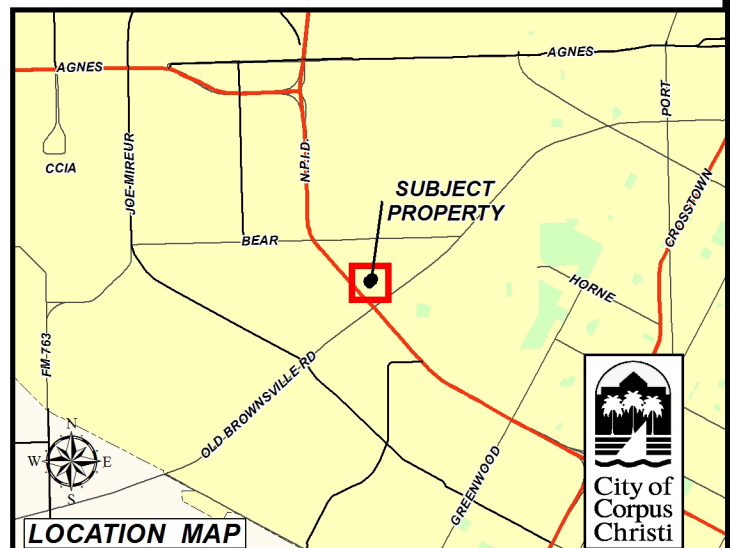
4 Owners within 200' listed on
attached ownership table



Owners
in favor



Owners
in opposition





Development Services Dept.
P.O. Box 9277
Corpus Christi, Texas 78469-9277
(361) 826-3240
Located at 2406 Leopard Street

REZONING APPLICATION

Office Use Only

Case No.: 0116-01 Map No.: 051041

PC Hearing Date: 1-13-16 Proj.Mgr: D. Wood

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.

1. Applicant: Ketan Bhakta Contact Person: Ketan Bhakta
Mailing Address: 14050 S. Padre Island Drive
City: Corpus Christi State: Tx ZIP: 78418 Phone: ()
E-mail: [REDACTED] Cell: (361) 960-5035

2. Property Owner(s): Mint Business Professionals, LLC Contact Person: Dustin Sanchez
Mailing Address: P. O. Box 60650
City: Corpus Christi State: Tx ZIP: 78466 Phone: ()
E-mail: [REDACTED] Cell: (956) 801-1789

3. Subject Property Address: 437 Opportunity Area of Request (SF/acres): 71,103 SF 1.63 AC
Current Zoning & Use: IL (vacant land) Proposed Zoning & Use: CG-2 (hotel)
12-Digit Nueces County Tax ID: 6030 0003 0610
Subdivision Name: One Hundred South Padre Unit 1 Block: 03 Lot(s): 61
Legal Description if not platted: n/a

4. Submittal Requirements:
☒ Early Assistance Meeting: Date Held 11/4/2015 ; with City Staff yes
☒ Land Use Statement ☒ Disclosure of Interest ☒ Copy of Warranty Deed
IF APPLICABLE:
☐ 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

I certify that I have provided the City of Corpus 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.

[Signature]
Owner or Agent's Signature

KETAN BHAKTA
Owner or Agent's Printed Name

Applicant's Signature

Applicant's Printed Name

Office Use Only: Date Received: 11-17-15 Received By: DW ADP: WS
Rezoning Fee: 1692.50 + PUD Fee 0 + Sign Fee 20.00 = Total Fee \$1712.50
No. Signs Required 2 @ \$10/sign Sign Posting Date: _____

LAND USE STATEMENT

1. State the purpose of the request and include applicable background information as to the development plan for the property, i.e., usage of property, number and square footage(s) of existing and/or proposed building(s)/unit(s), building(s)/unit(s) height, parking plans/spaces, phasing schedule of development, number of employee(s) associated with the office, business or industrial development, hours of operation, modification or demolition plans for existing structure(s), type, area and setback of signage, etc.

Currently, the subject property is a vacant tract of land.

The purpose of the request is to change the zoning from the current IL to CG-2 for the development of a hotel. There are two existing hotels in the immediate area.

Our preliminary plan has an approximate building size of 45,000 square feet, 4 stories, with approximately 70 units.

There will be parking for up to 70 cars, and being a hotel, we will be open basically 24 hours a day.

Signage will be addressed, and will conform to all municipal codes.

We should have between 12 and 15 employees.

