

# STAFF REPORT

Case No. 0521-01

INFOR No.

**Planning Commission Hearing Date:** June 9, 2021

<b>Applicant &amp; Legal Description</b>	<b>Owner:</b> Kitty Hawk Development Ltd. <b>Applicant:</b> Kitty Hawk Development Ltd. <b>Location Address:</b> 9142 Staples Street <b>Legal Description:</b> Described as the south half of Section 31, Laureles Farm Tracts, a map of which is recorded in Volume 3, Page, 15, Map Records Nueces County, Texas, located along the southeast corner of South Staples Street (Farm to Market 2444) and County Road 41.			
<b>Zoning Request</b>	<b>From:</b> "CN-1" Neighborhood Commercial District <b>To:</b> "RS-15" Single-Family 15 District <b>Area:</b> 0.86 acres <b>Purpose of Request:</b> To allow for the construction of single-family residential lots.			
<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>	"CN-1" Neighborhood Commercial District	Vacant	Commercial
	<i>North</i>	"CN-1" Neighborhood Commercial District	Commercial	Commercial
	<i>South</i>	"RS-15" Single-Family 15 District	Vacant	Low Density Residential
	<i>East</i>	"RS-15" Single-Family 15 District	Vacant	Low Density Residential
	<i>West</i>	Outside City Limits	Vacant	Outside City Limits
<b>ADP, Map &amp; Violations</b>	<b>Area Development Plan:</b> The subject property is located within the boundaries of the Southside Area Development Plan (ADP) and is planned for commercial use. The proposed rezoning to the "RS-15" Single-Family 15 District is partially inconsistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map. <b>Map No.:</b> 040034 <b>City Council District:</b> 5 <b>Zoning Violations:</b> None			
<b>Transportation</b>	<b>Transportation and Circulation:</b> The subject property currently has no access to street frontage. The preliminary plat does show frontage to one proposed street. The property has approximately 162 feet of street frontage along Grumman Road (County Road 41) which is designated as a "A2" Secondary Arterial Street. According to the Urban Transportation Plan, "A2" Secondary Arterial Streets can convey a capacity between 20,000 to 30,000 Average Daily Trips (ADT).			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	South Staples Street (Farm to Market 2444)	"A3" Primary Arterial	130' ROW 79' paved	170' ROW 100' paved	8,817 ADT (2017)
	Grumman Road (County Road 41)	"A2" Secondary Arterial	100' ROW Varies paved	None	N/A

### **Staff Summary:**

**Requested Zoning:** The applicant is requesting a rezoning from the "CN-1" Neighborhood Commercial District to the "RS-15" Single-Family 15 District to allow for the construction of single-family residential lots.

**Development Plan:** The subject property is 0.86 acres in size.

**Existing Land Uses & Zoning:** The subject property is currently zoned "CN-1" Neighborhood Commercial District, consists of vacant land, and has remained since annexation in 1995. To the west are properties outside of the City Limits and consist of vacant undeveloped land. To the north, south, and east is property zoned "RS-15" Single-Family 15 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:** 8-inch PVC service line runs to the east or rear of the property.

**Wastewater:** No wastewater access is currently located at the subject property and septic may be utilized.

**Gas:** No gas access is currently located along the subject property.

**Storm Water:** Drainage would be directed toward a 30 foot Drainage Easement that runs along the proposed extension of Grumman Road (County Road 41).

**Plan CC & Area Development Plan Consistency:** The subject property is located within the boundaries of the Southside Area Development Plan (ADP) and is planned for a commercial use. The proposed rezoning to the "RS-15" Single-Family 15 District is generally consistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map. 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 mostly consistent with the adopted Comprehensive Plan (Plan CC). However, the subject property has the future land use designation of commercial and therefore inconsistent with the future land use map. This said, the property was recently rezoned along with the surrounding “RS-15” properties in 2013.
- The proposed rezoning is compatible with neighboring properties and with the general character of the surrounding area. This rezoning does not have a negative impact upon the surrounding neighborhood.

