

# PLANNING COMMISSION FINAL REPORT

Case No. 0221-01

INFOR No.

Planning Commission Hearing Date: February 3, 2021

Applicant & Legal Description	<b>Owner:</b> Adhub, LLC <b>Applicant:</b> Valls Holdings, Ltd. <b>Location Address:</b> 502 South Clarkwood Road <b>Legal Description:</b> 502 South Clarkwood Road and described as being a 30.77 acre tract as in a deed recorded in Volume 1911, page 207, Deed Records Nueces County, Texas, said 30.77 acre tract being out of the Thomas Gallagher (400) Acre Survey, Patent No. 359, Volume 37, Abstract No. 988, and also being out of a portion of Section 402, Beaty, Seale and Forwood Certificate No. 1739, and located along the east side of South Clarkwood Road (Farm to Market 2292), south of State Highway 44 (SH 44), north of County Road 34, and west of South Blockholt Road.			
Zoning Request	<b>From:</b> "RS-6" Single-Family District 6 District <b>To:</b> "IL" Light Industrial District <b>Area:</b> 30.77 acres <b>Purpose of Request:</b> The owner of the property is requesting a change of zoning from RS-6 to IL. Proposed use will be a development consisting of a warehouse with office and a multi-acre improved storage-yard to store modular office structures.			
Existing Zoning and Land Uses		<b>Existing Zoning District</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>
	<i>Site</i>	"RS-6" Single-Family District 6 District	Vacant	Agriculture/ Rural Enterprise
	<i>North</i>	"RS-6" Single-Family District 6 District	Vacant	Agriculture/ Rural Enterprise and Medium Density Residential
	<i>South</i>	"RV" Recreational Vehicle	Vacant	Agriculture/ Rural Enterprise and Flood Plain Conservation
	<i>East</i>	"RS-6" Single-Family District 6 District	Drainage Corridor	Agriculture/ Rural Enterprise and Permanent Open Space/ Light Industrial, Commercial
	<i>West</i>	"RS-4.5" Single-Family District 6 District	Vacant/ Public/Semi-Public	Transportation

ADP, Map & Violations	<p><b>Area Development Plan:</b> The subject property is located within the boundaries of the Northwest Area Development Plan and is planned for Agriculture or Rural Enterprise uses. The proposed rezoning to the “IL” Light Industrial District is inconsistent with the adopted Future Land Use Map.</p> <p><b>Map No.:</b> 058042, 058043, 057043, and 057042</p> <p><b>City Council District:</b> 3</p> <p><b>Zoning Violations:</b> None</p>				
Transportation	<p><b>Transportation and Circulation:</b> The subject property has approximately 1,100 feet of street frontage along South Clarkwood Road which is designated as a “A3” Primary Arterial Street. According to the Urban Transportation Plan (Urban Transportation Plan), Primary Arterial can convey a capacity of 30,000 – 48,000 average daily trips. The proposed development of warehousing and an outdoor storage yard will have access to South Clarkwood Road.</p>				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	South Clarkwood Road	“A3” Primary Arterial	130’ ROW 79’ paved	112’ ROW 25’ paved	799 (2019)

**Staff Summary:**

**Requested Zoning:** The applicant is requesting a rezoning from the “RS-6” Single-Family 6 District to the “IL” Light Industrial District to allow for the construction of a warehouse and outdoor storage of modular offices.

**Development Plan:** The subject property is 30.77 acres. The proposed development of a warehouse and outdoor storage yard will have access to South Clarkwood Road. The business will have a limited staff.

**Existing Land Uses & Zoning:** The subject property is currently zoned “RS-6” Single Family Residential District consists of vacant property and has remained undeveloped since annexation in 1962 and 1981. To the north are a few single-family residential homes zoned “RS-6” Single-Family 6 District, and two vacant properties zoned “IC” Industrial Compatible District/ “IL/SP” Light Industrial District with a Special Permit. To the south is vacant property zoned “RV” Recreation Vehicle. To the west is South Clarkwood Road and the city limit ends on the west side of the South Clarkwood Road right of way. To the west is vacant land and a drainage corridor zoned “FR” Farm Rural District and “RS-6” Single-Family 6 District.

**AICUZ:** The subject property is located in one of the Navy’s Air Installation Compatibility Use Zones (AICUZ).

**Navy Land Use Compatibility in Accident Potential Zones (APZs):**

As part of the Naval Air Station-Corpus Christi (NAS-CC’s) Joint Land Use Study (JLUS), AICUZs has been identified for proposed CCIA runway, and the subject property is in both the APZ-I and APZ-II.

