PLANNING COMMISSION FINAL REPORT

Case No. 1117-02 **INFOR No.** 17ZN1035

Planning	Commission	Hearing Date:	November 15,	2017
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Planning	g Comm	ission Hearing Date: Nove	mber 15, 2017	
Applicant & Legal Description	corner c	Applicant: Lydia Rios on Address: 7469 Convair Description: Rodd Place #2 of Convair Drive and Silver Holly Road.	2, Block 4, Lot 18, loca	
Zoning Request	To: " Area: (RS-6" Single-Family District RS-6/SP" Single-Family 6 D 0.14 acres se of Request : To allow for	sistrict with a Special Pe	
		Existing Zoning District	Existing Land Use	Future Land Use
pu	Site	"RS-6" Single-Family 6 District	Low Density Residential	Medium Density Residential
ning a ses	North	"RS-6" Single-Family 6 District	Low Density Residential	Medium Density Residential
ing Zoning Land Uses	South	"RS-6" Single-Family 6 District	Low Density Residential	Medium Density Residential
Existing Zoning and Land Uses	East	"RS-6" Single-Family 6 District	Low Density Residential	Medium Density Residential
ш	West	"RS-6" Single-Family 6 District	Low Density Residential	Medium Density Residential
ADP, Map & Violations	of the S density with a S PlanCC Breakfa Map No Zoning operatir	evelopment Plan: The subject outhside Area Development uses. The proposed rezoning pecial Permit is consistent of and the Southside Area Detect use must demonstrate had as a Bed and Breakfast with platform, the short term rent to the southside Area because of the southside Area Bed and Breakfast with platform, the short term rent	t Plan (ADP) and is planting to the "RS-6/SP" Singwith the adopted Future evelopment Plan. Howevermony with the surrounce cited by Code Enformut a special permit. Ac	ned for medium gle-Family 6 District Land Use Map, ver, the Bed and ding neighborhood. rement for cording to the
Transportation	Transp feet of f Street a	ortation and Circulation: Trontage along Convair Drive and approximately 96 feet of ated as a Local/Residential.	he subject property has which is designated as	approximately 64 a Local/Residential

.o.w.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
Street R.(Convair Drive	Local/Residential	50' ROW 28' paved	50' ROW 28' paved	N/A
Str	Silver Sands Drive	Local/Residential	50' ROW 28' paved	50' ROW 28' paved	N/A

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "RS-6" Single-Family 6 District to the "RS-6/SP" Single-Family 6 District with a Special Permit to allow for the operation of a Bed and Breakfast home.

Development Plan: The subject property is 0.14 acres in size. The owner is proposing an owner-occupied bed and breakfast home. According to the owner, she would like to continue to operate her AirBnB business that she has been operating since 2012. Her business consists of three bedrooms for short term rental capabilities. The single-family home has a total of five bedrooms and at least three bedrooms are identified though the AirBnB platform as available for reservation/booking.

Existing Land Uses & Zoning: The subject property is currently zoned "RS-6" Single-Family 6 District and consists of an existing 2,150 square foot single-family residence. The subject property was zoned and platted "RS-6" Single-Family 6 in 1978 for the purposes of a single-family residence. To the north, south, east, and west are single-family residences zoned "RS-6" Single-Family 6 District and are part of the Rodd Place Subdivision.

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

Plat Status: The property is platted.