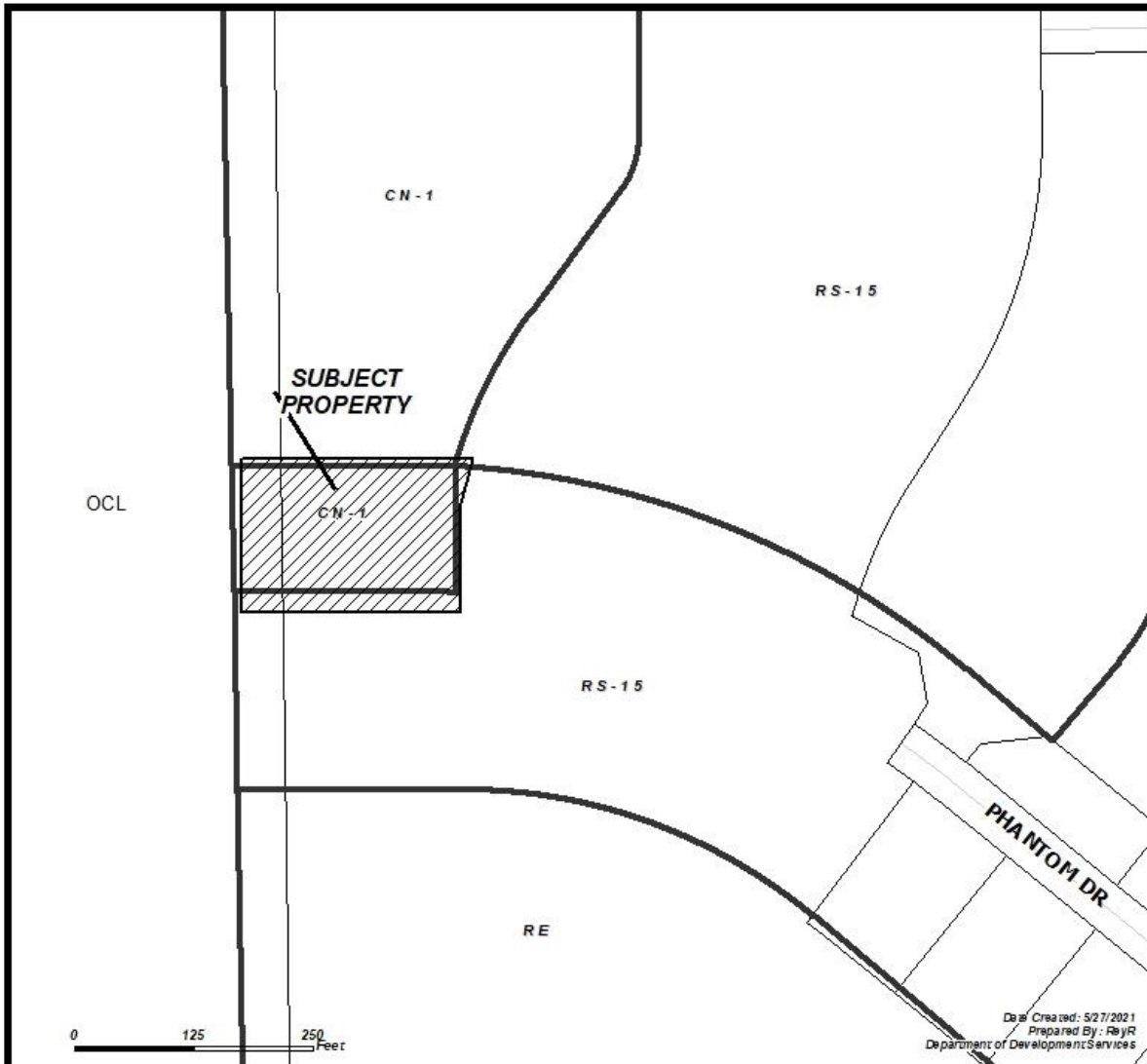
**Staff Recommendation:**

Approval of the change of zoning from the “CN-1” Neighborhood Commercial District to the “RS-15” Single-Family 15 District.

<b>Public Notification</b>	Number of Notices Mailed – 1 within 200-foot notification area 1 outside notification area	
	<b><u>As of June 3, 2021:</u></b>	
	In Favor	– 0 inside notification area – 0 outside notification area
	In Opposition	– 0 inside notification area – 0 outside notification area
	Totalling 0.00% of the land within the 200-foot notification area in opposition.	

**Attachments:**

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



**CASE: 0521-01**  
**SUBJECT PROPERTY WITH ZONING**



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-16 Single-Family 16
CR-2 Resort Commercial	RE Residential Estate
CO-1 General Commercial	RS-TH Townhouse
CO-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	

