

# PLANNING COMMISSION FINAL REPORT

Case No. 1218-01

INFOR No. 18ZN1032

**Planning Commission Hearing Date:** December 12, 2018

<b>Applicant &amp; Legal Description</b>	<b>Owner:</b> Carmelite Sisters <b>Applicant:</b> Carmelite Sisters <b>Location Address:</b> 4130 South Alameda Street <b>Legal Description:</b> Lot 1, Block 1, Carmelite Home Tract, located on the north side of South Alameda Street, east of Carmel Parkway, and west of Everhart Road.			
<b>Zoning Request</b>	<b>From:</b> "RS-6" Single-Family 6 District <b>To:</b> "CN-1" Neighborhood Commercial District <b>Area:</b> 6.82 acres <b>Purpose of Request:</b> To allow for a future commercial use and reuse of the building.			
<b>Existing Zoning and Land Uses</b>		<b>Existing Zoning District</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>
	<i>Site</i>	"RS-6" Single-Family 6	Low Density Residential	High Density Residential
	<i>North</i>	"RS-6" Single-Family 6 and Drainage ROW	Park and Low Density Residential	Permanent Open Space and Medium Density Residential
	<i>South</i>	"RS-6" Single-Family 6 and "CG-2" General Commercial	Commercial and Low Density Residential	Commercial and Medium Density Residential
	<i>East</i>	"RS-6" Single-Family 6 and Drainage ROW	Park and Low Density Residential	Permanent Open Space and Medium Density Residential
	<i>West</i>	"CN-1" Neighborhood Commercial	Commercial and Professional Office	Commercial
<b>ADP, Map &amp; Violations</b>	<b>Area Development Plan:</b> The subject property is located within the boundaries of the Midtown Area Development Plan (ADP), formerly known as the Southeast ADP and is planned for high density residential uses. The proposed rezoning to the "CN-1" Neighborhood Commercial District is generally consistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map. <b>Map No.:</b> 043038 <b>Zoning Violations:</b> None			
<b>Transportation</b>	<b>Transportation and Circulation:</b> The subject property has approximately 570 feet of street frontage along South Alameda Street which is designated as an "A2" Secondary Arterial Street and has approximately 1,140 feet of street frontage along Everhart Road which is designated as an "A1" Minor 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
	South Alameda Street	"A2" Secondary Arterial	100' ROW 54' paved	115' ROW 65' paved	12,967 ADT (2015)
	Everhart Road	"A1" Minor Arterial	95' ROW 64' paved	87' ROW 32' paved	N/A

**Staff Summary:**

**Requested Zoning:**

The applicant is requesting a rezoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District to allow for a future commercial use and reuse of the building.

**Development Plan:**

The subject property is 6.82 acres in size. The owner is proposing future development of the property. The facility was originally built prior to the former Corpus Christi Zoning Ordinance and had been in operation until late 2017. The property has been on the market for sale since the closing of the former nursing home and has garnished a great deal of interest from multiple parties. The interest has ranged from grocery stores, convenience stores, fast food restaurants, boutique hotels, apartments, etc. According to the owner, in an effort to make the property more marketable the property will require a zoning change in order to accommodate its future use.

**Existing Land Uses & Zoning:**

The subject property is currently zoned "RS-6" Single-Family 6 District and consists of a former assisted living facility approximately 67,000 square feet in size. The subject property was annexed in 1962. Mount Carmel Assisted Living Center was built in 1953 and designed to look like a Spanish mission. The facility opened in 1954 and was the only assisted living center in Corpus Christi until 1997. To the north is a drainage right-of-way approximately 75 feet in width that is a portion of Carmel Parkway. Adjacent to the drainage ditch is the extension of Carmel Parkway approximately 40 feet in width. North of Carmel Parkway is a residential neighborhood (Lamar Park Unit 9, 1955) zoned "RS-6" Single-Family 6 District. To the south is Everhart Road. Across Everhart is a commercial shopping center (Town & Country Shopping Center) zoned "CG-2" General Commercial District. Also across Everhart Road is a residential neighborhood (Alameda Estates 2, 1945) zoned "RS-6" Single-Family 6 District. To the east is Everhart Road. Across Everhart Road is a residential neighborhood (Alameda Estates 3, 1948) zoned "RS-6" Single-Family 6 District and Lamar Park. To the west is a commercial shopping center zoned "CN-1" Neighborhood Commercial District and consists of a jewelry store, professional office, a bank, and a liquor store.