PlanCC & Area Development Plan Consistency: The subject property is located within the boundaries of the Southside Area Development Plan (ADP). The proposed rezoning to the "RS-6/SP" Single-Family 6 District with a Special Permit is <u>consistent</u> with the Future Land Use Map, PlanCC, the Southside Area Development Plan (ADP), and consistent with the following policies of the PlanCC:

- Encourage the protection and enhancement of residential neighborhoods. (Future Land Use, Zoning, and Urban Design Policy Statement 1)
- Promote the stabilization, revitalization, and redevelopment of older neighborhoods. (Future Land Use, Zoning, and Urban Design Policy Statement 1)

Department Comments:

- The proposed rezoning is <u>consistent</u> with the Future Land Use Map, the Southside Area Development Plan (ADP) and PlanCC. However, the proposed use may be <u>incompatible</u> with neighboring properties and with the general character of the surrounding area.
- Section 5.2.8 of the Unified Development Code (UDC) stipulates the following requirements for a Bed and Breakfast Home:
 - Sleeping accommodations shall not exceed five bedrooms and no more than 10 lodgers shall be accommodated at one time, not including the owneroccupied rooms.
 - Kitchen and dining facilities may be included to provide meals to guests only.
 No food preparation shall be permitted in guest bedrooms.
 - Parking in the street yard of a bed and breakfast home shall be prohibited. All
 parking shall be screened from an adjacent residential use by an opaque
 fence or a hedge a minimum of 6 feet in height.
 - o In residential districts, no exterior evidence of the bed and breakfast home shall be allowed, except that one attached sign no larger than 1 square foot in area shall be permitted with no additional advertising of any kind allowed on site. In nonresidential districts, the sign provisions of Section 7.5 shall apply.
 - The operator shall keep a current request register including names, permanent addresses, dates of occupancy and motor vehicle license numbers for all guests.
 - A temporary use permit in accordance with Section 5.4 shall be required for any party, reception or similar special event that is anticipated to draw more than 10 total guests (including overnight guests) to the bed and breakfast home. Special events subject to the temporary use permit shall be limited to a total of six such functions per calendar year and shall be limited to between the hours of 7 a.m. and midnight. Such events shall be limited to the interior of the bed and breakfast home.
 - The bed and breakfast home shall be no closer than 1,000 feet to any other bed and breakfast home.
- The owner has not demonstrated that appropriate parking is available as the UDC requires 2 off-street parking spaces per room. Additionally, if the existing driveway is to be used for customer parking, it must be completely screened from the neighboring properties. Today, only a portion of the property is screened from the neighboring property to the south.

Planning Commission and Staff Recommendation (November 15, 2017):

Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RS-6/SP" Single-Family 6 District with a Special Permit (SP) with the following conditions:

- 1. <u>Uses:</u> The only uses authorized by this Special Permit other than uses permitted by right in the base zoning district is "Bed and Breakfast Home" as defined by the Unified Development Code (UDC). The bed and breakfast use shall be limited to three rentable rooms and one parking space shall be provided for each rentable room.
- 2. <u>Bed and Breakfast Home:</u> The Bed and Breakfast home shall adhere to all provisions of Section 5.2.8 of the Unified Development Code (UDC).

- **3.** Other Requirements: The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, Building, and Fire Code Requirements.
- **4.** <u>Time Limit:</u> In accordance with the UDC, this Special Permit shall be deemed to have expired within twelve (12) months of this ordinance if the allowed use is discontinued for more than six consecutive months.

Vote Results:

For: 5 Opposed: 2 Absent: 2 Abstained: 0

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Number of Notices Mailed - 33 within 200-foot notification area

4 outside notification area

As of November 10, 2017:

