

# PLANNING COMMISSION FINAL REPORT

**Case No.** 0316-04

**HTE No.** 16-10000005

**Planning Commission Hearing Date:** April 6, 2016

|                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |                                    |                                              |
|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|------------------------------------|----------------------------------------------|
| Applicant<br>& Legal Description | <b>Applicant:</b> NP Homes, LLC<br><b>Representative:</b> Nadar Karimi<br><b>Owner:</b> Double T & C Properties, Inc.<br><b>Legal Description/Location:</b> Being a 28.228 acre tract of land described by Deed Document No. 200401783, Official Records of Nueces County, Texas, containing two tracts of land: Tract 1, being 21.568 acres out of a 25.998 acre tract of land; and Tract 2 being a 6.660 acre tract out of an 85.022 acre tract of land, located on the east side of Rand Morgan Road between McNorton Street and Goodnight Loving Trail. |                                                             |                                    |                                              |
| Zoning Request                   | <b>From:</b> "FR" Farm Rural District and "IH" Heavy Industrial District<br><b>To:</b> "RS-6" Single-Family 6 District and "FR" Farm Rural District<br><b>Area:</b> 28.23 acres<br><b>Purpose of Request:</b> To allow construction of a single-family subdivision with a buffer area.                                                                                                                                                                                                                                                                      |                                                             |                                    |                                              |
| Existing Zoning and Land Uses    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Existing Zoning District</b>                             | <b>Existing Land Use</b>           | <b>Future Land Use</b>                       |
|                                  | <i>Site</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | "FR" Farm Rural District and "IH" Heavy Industrial District | Vacant                             | Light Industrial                             |
|                                  | <i>North</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | "FR" Farm Rural District and "IH" Heavy Industrial District | Vacant                             | Light Industrial                             |
|                                  | <i>South</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | "RS-6" Single-Family 6 District                             | Low and Medium Density Residential | Low Density Residential                      |
|                                  | <i>East</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | "IH" Heavy Industrial District                              | Heavy Industrial                   | Light Industrial                             |
|                                  | <i>West</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | "FR" Farm Rural District and "RE" Residential Estate        | Vacant and Residential Estate      | "RE" Residential Estate and Light Industrial |
| ADP, Map & Violations            | <b>Area Development Plan:</b> The subject property is located within the boundaries of the Port/Airport/Violet Area Development Plan and is planned for light industrial uses. The proposed rezoning to the "RS-6" Single-Family 6 District and "FR" Farm Rural District is not consistent with the adopted Future Land Use Map or the Port/Airport/Violet Area Development Plan.<br><b>Map No.:</b> 058046<br><b>Zoning Violations:</b> None                                                                                                               |                                                             |                                    |                                              |

|                |                                                                                                                                                                                       |                                |                       |                      |                       |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-----------------------|----------------------|-----------------------|
| Transportation | <b>Transportation and Circulation:</b> The subject property has approximately 200 feet of street frontage along Rand Morgan Road, which is an “A2” Secondary Arterial Divided street. |                                |                       |                      |                       |
| Street R.O.W.  | Street                                                                                                                                                                                | Urban Transportation Plan Type | Proposed Section      | Existing Section     | Traffic Volume (2013) |
|                | Rand Morgan Road                                                                                                                                                                      | “A2”Secondary Arterial Divided | 100’ ROW<br>54’ paved | 80’ ROW<br>40’ paved | 6,094 ADT             |
|                |                                                                                                                                                                                       |                                |                       |                      |                       |

**Staff Summary:**

**Requested Zoning:** The applicant is requesting a rezoning from the "FR" Farm Rural and "IH" Heavy Industrial Districts to the "RS-6" Single-Family 6 (21.568 acres) and "FR" Farm Rural (6.660 acres) to allow the construction of a single-family subdivision with a buffer area.

