

FINAL PLANNING COMMISSION REPORT

Case No. 0421-01

INFOR No.

Planning Commission Hearing Date: March 31, 2021

Applicant & Legal Description	<p>Owner: Steven Bernal, Rachel Garcia Pena, and Rick Kyle Caron Applicant: Joseph Earnst Location Address: 4421 and 4427 Violet Road Legal Description: Being 0.97 acres and being all of Lot 2, Block 9, Shell Road Poultry Acres recorded in Volume 67, Page 518 of the Map Records of Nueces County, Texas, portions of Lots 8 and 9 of the Shell Road Poultry acres, recorded in Volume 5 Page 40 of the said Map Records and as described in a warranty Deed with Vendor's Lien from Rebecca H. McNamera to Steve Bernal, recorded in Document No. 2013000697, Official Records of Nueces County, Texas, located along the west side of Violet Road, south of Interstate 37, north of Leopard Street.</p>			
Zoning Request	<p>From: "RS-6" Single-Family 6 District To: "CN-1" Neighborhood Commercial District Area: 0.97 acres Purpose of Request: The purpose is for the construction and operation of an automatic car wash.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
<i>Site</i>		"RS-6" Single-Family 6 District	Low Density Residential	Mixed Use
<i>North</i>		"CN-1" Neighborhood Commercial District and "RS-6" Single-Family 6 District	Low Density Residential	Mixed Use
<i>South</i>		"CG-2" General Commercial District	Commercial	Mixed Use
<i>East</i>		"CG-2" General Commercial District and "RS-6" Single-Family 6 District	Commercial and Low Density Residential	Commercial and Medium Density Residential
<i>West</i>		"RS-6" Single-Family 6 District	Low Density Residential	Mixed Use
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Northwest Area Development Plan and is planned for Mixed Uses. The proposed rezoning to the "CN-1" Neighborhood Commercial District is consistent with the adopted Future Land Use Map. City Council District: 1 Zoning Violations: None</p>			

Transportation	Transportation and Circulation: The subject property has approximately 250 feet of street frontage along Violet Road which is designated as a “A2” Secondary Arterial Street. According to the Urban Transportation Plan (UTP), Minor Arterial Streets can convey a capacity of 20,000 to 32,000 average daily trips.				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Violet Road	“A2” Secondary Arterial	100’ ROW 54’ paved	90’ ROW 44’ paved	Approximately 15,000 (2017)

Staff Summary:

Development Plan: The subject property is 0.97 acres. The developer of the property is requesting a change of zoning for the subject property to accommodate a commercial car wash facility with associated vacuum stalls and concrete parking lot. The development will include an automatic wash bay building and several vacuum stations on site. The tunnel size is 114 feet long and 25 feet wide. The building is proposed to use aesthetically appealing concrete masonry unit, stucco, car covers, etc. The developer has stated that the carwash will not create noise, vibration, odors, steam, or other factors that will adversely affect others offsite.

Existing Land Uses & Zoning: The subject properties are currently zoned “RS-6” Single-Family 6 District consists of two single-family homes and was annexed in 1962. To the north are various commercial developments including a hand-wash carwash, Whataburger, and a Stripes gas station zoned “CN-1” Neighborhood Commercial and “CG-1” General Commercial Districts. To the south is a McDonald’s zoned “CG-2” General Commercial District. To the east is a HEB, and a single-family residential subdivision (church zoned “CN-1” Neighborhood Commercial and “CG-2” General Commercial Districts and a single-family residential subdivision (Jackson Place) zoned “RS-6” Single-Family 6 District. To the west are single-family residential homes.

AICUZ: The subject property not located in one of the Navy’s Air Installation Compatibility Use Zones (AICUZ).

Plat Status: The property is not platted.

Utilities:

Water: 8-inch ACP line along Violet Road.

Wastewater: 8-inch VCP line along Violet Road.

Gas: 4-inch gas line located along Violet Road.

Storm Water: 72-inch line along Violet Road.

Plan CC & Area Development Plan Consistency: The subject property is located within the boundaries of the Northwest Area Development Plan and is planned for Mixed Use.

The proposed rezoning to the “CN-1” Neighborhood Commercial District is generally consistent with the adopted Northwest Area Development Plan. Although this commercial use would service the surrounding neighborhood. The use is a stand-alone business, and its lack of cohesion and connectivity with the surrounding commercial and residential uses does not meet the intent of a pedestrian friendly activity that is desired for a mixed-use development. The proposed rezoning is consistent with the following policies of the Comprehensive Plan (Plan CC). The following policies should be considered:

- Encourage the protection and enhancement of residential neighborhoods 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).

