

PLANNING COMMISSION FINAL REPORT

Case No. 0418-01

INFOR No. 18ZN1007

Planning Commission Hearing Date: May 2, 2018

Applicant & Legal Description	<p>Owner: 4821 Ayers LLC. & Tawil Enterprises LLC. Applicant: AEC Engineering, LLC. Location Address: 4821 Ayers Street Legal Description: 8.48 acre tract of land out of Lot 16, Section D, Paisley Subdivision of the Hoffman Tract, a map of which is recorded in Volume A, Page 28, Map Records, Nueces County, Texas, located on the west side of Ayers Street, south of Gollihar Road, and north of McArdle Road.</p>			
Zoning Request	<p>From: "IL" Light Industrial District To: "CG-2" General Commercial District Area: 8.48 acres Purpose of Request: To allow for the construction of an indoor recreation (Bingoland Use) and a retail development.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"IL" Light Industrial	Vacant	Commercial
	<i>North</i>	"IL" Light Industrial	Commercial and Professional Office	Commercial
	<i>South</i>	"IL" Light Industrial	Commercial	Commercial
	<i>East</i>	"CG-2" General Commercial	Commercial and Professional Office	Commercial and Medium Density Residential
	<i>West</i>	"RS-6" Single-Family 6	Commercial and Park	Permanent Open Space and Commercial
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Midtown Area Development Plan (ADP), former Southeast ADP, and is planned for commercial uses. The proposed rezoning to the "CG-2" General Commercial District is consistent with the adopted Comprehensive Plan. Map No.: 048039 Zoning Violations: None</p>			
Transportation	<p>Transportation and Circulation: The subject property has approximately 372 feet of street frontage along Ayers Street which is designated as an "A1" Minor Arterial Street and approximately 371 feet of frontage along State Highway 286 which is designated as a "F1" Freeway/Expressway. Improvements to Ayers Street from Gollihar Road to South Padre Island Drive (State Highway 358) were approved as part of Bond 2014. Improvements will involve storm water drainage and the addition of a center turn lane. The site is serviced by Route 19 of the Corpus Christi Regional Transit Authority. The closest bus stop is 200 feet to the north in front of the Family Thrift Store.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Ayers Street	"A1" Minor Arterial Street	95' ROW 64' paved	93' ROW 63' paved	22,244 ADT (2014)
	State Highway 286	"F1" Freeway/Expressway	400' ROW Varies paved	300' ROW 265' paved	7,467 ADT (2012)

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "IL" Light Industrial District to the "CG-2" General Commercial District to allow for the construction of an indoor recreation (Bingoland Use) and a retail development.

Development Plan: The subject property is 8.48 acres in size. The owner is proposing a multi-phase retail development. Phase one consists of a bingo hall development consisting of four buildings totaling approximately 46,000 square feet. A possible phase two would consist of a retail strip center approximately 23,000 square feet in size.

Existing Land Uses & Zoning: The subject property is currently zoned "IL" Light Industrial District and consists of vacant land. The subject property was zoned "IL" Light Industrial in 1954 at the time of annexation. To the north are properties zoned "IL" Light Industrial District. The specific uses are a retail thrift store, a vehicle repair shop, a convenience store, and a bank. To the south is a large multi-tenant retail development (Mission Shopping Center) that is zoned "IL" Light Industrial. To the east is State Highway 286 (Crosstown Expressway). To the west is Ayers Street and various retail, restaurant, and bar/nightclub properties zoned "CG-2" General Commercial 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.

PlanCC & Area Development Plan Consistency: The subject property is located within the boundaries of the Midtown Area Development Plan (ADP) and former Southeast ADP. The proposed rezoning to the "CG-2" General Commercial District is Consistent with the adopted Comprehensive Plan (Plan CC) based on the following policies:

- 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 orderly growth of new residential, commercial, and industrial areas. (Future Land Use, Zoning, and Urban Design Policy Statement 1)

Department Comments:

- The proposed rezoning is consistent with the adopted Comprehensive Plan.
- The proposed rezoning is compatible with neighboring properties and with the general character of the surrounding area. This rezoning does not have a negative impact upon the surrounding neighborhood.
- The property is currently vacant and is a remaining unplatted “IL” Light Industrial tract. The property has not been developed since annexation in 1954.
- No recent rezonings have occurred in the area. The most recent rezoning case occurred in 2005 for a hotel south of Mission Shopping Center located south of the subject property at the intersection of Ayers Street and South Padre Island Drive (State Highway 358).
- While Bingoland is proposing four buildings (see preliminary site plan), the Texas Occupations Code states: Sec. 2001.402. Single Premises. (a) Bingo may not be conducted at more than one premises on property owned or leased by a licensed authorized organization. This will limit the operation to only one building being allowed to operate at any time. Bingo halls are regulated by the Texas Lottery Commission.
- Due to the adjacency of properties zoned “IL” Light Industrial, a Type A buffer yard will be required to the north and to the south. Type A buffer yards consist of a 10 foot buffer yard with a required 5 points. The points are accrued through the construction of a 6 foot solid screening fence. The property owner will be seeking relief from the requirement to the south as Mission Shopping Center and the proposed Bingoland development are under common ownership and a proposed shared driveway will divide the commercial properties.

