

STAFF REPORT

Case No. 1021-07

INFOR No. 21ZN1043

Planning Commission Hearing Date: October 27, 2021

Applicant & Legal Description	Owner: WH&CM Holdings, LLC. Applicant: WH&CM Holdings, LLC. Location Address: 7349 State Highway 361 Legal Description: Being a 20.993 acre tract out land, comprised of 13.155 Acres out of J.W. Waterbury Survey 596, Abstract No. 408, Land Script 167 and a 7.838 tract, Zoning Tract, comprising portions of Lots 4, 5, 6, and 7, Block 1 Sunrise Shores, a map of which is recorded in Volume 46 Pages 81 and 82 Map Records of Nueces County, Texas, located along the east side of State Highway 361, south of West Palm Beach Road, and west of the Gulf of Mexico.			
Zoning Request	Request: Special Permit Time Extension of 24 months Area: 20.993 Acres Purpose of Request: to allow for the development of a luxury RV resort community.			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	Site	“RM-AT” Residential Multifamily Tourist-Attraction District	Vacant	Planned Development
	North	“RM-AT PUD” Residential Multifamily Tourist-Attraction District Planned Unit Development	Vacant, and Low Density Residential	Planned Development
	South	“RM-AT PUD” Residential Multifamily Tourist-Attraction District Planned Unit Development	Low Density Residential, High Density Residential, and Vacant	Planned Development
	East	“RM-AT” Residential Multifamily Tourist-Attraction District	Water	Permanent Open Space
	West	“FR” Farm Rural	Vacant	Planned Development
ADP, Map & Violations	Area Development Plan: The subject property is located within the boundaries of the Padre/Mustang Island Area Development Plan and is planned for Planned Development. The proposed rezoning to the “RV” Recreational Vehicle Park District is consistent with the adopted Comprehensive Plan (Plan CC). City Council District: 4 Zoning Violations: None			

Transportation	Transportation and Circulation: The subject property has approximately 865 feet of street frontage along State Highway 361 which is designated as a “RA3” Primary Rural Arterial Divided. Through the middle of the proposed development is a unbuilt “PA” Beach Access Road.				
Street R.O.W.	Street	Street	Street	Street	Street
	State Highway 361	“RA3” Primary Rural Arterial Divided	250’ ROW 76’ paved	120’ ROW 45’ paved	25,305 ADT (2015)

Staff Summary:

Current Zoning and Special Permit:

The applicant is requesting a special permit time extension of 24 months to allow for the development of a luxury RV resort community. Unified Development Code Section (UDC) 3.6.6 and 3.6.7. requires the property owner or applicant to apply for extension for their special permit before the expiration date of their special permit. Expiration date for this special permit is March 8, 2022.

Adopted Special Permit Language:

1. **Uses:** The only uses authorized by this Special Permit other than uses permitted by right in the base zoning district is a “Recreational Vehicle Park” as defined by the Unified Development Code (UDC). The Recreational Vehicle Park shall adhere to the standards of Section 6.1.2 of the UDC except as explicitly listed below.
2. **Density:** The maximum site density shall be 8 recreational vehicle sites (“Recreational Vehicle Sites”) per acre (160 total).
3. **Recreational Vehicle (RV) Site Limitations:** Only one recreational vehicle should be permitted per RV Site. All pads within RV Sites must be paved with concrete or concrete tile pavers and be at least 15 feet in width. All RV Sites must be at least 30 feet wide.
4. **Lighting:** All security lighting shall be shielded with full cutoff fixtures to avoid intrusion into the neighboring properties, and any freestanding lights shall be at least 50 feet from any property line abutting a neighboring property.
5. **Stacking:** A minimum of six off-street vehicle stacking spaces shall be provided between the public right-of-way and any front gate or intersection in order to allow stacking of approximately two to three RV’s to avoid congestion on State Highway 361.
6. **Screening:** A 7-foot solid screening fence shall be installed along the northern and southern property lines.

7. **Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, Building, and Fire Code Requirements.
8. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within twelve (12) months of this ordinance, unless a complete building permit application has been submitted, and the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

Development Plan: The subject property is a total of 20.993 acres in size. The proposed use is a gated community, which will include approximately 200 oversized RV lots and accessory uses, such as a community center, a golf cart-friendly boardwalk to the beach, a large swimming pool and splash pad, a putting green, pickle ball courts and \$1-2 million in tropical landscaping.

Existing Land Uses & Zoning: The subject property is currently zoned “RM-AT” Multifamily AT District and consists of vacant property and has remained undeveloped since annexation in 2001. To the north is a small subdivision with predominately vacant property zoned “RM-AT” Multifamily AT District. There are two existing single-family homes to the north. To the south are townhomes and vacation rentals that are zoned “RM-AT/PUD” Multifamily AT District with a Planned Unit Development with approximately 25 structures. To the west across State Highway 361 is a vacant property zoned “FR” Farm Rural. To the east are vacant properties zoned “RM-AT” Multifamily AT 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 ACP line located along State Highway 361

Wastewater: none

Gas: none

Storm Water: none

Plan CC & Area Development Plan Consistency: The subject property is located within the boundaries of the Mustang-Padre Island Area Development Plan and is planned for a Planned Development use. The proposed rezoning to the “RV” Recreational Vehicle Park District is consistent with the adopted Comprehensive Plan (Plan CC) and is consistent with 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).

- Support public investments—physical, environmental, functional, and social—to be built in areas to support walkable neighborhood commercial and mixed-use districts, including compact centers along major roads. (Housing and Neighborhoods Policy Statement 8)

Department Comments:

- The proposed rezoning is consistent with the adopted Comprehensive Plan (Plan CC), compatible with the adjoining properties, does not have a negative impact upon the adjacent properties, and is compatible with the Future Land Use map.

Staff Recommendation:

Approval of the extension of the special permit “RM-1/SP” ordinance number 032370 for an additional twenty-four months.


Public Notification	Number of Notices Mailed – 67 within 200-foot notification area 1 outside notification area
	<u>As of October 22, 2021:</u>
	In Favor – 0 inside notification area – 0 outside notification area
	In Opposition – 0 inside notification area – 0 outside notification area
	Totaling 0.00% of the land owners within the 200-foot notification area* are 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)

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	R-TH	Townhouse
CG-2	General Commercial	SP	Special Permit
CI	Intensive Commercial	RV	Recreational Vehicle Park
CSD	Downtown Commercial	RMH	Manufactured Home
CR-3	Resort Commercial		
FR	Farm Rural		
H	Historic Overlay		
BP	Business Park		

 Subject Property
with 200' buffer

4 Owners within 200' listed on attached ownership table

 Owners
in favor

X Owners
in opposition