In Favor – 0 inside notification area

- 0 outside notification area

In Opposition – 8 inside notification area

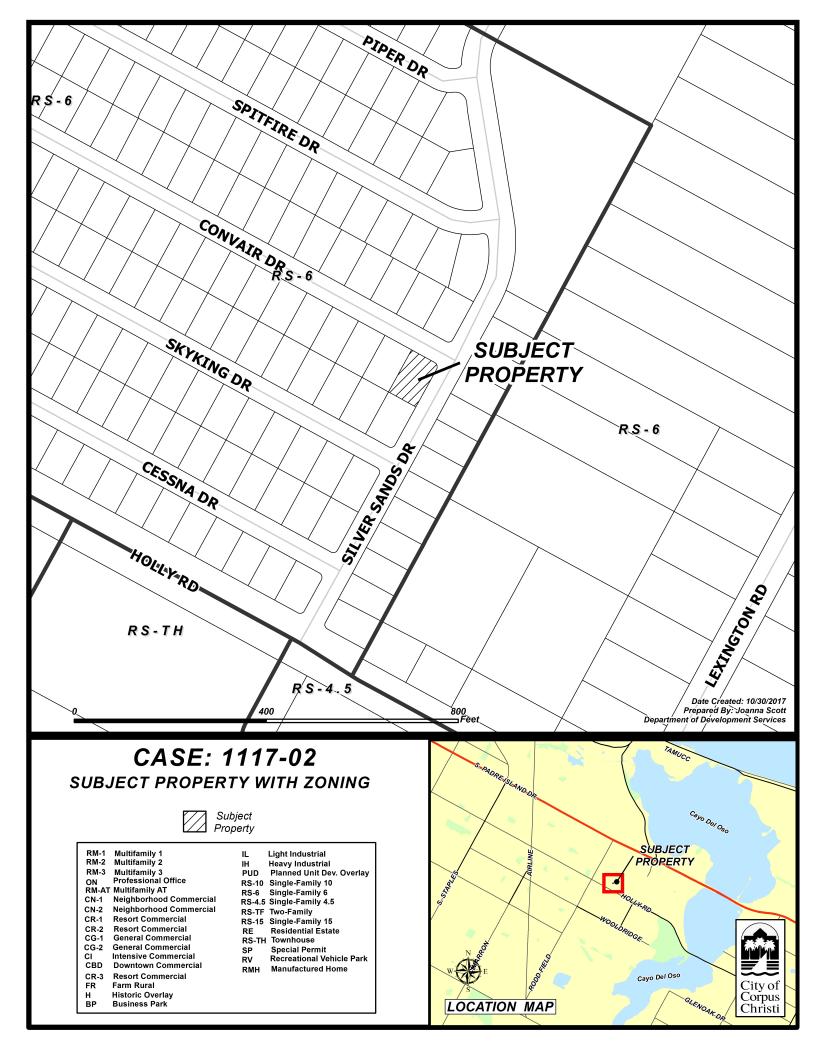
- 0 outside notification area

Totaling 24.01% of the land within the 200-foot notification area in opposition.

Attachments:

- A. Location Map (Existing Zoning & Notice Area)
- B. Site Plan
- C. Public Comments Received (if any)

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Site Plan



Persons with disabilities planning to attend this meeting, who may require special service. Seed 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.

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CITY PLANNING COMMISSION PUBLIC HEARING NOTICE Rezoning Case No. 1117-02

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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>November 15, 2017</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.

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Printed Name: George R. Sherm	and Many A. Sherman	
Address: 7465 Condair	City/State: Corpus Chr. Hi	75
() IN FAVOR () IN OPPOSITION	Phone: 36/-992-004/	184
REASON:		
This is a single	fol the On	
Family designated area. Keep it	Signature Sherman Spender 1117.0	
SEE MAP ON REVERSE SIDE	Signature Case No. 1117-0	- 12