As part of the NAS-CC's JLUS, the City created two new zoning districts to increase land use compatibility around the runways. Those districts are the "IC" Industrial Compatible District and the "CC" Commercial Compatible District. These new districts were intended for properties within an AICUZ. An ideal zoning district for this use is the "IC" district. The proposed use of warehousing is allowed a Maximum Floor to Area Ratio (FAR) of 1.00.

#### **Federal Aviation Administration (FAA) - Determinations of Hazards**

The applicant is required to request a determination of hazards from the FAA for each structure constructed on the subject property.

**Plat Status:** The property is not platted.

#### **Utilities:**

**Water:** 12-inch ACP line along the property on the west. A 48-inch CSCP line runs through the property.

**Wastewater:** 10-inch VCP line along to the north.

**Gas:** 4-inch gas line located along the property on the west.

**Storm Water:** 43-inch line across South Clarkwood Road to the north. Stormwater drainage ditches are available to the north and east.

**Plan CC & Area Development Plan Consistency:** The subject property is located within the boundaries of the Northwest Area Development Plan (Adopted 2001) and is planned for Agriculture or Rural Enterprise uses. The proposed rezoning to the "IL" Light Industrial District is inconsistent with the adopted Northwest Area Development Plan. The proposed rezoning is inconsistent with the following policies of the Comprehensive Plan (Plan CC) (Adopted 2016). The following policies should be considered:

- Protect the Corpus Christi International Airport by discouraging heavy industrial uses from locating under flight approach zones. The primary airport approach flight path is located over the Annville/Calallan areas in a southeast-northwest direction. The plan recommends residential and light industrial uses in these underlying areas. (Northwest Area Development Plan, Land Use Policy Statement (h))
- 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). The proposed rezoning is also incompatible with the future land use and but does not have seem to have a direct negative impact upon the adjacent properties.
- Although the requested use of Warehousing within the "IL" District is compatible in a one to one ratio with the FAR requirements in the "IC" District, there are many uses that are incompatible with the AICUZ Overlay. Incompatible uses include: Waste-Related Services, Truck stop with overnight accommodations, Fairgrounds, and a Vocational, trade or business school. By-products of some of these uses that are a priority to be aware of as listed in the NAS-CC JLUS are vibration, dust, smoke, steam, air quality, etc.

- The AICUZ Overlay over the subject property has been established to protect the proposed runways that were included in the Corpus Christi International Airport Masterplan (adopted 2007).
- The subject property is suitable for the uses proposed by this rezoning.
- The property is designated as per the future land use as Agriculture/ Rural Enterprise. As per Plan CC, this land is intended to be used for single-family homes on very large lots or associated with rural enterprise uses, agricultural uses, vacant land that has not previously been developed, and small business clusters that serve a rural population.
- The subject property is in the path of a proposed runway. The proposed runway does not have a timeline for construction, and much of the land is still under private ownership.

