

PLANNING COMMISSION FINAL REPORT

Case No. 0620-01

INFOR No. 20ZN1012

Planning Commission Hearing Date: June 24, 2020

Applicant & Legal Description	<p>Owner: Camacho Resources, LLC Applicant: Camacho Resources, LLC Location Address: 7585 Leopard Street Legal Description: Being an 80.863 acre tract comprised of Tract 1, 4.00 acres described in deed recorded in Document No. 2014038168, Deed Records of Nueces County, Texas, Tract 2, 15.00 acres described in a deed recorded in Document No. 2013050881, Deed Records of Nueces County, Texas, Tract 3, 20.00 acres described in a deed recorded in Document No. 2012013727, Deed Records of Nueces County, Texas, Tract 4, 15.85 acres described in a deed recorded in Document No. 2013050881, Deed Records of Nueces County, Texas, and Tract S, 25.00 acres described in a deed recorded in Document No. 2014035087, Deed Records of Nueces County, Texas, located along the south side of Leopard Street, east of Rhew Road, and west of Cathead Road.</p>			
Zoning Request	<p>From: "IL" Light Industrial District and "RMH" Manufactured Home District To: "IH" Heavy Industrial District Area: 80.863 acres Purpose of Request: To allow for the extraction of sand and dirt material and conduct concrete recycling.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"IL" Light Industrial and "RMH" Manufactured Home	Vacant	Light Industrial
	<i>North</i>	"IL" Light Industrial	Public/Semi-Public and Light Industrial	Light Industrial
	<i>South</i>	"IL" Light Industrial	Vacant	Light Industrial
	<i>East</i>	"IL" Light Industrial	Vacant and Light Industrial	Light Industrial
	<i>West</i>	"IL" Light Industrial	Vacant and Light Industrial	Light Industrial
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Corpus Christi Airport Area Development Plan and is planned for a light industrial use. The proposed rezoning to the "IH" Heavy Industrial District is inconsistent with the adopted Comprehensive Plan (Plan CC). However, the existing business is operating under a Special Permit and has not demonstrated a negative impact to surrounding uses. Map No.: 055046 City Council District: 1 Zoning Violations: None</p>			

Transportation	Transportation and Circulation: The subject property has approximately 250 feet of street frontage along Leopard Street which is designated as a “A2” Secondary Arterial Street, approximately 225 feet of street frontage along Sedwick Road which is designated as a “A1” Minor Arterial Street, and 900 feet of street frontage along Rhew Road which is designated as a “C3” Primary Collector Street. According to the Urban Transportation Plan, “A2” Secondary Arterial Streets can convey a capacity between 20,000 to 32,500 Average Daily Trips (ADT).				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Leopard Street	“A2” Secondary Arterial	100’ ROW 54’ paved	152’ ROW 85’ paved	8,411 ADT (2014)
	Rhew Road	“C3” Primary Collector	75’ ROW 50’ paved	68’ ROW 44’ paved	N/A
	Sedwick Road	“A1” Minor Arterial	95’ ROW 64’ paved	60’ ROW 26’ paved	N/A

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the “IL” Light Industrial District and “RMH” Manufactured Home District to the “IH” Heavy Industrial District to allow for the extraction of sand and dirt material and to conduct concrete recycling.

Development Plan: The subject property is 80.863 acres in size. The applicant has not submitted any specific plans. However, the existing Special Permit has allowed for the operations of extracting of sand and dirt materials since 2015.

Existing Land Uses & Zoning: The subject property is currently zoned “IL” Light Industrial District and “RMH” Manufactured Home District and consists of vacant land and an existing resource extraction site approved by Special Permit in 2015. The property was annexed in 1962. To the north across Leopard Street are vacant properties zoned “IL” Light Industrial District. To the south are vacant properties zoned “IL” Light Industrial District. To the east and west are industrial businesses zoned “IL” Light Industrial 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 unplatted.