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2. Identify the existing land uses adjoining the area of request:

North - Opportunity Drive / vacant land

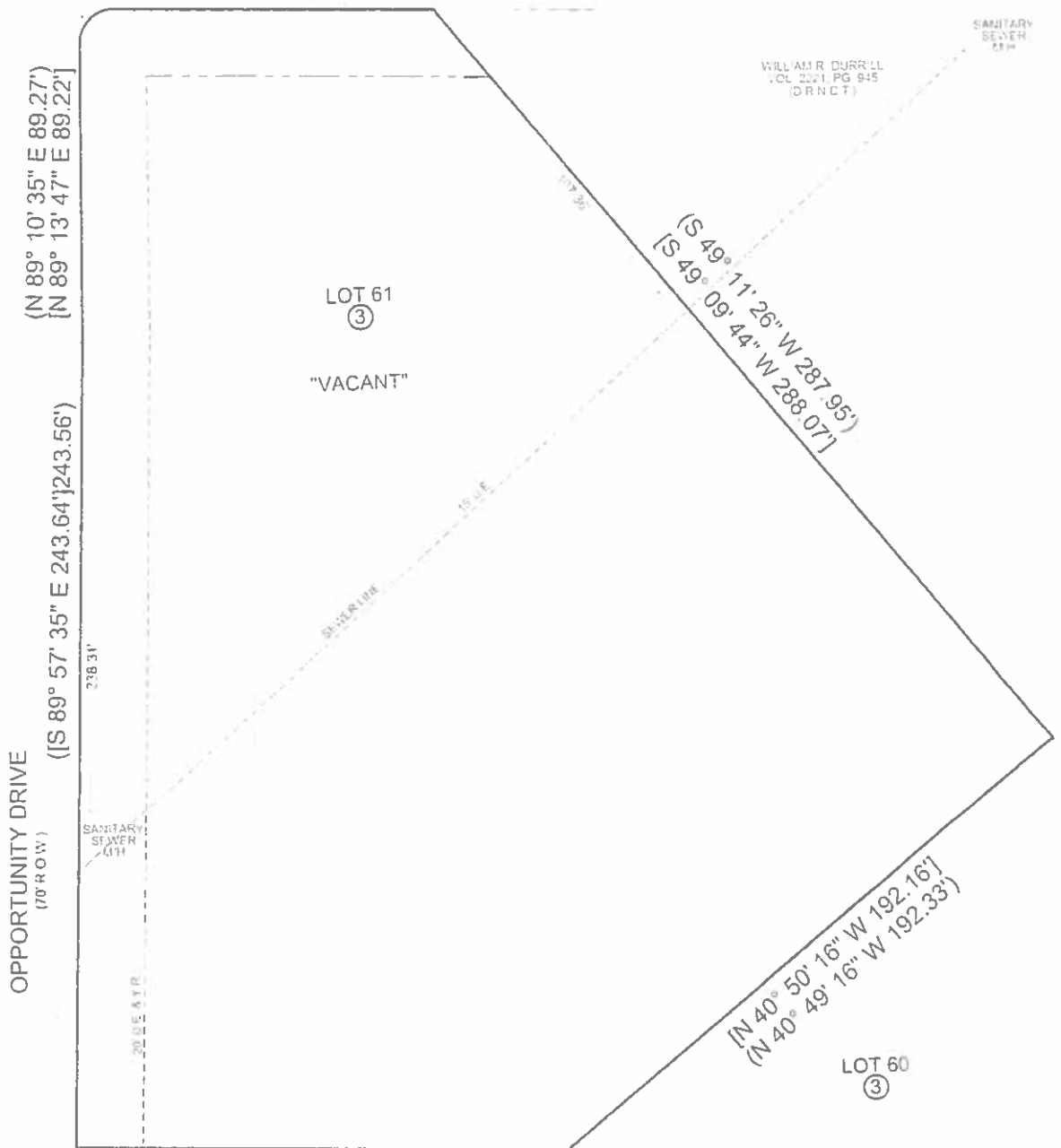
South - vacant land

East - Enterprise Parkway / vacant land

West - Harley Davidson of Corpus Christi

[R= 10 00', LA= 17.57'] (S 00° 07' 21" W 95.15')
 LC=(S 44° 40' 48" E 15.40') [S 00° 06' 55" W 94.95']
 ENTERPRISE PARKWAY

SCALE 1"= 40'



NOTES:

- (1.) Found 5/8" IR @ all lot corners, unless noted otherwise.
- (2.) House Ties are to the foundation.