**Planning Commission and Staff Recommendation (February 3, 2021):**

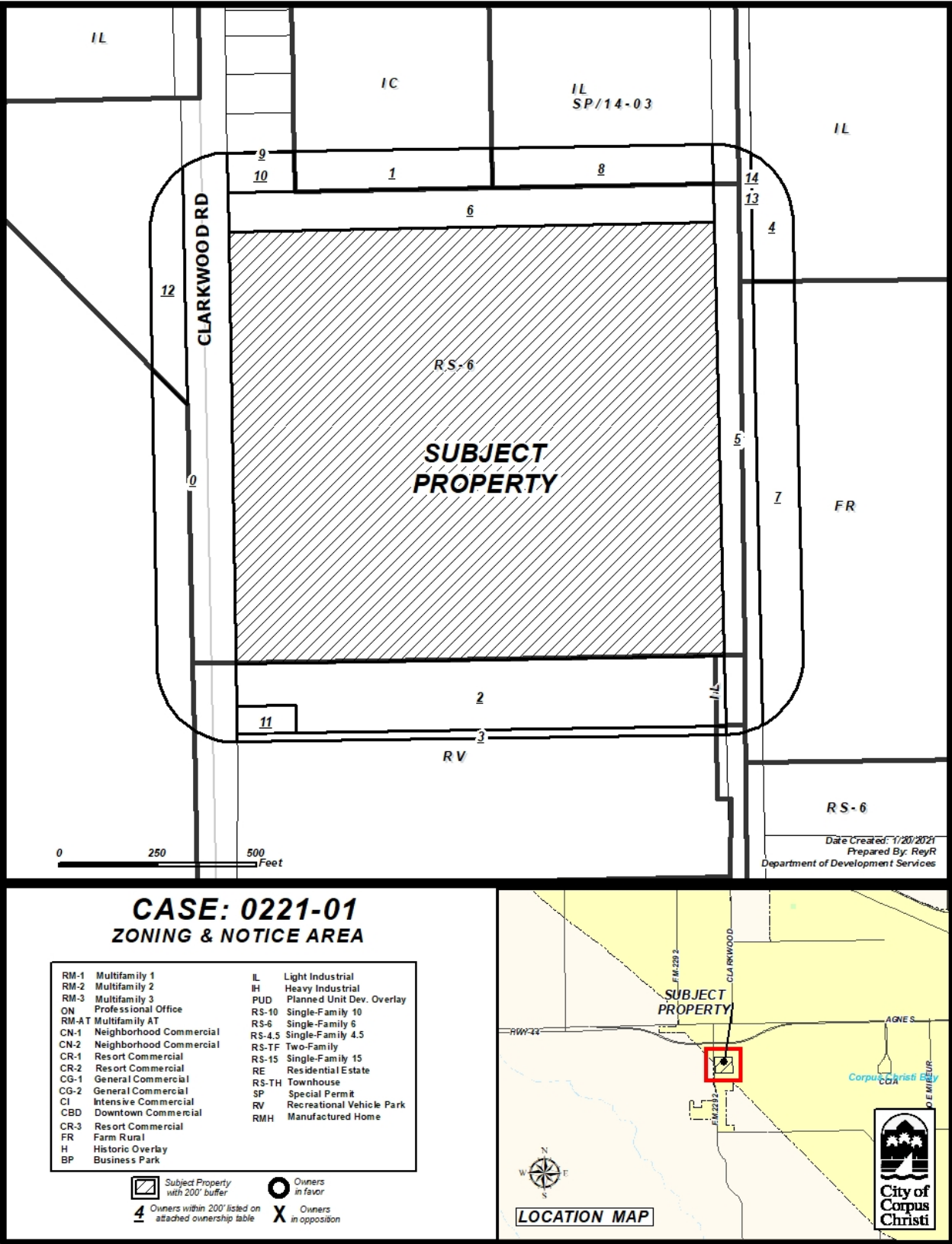
Denial of the change of zoning from the “RS-6” Single-Family 6 District to the “IL” Light Industrial District, in lieu thereof, approval of the “IC/SP” Industrial Compatible District with a Special Permit (SP) with the following conditions.

1. **Height:** The maximum height of any structure shall not exceed 35 feet. Stacking containers shall not exceed three containers high.
2. **Buffer Yard:** The required buffer yard along the southern property line shall be 30-feet in width and must include a solid screening fence at least 8-feet in height along the property line.
3. **Federal Aviation Administration (FAA):** Prior to obtaining building permits or beginning any construction, a Notice of Proposed Construction or Alteration (Form 7460) shall be submitted, and a determination rendered by the FAA of no hazard to air navigation and/or flight operations to/from the Corpus Christi International Airport (CCIA) regarding any construction at the site or temporary structures such as construction cranes on site.
4. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within 12 months of this ordinance unless a complete building permit application has been submitted, and/or the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

<b>Public Notification</b>	<p>Number of Notices Mailed – 12 within 200-foot notification area 6 outside notification area</p> <p><b><u>As of January 24, 2020:</u></b></p> <p>In Favor – 0 inside notification area – 0 outside notification area</p> <p>In Opposition – 2 inside notification area – 0 outside notification area</p> <p>Totaling 2.54% of the land within the 200-foot notification area* in opposition.</p> <p>*Created by calculating the area of land immediately adjoining the subject property and extending 200-foot therefrom. The opposition is totaled by the total area of land that each individual property owner owns converted into a percentage of the total 200-foot notification area. Notified property owner's land in square feet / Total square footage of all property in the notification area = Percentage of public opposition</p>
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**Attachments:**

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



SI USTED DESEA ATENDER ESTA JUNTA Y DIRIGIRSE A LA COMISION Y SU INGLES ES LIMITADO, ALGUIEN ESTARA PRESENTE PARA AYUDARLE A INTERPRETAR. PARA MAS INFORMACION, FAVOR DE LLAMAR A LA OFICINA DEL SECRETARIO DE LA CIUDAD AL NUMERO (361) 826-3105.