Utilities:

Water: 8-inch ACP line located along Leopard Street.

Wastewater: 10-inch PVC line located along Rhew Road.

Gas: Not Available.

Storm Water: 15-inch line running to Leopard Street.

Plan CC & Area Development Plan Consistency: The subject property is located within the boundaries of the Corpus Christi Airport Area Development Plan and is planned for a light industrial use. The proposed rezoning to the “IH” Heavy Industrial is inconsistent with the adopted Comprehensive Plan (Plan CC). However, the existing business is operating under a Special Permit and has not demonstrated a negative impact to surrounding uses with performance standards in place. 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).

Department Comments:

- The proposed rezoning is inconsistent with the adopted Comprehensive Plan (Plan CC). However, the existing business is operating under a Special Permit and has not demonstrated a negative impact to surrounding uses with the special permit's performance standards in effect.
- The original application for a Special Permit was for the continued use of the property as a resource extraction use, specifically the extraction of sand, gravel, dirt, stockpiling thereof and accessory uses including the storage of equipment and structures necessary to conduct operations. Additionally, a concrete batching plant was operating on-site.
- Allowing the proposed heavy industrial use by Special Permit is appropriate at this location given the industrial zoning and uses of the surrounding area and the planned industrial uses in the Future Land Use Plan. However, the granting of the “IH” Heavy Industrial District would not be appropriate as the district allows additional uses by-right that are incompatible with surrounding uses.
- The application is consistent with the Special Permit review criteria set forth in the Unified Development Code Section 3.6.3 B.
- Permits from the Texas Commission on Environmental Quality (TCEQ) will ensure operations are conducted in an environmentally sound manner. Corpus Christi International Airport operations are protected through the Special Permit conditions addressing dust.
- The use of the land permitted through a Special Permit can be subject to a time limit to allow future review of the use and to ensure its compatibility with the neighborhood.
- The applicant plans to continue operations as deemed by the Special Permit for the purpose of site restoration, as per the conditions of the original Special Permit.

Planning Commission and Staff Recommendation (June 24, 2020):

Denial of the change of zoning from the “IL” Light Industrial District and “RMH” Manufactured Home District to the “IH” Heavy Industrial District, in lieu thereof, approval of the “IL/SP” Light Industrial District with a Special Permit (SP) with the following conditions.

1. Use Regulation: The only use permitted under this Special Permit, other than those allowed by right in the “IL” Industrial District, is resource extraction as described

