

PLANNING COMMISSION FINAL REPORT

Case No. 0621-06

INFOR No. 21ZN1022

Planning Commission Hearing Date: July 7, 2021

Applicant & Legal Description	<p>Owner: The Estate of George T. Smith Applicant: Corpus Christi Golden Stone, LLC. Location Address: 3809 Airline Road Legal Description: Being a 3.288-acre tract, located in Corpus Christi, Texas, being out of a 5.00-acre parent tract as described in a deed recorded in Document No. 1996027562, Official Public Records of Nueces County, Texas, located along the north side of Lipes Boulevard, along the west side of Airline Road, and to the east of Giants Drive.</p>			
Zoning Request	<p>From: "FR" Farm Rural District To: "CN-1" Neighborhood Commercial District Area: 3.29 acres Purpose of Request: To allow for the construction of a 15,500 square foot shopping center.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"FR" Farm Rural District	Vacant	Medium Density Residential
	<i>North</i>	"CN-1" Neighborhood Commercial District	Vacant	Commercial
	<i>South</i>	"RM-2" Multifamily District	High Density Residential	Medium Density Residential
	<i>East</i>	"CG-2" General Commercial District	Vacant	Commercial
	<i>West</i>	"RS-6" Single-Family 6 District	Low Density Residential	Medium Density Residential
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Southside Area Development Plan and is planned for a medium-density residential use. The proposed rezoning to the "CN-1" Neighborhood Commercial District is consistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map. City Council District: 5 Zoning Violations: None</p>			
Transportation	<p>Transportation and Circulation: The subject property has approximately 500 feet of street frontage along Lipes Boulevard which is designated as a "C3" Primary Collector Street and approximately 200 feet of street frontage along Airline Road which is designated as a "A1" Minor Arterial Street. According to the Urban Transportation Plan, "A1" Minor Arterial Streets can convey a capacity between 15,000 and 24,000 Average Daily Trips (ADT).</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Lipes Boulevard	“C3” Primary Collector	75’ ROW 50’ paved	67’ ROW 50’ paved	Not Available
	Airline Road	“A1” Minor Arterial	95’ ROW 64’ paved	127’ ROW 70’ paved	3,301 ADT (2013)

Staff Summary:

Development Plan: The subject property is 3.29 acres in size. The applicant is proposing to construct a 15,500 square foot shopping center with parking, which includes with a 10,000 square feet Asian Market, a 2,500 square foot Asian Fusion restaurant, and a 3,000 square foot vacant space to lease out for light commercial use. The expected hours of operation will be weekdays from 8 am to 10 pm and on weekends from 8 am to 6 pm.

Existing Land Uses & Zoning: The subject property is currently zoned “FR” Farm Rural District, consists of vacant land, and has remained since annexation in 1995. To the north, rezoning cases occurred to the “CN-1” Neighborhood Commercial District and the “RM-3” Multifamily District in 2017 and 2005, respectively. To the south across Lipes Boulevard a property was rezoned to “RM-2” Multifamily District in 2012 for the construction of an apartment complex (Manhattan Apartments). To the east, across Airline Road, the property was rezoned in 2015 to the “CG-2” General Commercial District. The proposed use was a large retail center which has not yet been developed. To the west are single-family residences (Manhattan Estates Subdivision) zoned “RS-6” Single-Family 6 District. Manhattan Estates was zoned to the “RS-6” Single-Family 6 District in 2005.

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 C900 line located along Lipes Boulevard.
- Wastewater:** 12-inch PVC line located along Lipes Boulevard.
- Gas:** 4-inch Service Line located along Lipes Boulevard.
- Storm Water:** Road inlets located along Lipes Boulevard.

Plan CC & Area Development Plan Consistency: The subject property is located within the boundaries of the Southside Area Development Plan and is planned for a medium density residential use. The proposed rezoning to the “CN-1” Neighborhood Commercial District is 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 the protection and enhancement of residential neighborhoods (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).

- 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).
- Encourage orderly growth of new residential, commercial, and industrial areas. (Future Land Use, Zoning, and Urban Design Policy Statement 1).