**AICUZ:**

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

**Plat Status:**

The property is platted.

**Utilities:**

**Water:** 6-inch PVC line located along South Alameda Street in front of the subject property.

**Wastewater:** 8-inch VCP line located along South Alameda Street in front of the subject property.

**Gas:** 2-inch Service Line located along Everhart Road in front of the subject property.

**Storm Water:** Inlets located to the south along Everhart Road and the Carmel Parkway ditch to the north.

**PlanCC & Area Development Plan Consistency:**

The subject property is located within the boundaries of the Midtown Area Development Plan (ADP), formerly known as the Southeast ADP and is planned for high density residential uses. The proposed rezoning to the “CN-1” Neighborhood Commercial District is generally consistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map. Additionally, the proposed change of zoning is consistent with the following policies:

- 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)
- Support planning to explore the idea of creating urban and neighborhood villages at major intersections as identified by the mixed-use category in the Future Land Use Map. (Future Land Use, Zoning, and Urban Design Policy Statement 2)
- Promote compact and walkable mixed-use urban villages that concentrate retail and services within walking distance of neighborhood residences and where they could support improved public transportation service, such as expected major bus stations and future stops for bus rapid transit, creating “transit-ready” locations. (Future Land Use, Zoning, and Urban Design Policy Statement 2)
- 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)
- Screening fences, open space or landscaping can provide an essential buffer between shopping and residential areas. (Future Land Use, Zoning, and Urban Design Policy Statement 3)

**Department Comments:**

- The proposed rezoning is generally consistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map.
- The proposed rezoning is compatible with neighboring properties and with the general character of the surrounding area. This proposed rezoning does not have a negative impact upon the surrounding neighborhood as presented.

- As the property is currently zoned “RS-6” Single-Family 6 District the operation of an assisted living facility was a non-conforming use as these types of facilities are not allowed in the “RS-6” District as per the Unified Development Code (UDC).
- To encourage an adaptive reuse of the building, the “CN-1” District does allow the following uses by-right: Apartments, Group Living Uses, Day Care, Community Service, Medical Facilities, Offices, Overnight Accommodations, Restaurants, and Retail Sales and Service Uses.
- Staff encourages the preservation of the building as it has architectural and cultural significance due to the building’s design and service to the community.
- The building’s age and Spanish Mission architectural design warrants further assessment for a national, state, or local historic designation to preserve the building.
- Historic designations do create opportunities for grants and tax incentives. For example, if a commercial property is listed on National Register of Historic Places it may be eligible for a 20% income tax credit for substantial rehabilitation.

**Planning Commission and Staff Recommendation (December 12, 2018):**

Approval of the change of zoning from the “RS-6” Single-Family 6 District to the “CN-1” Neighborhood Commercial District.