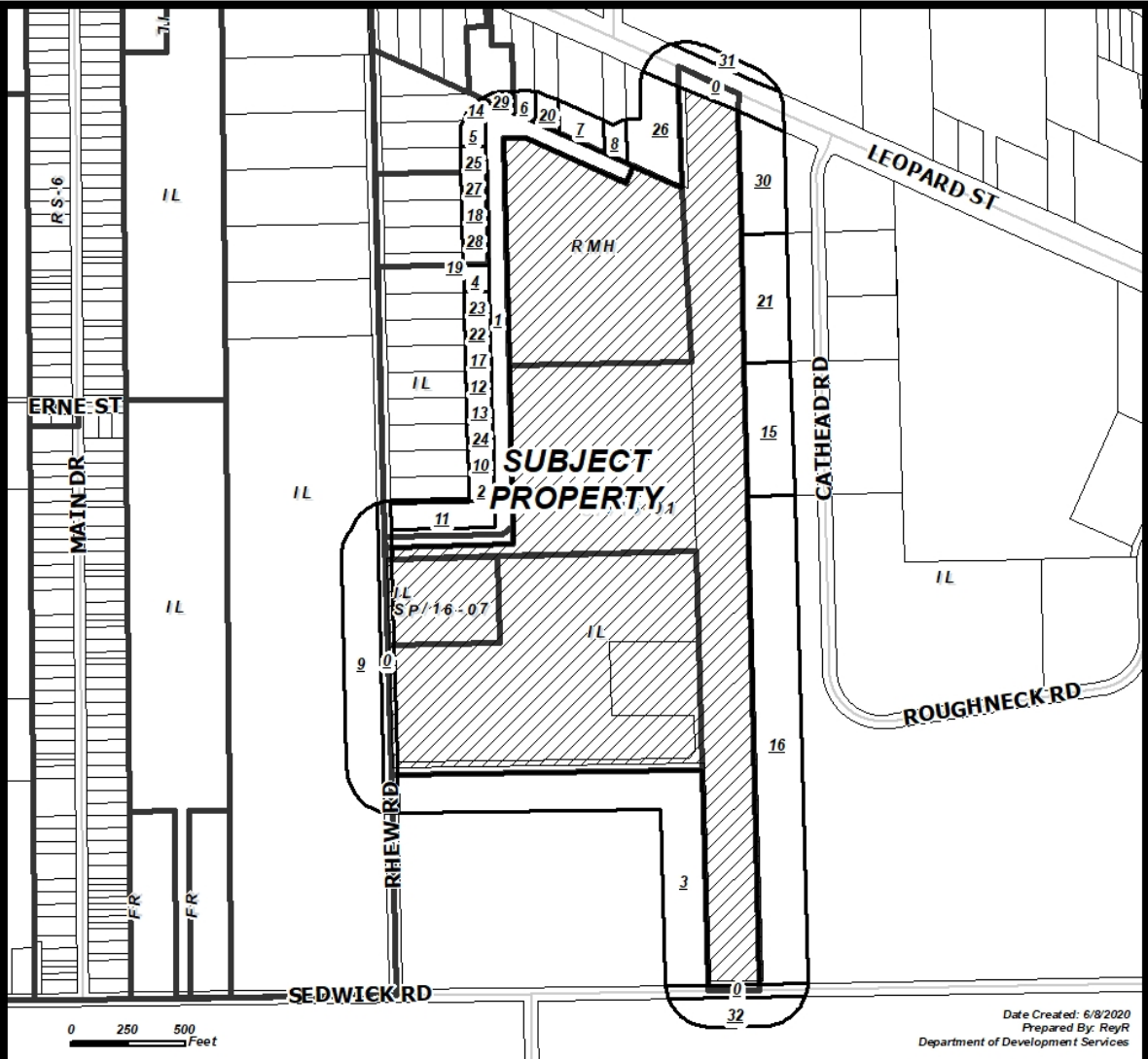
herein; the extraction of sand, gravel, dirt, stockpiling thereof and accessory uses including the storage of equipment and structures necessary to conduct operations and a concrete recycling facility.

2. Erosion and Dust Control: Erosion and dust control shall be in accordance with all City, State, and Federal requirements and specifications.
3. Hours of Operation: Hours of operation shall be limited to the hours between 6:00 A.M. and 6:00 P.M.
4. Restoration: The site shall be restored to condition previous to the excavation use upon expiration of the Special Permit.
5. Time Limit: The Special Permit will expire in one year from the date of the approved ordinance unless an excavation permit application has been applied for. Applicable permits shall be applied for within one year of approval of the Special Permit or the Special Permit shall expire in accordance with the UDC. Discontinuance of the use for a period of six (6) months shall cause the Special Permit to expire. The Special Permit shall expire in ten years unless a time extension is approved by the City Council or upon termination of the excavation permit.

Public Notification	Number of Notices Mailed – 32 within 200-foot notification area 6 outside notification area	
	<u>As of June 19, 2020:</u>	
	In Favor	– 5 inside notification area – 1 outside notification area
	In Opposition	– 4 inside notification area – 0 outside notification area
	Totaling 2.24% of the land within the 200-foot notification area in opposition.	

