

STAFF REPORT

Case No. 0119-02
INFOR No. 18ZN1034

Planning Commission Hearing Date: January 9, 2019

Applicant & Legal Description	Owner: NP Homes, LLC. Applicant: NP Homes, LLC. Location Address: 1752 Rand Morgan Road Legal Description: Being 21.563 acres out of Tract 1-A, Assessors Map, located on the east side of Rand Morgan Road, south of Leopard Street, and north of McNorton Road.			
Zoning Request	From: "RS-6" Single-Family 6 District To: "RS-4.5" Single-Family 4.5 District Area: 28.29 acres Purpose of Request: To allow for reduced setbacks and smaller single-family lots.			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"RS-6" Single-Family 6	Vacant	Medium Density Residential
	<i>North</i>	"FR" Farm Rural	Vacant	Medium Density Residential
	<i>South</i>	"RS-6" Single-Family 6	Low Density Residential	Medium Density Residential
	<i>East</i>	"FR" Farm Rural and "IH" Heavy Industrial	Vacant and Heavy Industrial	Heavy Industrial
	<i>West</i>	"RE" Residential Estate and "FR" Farm Rural	Vacant and Estate Residential	Medium Density Residential
ADP, Map & Violations	Area Development Plan: The subject property is located within the boundaries of the Northwest Area Development Plan and is planned for single-family residential uses. The proposed rezoning to the "RS-4.5" Single-Family 4.5 District is consistent with the Future Land Use Map, however not consistent with the adopted Comprehensive Plan (Plan CC) as a whole. Map No.: 058046 Zoning Violations: None			
Transportation	Transportation and Circulation: The subject property has approximately 200 feet of street frontage along the Rand Morgan Road which is designated as an "A2" Secondary Arterial Street. According to the Urban Transportation Plan, "A2" Secondary Arterial Streets can convey a capacity between 20,000 to 32,000 Average Daily Trips (ADT).			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Rand Morgan Road	"A2" Secondary Arterial	100' ROW 54' paved	100' ROW 45' paved	N/A

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District to allow for reduced setbacks and smaller single-family lots.

Development Plan: The subject property is 21.563 acres in size. The owner is proposing the construction of single-family homes. A submitted preliminary plat has indicated the construction of 109 single-family homes.

Existing Land Uses & Zoning: The subject property is currently zoned "RS-6" Single-Family 6 District, consists of vacant land, and has remained undeveloped since annexation in 1962. The subject property was recently rezoned from the "FR" Farm Rural district and the "IH" Heavy Industrial District to the "RS-6" Single-Family District in 2016. To the north is undeveloped vacant property zoned "FR" Farm Rural District. To the south is a single-family residential residences (McNorton 2, 1947) to the zoned "RS-6" Single-Family 6 District. To the east are large acre single-family properties zoned "RE" Residential Estate District and "FR" Farm Rural District. Across Rand Morgan Road are single-family residences (Northwest Crossing, 2001) and Tuloso-Midway Intermediate School. To the west is a vacant tract zoned "FR" Farm Rural District and a large industrial area zoned "IH" Heavy Industrial District. The industrial area consists of the former Celanese Technical Center and Sam Kane Beef.

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

Plat Status: The property is not platted.

Utilities:

Water: 16-inch C905 line located along Rand Morgan Road.

Wastewater: 8-inch PVC line located along Rand Morgan Road, south of the subject property. According the submitted preliminary plat, wastewater access will be through McNorton Street that serves the subdivision to the south.

Gas: 2-inch Service Line located along Rand Morgan Road.

Storm Water: No inlets located along Rand Morgan Road.

Plan CC & Area Development Plan Consistency: The subject property is located within the boundaries of the Northwest Area Development Plan and is planned for single-family residential uses. The proposed rezoning to the "RS-4.5" Single-Family 4.5 District is consistent with the Future Land Use Map, however not consistent with the

adopted Comprehensive Plan (Plan CC) as a whole. The following policies should be considered:

- Encourage orderly growth of new residential, commercial, and industrial areas (Future Land Use, Zoning, and Urban Design Policy Statement 1).
- Promote a balanced mix of land uses to accommodate continuous growth and promote the proper location of land uses based on compatibility, locational needs, and characteristics of each use (Future Land Use, Zoning, and Urban Design Policy Statement 1).
- Encourage residential infill development on vacant lots within or adjacent to existing neighborhoods. (Future Land Use, Zoning, and Urban Design Policy Statement 3)
- Support the separation of high-volume traffic from residential areas or other noise-sensitive land uses (Future Land Use, Zoning, and Urban Design Policy Statement 3).
- Encourage the design of commercial centers in a manner that minimizes the impacts of automobile intrusion, noise and visual blight on surrounding areas (Future Land Use, Zoning, and Urban Design Policy Statement 3).
- Promote interconnected neighborhoods with appropriate transitions between lower-intensity and higher-intensity land uses. (Future Land Use, Zoning, and Urban Design Policy Statement 3).
- Encourage the design of commercial centers in a manner that minimizes the impacts of automobile intrusion, noise and visual blight on surrounding areas. (Future Land Use, Zoning, and Urban Design Policy Statement 3).
- 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.)