Department Comments:

- The proposed rezoning is consistent with the adopted Comprehensive Plan (Plan CC), compatible with the adjoining properties, and does not have a negative impact upon adjacent properties. The proposed rezoning warrants an amendment of the Future Land Use map.
- The property is currently vacant and is a remaining “FR” Farm Rural tract and has never been developed. Surrounding properties have been rezoned within the past twelve years indicating a pattern towards commercial development. The pattern is in line with a Plan CC policy statement of creating urban villages.
- While Medium Density Residential uses are indicated on the Future Land Use Map, the size, shape, and limited access to a residential street are not conducive to a single-family development.
- If the “CN-1” Neighborhood Commercial District is approved, the retail development will still need to abide all requirements of the Unified Development Code (UDC). Specific requirements would entail buffer yards and additional setbacks. Additionally, the “CN-1” District does not allow bars, pubs, taverns, or nightclubs.

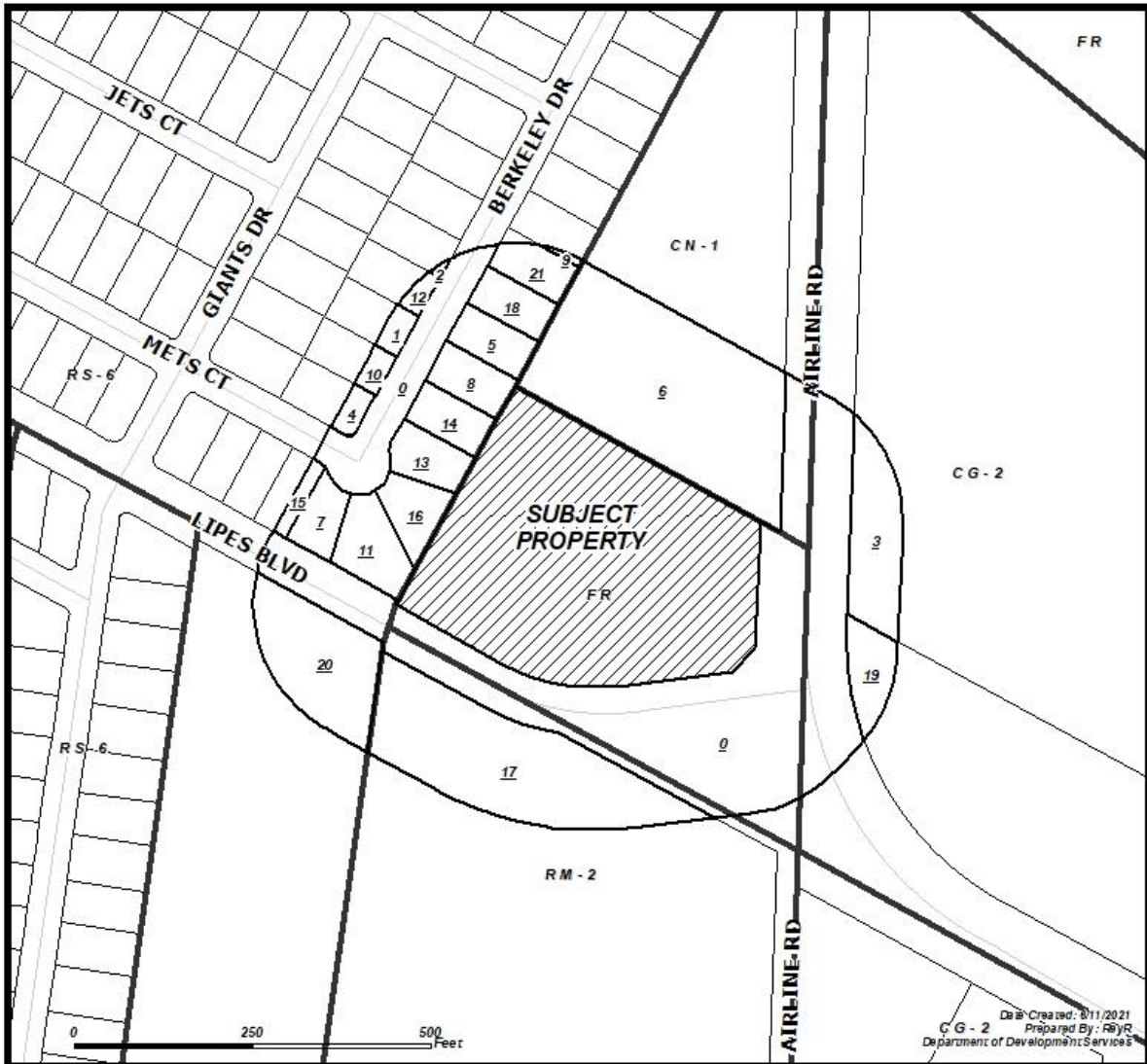
Planning Commission and Staff Recommendation (July 7, 2021):

Approval of the change of zoning from the “FR” Farm Rural District to the “CN-1” Neighborhood Commercial District.