PERSONS WITH DISABILITIES PLANNING TO ATTEND THIS MEETING, WHO MAY REQUIRE SPECIAL SERVICES, ARE REQUESTED TO CONTACT THE CITY SECRETARY'S OFFICE AT LEAST 48 HOURS IN ADVANCE AT (361) 826-3105. PERSONAS CON INCAPACIDADES, QUE INTENTAN ATENDER ESTA JUNTA Y QUE REQUIEREN SERVICIOS ESPECIALES, SE LES SUPLICA QUE DEN AVISO 48 HORAS ANTES DE LA JUNTA LLAMANDO A LA OFICINA DEL SECRETARIO DE LA CIUDAD AL NUMERO (361) 826-3105.

CITY COUNCIL  
PUBLIC HEARING NOTICE  
Rezoning Case No. 0221-01

MAR 11 2021

CITY SECRETARY'S OFFICE

Adhub, LLC has petitioned the City of Corpus Christi to consider a change of zoning from the "RS-6" Single-Family 6 District to the "IL" Light Industrial District, resulting in a change to the Future Land Use Map. The property to be rezoned is described as:

502 Clarkwood and described as being a 30.77 acre tract as in a deed recorded in Volume 1911, page 207, Deed Records Nueces County, Texas, said 30.77 acre tract being out of the Thomas Gallagher (400) Acre Survey, Patent No. 359, Volume 37, Abstract No. 988, and also being out of a portion of Section 402, Beaty, Seale and Forwood Certificate No. 1739, and located along the east side of South Clarkwood road (Farm to Market 2292), south of State Highway 44 (SH 44), north of County Road 34, and west of South Blockholt Road.

The City of Corpus Christi Planning Commission has recommended denial of the change of zoning from the "RS-6" Single-Family 6 District to the "IL" Light Industrial District, in lieu thereof approval of the "IC/SP" Industrial Compatible District with a Special Permit. The City Council may recommend other intermediate zoning classifications and/or Special Permits. Approval of a change of zoning, if inconsistent with the Plan CC, will also have the effect of amending Plan CC to reflect the approved zoning. The City Council will conduct a public hearing to discuss and act on this rezoning request on Tuesday, March 16, 2021, during one of its regular meetings, which begins at 11:30 a.m. The hearing will be held in the City Council Chambers, 1201 Leopard Street. For more information, please call (361) 826-3105.

**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 shall be provided, in writing, in the form of an e-mail limited to one page or by using the PUBLIC COMMENT 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 CURRENT PROPERTY OWNER(S), AND MAILED IN ITS ENTIRETY TO THE CITY SECRETARY'S OFFICE, P.O. BOX 9277, CORPUS CHRISTI, TEXAS 78469-9277. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

NAME: ERNEST RAY SIMS, JR.

Please Print

ADDRESS: 416 CLARKWOOD, C.C., TX, 78406 PHONE NO. 361-739-3625

( ) IN FAVOR ☒ IN OPPOSITION

REASONS: LOUD NOISES,  
DEET + DUST BLOWN ONTO  
MY HOME + VEHICLES, INCREASED TRAFFIC. OFFICE BUILDINGS BEING

Signature

SEE MAP ON REVERSE SIDE

INFOR No. 21ZN1001

Property Owner ID: 9

BLOWN IN MY DIRECTION DURING  
HIGH WINDS AND HURRICANES.

Case No. 0221-01  
Project Manager: Andrew Dimas

SI USTED DESEA ATENDER ESTA JUNTA Y DIRIGIRSE A LA COMISION Y SU INGLES ES LIMITADO, ALGUIEN ESTARA PRESENTE PARA AYUDARLE A INTERPRETAR. PARA MAS INFORMACION, FAVOR DE LLAMAR A LA OFICINA DEL SECRETARIO DE LA CIUDAD AL NUMERO (361) 826-3105.

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NAME: ERNEST AN SIVIS, JR. I INHERITED THIS PROPERTY, MY ATTORNEY IS HANDLING THIS PROPERTY IN PROBATE COURT.  
Please Print

ADDRESS: 422 CLARKWOOD, CC, TX, 78406 PHONE NO. 361-739-3625  
( ) IN FAVOR ☒ IN OPPOSITION

REASONS: LOUD NOISES, DIRT AND DUST BEING BLOWN ONTO MY HOME, VEHICLES AND PROPERTY. INCREASED TRAFFIC.  
BUILDINGS BEING BLOWN IN MY DIRECTION DURING HIGH WINDS AND HURRICANES.

Signature

SEE MAP ON REVERSE SIDE  
INFOR No. 21ZN1001  
Property Owner ID: 10

Case No. 0221-01  
Project Manager: Andrew Dimas