Department Comments:

- The proposed rezoning is consistent with the adopted Comprehensive Plan (Plan CC). The proposed rezoning is also compatible with the future land use and does not have a negative impact upon the adjacent properties.
- Section 5.2.21 Car wash, Hand-Operated or Automated of the Unified Development Code has limitations on an automated car wash within the Neighborhood Commercial District:
 - Outdoor lighting of the automated car wash use must abide by all requirements of Section 7.6 Outdoor Lighting.
 - Noise generated by the automated car wash use must be compliant with Section 31-3 of the Corpus Christi Code of Ordinances.
 - The hours of operation of the automated car wash use shall be limited to between the hours of 7:00 am to 9:00 pm.

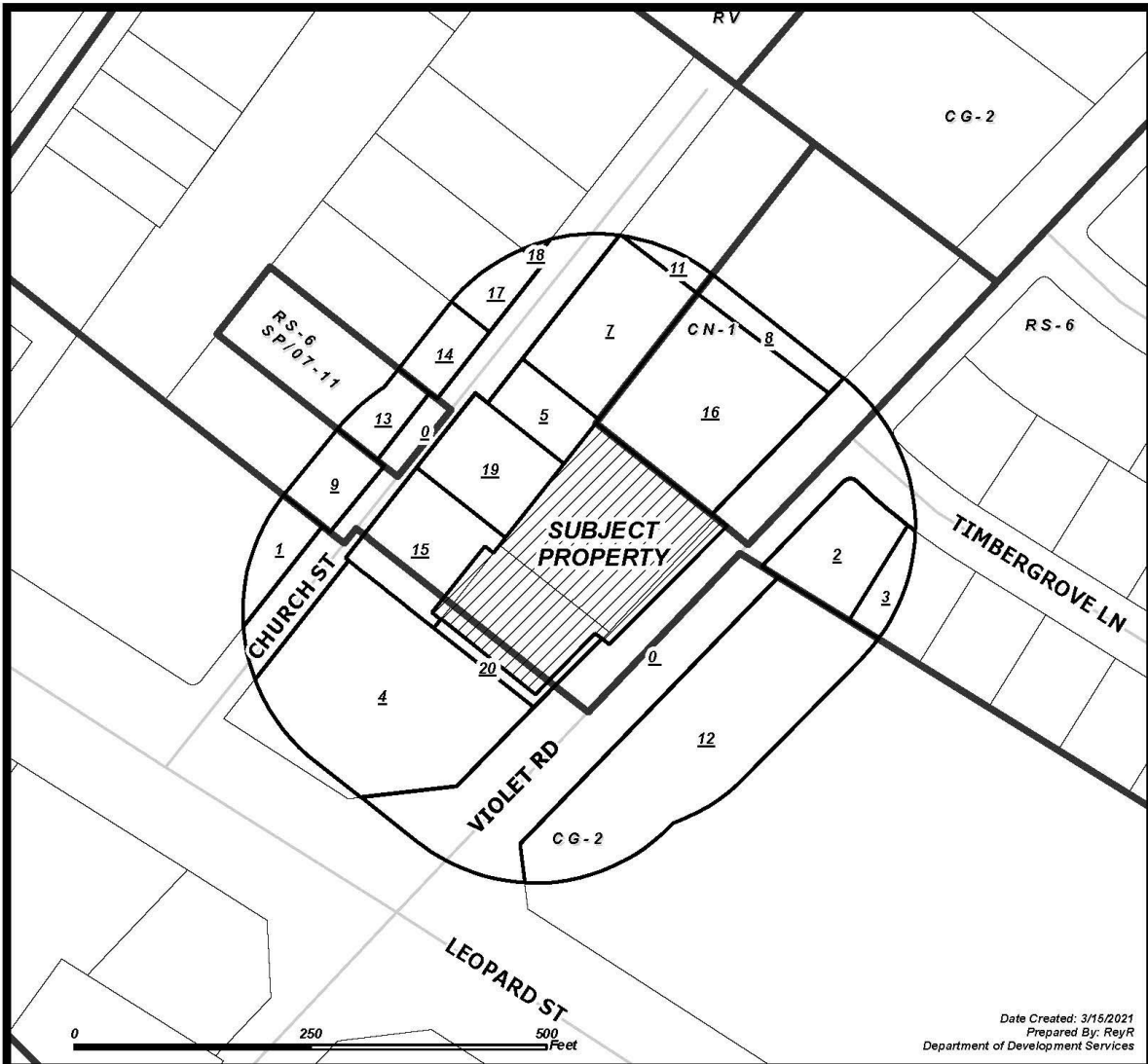
Planning Commission and Staff Recommendation (March 31, 2021):

Approval of the change of zoning from the “RS-6” Single-Family 6 District to the “CN-1” Neighborhood Commercial District.