Attachments:

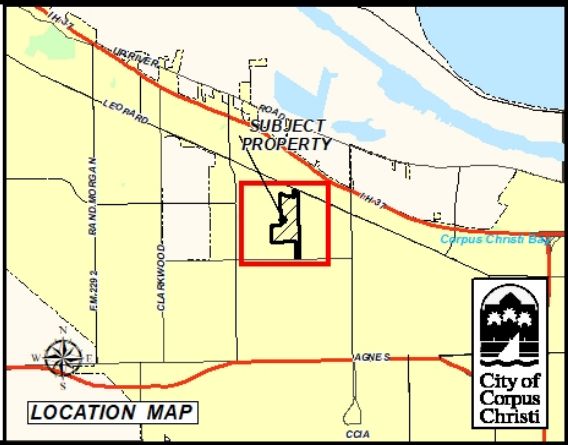
- A. Location Map (Existing Zoning & Notice Area)
- B. Public Comments Received (if any)



CASE: 0620-01
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-6 Single-Family 6
CN-1 Neighborhood Commercial	RS-4.5 Single-Family 4.5
CN-2 Neighborhood Commercial	RS-TF Two-Family
CR-1 Resort Commercial	RS-15 Single-Family 15
CR-2 Resort Commercial	RE Residential Estate
CG-1 General Commercial	RS-TH Townhouse
CG-2 General Commercial	SP Special Permit
CI Intensive Commercial	RV Recreational Vehicle Park
CBD Downtown Commercial	RMH Manufactured Home
CR-3 Resort Commercial	
FR Farm Rural	
H Historic Overlay	
BP Business Park	

Subject Property with 200' buffer
 Owners in favor
 Owners in opposition
 Owners within 200' listed on attached ownership table



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 solicita 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. 0620-01**

Camacho Resources, LLC, has petitioned the City of Corpus Christi to consider a change of zoning from the **"IL" Light Industrial District and "RMH" Manufactured Home District** to the **"IH" Heavy Industrial District, resulting in a change to the Future Land Use Map.** The property to be rezoned is described as:

7585 Leopard Street and described as being an 80.863 acre tract comprised of Tract 1, 4.00 acres described in deed recorded in Document No. 2014038168, Deed Records of Nueces County, Texas, Tract 2, 15.00 acres described in a deed recorded in Document No. 2013050881, Deed Records of Nueces County, Texas, Tract 3, 20.00 acres described in a deed recorded in Document No. 2012013727, Deed Records of Nueces County, Texas, Tract 4, 15.85 acres described in a deed recorded in Document No. 2013050881, Deed Records of Nueces County, Texas, and Tract S, 25.00 acres described in a deed recorded in Document No. 2014035087, Deed Records of Nueces County, Texas, located along the south side of Leopard Street, east of Rhew Road, and west of Cathed 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 **Wednesday, June 24, 2020**, during one of the Planning Commission's regular meetings, which begins at **5:30 p.m.**, in the City Council Chambers, 1201 Leopard Street. PUBLIC COMMENT: To reduce the chance of COVID-19 transmission, public meetings will be held in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with members of the community, City staff, and City Boards and Commissions. Public testimony and public hearing input for public comment and on all items on the agenda at public meetings of City Boards and Commissions shall be provided in written format and presented to the designated staff member prior to the start of each meeting(s) of the City Boards and/ or Commission. Public comment/ input shall be provided, in writing, in the form of an e- mail limited to one page or by using the PUBLIC COMMENT/INPUT FORM found here: <http://www.cctexas.com/departments/city-secretary>, and shall be e-mailed to the following e- mail address: CatherineG@cctexas.com and/or AndrewD2@cctexas.com. The written public testimony shall be provided to members of the applicable City board or commission prior to voting on measures for that meeting. That written testimony shall be limited in accordance with the City Secretary requirements and shall be placed into the record of each meeting. This written testimony shall serve as the required public testimony pursuant to Texas Gov' t Code 551. 007 and shall constitute a public hearing for purposes of any public hearing requirement under law.

