

STAFF REPORT

Case No. 0319-02

INFOR No. 19ZN1005

Planning Commission Hearing Date: March 20, 2019

Applicant & Legal Description	Owner: B&A Terra Firma Development, LLC. Applicant: Eric Zarghooni Location Address: 2110 Laguna Shores Road Legal Description: Being a 15.96 acre tract out of lots 9 and 10, Section 54, Flour Bluff and Encinal Farms and Garden Tracts, located on the west side of Laguna Shores Road, north of Hustlin Hornet Drive, and south of Lola Johnson Road.			
Zoning Request	From: "RE" Residential Estate District To: "RM-2" Multifamily 2 District Area: 15.96 acres Purpose of Request: To allow for the construction of an apartment complex.			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"RE" Residential Estate	Vacant	Low Density Residential
	<i>North</i>	"RS-6" Single-Family 6	Low Density Residential	Low Density Residential
	<i>South</i>	"IH" Heavy Industrial and "CR-1" Resort Commercial	Vacant	Commercial
	<i>East</i>	"CR-1" Resort Commercial and "RS-15" Single-Family 15	Vacant and Low Density Residential	Commercial
	<i>West</i>	"CR-1" Resort Commercial, "RM-1" Multifamily 1, and "RS-6" Single-Family 6	Vacant	Water and Low Density Residential
ADP, Map & Violations	Area Development Plan: The subject property is located within the boundaries of the Flour Bluff Area Development Plan and is planned for low density residential uses. The proposed rezoning to the "RM-2" Multifamily 2 District is inconsistent with the adopted Comprehensive Plan (Plan CC). Map No.: 035030 Zoning Violations: None			
Transportation	Transportation and Circulation: The subject property has approximately 1,190 feet of street frontage along Laguna Shores Road which is designated as a "P1" Parkway Collector Street. According to the Urban Transportation Plan, "P1" Parkway Collector Streets can convey a capacity between 1,000 to 3,000 Average Daily Trips (ADT).			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Laguna Shores Road	"P1" Parkway Collector	80' ROW 40' paved	70' ROW 38' paved	N/A

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "RE" Residential Estate District to the "RM-2" Multifamily 2 District to allow for the construction of an apartment complex.

Development Plan: The subject property is 15.96 acres in size. The owner is proposing an apartment complex.

Existing Land Uses & Zoning: The subject property is currently zoned "RE" Residential Estate, consists of vacant land, and has remained undeveloped since annexation in 1962. The subject property was zoned "RE" Residential Estate District in 2006 from the "RS-6" Single-Family 6 District, "CR-1" Resort Commercial District, "RM-1" Multifamily 1 District, and "IH" Heavy Industrial District. The associated project was a single-family residential subdivision that was never constructed. To the north is a single-family residential subdivision along Lola Johnson Road (Belk Lola Johnson Subdivision) platted in 1953 and zoned "RS-6" Single-Family 6 District. To the south are vacant properties zoned "IH" Heavy Industrial District and "CR-1" Resort Commercial District. To the east are vacant properties, submerged properties, and single-family homes zoned "CR-1" Resort Commercial District. Five properties were recently rezoned to the "RS-15" Single-Family District. To the west are vacant properties zoned and a pond zoned "CR-1" Resort Commercial District, "RM-1" Multifamily 1 District and "RS-6" Single-Family 6 District.

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: 12-inch ACP Line

Wastewater: 16-inch PVC Force Main located along Laguna Shores Road. Wastewater service is currently unavailable to the subject property. The closest available wastewater manhole is accessible through Jamaica Drive which connects to a lift station.

Gas: 2-inch Service Line

Storm Water: Road side drainage along Laguna Shores Road.

