

PLANNING COMMISSION FINAL REPORT

Case No. 0316-01

HTE No. 16-10000008

Planning Commission Hearing Date: March 23, 2016

Applicant & Legal Description	Owner: May Dev., LP Applicant/Representatives: Urban Engineering Legal Description/Location: Lot 6, Block 1, Bridgepoint Landing, located along the east side of Lexington Road approximately 490 feet south of South Padre Island Drive (SH 358).			
Zoning Request	From: "RM-1" Multifamily 1 District To: "CG-2" General Commercial District Area: 11.515 acres Purpose of Request: To allow commercial uses.			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	Site	"RM-1" Multifamily 1	Vacant	Commercial, Drainage Corridor and Medium Density Residential
	North	"CG-2" General Commercial	Commercial	Commercial
	South	"RS-6" Single-Family 6	Vacant	Low Density Residential
	East	"CG-2" General Commercial and "RM-3" Multifamily 3	Vacant and Public/Semi Public	Commercial, Drainage Corridor and Medium Density Residential
	West	"RS-6" Single-Family 6	Vacant and Drainage Corridor	Commercial and Drainage Corridor
ADP, Map & Violations	Area Development Plan: The subject property is located within the boundaries of the Southside Area Development Plan and is planned for commercial uses. The proposed rezoning to the "CG-2" General Commercial District is largely consistent with the adopted Future Land Use Map and the Southside Area Development Plan. A very small portion of the southeast corner of the property is planned for medium density residential uses. Map No.: 039034 Zoning Violations: None			

Transportation	Transportation and Circulation: The subject property has approximately 800 feet of street frontage along Lexington Road, which is a C1 Minor Residential Collector street.				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Lexington Road	"C1" Minor Residential Collector	60' ROW 40' paved	66' ROW 20' paved	N/A
	Williams Drive	"C3" Primary Collector	75' ROW 50' paved	Does not exist	N/A

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 commercial uses.

Development Plan: The applicant indicates that no specific development plans exist for the property at this time. The applicant seeks to change the zoning designation to a designation that is in accordance with the Future Land Use Map.

Existing Land Uses & Zoning: The subject property is vacant and zoned "RM-1" Multifamily 1 District. North of the subject property is a commercial boat sales business in the "CG-2" General Commercial District which is owned by the subject property owner. All other surrounding properties are vacant, "RS-6" Single-Family 6 to the south and west, and "CG-2" General Commercial and "RM-1" Multifamily 1 to the east. A very small portion of the southeast corner has a public/semi-public use.

Transportation: The City's adopted Urban Transportation Plan was recently amended to realign the planned collector roadway named Williams Drive. Williams Drive is pertinent to this application as it is planned to abut the subject property along the southerly property line. Williams Drive is a "C3" Primary Collector planned for a right-of-way width of seventy-five (75) feet. Although there are no immediate plans to construct Williams Drive in the area abutting the subject property at this time, additional right-of-way is needed to ensure sufficient right-of-way exists for eventual construction.

Staff finds that the existing roadway section of Lexington Road from South Padre Island Drive to the southerly boundary of the property may be insufficient to support the number of vehicle trips likely to be generated by commercial development on the subject property. The number of peak hour trips could be around 500 peak hour vehicle trips, depending on the uses developed. Consequently, it is important to note that future improvements to Lexington Road may be required in conjunction with

development of the subject property. The determination of required improvements will occur with the review and approval of subsequent development applications.

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

Plat Status: The subject property is platted.

Comprehensive Plan & Area Development Plan Consistency: The subject property is located within the boundaries of the Southside Area Development Plan (ADP). The proposed rezoning to the "CG-2" General Commercial District is largely consistent with the Southside ADP and the adopted Future Land Use Map's designation of the property for commercial uses. Comprehensive Plan and Southside Area Development Plan policies applicable to this application include the following:

- **Comprehensive Plan General Policy Statement D:** New development should occur in a pattern which is cost effective.
- **Comprehensive Plan Residential Policy Statement E:** Commercial activities which generate large volumes of traffic should have direct access to an arterial road without having to traverse low-density areas.
- **Comprehensive Plan Residential Policy Statement H:** Encouraging infill development on vacant tracts of land within developed areas.
- **Comprehensive Plan Residential Policy Statement I:** Incompatible industrial and commercial land uses should not abut residential areas.
- **Comprehensive Plan Commercial Policy Statement D:** Expansion of commercial uses into or within residential areas may be permitted only if the expansion maintains or improves the residential desirability of the impacted area.
- **Southside Area Development Plan Policy Statement:** High-intensity commercial and industrial uses should be buffered to provide transition from low-density residential areas through the existence of: A) Main roads; B) Public and institutional buildings; C) Open space; D) Scale of design; and E) Other transitional land uses.