Department Comments:

- The proposed rezoning “RS-4.5” Single-Family 4.5 District is consistent with the Future Land Use Map, however not consistent with the adopted Comprehensive Plan (Plan CC) as a whole.
- The proposed rezoning is incompatible with neighboring properties and with the general character of the surrounding area. The proposed “RS-4.5” District constitutes an increase in density of single-family homes which is incompatible with the “RS-6” District residential subdivision to the south and the large industrial properties to the east. The proposed “RS-4.5” District is also incompatible with the large “FR” Farm Rural District property (approximately 57 acres) to the north and the adjacent one-acre tract single-family residences to the west zoned “RE” Residential Estate District.
- Additionally, all of the higher density single-family residential neighborhoods are located to the west of Rand Morgan Road and across the road from the subject property and there is sufficient interconnectivity between neighborhoods. The

subject property is isolated with no possible connectivity with the single-family neighborhood to the south.

- This rezoning does have a negative impact upon the surrounding neighborhood. An increase in density next to the large tract heavy industrial facilities will potentially subject additional residential homes to hazards such as: noise, smoke, vibration, dust, and odors.
- Granting this rezoning to the “RS-4.5” Single-Family District encourages future rezoning cases, specifically the 57 acre vacant tract to the north for higher density development in close proximity to the large industrial facilities which could compromise public health and safety.
- During the previous rezoning case in 2016, staff made the following points:
 - 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.
- Considering the points made in 2016, to increase the density from “RS-6” to “RS-4.5” would allow the potentiality of 42 additional homes at maximum build-out. Should the property be rezoned to the “RS-4.5” District a new plat could be submitted allowing up to a maximum of 167 single-family residences which is an increase in density by 33%. Current maximum build-out at the “RS-6” District density is 125 single-family homes which is allowed by-right today.
- The submitted preliminary plat identifies 109 units. However of these units, 13 units (i.e. 12%) are not conforming to the “RS-6” land development requirements either due to lot size or setback requirements.
- The site currently only has 200 feet of access to Rand Morgan Road which will present connectivity issues, as well as non-conformity to the International Fire Code which requires multiple points of access for 109 proposed homes.
- A 230’ wide buffer area was established during the previous rezoning case in 2016 to the adjacent industrial areas.
- The former Celanese Technical Center is zoned “IH” Heavy Industrial District and is currently for sale. The facility consists of 200,000 square feet, 11 buildings, and 100 acres of office space, warehouse and laboratory space.

- Lastly, a third of mile to the northeast is Sam Kane slaughterhouse and meat packing plant. Within the last 5 years, 135 separate violations for Air Quality have been filed with the Texas Commission on Environmental Quality (TCEQ).