Plan CC & Area Development Plan Consistency: The subject property is located within the boundaries of the Flour Bluff Area Development Plan (ADP). The proposed rezoning to the “RM-2” Multifamily 2 District is inconsistent with the adopted Comprehensive Plan (Plan CC). 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)
- Promote the monitoring of current development to identify infrastructure capacity deficiencies in advance of future development. (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)
- 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 direct arterial access for high-density apartments or interior access from a street designed specifically to collect the apartment traffic and distribute it directly to an arterial without passing through a lower density residential area. (Future Land Use, Zoning, and Urban Design Policy Statement 3)
- Encourage convenient access from medium-density residential development to arterial roads. (Future Land Use, Zoning, and Urban Design Policy Statement 3)

Department Comments:

- The proposed rezoning is “RM-2” Single-Family 15 District is inconsistent with the adopted Comprehensive Plan (Plan CC).
- The proposed rezoning is incompatible with neighboring properties and with the general character of the surrounding area. This rezoning may have a negative impact upon the surrounding neighborhood.
- The subject property was zoned “RE” Residential Estate District in 2006 from the “RS-6” Single-Family 6 District, “CR-1” Resort Commercial District, “RM-1” Multifamily 1 District, and “IH” Heavy Industrial District. The associated project was a single-family residential subdivision that was never constructed.
- The proposed apartment complex is incompatible with the fabric of the neighborhood. The residential subdivision to the north along Lola Johnson Road and the recent rezonings across Laguna Shores Road to single-family zoning districts indicate that single-family residential is the predominate use on this portion of Laguna Shores Road.
- The subject property is 15.96 acres in size. The proposed “RM-2” Multifamily 2 District allows up to 30 dwelling units per acre. Therefore, the maximum build-out of apartment units on a 15.96 acre tract is 479 apartment units.
- All vehicular traffic generated by the proposed by the apartment complex would be placed on Laguna Shores Road which is currently a two-lane road.

- Laguna Shores Road is designated as a “P1” Parkway which has a right-of-way width of 80-feet, but only has a pavement section of 40-feet (2 lanes). A “C1” Minor Collector Street also has a pavement section of 40-feet.
- Plan CC states that apartment complexes should collect and direct traffic to avoid passing through residential areas. Additionally, said traffic should have direct access to an arterial street that can accommodate the larger traffic demands. Laguna Shores Road being only a 2 lane 40-foot wide roadway cannot absorb the increased traffic.
- The only potential source of wastewater is to the northwest connecting through Jamaica Drive and an existing lift station. Further investigation would need to be conducted to determine if the lift station has sufficient capacity to handle the wastewater generated by the proposed apartment complex.
- Due to the adjacency to properties zoned “RS-6” Single-Family 6 District, a Type B buffer yard will be required along the northern and a portion of the western property lines. Type B buffer yards consist of 10 feet in width and a 10 point requirement as per the Unified Development Code (UDC). Along the southern property line is a property zoned “IH” Heavy Industrial District. Therefore, a Type E buffer yard would be required. Type E buffer yards consist of 50 feet in width and a 50 point requirement as per the Unified Development Code (UDC).