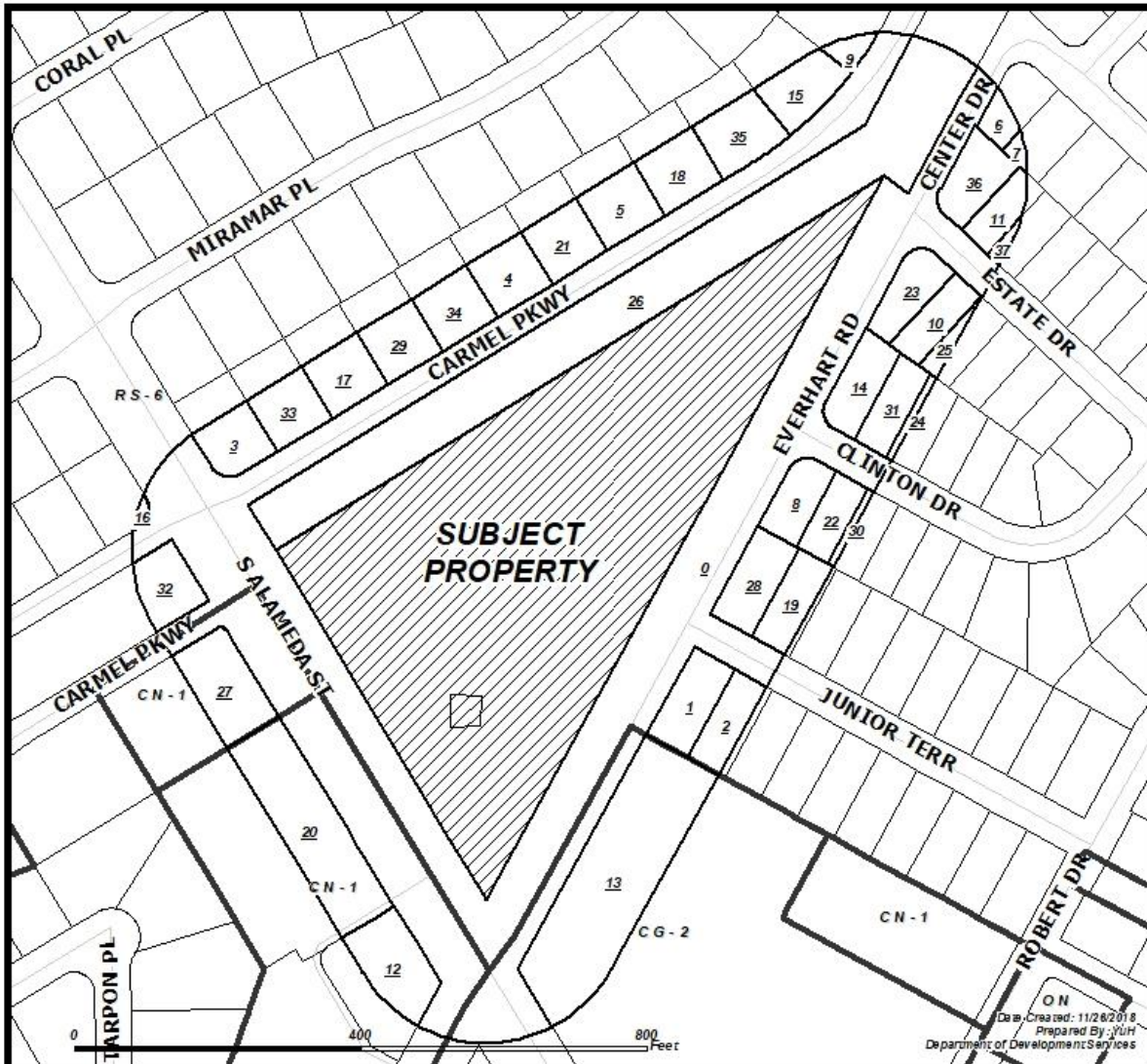
**Vote Results:**

For: 9  
Opposed: 0  
Absent: 0  
Abstained: 0

<b>Public Notification</b>	Number of Notices Mailed – 37 within 200-foot notification area 5 outside notification area	
	<b><u>As of December 7, 2018:</u></b>	
	In Favor	– 0 inside notification area – 0 outside notification area
	In Opposition	– 10 inside notification area – 0 outside notification area
	Totaling 9.28% of the land within the 200-foot notification area in opposition.	

**Attachments:**

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



**CASE: 1218-01**  
**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-4 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

Owners  
in favor

Owners within 200' listed on  
attached ownership table

Owners  
in opposition





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.

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**CITY PLANNING COMMISSION  
PUBLIC HEARING NOTICE  
Rezoning Case No. 1218-01**

**Carmelite Sisters** have petitioned the City of Corpus Christi to consider a change of zoning from the **"RS-6" Single-Family 6 District** to the **"CN-1" Neighborhood Commercial District, resulting in a change to the Future Land Use Map.** The property to be rezoned is described as:

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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, December 12, 2018,** 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: Dewey A. Balli  
Address: 4201 Center Dr. City/State: Corpus Christi, TX  
( ) IN FAVOR ☒ IN OPPOSITION Phone: 78412  
REASON:

Dewey A. Balli  
Signature

SEE MAP ON REVERSE SIDE  
INFOR Case No.: 18ZN1032  
Property Owner ID: 6

Case No. 1218-01  
Project Manager: Andrew Dimas  
Email: andrewd2@cclextexas.com



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Printed Name: Russell Douglas

Address: 4202 ESTATE Dr City/State: CORPUS CHRISTI, TX

( ) IN FAVOR ☒ IN OPPOSITION Clinton + Junior Terrace Phone: 361-815-8481

REASON: Increased traffic along Everhart adjacent to property and increased traffic on Estate Dr through neighborhood cutting through to Robert Dr. Uses allowed easement on Family housing and are not limited to Alameda frontage

No Cell Tower should be allowed!

