



AGENDA MEMORANDUM
Public Hearing & Resolution for the City Council Meeting 11/18/25

DATE: October 17, 2025

TO: Peter Zaroni, City Manager

FROM: Michael Dice, Development Services Department
Michael3@cctexas.com
(361) 826-3596

Variance, per §4-5(a), Code of Ordinances, for the property located at
702 South Port Avenue

CAPTION:

Variance Case No. ZN9019, 702 Port, LLC: (District 2); a Resolution to grant a variance to §4-5(a), Code of Ordinances allowing the sale of alcoholic beverages for on-premise consumption within 300 feet of a church on the property generally located at 702 South Port Avenue, north of Ruth Street, south of Mary Street, east of Harmon Street and west of Meuly Street, identified as Lot 15, Block 2, Villa Green, and zoned “CG-2” General Commercial District.

SUMMARY:

The purpose of the request is to permit the operation of a bar/tavern at 702 South Port Avenue, primarily serving alcoholic beverages for on-site consumption. The establishment’s front entrance is located less than 300 feet from the entrance of Iglesia de Dios Alfa y Omega, an evangelical church founded in 2003, according to Nueces County Appraisal District deed records.

BACKGROUND:

The subject property owner recently applied for a wine and malt beverage retailer’s permit; however, the request was denied due to distance restrictions to churches, as outlined in local ordinance (Corpus Christi, Tex., Code § 4-5(a)). Specifically, using the required door-to-door method, the subject property’s front door is 236 feet from the door of the Iglesia de Dios Alfa y Omega.

Subject Property:

The subject property, located at 702 South Port Avenue and legally described as Lot 15, Block 2, Villa Gren (Tax ID No. 9039-0002-0150), encompasses approximately 0.77 acres and is zoned “CG-2,” General Commercial District. The surrounding South Port Avenue corridor, between Ruth Street and Mary Street, is predominantly comprised of vacant and commercial properties within the same zoning designation. Originally platted in 1926, the property is currently undergoing renovations.

The “CG-2” General Commercial District permits restaurants, apartments, townhouses, overnight accommodation uses, educational facilities, medical facilities, commercial parking, offices, retail sales and services, bar/tavern/pub uses, vehicle sales and services, and water-oriented uses.

	Zoning	Existing Land Use
Subject Property	CG-2 General Commercial	Vacant
North	CG-2 General Commercial	Commercial
South	CG-2 General Commercial	Vacant
East	Local Collector, RS-6 Single-Family 6 District	Medium-Density Residential
West	A1 Arterial, CG-2 Single-Family 6 District	Vacant

Municipal and State Regulation of Liquor

Distance separation requirements differ across State and local jurisdictions, but they typically require a minimum buffer between liquor-licensed establishments and nearby churches, schools, or other alcohol-permitted businesses. Distance separations involving churches and hospitals use a front door-to-front door method. Note the following State and local laws:

- The State granted cities the authority to establish spacing requirements for certain alcohol-licensed establishments. However, the Code does not mandate that municipalities adopt such regulations. (Texas Alcoholic Beverage Code § 109.33(a))
- The State defined the distance requirements as follows (Texas Alcoholic Beverage Code § 109.33(b)):
 - 300 feet of a church, public or private school, or public hospital
- The City adopted the State-defined spacing requirements. (Corpus Christi, Tex., Code § 4-5(a)).
- The State granted the cities authority to grant variances to distance requirements (Texas Alcoholic Beverage Code § 109.33(e)).
- The City adopted the ability to grant variances to distance requirements (Corpus Christi, Tex., Code § 4-5(f)).

Although the proposed use is permitted by zoning, the subject property does not meet the minimum distance separation requirements from nearby churches, as outlined in the City's ordinance. However, the City Council retains the authority to grant a variance upon application by a regulated business, provided it determines that enforcement of the regulation:

- Is not in the best interest of the public in the specific instance;
- Results in wasteful or inefficient use of land or other resources;
- Imposes an undue hardship on the applicant seeking a license or permit; or
- Fails to serve its intended purpose, lacks effectiveness or necessity, or—after consideration of public health, safety, welfare, and the equities of the situation—is not in the best interest of the community.

FINDINGS:

Conformance to City Policy

The subject property is located within a designated Westside Area Development Plan (ADP). The Westside ADP was adopted in 2023 and offers the following:

- Policy Initiative: Foster an environment for economic development that attracts new business, increases employment, and revitalizes or enhances existing commercial and industrial areas.
 - Target reinvestment for commercial businesses along major corridors, including the Leopard Street and Morgan Avenue corridors.
 - Support revitalization and upgraded infrastructure to encourage the development

- of more restaurants, retail, and nightlife to serve the west side residents.
- Future Land Use: The South Port Avenue corridor is designated for commercial uses

Conformance to City Ordinance

According to Unified Development Code Table 4.5.2, Bars/Taverns or Pubs are permitted in the “CG-2” General Commercial District with UDC §5.2.7, providing specific standards:

A bar, tavern or pub shall be permitted in accordance with the use tables in [Article 4](#) provided that the bar, tavern or pub shall not be located any closer than 300 feet from church, or public or private school, child care facility, daycare center, or public hospital.

Public Input Process

A notice of the public hearing was published in the newspaper at least ten (10) days before the hearing date (Corpus Christi, Tex., Code §4-5(g)).

Sixty-one notices of the variance request were mailed to property owners with a 300-foot area and one notice to the Corpus Christi Independent School District (Corpus Christi, Tex., Code §4-5(g)).

Variance Consideration (Corpus Christi, Tex., Code §4-5(f))

Given the established commercial nature of the South Port Avenue corridor—where the subject property is located—and the presence of an existing bar/tavern directly across the street, staff recommends favorable consideration of the proposed use. The surrounding context suggests that alcohol-related establishments are reasonably compatible with existing development in this area.

Additionally, the operational hours of bars and taverns typically occur outside the primary hours of church services and activities, which may further mitigate potential conflicts between uses. It is also noted that the subject property is currently vacant and not being utilized to its highest and best use, which supports the case for activating the site with a use that aligns with the corridor’s commercial character. When evaluated alongside applicable spacing regulations and the corridor’s zoning designation, the proposed use appears consistent with the character and function of the corridor and neighborhood.

RECOMMENDATION:

Staff recommends APPROVAL of the variance request.

ALTERNATIVES:

1. Denial of a Resolution to grant a variance to §4-5(a), Code of Ordinances allowing the sale of alcoholic beverages for on-premise consumption within 300 feet of a public or private school on the property located at 702 South Port Avenue, due to alternate Findings as established by the City Council.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

LIST OF SUPPORTING DOCUMENTS:

Resolution
Presentation – Zoning and Notice Map