Project Manager: Andrew Dimas

Email: andrewd2@cctexas.com

INFOR Case No.: 17ZN1035

Property Owner ID: 7

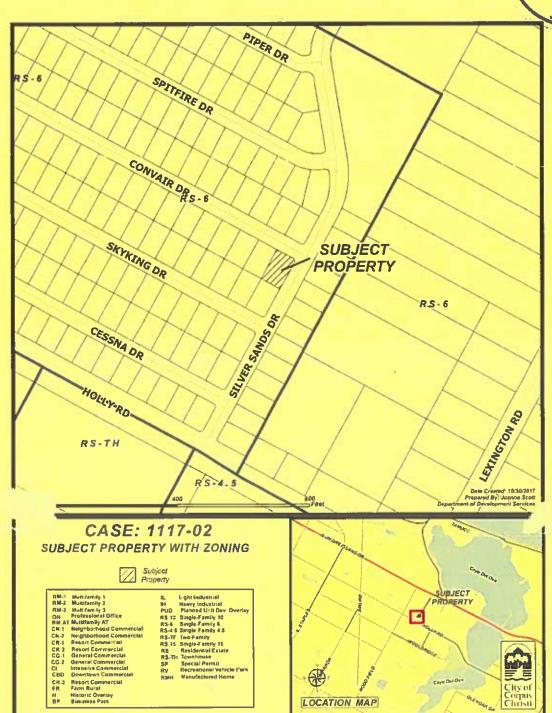


7 746100040170 SHERMAN G R 7465 CONVAIR DR Corpus Christi, TX 78412 Received

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Development

Services



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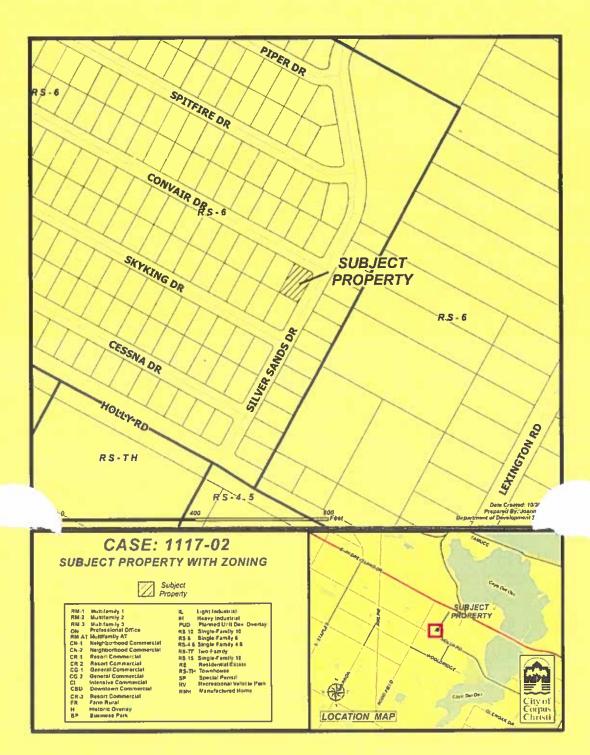
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Printed Name: Thomas Hand a Ther	ress tland
Address: 7470 CONVAIR DR	City/State: CORP CHRISTI TX
() IN FAVOR (X) IN OPPOSITION	Phone: 361-980-0406
REASON: We bought a house in a ne PRIVACY OVER Apartment living. U	ighborHood To GAHY with constant strangurg
proviem. No votting of "Lustomers	we bought woo a
PROVIEM. No votting of "Lustomers Single tamily Howard Signature Signature INFOR Case No.: 17ZN1035 Property Owner ID: 8	Case No. 1117-02 Project Manager: Andrew Dimas Email: andrewd2@cctexas.com



8 746000030190 HAND THOMAS D AND THERESA J HAND 7470 CONVAIR DRIVE Corpus Christi, TX 78412