Signature Russell Douglas

SEE MAP ON REVERSE SIDE  
INFOR Case No.: 18ZN1032  
Property Owner ID: 10

Case No. 1218-01  
Project Manager: Andrew Dimas  
Email: andrewd2@cctlejas.com

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Printed Name: Paul Schwarz  
Address: 414 Carmel Pkwy City/State: Corpus Christi, TX  
( ) IN FAVOR (X) IN OPPOSITION Phone: 970-573-0298  
REASON: Personal and family safety, property values, ~~inputs to~~ <sup>inputs to</sup> small local businesses in the area

Signature PS 12/19/18

SEE MAP ON REVERSE SIDE  
INFOR Case No.: 18ZN1032  
Property Owner ID: 15

Case No. 1218-01  
Project Manager: Andrew Dimas  
Email: andrewd2@cctexas.com



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Printed Name: Adelita Villanueva

Address: 4210 Clinton Drive City/State: Corpus Christi, Texas

( ) IN FAVOR ☒ IN OPPOSITION

Phone: \_\_\_\_\_

REASON:

Adelita Villanueva  
Signature

SEE MAP ON REVERSE SIDE  
INFOR Case No.: 18ZN1032  
Property Owner ID: 24

Case No. 1218-01  
Project Manager: Andrew Dimas  
Email: andrewd2@cctexas.com

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Printed Name: Russell Douglas

Address: 4209 Estate Dr

City/State: Corpus Christi TX

( ) IN FAVOR (X) IN OPPOSITION

Phone: 361-815-8481

REASON: Increased traffic along Everhart adjacent to property  
And increased traffic thru neighborhood on Estate Drive  
Intown + Inurcutting through to Robert Dr. Uses allowed encroach on family  
housing + are not limited to Alameda Frontage  
Cell Tower should be allowed!

Signature

SEE MAP ON REVERSE SIDE  
INFOR Case No.: 182N1032  
Property Owner ID: 25

Case No. 1218-01  
Project Manager: Andrew Dimas  
Email: andrewd2@cctexas.com



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Printed Name: Norman H. Hannebaum

Address: 482 Carmel Parkway City/State: Corpus Christi, TX

( ) IN FAVOR (X) IN OPPOSITION Phone: (361) 851-2098

REASON: Unknown effects on property value & lifestyle.

SEE MAP ON REVERSE SIDE  
INFOR Case No.: 18ZN1032  
Property Owner ID: 33

Signature

Case No. 1218-01  
Project Manager: Andrew Dimas  
Email: andrewd2@cctexas.com



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**CITY PLANNING COMMISSION  
PUBLIC HEARING NOTICE  
Rezoning Case No. 1218-01**

**Carmelite Sisters** have petitioned the City of Corpus Christi to consider a change of zoning from the "**RS-6**" **Single-Family 6 District** to the "**CN-1**" **Neighborhood Commercial District, resulting in a change to the Future Land Use Map.** The property to be rezoned is described as:

**4130 South Alameda Street and Lot 1, Block 1, Carmelite Home Tract, located on the north side of South Alameda Street, east of Carmel Parkway, and west of Everhart 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, December 12, 2018**, 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: Joe Garrett

Address: 458 Carmel Parkway

City/State: Corpus Christi, TX 78411

( ) IN FAVOR

☒ IN OPPOSITION

Phone: 361-813-7285

REASON:

Signature 

SEE MAP ON REVERSE SIDE  
INFOR Case No.: 18ZN1032  
Property Owner ID: 34

Case No. 1218-01  
Project Manager: Andrew Dimas  
Email: andrewd2@cctexas.com

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Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State: \_\_\_\_\_