**Development Plan:** The applicant is proposing to build a residential subdivision with 6,000 square foot minimum single family lot sizes. In addition, the application is proposing a 150 foot wide “FR” Farm Rural zoned buffer area next to the “IH” Heavy Industrial zoned property to the east and north.

**Existing Land Uses & Zoning:** The subject property is vacant and zoned “FR” Farm Rural District and “IH” Heavy Industrial District. North of the subject property is zoned “FR” Farm Rural District and “IH” Heavy Industrial District and also consists of vacant land. South of the subject property is zoned “RS-6” Single-Family 6 District and consists of low density residential uses. East of the subject property is zoned “IH” Heavy Industrial District where the former Celanese Plant operated. Today the facility is occupied by light and probably some heavy industrial uses. West of the subject property is zoned “FR” Farm Rural District and “RE” Residential Estate, consisting of one-acre residential estate uses and vacant land. To the west of Rand Morgan Road is a residential subdivision zoned for “RS-4.5” Single Family 4.5 District.

**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 Port/Airport/Violet Area Development Plan (ADP). The proposed rezoning to the “RS-6” Single-Family 6 District and “FR” Farm Rural District is not consistent with the Port/Airport/Violet ADP or the adopted Future Land

Use Plan's designation of the property as light industrial. Additionally, the following are pertinent elements of the Comprehensive Plan and should be considered:

- Each neighborhood of the City shall be protected and/or improved to be a desirable and attractive residential environment. (Corpus Christi Policy Statements, Residential Policy Statement a.)
- Incompatible industrial and commercial land uses should not abut residential areas. Many of the activities allowed in the industrial and commercial districts are incompatible with residential areas. Whenever possible, such uses should be separated from residential areas. When these uses must abut residential areas, steps shall be taken to minimize conflicts, i.e., provision of open space, landscaping, screening fences, etc. (Corpus Christi Policy Statements, Land Use, Residential Policy Statement i.)

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

**Department Comments:**

- The proposed rezoning deviates from the Comprehensive Plan Future Land Use map:
  - The Future Land Use Map recommends light industrial uses for the majority of the property as a buffer to the heavy industrial zoned property to the east. Rand Morgan Road is essentially the dividing line between the planned industrial used lands and residentially used land on the Future Land Use map.
  - The subject property has not developed under the current adopted Future Land Use Plan designation and the existing zoning.
  - The McNorton Subdivision to the south of the subject property is designated as a "neighborhood in transition" in the Port/Airport/Violet Area Development Plan (ADP) since the neighborhood is surrounded on three sides with industrial uses or zoning. The term "In Transition" in the ADP suggests that the location of the McNorton Subdivision is not an ideal residential location due to potential negative impacts from industrial used or zoned property.
  - The proposed 6+ acre buffer proposed by the applicant may be sufficient to protect the proposed residential subdivision from the negative impacts of the abutting "IH" Heavy Industrial zoned property.
  - Staff is of the opinion that the applicant has made a significant effort to address Comprehensive Plan land use issues by proposing the "FR" Farm Rural District as a protective buffer to the neighborhood. Therefore, a change to the Future Land Use Plan map is warranted.

**Planning Commission and Staff Recommendation:**

Approval of the change of zoning from the "FR" Farm Rural and "IH" Heavy Industrial Districts to the "RS-6" Single-Family 6 District on Tract 1 and "FR" Farm Rural District on Tract 2.