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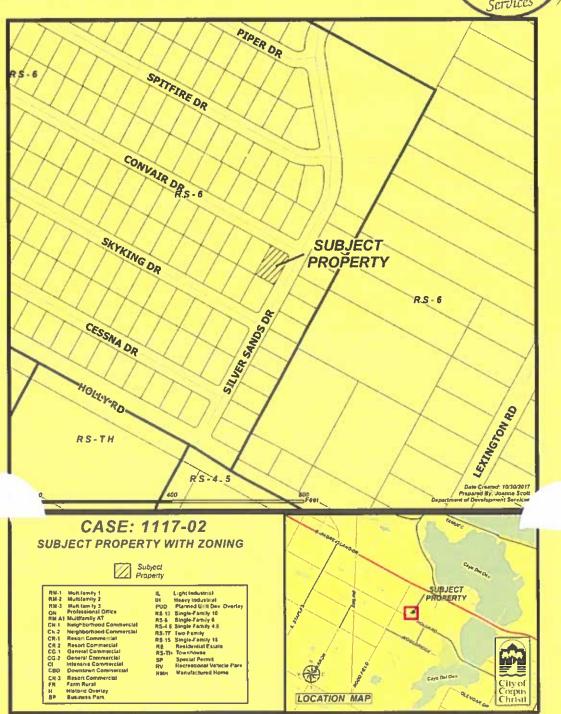
Printed Name: Randal Dean Giles
Address: 2002 Silver Sands dr City/State Corpus Christi .TX (1) IN EAVOR (MIN OPPOSITION Phone: 78412
() IN FAVOR (VIN OPPOSITION Phone:
REASON: We do not trust the people that come and go, and they have no respect for where they park and our well being of the neighborhood. SEE MAP ON REVERSE SIDE INFOR Case No. 177011035 Signature Randal D. Hilly Case No. 1117-02 INFOR Case No. 177011035
SEE MAP ON REVERSE SIDE INFOR Case No.: 17ZN1035 Project Manager: Andrew Dimas Property Owner ID: 15 Signature Case No. 1117-02 Project Manager: Andrew Dimas Email: andrewd?@ccfexas.com

> 15 746100070020 GILES RANDAL DEAN 2002 Silver Sands Dr Corpus Christi, TX 78412

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Printed Name: Jackp Sasara	
Address: 2010 Silver Sands Dr	_City/State: Corpus Christi, Tx 78413
() IN FAVOR (V) IN OPPOSITION	Phone: 361 549-3532
REASON: I purchased my house in this is a sunde tenily stone. Having a heater the original contract and will effect of lowering the Value of the hour lackie. Signature SEE MAPON REVERSE SIDE west and INFOR Case No.: 17ZN1035 Property Owner ID: 18 I do not believe this to their or my sately. We will no their or my sately. We will no their or my sately.	Sasara Case No. 1117-02
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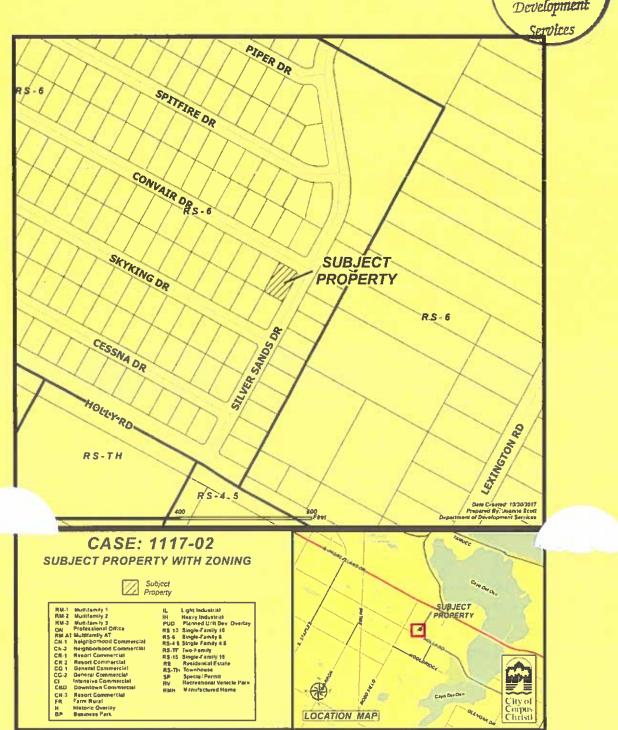