( ) IN FAVOR

☒ IN OPPOSITION

Phone: \_\_\_\_\_

REASON: \_\_\_\_\_

Signature \_\_\_\_\_

SEE MAP ON REVERSE SIDE  
INFOR Case No.: 18ZN1032  
Property Owner ID: 35

Case No. 1218-01  
Project Manager: Andrew Dimas  
Email: andrewd2@cctexas.com



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Printed Name: Russell Douglas  
Address: 4205 Estate Dr City/State: Corpus Christi TX  
( ) IN FAVOR (X) IN OPPOSITION Phone: 361-815-8481

REASON: Increased traffic along Everhart Dr adjacent to property and increased traffic thru Neighborhood on Estate Dr, Clinton + Junior Terrace cutting through to Robert Dr. Uses allowed encroach on family housing + are not limited to Alameda Frontage.

No Cell Tower should be allowed!

Signature

SEE MAP ON REVERSE SIDE  
INFOR Case No.: 18ZN1032  
Property Owner ID: 36

Case No. 1218-01  
Project Manager: Andrew Dimas  
Email: andrewd2@cctexas.com



December 18, 2018

City of Corpus Christi  
Development Services Dept.  
P.O. Box 9277  
Corpus Christi, TX 78469



RE: City Planning Commission  
Attn: Andrew Dimas  
Rezoning Case No. 1218-01

To Whom It May Concern:

I own numerous properties on Estate Drive and Clinton Drive in the area of the proposed rezoning of the subject property. I have also lived in the subdivision since 1989 and consider this neighborhood my home. I have worked hard to improve the neighborhood since moving here and have purchased numerous homes which I have remodeled and increased their value. I pay close to \$20000.00 in property taxes annually to Nueces County.

I have numerous concerns based on the Power-point presentation that was presented during the rezoning hearing.

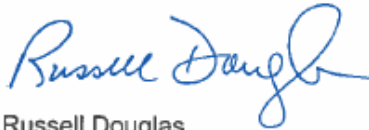
1. This property extends off of Alameda Street frontage and into the area along Everhart Road and Carmel Parkway that is currently zoned as Single Family Residential.
2. Allowing commercial usage along Everhart Road will increase traffic through the neighborhood as vehicles will begin using the residential streets of Junior Terrace, Clinton Drive and Estate Drive to cut through to Robert Drive. I do not believe that this have been considered in your decision to rezone the property.
3. Uses allowed as per the proposed rezoning Power-point presentation include potential businesses that will have a definite impact on the residential neighborhood.
4. The access to these "proposed uses" should be limited to entrance off of Alameda Street. No access to or exit from the property should be allowed off of Everhart Road or Carmel Parkway.
5. There were no proposed plans submitted for this rezoning for the neighborhood to consider. The uses allowed are way to inclusive potential business that will affect the neighborhood and should be limited.
6. I am concerned that community service might include the construction of a cell tower at the intersections of Center Drive, Everhart Road and Estate Drive. This would have a definite effect on my property values and the quality of living in the area. Any Tower construction, cellular or otherwise should be excluded in your rezoning request.

7. Parking construction should be limited to Alameda Street frontage only. Any parking construction and access to or from along Everhart Road will definitely impact the existing family neighborhood of the Alameda Estates Subdivision homes as well as the Lamar Park subdivision homes.
8. No mention was made in the powerpoint as to the current owners of the property. Is it owned by the Carmelite Sisters or has it been purchased by a business venture? If rezoning is granted will it continue to be owned by the Carmelite Sisters or will it be sold to a business venture once rezoning is granted? These are important points to consider for our neighborhood.

I appreciate your consideration in addressing the concerns as noted above and would appreciate a more detailed plan for the subject property. Your concerns should be prioritized for the residents in the neighborhoods that will be adversely affected by the potential rezoning and not towards the potential benefits to the current owners or potential buyers of the property.

I should not have to remind you that properties owned by religious organizations do not pay county taxes as the residents in the neighborhoods are required to pay.