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: Greg Worley

Address: PO Box 60089

City/State: CC TX

78466

() IN FAVOR
REASON:

(X) IN OPPOSITION

Phone: 852 2258

Signature Greg Worley

SEE MAP ON REVERSE SIDE
INFOR Case No.: 20ZN1012
Property Owner ID: 10

Case No. 0620-01
Project Manager: Andrew Dimas
Email: AndrewD2@cctexas.com

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Printed Name: GREG WOLLEY

Address: PO Box 60089

City/State: Corpus Christi TX

78466

() IN FAVOR
REASON:

(X) IN OPPOSITION

Phone: 361-852-8858

Signature [Signature]

SEE MAP ON REVERSE SIDE
INFOR Case No.: 202N1012
Property Owner ID: 12

Case No. 0620-01
Project Manager: Andrew Dimas
Email: AndrewD2@cctexas.com

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Printed Name: GREG Worley

Address: PO BOX 60089

City/State: CC TX 78466

() IN FAVOR
REASON:

☒ IN OPPOSITION

Phone: 8528858

Signature 

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Printed Name: Greg Worley
Address: PO Box 60089 City/State: CC TX 78466

() IN FAVOR
REASON: X IN OPPOSITION

Phone: 852 8858

Signature Greg Worley

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Property Owner ID: 24

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Email: AndrewD2@cctexas.com

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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.

Printed Name: Kathleen J Kirchberg

Address: 121 Southwood Oaks

City/State: Inesville Tx 78114

☒ IN FAVOR ☐ IN OPPOSITION
REASON:

Phone: 361 6337744

Signature KJ Kirchberg

SEE MAP ON REVERSE SIDE
INFOR Case No.: 20ZN1012
Property Owner ID: 1

Case No. 0620-01
Project Manager: Andrew Dimas
Email: AndrewD2@cctexas.com

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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PUBLIC HEARING NOTICE
Rezoning Case No. 0620-01**

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Printed Name: Kathleen J Kirchberg

Address: 121 Southwood Oaks

City/State: Honolulu TX 78114

☒ IN FAVOR () IN OPPOSITION
REASON:

Phone: 361 633 7744

Signature: [Handwritten Signature]

SEE MAP ON REVERSE SIDE
INFOR Case No.: 20ZN1012
Property Owner ID: 4

Case No. 0620-01
Project Manager: Andrew Dimas
Email: AndrewD2@cctexas.com

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Printed Name: Kathleen J. Krichberg

Address: 121 Southwood Oaks

City/State: Aransas Pass, TX 78114

☒ IN FAVOR ☐ IN OPPOSITION
REASON:

Phone: 361 633 7744

Signature: [Handwritten Signature]

SEE MAP ON REVERSE SIDE
INFOR Case No.: 20ZN1012
Property Owner ID: 17

Case No. 0620-01
Project Manager: Andrew Dimas
Email: AndrewD2@cctexas.com

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Printed Name: Kathleen J Kirchberg
Address: 121 Southwood Oaks City/State: Floresville, Tx 78114
IN FAVOR () IN OPPOSITION Phone: 361 633 7744
REASON:

Signature K Kirchberg

SEE MAP ON REVERSE SIDE
INFOR Case No.: 20ZN1012
Property Owner ID: 23

Case No. 0620-01
Project Manager: Andrew Dimas
Email: AndrewD2@cctexas.com

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Printed Name: Rodney Sumner, Supt. Tuloosa-Midway ISD

Address: 9760 La Branch City/State: Corpus Christi

(☒) IN FAVOR () IN OPPOSITION
REASON:

Phone: (361) 903-6400

Signature Rodney Sumner

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INFOR Case No.: 20ZN1012
Property Owner ID: 0

Case No. 0620-01
Project Manager: Andrew Dimas
Email: AndrewD2@cctexas.com