**Vote Results:**

For: 7

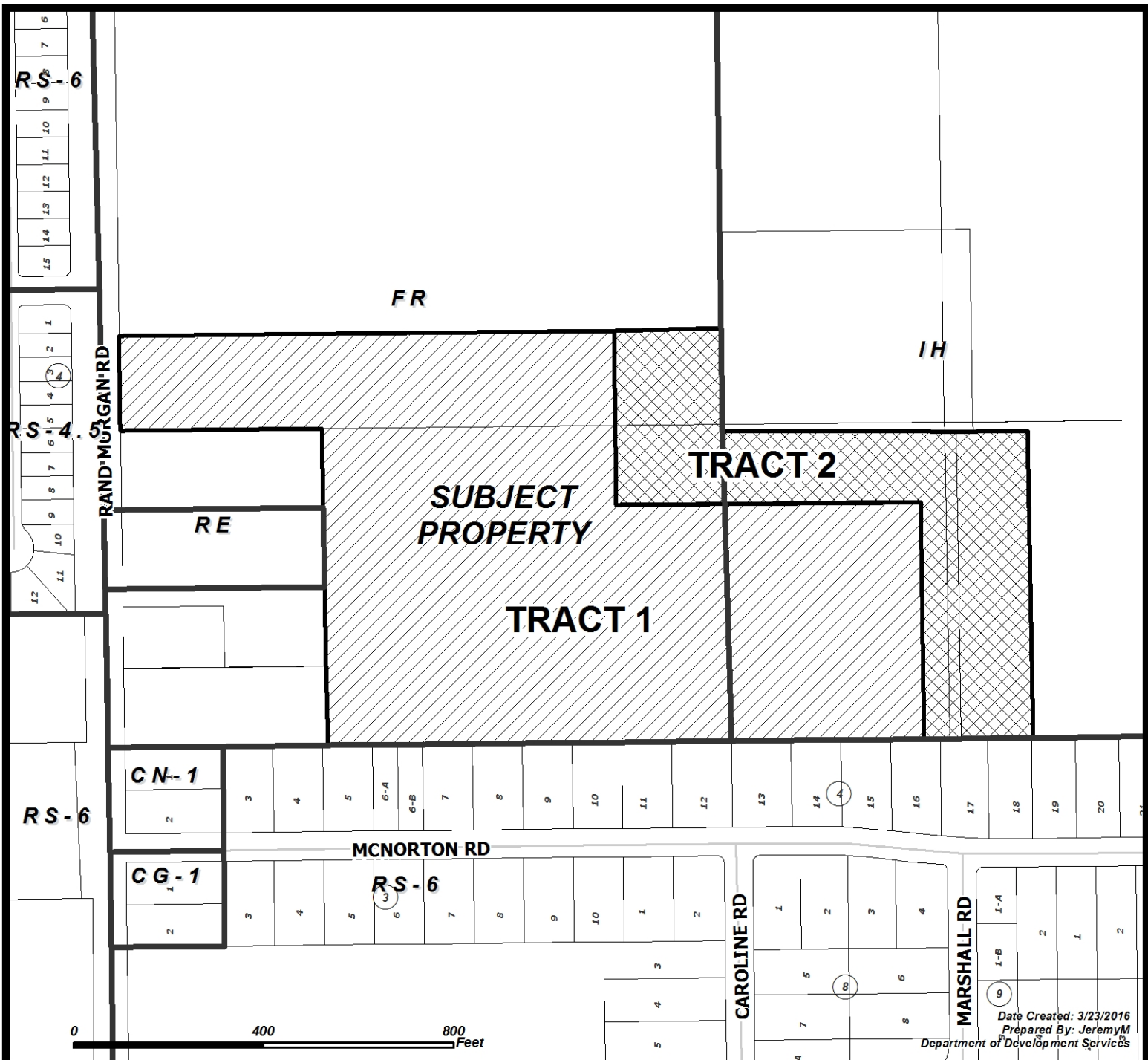
Against: 0

Absent: 1

|                            |                                                                                                |                                                               |
|----------------------------|------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| <b>Public Notification</b> | Number of Notices Mailed – 41 within 200-foot notification area<br>2 outside notification area |                                                               |
|                            | <b><u>As of April 19, 2016:</u></b>                                                            |                                                               |
|                            | In Favor                                                                                       | – 0 inside notification area<br>– 0 outside notification area |
|                            | In Opposition                                                                                  | – 0 inside notification area<br>– 0 outside notification area |
|                            | Totaling 0.00% of the land within the 200-foot notification area in opposition.                |                                                               |

