

STAFF REPORT

Case No. 0921-03

INFOR No. 21ZN1034

Planning Commission Hearing Date: September 29, 2021

Applicant & Legal Description	<p>Owner: MVR Construction Company Applicant: Vahid Nazari Location Address: 3538 Airline Road Legal Description: Described as being 11.16 acre tract of land out of Lots 22 and 23, of Section 20, of the Flour Bluff and Encinal Farm and Garden Tracts, as recorded in Volume A, Pages 41-43 of the Maps Records of Nueces County, Texas same 2.49 acre tract described in a Special Warranty Deed from Pacific Southwest Bank, F.S.B. to Guadalupe Leon and Wife, Maria Del Carmen Leon, as recorded in document number 749048, Deed Records of Nueces County, Texas out of a 10.523 Acre tract of land out of Lots 22 and 23 of Section 20, of the Flour Bluff and Encinal Farm and Garden Tracts as record in Volume A, Pages 41-43 of the Map Records of Nueces County, Texas same 10.523 Acre tract described in a Special Warranty Deed with Vendor's Lien from Bluebonnet Savings Bank FSB to Guadalupe Leon and Miguel Leon, dated April 2, 1992, and recorded in Document No. 799207, of the Official Public Records of Real Property, Nueces County, Texas said 11.16 acre tract, and located along the east side of Airline Road, south of Brooke Road (County Road 26A), west of Rodd Field Road, and north of Slough Road.</p>			
Zoning Request	<p>From: "FR" Farm Rural District To: "RM-3" Multifamily District Area: 11.16 acres Purpose of Request: To allow for the construction of an apartment complex.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"FR" Farm Rural District	Vacant	High Density Residential
	<i>North</i>	"RE" Residential Estate and "FR" Farm Rural District	Estate Residential and Public Semi-Public	High Density Residential
	<i>South</i>	"FR" Farm Rural District	Low Density Residential and Vacant	High Density Residential
	<i>East</i>	"FR" Farm Rural District	Vacant	High Density Residential
	<i>West</i>	"CN-1" Neighborhood Commercial and "RE" Residential Estate	Vacant, Estate Residential, and Medium Density Residential	Medium Density Single Family 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 high-density residential use. The proposed rezoning to the “RM-3” Multifamily District is generally consistent with the adopted Comprehensive Plan (Plan CC) and does not warrant an amendment to the Future Land Use Map.</p> <p>City Council District: 5</p> <p>Zoning Violations: None</p>				
Transportation	<p>Transportation and Circulation: The subject property has approximately 480 feet of street frontage along Airline Road which is designated as an “A1” Minor Arterial Street. According to the Urban Transportation Plan, “A1” Minor Arterial Streets can convey a capacity between 15,000 to 24,000 Average Daily Trips (ADT). The site is not yet serviced by Corpus Christi Regional Transit Authority.</p>				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Airline Road	“A1” Minor Arterial Street	95’ ROW 64’ paved	100’ ROW 70’ paved	3,331 ADT (2013)

Staff Summary:

Development Plan: The subject property is 11.16 acres in size. The applicant is proposing the construction of an apartment complex.

Existing Land Uses & Zoning: The subject property is currently zoned “FR” Farm Rural District and consists of vacant land. The subject property was zoned “FR” Farm Rural in 1995 at the time of annexation. To the north is a single-family residence zoned in 2015 to the “RE” Residential Estate District, and the Brighton Park Baptist Church, which has been zoned “FR” Farm Rural District since the 1995 annexation. To the south and east is a single-family residence and ranch land zoned “FR” Farm Rural District in 1995. To the west is Riverstone Apartments, a small apartment complex, zoned “RM-3” Multifamily Residential District and vacant property zoned “CN-1” Neighborhood Commercial District. Additionally, to the west is a large single-family subdivision zoned “RS-6” Single-Family 6 District. Located 2,500 feet to the west is the closest high school, Veterans Memorial High School which is zoned “RS-6” Single-Family 6 District and “FR” Farm Rural 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 C900 line located along Airline Road.

Wastewater: 8-inch PVC line located along Airline Road and to the rear.

Gas: 4-inch Service Line located along Airline Road.

Storm Water: 36-inch RCP line located along Airline Road.

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 “RM-3” Multifamily District is generally consistent with the adopted Comprehensive Plan (Plan CC) and warrants no amendment to the Future Land Use Map. The following policies should be considered:

- 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)
- Encourage residential infill development on vacant lots within or adjacent to existing neighborhoods. (Future Land Use, Zoning, and Urban Design Policy Statement 3)
- Support the separation of high-volume traffic from residential areas or other noise-sensitive 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 generally 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 does not warrant an amendment to the Future Land Use Map.
- The property is currently vacant and is a remaining unplatted “FR” Farm Rural tract. The property has not been developed since annexation in 1995.
- Recent rezonings have occurred to the east to the RM-3 zoning in 2015 and the north to the “RM-2” Multifamily 2 District in 2015.
- Based on recent zoning changes and existing commercial zoning along Airline Road (A1 Arterial Street) a trend towards commercial development is occurring. Such a trend is consistent with the goals and policies of the Comprehensive Plan and the Future Land Use Map (FLUM).
- The “RM-3” Multifamily 3 District allows 36 dwelling units per acre by right. The maximum density allowed by right based on the acreage is 396 dwelling units.