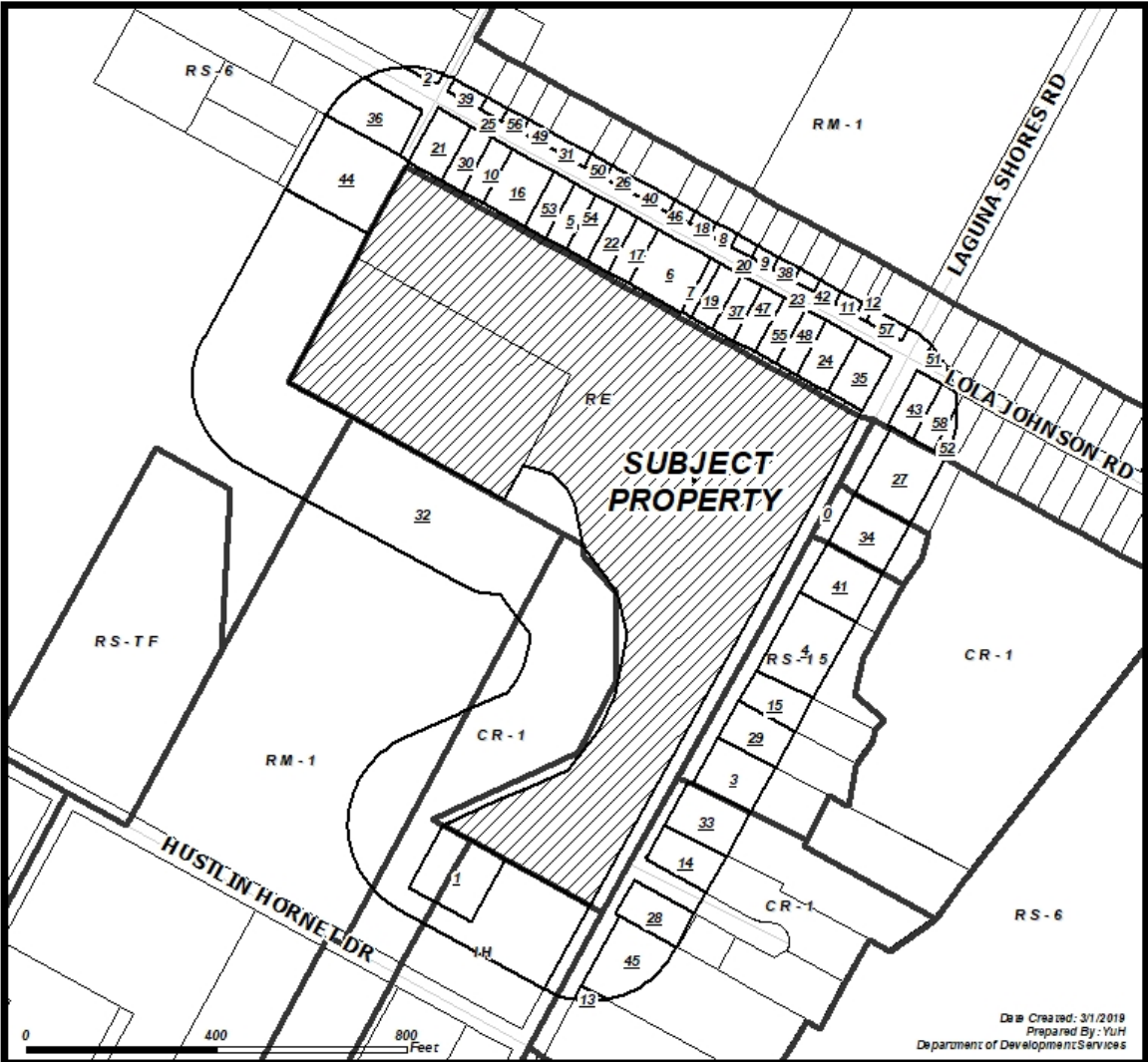
Staff Recommendation:

Denial of the change of zoning from the “RE” Residential Estate District to the “RM-2” Multifamily 2 District.

Public Notification	Number of Notices Mailed – 58 within 200-foot notification area 5 outside notification area	
	<u>As of March 15, 2019:</u>	
	In Favor	– 2 inside notification area – 0 outside notification area
	In Opposition	– 19 inside notification area – 0 outside notification area
	Totaling 61.88% 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)



Date Created: 3/1/2019
Prepared By: YUH
Department of Development Services

CASE: 0319-02
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-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
CO-1 General Commercial	RE Residential Estate
CO-2 General Commercial	RS-TH Townhouse
CI Intensive Commercial	SP Special Permit
CBD Downtown Commercial	RV Recreational Vehicle Park
CR-3 Resort Commercial	RMH Manufactured Home
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



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PUBLIC HEARING NOTICE
Rezoning Case No. 0319-02**

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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.