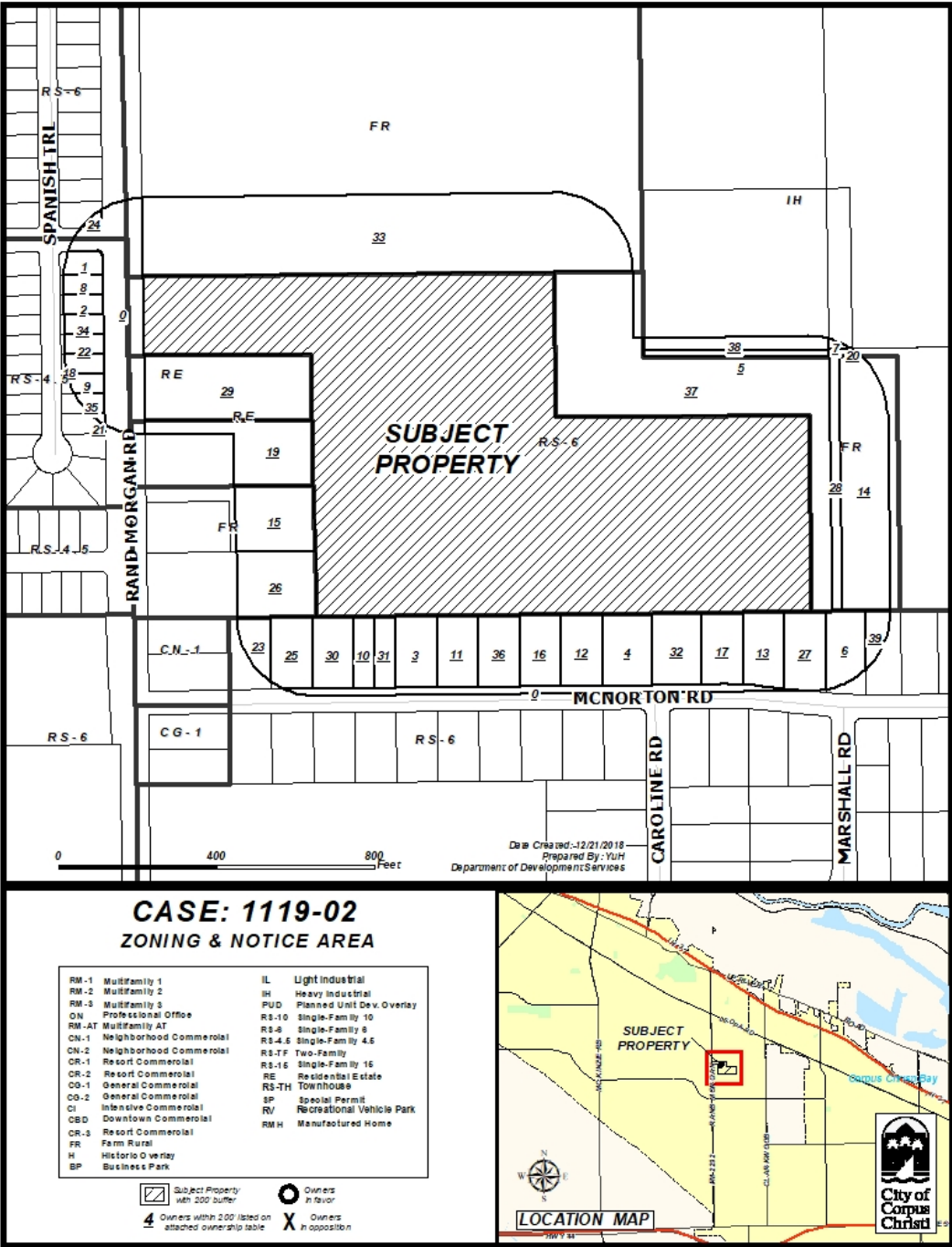
Staff Recommendation:

Denial of the change of zoning from the “RS-6” Single-Family 6 District to the “RS-4.5” Single-Family 4.5 District.

Public Notification	Number of Notices Mailed – 39 within 200-foot notification area 6 outside notification area
	<u>As of January 4, 2019:</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:

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



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. 0119-02**

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1752 Rand Morgan Road and being 21.563 acres out of Tract 1-A, Assessors Map, located on the east side of Rand Morgan Road, south of Leopard Street, and north of McNorton 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 Wednesday, January 9, 2019, 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: Honario Vasquez

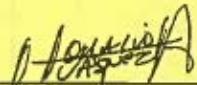
Address: 11810 Jacob St

City/State: Corpus Christi Tx.

☒ IN FAVOR () IN OPPOSITION

Phone: 361-290-0404

REASON:


Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 18ZN1034
Property Owner ID: 19

Case No. 0119-02
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com

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Printed Name: Tulosa-Midway ISD
Address: 9760 La Barch City/State: CC, TX 78410
() IN FAVOR (✓) IN OPPOSITION Phone: 903-6400

REASON:

X See attachment

Pchgy Summer, Supt.
Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 18ZN1034
Property Owner ID: 0

Case No. 0119-02
Project Manager: Andrew Dimas
Email: andrewd2@ccetexas.com

January 2, 2019

To Whom It May Concern,

Tuloso-Midway Independent School District stands "in opposition to the rezoning case no. 0119-02" due to the existing traffic conditions on Rand Morgan Road.

T-M Intermediate School is located in NW Crossing and traffic conditions on Rand Morgan and the existing neighborhood located around the school can be extremely congested in the morning and afternoon. It is not uncommon for traffic to be backed up to Leopard Street and beyond due to parent drop off and pickup; in addition, you have larger vehicles stopped at the traffic light on Leopard and Rand Morgan trying to go to Sam Kane. These conditions are often very frustrating and with no sidewalks located along Rand Morgan Road parents and students have to walk in the bar-ditch to get to school compounding the District's safety concerns. Meetings have been held with City leadership and the State Department of Transportation to discuss the school district's concerns and requests for improvement.

Until Rand Morgan is widened (similar to McKenzie Road) the District will stand "in opposition" until any further improvements are made to the existing intra-structure to handle the increased numbers due to the additional residences in this rezoning case.

We will be happy to discuss our concerns further if you have any additional questions.

A handwritten signature in black ink, appearing to read "Rodney Sumner". The signature is fluid and cursive, with a large initial "R" and a long, sweeping underline.

Rodney Sumner, T-M ISD
Superintendent of Schools