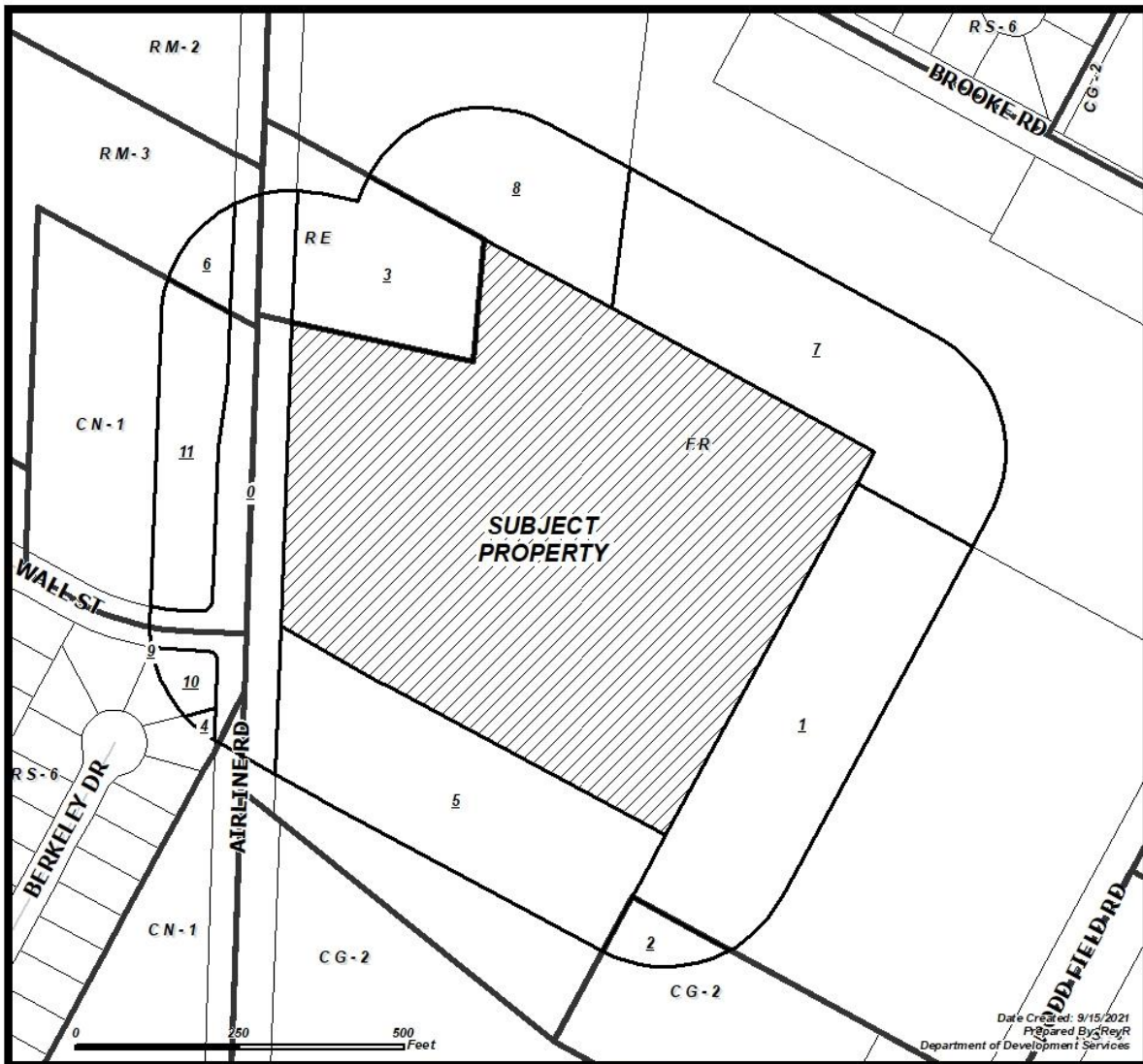
Staff Recommendation:

Approval of the change of zoning from the “FR” Farm Rural District to the “RM-3” Multifamily District.

Public Notification	<p>Number of Notices Mailed – 11 within 200-foot notification area. 4 outside notification area</p> <p><u>As of September 20, 2021:</u></p> <p>In Favor – 0 inside notification area – 0 outside notification area</p> <p>In Opposition – 0 inside notification area – 0 outside notification area</p> <p>Totaling 0.00% 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. Proposed Site Plan
- C. Public Comments Received (if any)



Case # 0921-03 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 within 200' listed on attached ownership table

Owners in favor
 Owners in opposition