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Printed Name: _____

THOMAS L. KARSTEN

Address: _____

2141 LAGUNA SHORES

City/State: _____

() IN FAVOR

(☒) IN OPPOSITION

Phone: *361-877-1336*

REASON:

LOT #5

*I DON'T WANT 500 APARTMENTS
NOISE
TRAFFIC
CRIME*

Signature _____

John Kautz

SEE MAP ON REVERSE SIDE
INFOR Case No.: 19ZN1005
Property Owner ID: 4

Case No. 0319-02
Project Manager: Andrew Dimas
Email: andrewd2@cityofcorpuschristi.com

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Printed Name: Cameron Purvin

Address: 257 Lola Johnson Rd. City/State: Corpus Christi, TX

() IN FAVOR ☒ IN OPPOSITION

Phone: 214-384-1323

REASON: • Flooding • Destruction of Wetland Habitat
• Decreased Property Value • Blocked View
• Changes Single Family neighborhood

Signature [Signature]

SEE MAP ON REVERSE SIDE
INFO Case No.: 19ZN1005
Property Owner ID: 5

Case No. 0319-02
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com



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Printed Name: Hunter Sterchi

Address: 237 Lola Johnson City/State: Corpus Christi TX

() IN FAVOR ☒ IN OPPOSITION Phone: 361-389-2599

REASON:

The rezoning of proposed area would raise my property taxes and devalue my home. The wetlands will also be negatively effected by this initiative.

Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 19ZN1005
Property Owner ID: 6

Case No. 0319-02
Project Manager: Andrew Dimas
Email: andrewd2@ectexas.com

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Printed Name: NEXTLOTS NOW C.L.C.

Address: P.O. 870 City/State: WACONACHE, TX 75146

(☒) IN FAVOR () IN OPPOSITION

Phone: 214-686-6806

REASON: Obviously the best use

Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 19ZN1005
Property Owner ID: 12

Case No. 0319-02
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com

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Printed Name: Elizabeth Starr
Address: 2233 Laguna Shores Road City/State: Corpus Christi, Texas 78418
() IN FAVOR ☒ IN OPPOSITION Phone: 361 549 1089
REASON: The area to be rezoned is occupied by single family houses and I do not want a zoning for multi family 2 district. This is a flood zone area with already a large pond within that property that has water flowing into it from
SEE MAP ON REVERSE SIDE
INFOR Case No.: 19ZN1005
Property Owner ID: 14 The Laguna. Would be a real problem
Signature: Elizabeth Starr
Case No. 0319-02
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com

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Printed Name: _____

Address: _____

City/State: _____

() IN FAVOR

(☒) IN OPPOSITION

Phone: _____

REASON: _____

LOT 6

Signature _____

SEE MAP ON REVERSE SIDE
INFOR Case No.: 19ZN1005
Property Owner ID: 15

Case No. 0319-02
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com

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**CITY PLANNING COMMISSION
PUBLIC HEARING NOTICE
Rezoning Case No. 0319-02**



B&A Terra Firma Development, LLC has petitioned the City of Corpus Christi to consider a change of zoning from the **"RE" Residential Estate District** to the **"RM-2" Multifamily 2 District, resulting in a change to the Future Land Use Map.** The property to be rezoned is described as:

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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.

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Printed Name: Charlene Romb

Address: 230 Lola Johnson

City/State: CC TX 78418

() IN FAVOR ☒ IN OPPOSITION

Phone: 361-937-1169

REASON:

Years ago they tried to re-zone this same area. Council shot it down. FBISA stopped with a non-concur due to Run off into pond that belongs to school for learning purpose. Do not allow them to break up this change.

Signature [Signature]

SEE MAP ON REVERSE SIDE
INFOR Case No.: 19ZN1005
Property Owner ID: 20

Case No. 0319-02
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com

3-10-19

Rezone: Case: 0319-02

This was proposed change years ago.

Residents of Lola Johnson all were in opposition. FBISD was our biggest % in opposition. FBISD owns the pond next to the land in question.

This pond is a working eko system that is used as a learning tool for the students. They were informed by phone call the day it went before City Council. A phone call to the planning Commission and City Council from FBISD board was relayed a no opposition as the runoff of various fluids from oil, fertilizers and such would kill off the now lively well being of this teaching pond. FBISD held the highest percentage to stop this development. A councilman also said I would not want 3 story apts in my

(2)

Backyard Piering down.

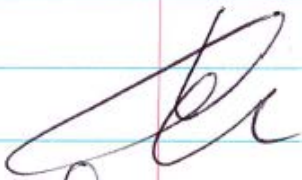
There is no sewer to hook up to as there is no lines in that area. Lola Johnson is on septic.