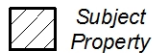
**Attachments:**

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



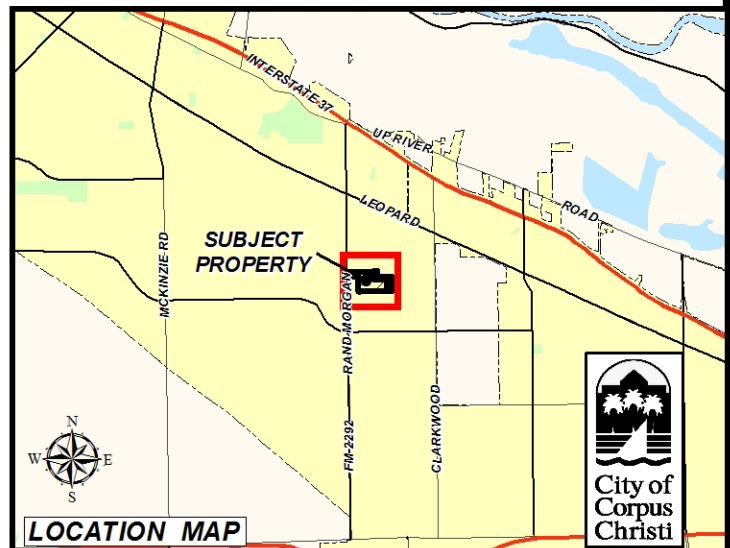
## CASE: 0316-04

### SUBJECT PROPERTY WITH ZONING



Subject  
Property

|       |                         |        |                           |
|-------|-------------------------|--------|---------------------------|
| 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           |        |                           |





Development Services Dept.  
P.O. Box 9277  
Corpus Christi, Texas 78489-9277  
(361) 828-3240  
Located at 2406 Leopard Street

Office Use Only

# REZONING APPLICATION

Case No.: 0316-04 Map No.: 058046

PC Hearing Date: 4-6-16 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: N.R. Homes LLC Contact Person: Nader Karimi  
Mailing Address: PO Box 8638  
City: Corpus Christi State: TX ZIP: 78468 Phone: (361) 688-9382  
E-mail: \_\_\_\_\_ Cell: (\_\_\_\_\_) \_\_\_\_\_

2. Property Owner(s): Double T & C Properties, Inc Contact Person: Tim Lange  
Mailing Address: PO Box 270963  
City: Corpus Christi State: TX ZIP: 78427 Phone: (\_\_\_\_\_) \_\_\_\_\_  
E-mail: \_\_\_\_\_ Cell: (\_\_\_\_\_) \_\_\_\_\_

3. Subject Property Address: Clarkwood Road N. cc. TX Area of Request (SF/acre): 25.628 Acres  
Current Zoning & Use: FR and IH/Vacant Proposed Zoning & Use: RS-6 and FR Low Density Residential  
12-Digit Nueces County Tax ID: 0271-0140-0168  
Subdivision Name: Assessor Map 140 Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_  
Legal Description if not platted: Assessor Map 140 25.628 Acres out of TR 1-A

## 4. Submittal Requirements:

☐ Early Assistance Meeting: Date Held \_\_\_\_\_; with City Staff Anna?  
☐ 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

[Signature]  
Applicant's Signature

Tim Lange  
Owner or Agent's Printed Name

Nader Karimi  
Applicant's Printed Name

Office Use Only: Date Received: 2-4-16 Received By: BKI ADP: PAV

Rezoning Fee: \$2026.75 + PUD Fee 0 + Sign Fee 10.00 = Total Fee \$2036.75

No. Signs Required 1 @ \$10/sign Sign Posting Date: \_\_\_\_\_



## 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: Double T E C Properties, Inc  
STREET: PO Box 270965 CITY: Corpus Christi, TX ZIP: 78427  
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)

NIA  
\_\_\_\_\_

NIA  
\_\_\_\_\_

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

NIA  
\_\_\_\_\_

NIA  
\_\_\_\_\_

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

NIA  
\_\_\_\_\_

NIA  
\_\_\_\_\_

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

NIA  
\_\_\_\_\_

NIA  
\_\_\_\_\_

### 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: Tim Lange Title: \_\_\_\_\_  
(Print Name)

Signature of Certifying Person [Signature] 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.

