



AGENDA MEMORANDUM
for the City Council Meeting of June 12, 2012

DATE: May 1, 2012
TO: Ronald L. Olson, City Manager
FROM: Mark Van Vleck, Interim Director, Department of Development Services
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PUBLIC HEARING – CHANGE OF ZONING
Nueces Stone Quarry, LLC (Case No. 0312-01)
Change from “CG-2” General Commercial District to “IL” Light Industrial District
Property Address: 10010 South Padre Island Drive

CAPTION:

PUBLIC HEARING – ZONING

Case No. 0312-01: Nueces Stone Quarry, LLC: A change of zoning from the “CG-2” General Commercial District to the “IL” Light Industrial District, resulting in a change of land use from commercial to light industrial. The property to be rezoned is Flour Bluff Point, Block 6, Lots 2, 3, and 4, located along the north side of South Padre Island Drive (SH 358) between Hermine Drive and Stone Street.

RECOMMENDATION:

Planning Commission & Staff Recommendation (March 28, 2012):

Denial of the change of zoning to the “IL” Light Industrial District and, in lieu thereof, approval of the “CG-2/SP” General Commercial District with a Special Permit for limited outside storage and a warehouse, subject to the following five (5) conditions:

1. USE: The only uses permitted by this Special Permit other than those uses permitted by-right in the “CG-2” General Commercial District are outside storage and a warehouse.
2. OUTSIDE STORAGE: The outside storage shall not exceed an area of 8,000 square feet. The outside storage must be set back at least five (5) feet with a landscape buffer from the residentially used property and screened from the street right-of-way and adjacent properties.
3. WAREHOUSE: The total square footage for the warehouses shall not exceed an area of 5,000 square feet.
4. LIGHTING: Any on-site lighting must be shielded and directed away from the property along its northern property line.

5. **TIME LIMIT:** This Special Permit shall expire after one (1) year from the date of the ordinance unless the property is in compliance with the conditions mentioned above and all other City of Corpus Christi rules and regulations.

BACKGROUND AND FINDINGS:

The applicant operates a stone retail business and was cited for the outdoor storage of stone materials in the incorrect zoning district. The applicant proposes to construct several warehouse structures ranging from 1,200 to 2,000 square feet for the indoor storage of equipment and stone materials in order to make the property appear more like a commercial establishment instead of an industrial storage yard.

An "IL" Light Industrial District is not appropriate for this area because of the abutting residential uses immediately to the north of the property. The stone retail use is an appropriate use for the area if the site has the proper screening and buffering from the residential area to the north, which can be required by granting a Special Permit. The Special Permit could also limit the size of the proposed warehouses. Additionally, approval of the "IL" District would create spot zoning since there is no industrial zoning within the immediate area.

The subject property is also within the Navy's Accident Potential Zone 2 (APZ-2). The retail establishment is consistent with the Navy's recommended land use.

ALTERNATIVES:

1. Approve the applicant's request of the "IL" Light Industrial District;
2. Modify the recommended conditions of the Special Permit; or
3. Deny the request altogether.

OTHER CONSIDERATIONS: N/A

CONFORMITY TO CITY POLICY:

The requested change in zoning to an "IL" Light Industrial District would not be consistent with the Comprehensive Plan or the Flour Bluff Area Development Plan, which designate the property for future commercial uses. Despite the inconsistency, staff supports the continued operation of the business at the current location provided that the outside storage is screened from view from the street right-of-way and adjacent properties. Granting a Special Permit as recommended would maintain the commercial designation of the property.

EMERGENCY / NON-EMERGENCY: Emergency

DEPARTMENTAL CLEARANCES: N/A

FINANCIAL IMPACT:

Operating Revenue Capital Not applicable

Fiscal Year: 2011-2012	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments: None

LIST OF SUPPORTING DOCUMENTS:

1. Zoning Report with Attachments
2. Ordinance with Exhibit A