Sincerely,



Russell Douglas  
4225 Estate Drive  
Corpus Christi, Tx 78412  
361-815-8481  
rustyd@mygrande.net

City Council  
City of Corpus Christi, Texas

December 17, 2018



re: Re-zoning of the property of the former Mount Carmel Residence for the elderly

Mr. Mayor, Members of the City Council,

The appended signatures are of the residents of Aberdeen Avenue, Center Street and Circle Street. We object strongly to the re-zoning of the former Mount Carmel property to allow its use as commercial property! This objection is not to the commercial use of the property as much as to an increase in the already extensive invasion of commercial traffic problems from Everhart Street into the neighborhood residential areas behind Town and Country Shopping Center and the former Mount Carmel property!

We have experienced over the years a steadily growing increase of drunken traffic, commercial vehicles, and non-resident vehicle traffic from Everhart Street into the peaceful tranquility of our neighborhood, using our residential streets as a convenient thoroughway to Santa Fe and Ocean Drive! We have also experienced a growing number of strangers cruising through our streets and on foot, petty thefts and burglary! Over the years we have been struggling to gain the attention of the police and the city council and get them to do something significant to put a stop to these problems, but have had little if any results.

Now that Mount Carmel Home for the elderly has closed and the property put up for sale, the City has published notice that the property will be re-zoned for commercial use! Possible uses will be apartments, group living, community service, medical facilities, offices, overnight accommodations, restaurants, and retail sales and services. We, as well as the City, recognize that this will, most likely, increase vehicle and foot traffic which will spill through our neighborhood residential streets and aggravate our problems!

We have experienced drunken, reckless drivers speeding down our streets, jumping curbs and driving across driveways, sidewalks and lawns! We have seen the result of a drunken driver, asleep at the wheel, crash through the barrier at the end of Everhart and down into the drainage ditch in Lamar Park! The house at the end of Everhart has had a long history of drunken drivers crashing through into their back yard! Our neighbors on the corner of Aberdeen and Center have experienced numerous out of control drivers jump the curb and drive across their

(cc: Keith S. (mv)  
NINA Nixon-mendez



lawns! The lady at the corner of Everhart and Center surprised a burglar inside her house stealing her things! We have had vehicles vandalized, windows smashed and equipment inside stolen! These are only a few of our experiences!

We come before the City Council to address our grievances and objections! Since all attempts to slow down or re-direct non-residential traffic to the streets built for such traffic have failed, we the residents 1) object strongly to any increase of hazardous and dangerous traffic on our residential streets caused by the re-zoning, and 2) petition the City Council to permanently block all traffic from Everhart at the junction of Everhart and Center at the old alley and turn Aberdeen, Center and Circle streets into a U shaped street opening and closing only on Santa Fe! If the City wishes to allow the Mount Carmel property to be re-zoned for commercial use or not, Everhart should no longer have access to our residential streets for its hazardous and problematic traffic which will only increase in the future!

Sincerely yours,

The residents of Aberdeen Avenue, Center Street and Circle Street

William A. B. Martin  
321 Aberdeen  
854-6158  
Thank

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Sincerely yours,

The residents of Aberdeen Avenue, Center Street and Circle Street

Foster: Nicole Schempf 322 Circle Dr. (361) 947-8056  
email: nicole9849@gmail.com

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Sincerely yours,

The residents of Aberdeen Avenue, Center Street and Circle Street

X Tom J. Harvey IV

X Shirley A. Harvey

330 Aberdeen Ave  
Corpus Christi, TX  
78412



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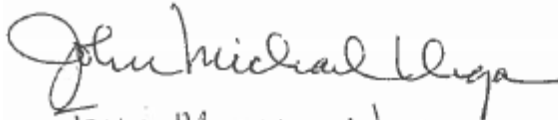
Stacy Grover 305 Circle Dr 3619936652

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Sincerely yours,

The residents of Aberdeen Avenue, Center Street and Circle Street



JOHN MICHAEL VEGA

325 ABERDEEN AVE

CORPUS CHRISTI, TX 78412

(361) 739-8744

E-MAIL MAU558@HOTMAIL.COM

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The residents of Aberdeen Avenue, Center Street and Circle Street