NP Homes has been in Devolopy and buildry  
Residential Homes last 15 years.  
I have been involved with 5 other development last  
7 years.

My Plan is change the zoning of this 26 AC  
track to Residul since there is a lot of Demand  
for new Residul beause of school.

Please let me know if there is any questions.

NP Homes LLC

Nader Karimi

361-688-9382

Nphomes@aol.com

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

North - Residential

South - Farm Land

East - High Industrial

West - Residential

Received 3-22-16

**BASS & WELSH ENGINEERING**  
Engineering Firm Reg. No. F-52  
Surveying Firm Reg. No. 100027-00  
P.O. Box 6397  
Corpus Christi, TX 78466-6397

March 22, 2016  
15058-M&B RS6.doc

RS6 Zoning Tract

STATE OF TEXAS §

COUNTY OF NUECES §

Description of a 21.568 acre tract of land, more or less, being a portion of 25.998 acre Parcel 2 described by deed, Document No. 2004017839, Official Records of Nueces County, Texas, said 21.568 acre tract as further described by metes and bounds as follows:

BEGINNING at the point of intersection of the east right-of-way line of Rand Morgan Road and the south boundary line of an 80 acre tract described by deed recorded at Document No. 2001007773, said official records, said 80 acre tract is described in the "Rand Morgan Road Property" of said deed recorded at Document No. 2001007773, said beginning point for the northwest corner of the tract herein described and of said 25.998 acre tract;

THENCE along the common south boundary line of said 80 acre tract and north boundary line of said 25.998 acre tract N89°24'27"E 1041.65' to a point for central north corner of the tract herein described;

THENCE S00°41'43"E 366.27' to a point for central interior corner of the tract herein described;

THENCE N89°32'15"E 639.89' to a point for the northernmost east corner or northeast corner of the tract herein described;

THENCE S00°52'41"E 496.85' to a point for the southeast corner of the tract herein described and being in the north boundary line of McNorton Subdivision No. 2, a map of which is recorded in Volume 11, Page 31, map records of said county;

THENCE along the common north boundary line of said McNorton Subdivision No. 2 and south boundary line of said 25.998 acre tract S89°17'59"W 1259.57' to a point for the southernmost west corner or southwest corner of the tract herein described and of said 25.998 acre tract;

THENCE N00°43'49"W 666.92' along a westerly boundary line of said 25.998 acre tract to a point for interior northwesterly corner of the tract herein described and of said 25.998 acre tract;

THENCE S89°23'08"W 422.94' along a northwesterly boundary line of said 25.998 acre tract to a point in said east right-of-way line of Rand Morgan Road for a northwesterly corner of the tract herein described;

THENCE along the east right-of-way line of Rand Morgan Road N00°45'13"W 200.18' to the POINT OF BEGINNING, a sketch showing said 21.568 acre tract for RS6 Zoning being attached hereto as Exhibit "C".

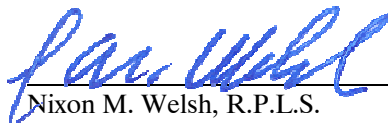
  
Nixon M. Welsh, R.P.L.S.