Department Comments:

- The Future Land Use Map splits the subject property along the drainage corridor and designates the largest portion suitable for commercial uses and a small portion for medium density residential uses.
- The requested "CG-2" General Commercial zoning designation is largely consistent with the Future Land Use Map and the Southside Area Development Plan.
- A change from medium density residential uses to commercial uses will not alter the overall intent of the Southside Area Development Plan and the Future Land Use Map.

- The amendment is compatible with present zoning of nearby property and to the character of the surrounding area.
- A “CG-2” District would allow uses that are suited for the property.
- Approval of the change in zoning may further policies of the Comprehensive Plan that pertain to infill development.
- The zoning change will not have a negative impact upon the surrounding properties from a land use perspective.
- Subsequent development of the subject property may further the City’s adopted Urban Transportation Plan as it pertains to the construction of Williams Drive, a planned “C3” Primary Collector. A dedication for right-of-way will be necessary to further the Urban Transportation Plan.
- Development standards and requirements in the Unified Development Code and adopted construction standards will ensure that eventual development occurs in a manner that will be compatible with future adjacent development.
 - Specific development requirements including but not limited to infrastructure requirements and so forth will be determined via subsequent permit processes.

Planning Commission and Staff Recommendation:

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

Public Notification	Number of Notices Mailed – 11 within 200-foot notification area 3 outside notification area
	<u>As of March 29, 2016:</u>
	In Favor – 1 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. Application
3. Public Comments Received (if any)



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.: 0316-01 Map No.: 039034
PC Hearing Date: 3/23/16 Proj.Mgr: _____
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: Urban Engineering Contact Person: Xavier Galvan
Mailing Address: 2725 Swatner Drive
City: Corpus Christi State: TX ZIP: 78404 Phone: (361) 854-3101
E-mail: _____ Cell: () _____

2. Property Owner(s): May Dev., LP Contact Person: Alex May
Mailing Address: P.O. Box 101
City: Beeville State: TX ZIP: 78104 Phone: (361) 533-0994
E-mail: _____ Cell: () _____

3. Subject Property Address: 5246 Lexington Road Area of Request (SF/acres): 11.515 Acres
Current Zoning & Use: RM-1 (Agricultural Use) Proposed Zoning & Use: CG-2 (Commercial)
12-Digit Nueces County Tax ID: 0984 - 0001 - 0060
Subdivision Name: Bridgepointe Landing Block: 1 Lot(s): 6
Legal Description if not platted: _____

4. Submittal Requirements:
☒ **Early Assistance Meeting:** Date Held 1-25-16 ; with City Staff Dolores Wood, Miguel Torres, Andrew Dimas & Juan Lerma
☒ **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.

Owner or Agent's Signature W. Alex May
Owner or Agent's Printed Name ROBERT A. MAY

Applicant's Signature EUGENE C. ORBAN, JR
Applicant's Printed Name _____

Office Use Only: Date Received: 2-22-16 Received By: BKP ADP: SS
Rezoning Fee: \$1,976.75 + PUD Fee 0 + Sign Fee 10.00 = Total Fee \$1,986.75
No. Signs Required 1 @ \$10/sign Sign Posting Date: 3/4/16



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Corpus Christi, Texas 78469-9277
(361) 826-3240
Located at 2406 Leopard Street

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PC Hearing Date: _____ Proj. Mgr: _____

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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.

Owner or Agent's Signature

W. Alex May

Owner or Agent's Printed Name

Applicant's Signature

EUGENE C. URBAN, JR.

Applicant's Printed Name

Office Use Only: Date Received: _____ Received By: _____ ADP: _____

Rezoning Fee: _____ + PUD Fee _____ + Sign Fee _____ = **Total Fee** _____

No. Signs Required _____ @ \$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.