A very expensive lift station was built at the end of Lola Johnson - City paid for it. This was a package deal to build 3 story Apts in this area and off of Waldron Rd. That proposal was shot down therefore the developer stopped further development off of Waldron Rd. FBISD must be notified of this rezone as they own the pond that lays next to the redevelopment-Rezone.

I need to know that they were notified of the re-zone. A phone call from the planning Commission is necessary. Multi housing will destroy this pond and ecosystem.

(3)

I can be reached at 361-937-1169
I will contact FBISD myself
to make sure this does not
happen again. This area is
already congested with school
traffic that now has a
3 way stop installed. Adding
a few hundred bodies and
100 cars in this area is not
conducive. Just evac for
bad weather/flooding is not
practicable. Also pushing water
run off in our neighborhood
and into pond will also be
non conducive. Single family
home is not good either.


Charlene Rombs

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Printed Name: Renee Gonzales

Address: 282 Lola Johnson Rd. City/State: Corpus Christi, TX

() IN FAVOR ☒ IN OPPOSITION

Phone: 361-779-6406

REASON:

- Drainage (flood zone)
- Traffic
- Property Values
- Section 8 housing
- Crime
- environmental (wetlands)

Renee K. Gonzales
Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 19ZN1005
Property Owner ID: 25

Case No. 0319-02
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com

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Printed Name: Jeffrey and Rosaura Smith
Address: 1122 VANCE DRIVE City/State: Corpus Christi, TX
() IN FAVOR ☒ IN OPPOSITION Phone: 361-904-3703

REASON: Potential Increase in Crime
And Illegal Dumping. Also potential Decrease in Property Value

Jeffrey A. Smith Rosaura Smith
Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 19ZN1005
Property Owner ID: 28

Case No. 0319-02
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com

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Printed Name: Ly & James Van Fleet

Address: 2213 / 2217 Lagunashore City/State: Corpus Christi

(☒) IN FAVOR () IN OPPOSITION

Phone: 512.294.6312

REASON:

Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 19ZN1005
Property Owner ID: 29

Case No. 0319-02
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com

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Printed Name: Darson C. Helvoet

Address: 281 Lola Johnson Rd

City/State: CC TX

() IN FAVOR (X) IN OPPOSITION

Phone: _____

REASON:

Lack of infrastructure, drainage issues & Privacy

Darson Helvoet
Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 19ZN1005
Property Owner ID: 30

Case No. 0319-02
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com



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Printed Name: Robert Gonzalez
Address: 282 Lola Johnson City/State: Corpus Christi, TX
() IN FAVOR (X) IN OPPOSITION Phone: 361-774-0380
REASON: property values going down marine biology studies at school will
Run-off be affected
Crime will increase
Traffic congestion

Robert Gonzalez
Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 192N1005
Property Owner ID: 39

Case No. 0319-02
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com

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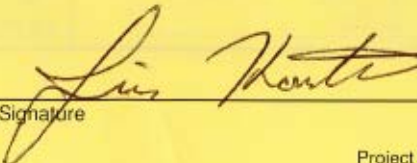
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Printed Name: JAMES L. KARSTENS

Address: 2141 LAGUNA SHORES RD City/State: _____

() IN FAVOR (X) IN OPPOSITION Phone: 361-877-1336

REASON: LOT # 4


Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 19ZN1005
Property Owner ID: 41

Case No. 0319-02
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com

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Printed Name: Marian Coburn by POA Terrie Coburn McCall

Address: 309 Lola Johnson Rd

City/State: Corpus Christi Tx 78418

() IN FAVOR (X) IN OPPOSITION

Phone: 361-229-9993

REASON: Environmental concerns: birds, wetlands, Bobcats & jaguarundi
Flooding concerns: Runoff from lg paved area.