EXHIBIT "A"



**BASS & WELSH ENGINEERING**  
Engineering Firm Reg. No. F-52  
Surveying Firm Reg. No. 100027-00  
P.O. Box 6397  
Corpus Christi, TX 78466-6397

March 22, 2016  
15058-M&B FR.doc

FR Zoning Tract

STATE OF TEXAS                   §

COUNTY OF NUECES           §

Description of a 6.660 acre tract of land, more or less, a portion of an 85.022 acre tract of land described as Parcel 1 in deed, Document No. 2004017839, Official Records of Nueces County, Texas, and a portion of 25.998 acre Parcel 2 described by said deed, Document No. 2004017839, said 6.660 acre tract as further described by metes and bounds as follows:

BEGINNING at a point in the south boundary line of said 85.022 acre tract for the southeast corner of the tract herein described, said beginning point bears N89°17'59"E 150.00' from the common southwest corner of said 85.022 acre tract and the southeast corner of said 25.998 acre tract, said beginning point being in the north boundary line of McNorton Subdivision No. 2, a map of which is recorded in Volume 11, Page 31, map records of said county;

THENCE along the common south boundary lines of said 85.022 acre tract and said 25.998 acre tract and the north boundary line of said McNorton Subdivision No. 2, S89°17'59"W, at 150.00' pass said common southwest corner of 85.022 acre tract and southeast corner of said 25.998 acre tract, in all, 225.00' to a point for the westernmost south corner of the tract herein described:

THENCE N00°52'41"W 496.85' to a point for central easterly interior corner of the tract herein described;

THENCE S89°32'15"W 639.89' to a point for westerly central corner of the tract herein described;

THENCE N00°41'43"W 366.27' to a point for the northwest corner of the tract herein described in the common north boundary line of said 25.998 acre tract and south boundary line of an 80 acre tract of land described by deed, Doc. No. 2001007773, said official records;

THENCE N89°24'27"E 225.00' along said common north boundary line of 25.998 acre tract and south boundary line of 80 acre tract to a point for the easternmost north corner or northwesterly corner of the tract herein described in the west boundary line of 5.100 acre Parcel 3, said Document No. 2004017839;

THENCE S00°41'43"E 216.78' to a point for northwesterly interior corner of the tract herein described and southwest corner of said 5.100 acre tract;

THENCE N89°32'15"E 639.41' along the south boundary line of said 5.100 acre tract and thru a portion of said 85.022 acre tract to a point for the northeast corner of the tract herein described;

**EXHIBIT "B"**

Metes and Bounds Description, 6.660 Acre Tract, March 22, 2016, continued:

THENCE S00°52'41"E 645.92' to the POINT OF BEGINNING, a sketch showing said 6.660 acre tract for FR Zoning being attached hereto as Exhibit "C".

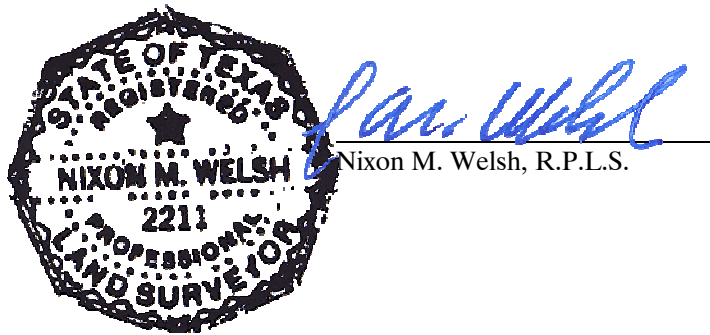


EXHIBIT "B"