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

North - _____

South - _____

East - _____

West - _____



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: May Dev., L.P., a Texas limited partnership

STREET: P.O. Box 101 CITY: Beeville ZIP: 78104

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

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

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

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

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

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: W. Alex May
(Print Name)

Title: Managing Member

Signature of Certifying Person: 

Date: 2-12-16



City of Corpus Christi, Texas
Department of Development Services
P.O. Box 9277
Corpus Christi, Texas 78469-9277
(361) 826-3240
Located at: 2406 Leopard Street
(Corner of Leopard St. and Port Ave.)

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NAME: Urban Engineering

STREET: 2725 Swantner Drive

CITY: Corpus Christi, Texas

ZIP: 78404

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

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Name

Consultant

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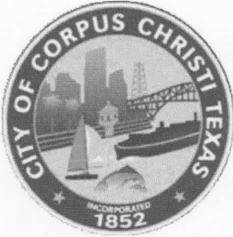
Certifying Person: Xavier Galvan

(Print)

Title: Senior Planning Tech

Signature of Certifying Person: [Signature]

Date: 2-22-16



DISCLOSURE OF INTERESTS

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NAME: MAY DEV., LP, LLP
STREET: _____ CITY: _____ ZIP: _____
FIRM is: ☐ Corporation ☐ Partnership ☐ Sole Owner ☐ Association ☐ Other _____

DISCLOSURE QUESTIONS

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

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Name	Job Title and City Department (if known)
<u>NONE</u>	_____
_____	_____

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
<u>NONE</u>	_____
_____	_____

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".

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<u>NONE</u>	_____
_____	_____

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
<u>NONE</u>	_____
_____	_____

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: ROBERT A. MAY Title: GENERAL PARTNER
(Print Name)

Signature of Certifying Person: Robert A May Date: 2-23-16

Beverly Priestley

From: jhowdencc@aol.com
Sent: Sunday, March 13, 2016 10:24 AM
To: Beverly Priestley
Subject: Rezoning case # 0316-01

Good Morning Beverly,

I spoke with you last week concerning the rezoning of a lot on Lexington Road. The case number is 0316-01. My concern is the traffic any commercial development would play on Lexington Road. This is a **residential** street, very narrow with no curbs or sidewalks. Friday morning trash and recycle days are a challenge when it is essentially reduced to one lane. Lexington Road is also a connecting street between Holly and SPID. We have a huge amount of traffic from Rodd Field and Enis Joslin cutting through during the morning rush hour and after 4:00 p.m. Just about the same time kids are walking to the bus stop on Holly Road and residents are trying to get out of *their* driveways to go to work. Yes, sometimes I must wait several minutes for the cars to let me out from my own driveway in the afternoon.

About two years ago, we were successful in obtaining three speed tables on our street. This helped slow down traffic from the average 47 mph (City study prior to installation) to approximately 30 mph. That same study found over 400 cars traveling down Lexington in one morning rush hour! The speed tables have helped on this, but any commercial development will once again bring in the traffic. I understand there are "plans" to extend Enis Joslin and Williams, which would help us tremendously. However, these plans will not take effect until after the commercial development starts.

I am unable to attend the March 23, 2016 meeting to express my concerns, I would appreciate if you would bring these up to the Board. Whatever development takes place along Lexington Road, it **must** have a traffic plan for the **residents** living on Lexington Road. Please acknowledge receipt of this email for my records.

Sincerely,

Karen Howden
5637 Lexington Road
Corpus Christi, Texas 78412
361-986-1268

Outside 200' Notification Area

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. 0316-01**

Handwritten: 1001 May 5
Proper

May Dev., LP has 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. The property to be rezoned is described as:

Lot 6, Block 1, Bridgepoint Landing, located along the east side of Lexington Road approximately 490 feet south of South Padre Island Drive (SH 358).

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, March 23, 2016, 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: Rogelio Gwerra

Address: 7613 S PID

City/State: CC TX

☒ IN FAVOR ☐ IN OPPOSITION

Phone: 361-992-2960

REASON:



Rogelio Gwerra
Signature

SEE MAP ON REVERSE SIDE

Property Owner ID: 5
HTE# 16-10000008

Case No. 0316-01
Project Manager: Dolores Wood