TRAFFIC concerns: Quiet residential area will be transformed
TAX concerns: PAVING of necessary streets will increase prop values/taxes
Crime will increase in our

Terrie Coburn McCall
Signature

SEE MAP ON REVERSE SIDE front yard.
INFOR Case No.: 19ZN1005
Property Owner ID: 44

Case No. 0319-02
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com

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Printed Name: Reinaldo R. Figueroa Jr. / Elizabeth F. Figueroa
Address: 221 Lola Johnson Rd. City/State: Corpus Christi TX. 78418
() IN FAVOR ☒ IN OPPOSITION Phone: (956) 802-9004

REASON: The main attraction to this area is the beautiful Scenery, and peaceful serenity. You could actually leave a door open, and no one will trespass. Apartment complexes bring congestion, crime, vandalism, and trespassers. The bird nesting brings beautiful birds to all year long.

SEE MAP ON REVERSE SIDE
INFORM Case No.: 19ZN1005
Property Owner ID: 47

Signature

Case No. 0319-02
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com

Genna Schmidt

265 Lola Johnson Rd

Opposed

Reason for objection:

Mostly it's a place of wildlife, and it's an educational for the school district which is in close proximity. The rezoning would deny the children for years of educational abilities.

There's a high level of water behind my property continually. The whole area is swampy even on the driest days. I have concerns about this environment because of the septic uses and because of it's permanent wetness.

It's ugly.

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**CITY PLANNING COMMISSION
PUBLIC HEARING NOTICE
Rezoning Case No. 0319-02**

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Printed Name: Joe Kelley, Flour Bluff Independent School District
Address: 2505 Waldron Rd City/State: Corpus Christi, Tx 78418

() IN FAVOR ☒ IN OPPOSITION

Phone: 361 694 9205

REASON: Traffic concerns, pollution runoff into our teaching pond

Joe Kelley
Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 19ZN1005
Property Owner ID: 0

Case No. 0319-02
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com

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Printed Name: NIKOL YOUNGBERG (FLOUR BLUFF ELEMENTARY)

Address: 2505 Waldron City/State: CC TX

() IN FAVOR (X) IN OPPOSITION

Phone: (361) 694-9599

REASON:

traffic + preservation of wetlands


Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 192N1005
Property Owner ID: 0

Case No. 0319-02
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com

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Printed Name: James Crenshaw Flour Bluff High School

Address: 2505 Waldron Road City/State: CC TX

() IN FAVOR (X) IN OPPOSITION Phone: 361 654 9125

REASON:

James L Crenshaw
Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 19ZN1005
Property Owner ID: 0

Case No. 0319-02
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com

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Printed Name: Robert Welp

Address: 300 Lola Johnson

City/State: Corpus Christi TX

() IN FAVOR (X) IN OPPOSITION

Phone: 361 904 1535

REASON:

- Road Access + Traffic
- Sewage + Run Off + Flooding
- PROPERTY Devaluation (Loss of Property Value)
- Eye Sore

Signature Robert Welp

SEE MAP ON REVERSE SIDE
INFOR Case No.: 19ZN1005
Property Owner ID: 2

Case No. 0319-02
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com

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Rezoning Case No. 0319-02**

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Printed Name: JERRY HARTUNG
Address: 2101 LAGUNA SHORES DR City/State: CORPUS CHRISTI TX
() IN FAVOR ☒ IN OPPOSITION Phone: 512-294-8749
REASON: TO PROTECT POND AND FLOUR BLUFF
SCHOOL PROGRAMS, WE HAVE BEEN OUT OF
THE COUNTRY AND HAVE JUST RETURN. THAT
IS WHY WE ARE LATE RETURNING THIS INFO.
Jerry Hartung
Signature

SEE MAP ON REVERSE SIDE
INFORM Case No.: 19ZN1005
Property Owner ID: 43

Case No. 0319-02
Project Manager: Andrew Dimas
Email: andrewd2@octexas.com

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Printed Name: Joan Lloyd Kelley
Address: 270 Lola Johnson City/State: Corpus Christi TX
() IN FAVOR ☒ IN OPPOSITION Phone: 361-701-5896
REASON:


Signature

SEE MAP ON REVERSE SIDE
INFORM Case No.: 19ZN1005
Property Owner ID: 56

Case No. 0319-02
Project Manager: Andrew Dimas
Email: andrewd2@octexas.com