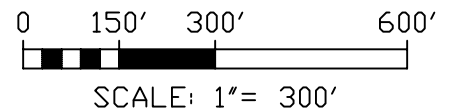
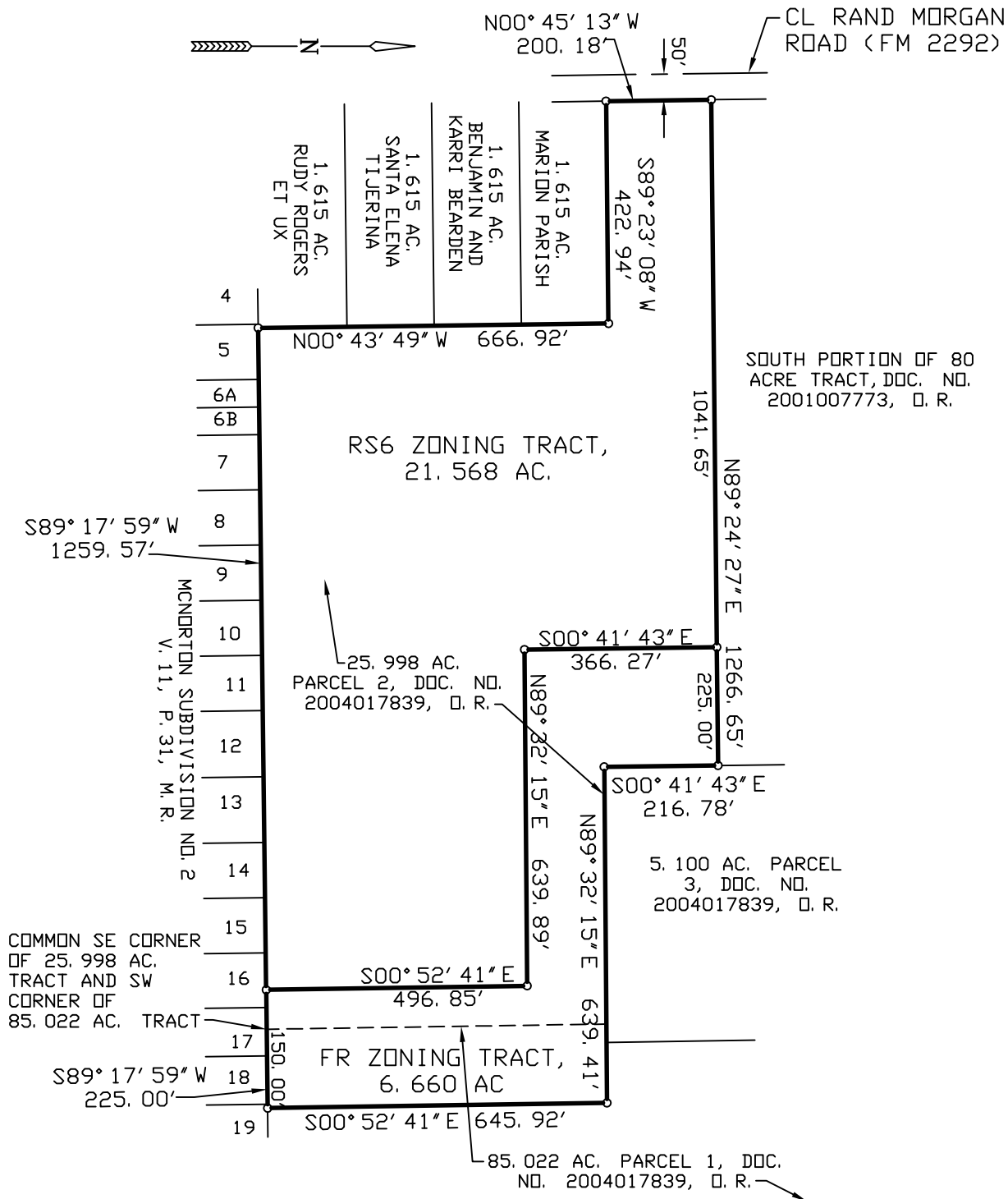


EXHIBIT "C"  
SKETCH TO ACCOMPANY METES  
AND BOUNDS DESCRIPTION  
1"=300'

BASS AND WELSH ENGINEERING  
CORPUS CHRISTI, TX  
SURVEY REG. NO. 100027-00,  
TX ENGINEERING REG. NO.  
F-52, FILE: EXB-ZONING, JOB  
NO. 15058, SCALE: 1" = 300'  
PLOT SCALE: SAME, PLOT DATE:  
3/22/16, SHEET 1 OF 1