18 746100070040 SASARA JACKIE F P.O. BOX 81485 Corpus Christi, TX 78468

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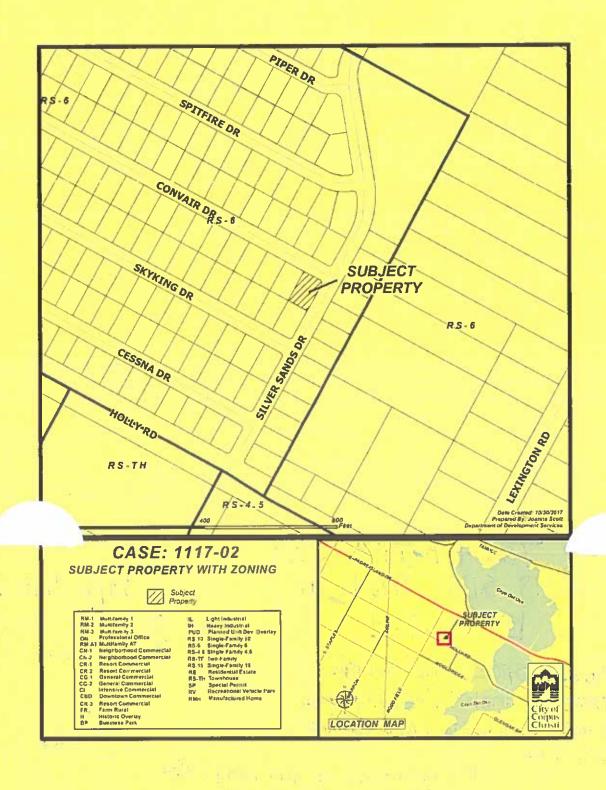
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Printed Name: Tol + Beatriz Silva
Address: 2018 Silver Sands dr. City/State: Carous Christi / X
() IN FAVOR (WIN OPPOSITION) Phone: 361- 991-3275 REASON: 5000 pd 800006
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TO BE ON RECORD, THIS FORM 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.

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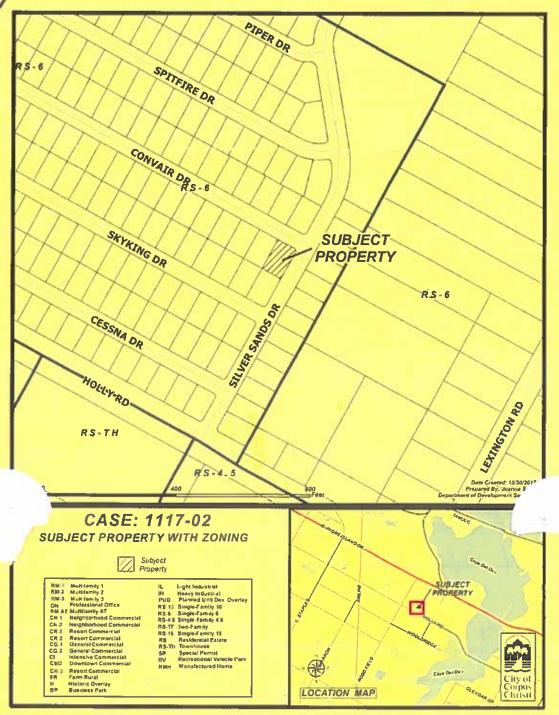
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Andrew Dimas

From: Roxanne Williams < rwilliams@gelawfirm.com>
Sent: Wednesday, November 15, 2017 4:46 PM

To: Andrew Dimas

Subject: Case No. 117-02 Rezoning

Dear Sir, please allow this email to confirm that I am a resident of Convair Drive in Corpus Christi, Texas and am in opposition to the rezoning referenced above.