I, Ronald A. Voss, a Registered Professional Land Surveyor, do hereby certify that this survey was made on the ground of the property shown hereon under my direction and supervision, that it is my knowledge and belief that there are no apparent encroachments or overlapping of improvements with the deed lines except as shown hereon. This Survey was performed without the benefit of a Title Policy or Title Opinion.

NOTE: THIS SURVEY IS FOR THE SOLE USE OF THE BUYER, TITLE COMPANY, OR MORTGAGE COMPANY IN THIS TRANSACTION ONLY. NO LICENSE HAS BEEN CREATED, EXPRESSED OR IMPLIED, TO COPY THE SURVEY, WHICH IS VOID AFTER SIX MONTHS FROM THE DATE OF THIS SURVEY.

BUYER:

SOUTH PADRE ISLAND DRIVE
 (STATE HIGHWAY 358)



This property lies within Zone C, according to FIRM 85 which is NOT within the 100 year Flood Plain.

NOT VALID WITHOUT ORIGINAL SIGNATURE AND ORIGINAL SEAL

Registered Professional Land Surveyor State of Texas No. 2293

DATE: 03/09/2015
 REVISION:
 CREW: RS & DL
 OFFICE: RV & RG
 GF#:
 JOB#: 15-3660

KEY: WOOD FENCE
 [RECORDED] WIRE FENCE
 [MEASURED] VINYL FENCE

Lot 61, Block 3, 100 South Padre
 Volume 61, Page 157 (M.R.N.C.T.)
 Corpus Christi, Nueces County, Texas

VOSS ENGINEERING, INC.

ENGINEERING & LAND SURVEYING
 6838 GREENWOOD DRIVE, CORPUS CHRISTI, TEXAS 78415
 PHONE: 361.854.6202 FAX: 361.853.4696

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: Ketan Bhakta

Mailing Address: 14050 S. Padre Island Drive

City: Corpus Christi State: Tx Zip: 78418

Home Phone: () Business Phone: () Cell: (361) 960-5035

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: [Signature] Title: Agent

Printed/Typed Name of Agent: Ketan Bhakta Date: _____

*Signature of Property Owner: [Signature] Title: owner

Printed/Typed Name of Property Owner: Dustin Sanchez Date: 11-5-11

*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.

NAME: Mint Business Professionals, LLC

STREET: 5277 Old Brownsville Rd Ste 205

CITY: Corpus Christi

ZIP: 78405

FIRM is: ☐ Corporation ☐ Partnership ☐ Sole Owner ☐ Association ☒ Other LLC

DISCLOSURE QUESTIONS

If additional space is necessary, please use the reverse side of this page or attach separate sheet.

1. State the names of each "employee" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name

Job Title and City Department (if known)

n/a

n/a

n/a

n/a

2. State the names of each "official" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name

Title

n/a

n/a

n/a

n/a

3. State the names of each "board member" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name

Board, Commission, or Committee

n/a

n/a

n/a

n/a

4. State the names of each employee or officer of a "consultant" for the City of Corpus Christi who worked on any matter related to the subject of this contract and has an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name

Consultant

n/a

n/a

n/a

n/a

CERTIFICATE

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Corpus Christi, Texas as changes occur.

Certifying Person: Dustin Sanchez

(Print Name)

Title: owner

Signature of Certifying Person: LS

Date: 11-10-15



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. **Every question must be answered.** If the question is not applicable, answer with "NA".

NAME: Ketan Bhakta

STREET: 14050 S. Padre Island Drive CITY: Corpus Christi ZIP: 78418

FIRM is: ☐ Corporation ☐ Partnership ☐ Sole Owner ☐ Association ☒ Other individual

DISCLOSURE QUESTIONS

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1. State the names of each "employee" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name	Job Title and City Department (if known)
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n/a

n/a

n/a

n/a

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Name	Title
------	-------

n/a

n/a

n/a

n/a

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Name	Board, Commission, or Committee
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n/a

n/a

n/a

n/a

4. State the names of each employee or officer of a "consultant" for the City of Corpus Christi who worked on any matter related to the subject of this contract and has an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name	Consultant
------	------------

n/a

n/a

n/a

n/a

CERTIFICATE

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Corpus Christi, Texas as changes occur.

Certifying Person: 

(Print Name)

Title: Agent

Signature of Certifying Person: _____

Date: _____