Public Notification	Number of Notices Mailed – 17 within 200-foot notification area 7 outside notification area
	<u>As of April 27, 2021:</u>
	In Favor – 1 inside notification area – 0 outside notification area
	In Opposition – 0 inside notification area – 0 outside notification area
	Totaling 0.00% 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

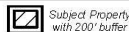
Attachments:

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



CASE: 0421-01
ZONING & NOTICE AREA

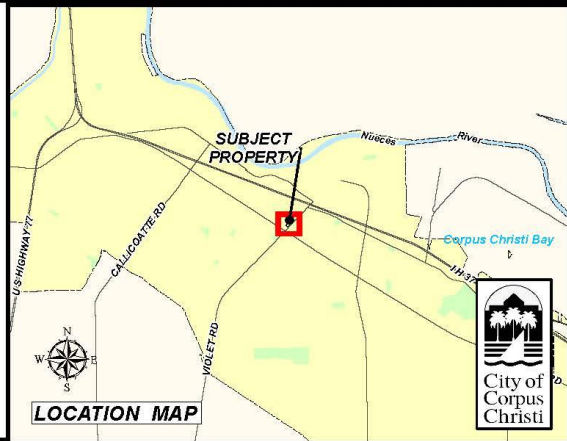
RM-1 Multifamily 1	IL Light Industrial
RM-2 Multifamily 2	IH Heavy Industrial
RM-3 Multifamily 3	PUD Planned Unit Dev. Overlay
ON Professional Office	RS-10 Single-Family 10
RM-AT Multifamily AT	RS-6 Single-Family 6
CN-1 Neighborhood Commercial	RS-4.5 Single-Family 4.5
CN-2 Neighborhood Commercial	RS-TF 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	



4 Owners within 200' listed on attached ownership table



X 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 suplica 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. 0421-01**

Steven Bernal, Rachel Garcia Pena, and Rick Kyle Caron have petitioned the City of Corpus Christi to consider a change of zoning from the **"RS-6" Single Family 6 District** to the **"CN-1" Neighborhood Commercial District, not resulting in a change to the Future Land Use Map.** The property to be rezoned is described as:

Located at or near 4427 and 4421 Violet Road and described as a 0.9710 Acre, Zoning Tract, being all of Lot 2, Block 9, Shell Road Poultry Acres, recorded in Volume 67, Page 518, of the Map Records of Nueces County, Texas, portions of lots 8 and 9 of the Shell Road Acres, recorded in Volume 5, Page 40, of the said Map Records and described in a Warranty Deed with Vendor's Lien from Rebecca H. McNamara to Steve Bernal, recorded in Document No. 2013000687, Official Public Records of Nueces County Texas, located along the northwest side of Violet Road, north of Leopard Street, south of Interstate 37, and east of Church Street.

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, March 31, 2021**, during one of the Planning Commission's regular meetings, which begins at **5:30 p.m.** **This public hearing will be held via WebEx video conference. The live stream of the meeting can be viewed online at the following address: www.cctexas.com/cctv.**

PUBLIC COMMENT: To reduce the chance of COVID- 19 transmission, public meetings will be held in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with members of the community, City staff, and City Boards and Commissions. Public testimony and public hearing input for public comment and on all items on the agenda at public meetings of City Boards and Commissions shall be provided in written format and presented to the designated staff member prior to the start of each meeting(s) of the City Boards and/ or Commission. Public comment/ input shall be provided, in writing, in the form of an e- mail limited to one page or by using the PUBLIC COMMENT/INPUT FORM found here: <http://www.cctexas.com/departments/city-secretary>, and shall be e-mailed to the following e- mail address: CatherineG@cctexas.com and/or CraigG@cctexas.com. The written public testimony shall be provided to members of the applicable City board or commission prior to voting on measures for that meeting. That written testimony shall be limited in accordance with the City Secretary requirements and shall be placed into the record of each meeting. This written testimony shall serve as the required public testimony pursuant to Texas Gov' t Code 551. 007 and shall constitute a public hearing for purposes of any public hearing requirement under law.

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: Esther F McCaskill
Address: 4430 Church City/State: CC TX 78410

() IN FAVOR
() IN OPPOSITION
REASON:

Phone: _____
X Esther F. McCaskill
Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.:
Property Owner ID: 15

Case No. 0421-01
Project Manager: Craig Garrison
Email: CraigG@cctexas.com