I would like to address some of my concerns:

- 1. I have grandchildren that come to my house on a weekly basis and play outside, granted i do not know all my neighbors but having complete strangers come and go, is rather scary to me for the safety of my grandchildren and any other children in our neighborhood, as well as for the safety of all us living there. Let alone the fact that we have complete strangers, how about employees coming and going as well.
- 2. The idea of my property value depreciating due to the B&B on my street, is most certainly not appealing.
- 3. I purchased my home knowing that it will be my last home never realizing that it may be turned into some type of commercial area.
- 4. Our neighborhood for the most part is a quite neighborhood and to think that now at all hours of the night we will hear vehicles come and go, some may or may not blasting their music others may or may not dump trash in our streets.
 - 5. People blocking our driveways.
 - 6. Strangers coming and taking away our peace.

As i see and understand things a B&B is basically the same as a hotel with the exception that it is usually smaller. I feel that a bed and breakfast is a commercial enterprise that belongs in a business district and CERTAINLY NOT OUR NEIGHBORHOOD.

Thank you for your attention and consideration of my opposition. Feel free to contact me if the need be.

Roxanna Villa-Williams

Paralegal to Gregory L. Gowan Gowan Elizondo, LLP 555 North Carancahua, Ste 1400 Corpus Christi, Texas 78401 Telephone: 361.651.1000 Toll Free: 1-866-833-0088

Facsimile: 361.651.1001

rwilliams@gelawfirm.com

www.gelawfirm.com

"Forgiveness is the fragrance that the violet sheds on the heel that has crushed it."

-Mark Twain

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Andrew Dimas

From: Tom Hand <th237@swbell.net>
Sent: Friday, November 10, 2017 9:01 AM

To: Andrew Dimas

Subject: Zoning issue @ 7469 Convair Dr.

Mr Dimas,

I live across the street from the property in question and can confirm what I know Alice and George Sherman have been telling regarding the absolute "thumbing her nose" at the zoning laws. To wit: this photo was taken just last night (November 9) at about 6:40. Her "guest" arrived just as darkness set and was gone before 6:45 this morning when I went to see if I could take a better photo.

In other words: even though she knows it's currently against zoning codes, she is still engaged in the business. Despite being warned otherwise, she continues to book guests. According to her page on AirBnB, they're supposed to book for a minimum of 4 days now, so this truck might well be back 3 more days.

Additionally, though the zone variance application process requires that she post signs on the property in prominent view, she's posted one on her side yard right next to her house and snuggly behind shrubbery. The one in the front of the property is behind shrubs and against the white brick making it practically un-noticable. She is clearly doing whatever she can to skirt the law and the requirements of proper notice of the application.

I know she's built a permanent add-on to her property in the form of a covered patio/gazebo and never pulled a building permit.

I have sent you my yellow sheet back...you might have it by now. I oppose this variance vehemently. The parking of multiple vehicles in the street in front of my house and on her side street cub has created angst and near confrontations in a couple of instances. Her guests have parked over the curb/median grass in some cases and in front of neighbors houses. Often, too close too the corner in violation of traffic/parking laws.

Primarily, though, we bought our house in a single-family dwelling neighborhood for the **privacy** over that of apartment dwelling. If this variance is allowed, we lose that element of knowing our neighbors and who should be in our neighborhood. We didn't buy so we could be next to a hotel/motel/b&b with strangers coming and going at all hours of the day and night. This also exposes children walking to the bus stop down Silver Sands to strangers who are in no way vetted before staying in this home.

I, like every neighbor I've spoken with, oppose this application.

Thomas Hand 7470 Convair Dr. CC, TX 78412

Andrew Dimas

From: JACQUETTA LAMKIN <2022silversands@gmail.com>

Sent: Wednesday, November 15, 2017 4:09 PM

To: Andrew Dimas

Subject: Rezoning case# 1117-02

I'm writing to voice my concerns over the rezoning. I'm in opposition to this rezoning for her to open a bed and breakfast in my neighborhood. My concerns are that there kids in this neighborhood that plays out side. She won't know who she is renting to these people she have no background checks on these people. She won't know if they are sex offenders, killers or what. No I do not want this in my neighborhood.