Public Notification	Number of Notices Mailed – 21 within 200-foot notification area 4 outside notification area
	<u>As of July 2, 2021:</u>
	In Favor – 1 inside notification area – 0 outside notification area
	In Opposition – 1 inside notification area – 0 outside notification area
	Totaling 1.84% of the land within the 200-foot notification area in opposition.
*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	

Attachments:

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



CASE: 0621-06
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-8 Single-Family 8
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 Inclusive 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
- 4 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 solicita que den aviso 48 horas antes de la junta llamando al departamento de servicios de desarrollo, al número (361) 826-3240.*

If you wish to address the Commission during the meeting and your English is limited, please call the Development Services Department at (361) 826-3240 at least 48 hours in advance to request an interpreter be present during the meeting. *Si usted desea dirigirse a la comisión durante la junta y su inglés es limitado, favor de llamar al departamento de servicios de desarrollo al número (361) 826-3240, al menos 48 horas antes de la junta para solicitar un intérprete ser presente durante la junta.*

**CITY PLANNING COMMISSION
PUBLIC HEARING NOTICE
Rezoning Case No. 0621-06**

Estate of George T. Smith has petitioned the City of Corpus Christi to consider a change of zoning from the "FR" Farm Rural 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:

A property located at or near 3809 Airline Road and described as being a 3.288-acre tract, located in Corpus Christi, Texas, being out of a 5.00-acre parent tract as described in a deed recorded in Document No. 1996027562, Official Public Records of Nueces County, Texas, located along the north side of Lipps Boulevard, long the west side of Airline Road, and to the east of Giants Drive.

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, July 7, 2021, 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: Elaine R Hoffman member Lucky Land LLC

Address: 1146 Heinsohn Rd City/State: Corpus

IN FAVOR () IN OPPOSITION Phone: (361) 765-9392

REASON:

Elaine R Hoffman
Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 21ZN1022
Property Owner ID: 6

Case No. 0621-06
Project Manager: Andrew Dimas
Email: AndrewD2@octexas.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 solicita que den aviso 48 horas antes de la junta llamando al departamento de servicios de desarrollo, al número (361) 826-3240.*

If you wish to address the Commission during the meeting and your English is limited, please call the Development Services Department at (361) 826-3240 at least 48 hours in advance to request an interpreter be present during the meeting. *Si usted desea dirigirse a la comisión durante la junta y su inglés es limitado, favor de llamar al departamento de servicios de desarrollo al número (361) 826-3240 al menos 48 horas antes de la junta para solicitar un intérprete ser presente durante la junta.*

**CITY PLANNING COMMISSION
PUBLIC HEARING NOTICE
Rezoning Case No. 0621-06**

Estate of George T. Smith has petitioned the City of Corpus Christi to consider a change of zoning from the **"FR" Farm Rural 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:

A property located at or near 3809 Airline Road and described as being a 3.288-acre tract, located in Corpus Christi, Texas, being out of a 5.00-acre parent tract as described in a deed recorded in Document No. 1996027562, Official Public Records of Nueces County, Texas, located along the north side of Lipes Boulevard, long the west side of Airline Road, and to the east of Giants Drive.

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, July 7, 2021**, 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: Pearl Leung and Brittany Clendening

Address: 3738 Berkeley Dr. City/State: Corpus Christi, TX

() IN FAVOR (✓) IN OPPOSITION Phone: 904 - 566-4948

REASON:
This development is going to cause noise and light pollution in a quiet residential area. This will negatively impact our community and drive down the value of all of our properties.

Pearl Leung Brittany Clendening
Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 212N1022
Property Owner ID: 16

Case No. 0621-06
Project Manager: Andrew Dimas
Email: AndrewD2@cctexas.com