PEDRO GUTIERREZ  
326 Aberdeen Ave  
Corpus Christi, TX  
78412





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Sincerely yours,

The residents of Aberdeen Avenue, Center Street and Circle Street

*Beverly Brady*  
330 Aberdeen Ave  
CC, TX 78412  
361-765-8036

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Sincerely yours,

The residents of Aberdeen Avenue, Center Street and Circle Street

Tracy Riggs  
Rocky Ramirez } 305 Aberdeen Ave Tracy Riggs

**From:** Denise Villagran <[dsvilla60@gmail.com](mailto:dsvilla60@gmail.com)>  
**Subject:** Zoning request for Mt. Carmel Home property

As a homeowner at 434 Carmel Parkway my husband and I enjoy the view of the walking track behind Mt. Carmel. Until the sisters moved out we would see the sisters and assisted living residents enjoying this space. When we purchased our home 20 plus years ago we knew the sisters had operated their assisted living facility since the 60's and felt confident their work would continue. It was quite a surprise when they announced they would be closing and selling the property.

As a homeowner living close to this property, we have an interest in the type of business and/or improvements a new owner would bring. The proposed zoning allows a broad range of options for a new owner. This broad range of options is a cause for concern. Not only could there be another assisted living business, which would be fine, but there could also be apartments, a grocery store, a discount store, a charter school or a substance abuse center to name a few.

Let me be very clear, I am not against development and I know this property is considered prime real estate. I am in favor of development of this property that compliments or enhances our neighborhood. There are commercial businesses beside and in front of this property. I could easily see a small specialty shopping center in this space like the Lamar Park shopping center at the other end of our subdivision that could include professional office space.

What I find most objectionable about this rezoning process thus far, is the complete lack of transparency and the outward secrecy of the Applicant and the prospective Developer in responding to the neighboring property owners' concerns. Aside from the controversial opinions arising from the rumors abounding, the very real and detrimental effects of the light/noise pollution, traffic congestion and the safety issues will most certainly arise should the property be developed under the broad spectrum of permitted uses under CN1 Zoning.

Moreover, I find it more objectionable that the City Planning Department and the City Planning and Zoning Commission would have even considered the application in the form it was submitted in the first place. It was substantially deficient and even misleading in many aspects. And even more disturbing is the fact that the approval by the Planning and Zoning Commission was initiated by a motion from Commissioner Schroeder prefaced on the basis that the future use of the property was not known and therefore the request for rezoning should be approved because no matter what, the property would ultimately need to be rezoned for any future use due to the timing of the closure and the cessation of the use of the property under its current zoning status. Such a motion is clearly and contrary to many of the precepts set out in Article 1, Subsection 1.2 of the City's Unified Development Code, most recently adopted as of August 15, 2017.

Any development that would bring high density apartments, any type of discount store, a charter school with students that live there or an in-patient treatment facility is simply not aligned with the General Provisions of the Unified Development Code. These types of businesses bring increased traffic, lighting, noise and quite possibly a lowering of property values. The listing agent has stated that the property is not under contract, but there are interested parties. Among the realty community there have been rumors that Cliff Atnip with Cobb, Lundquist, & Atnip Realtors is representing a potential buyer or tenant. When Mr. Atnip has been asked about the possible development by his client, he stated he didn't have to disclose anything. While this is true why would he or his client wish to maintain such secrecy about the type of business planned for this space? The only reason I can think of is they know their proposed development would be opposed.

I am aware of all the rumors about a possible detention center for undocumented immigrant children and according to the City the proposed zoning would not permit such a place. That is great news, however, there are always loopholes to accomplish what is desired by motivated individuals.

I trust that you, as our elected representative on the City Council, will carefully consider this sensitive rezoning request. And further, that you will advocate on behalf of the residents like myself and my husband to protect and preserve the value of our property as it exists today and to preserve the peaceful and stable quality of life this neighborhood affords the residents who have chosen to invest their hard-earned money in their homes. If there can be no transparency about what is intended for this property, then perhaps the City can re-zone the property with special provisions to preserve the stability of this neighborhood. This was discussed during the planning commission meeting. There is a less broad zoning that would still permit commercial development of the property.

Please note we strongly oppose this re-zoning without a clear understanding of the intended development or a re-zoning of the property but with a narrow list of possible uses.

Sincerely,

Denise S. Villagran & Urban Villagran, Jr.