Planning Commission and Staff Recommendation (May 2, 2018):

Approval of the change of zoning from the “IL” Light Industrial District to the “CG-2” General Commercial District.

Vote Results:

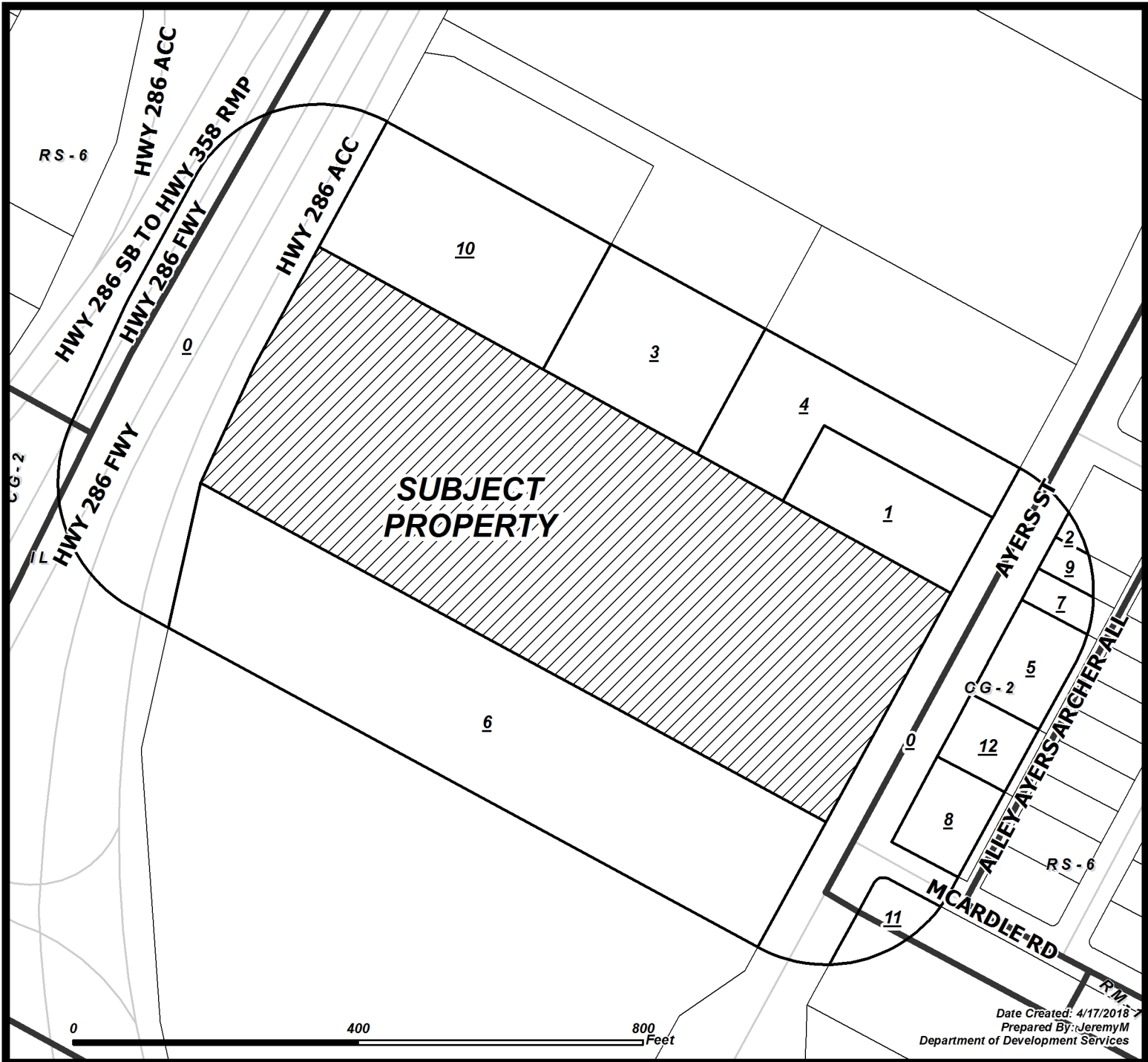
For: 7
Opposed: 0
Absent: 2
Abstained: 0

Public Notification	Number of Notices Mailed – 12 within 200-foot notification area 5 outside notification area
	<u>As of April 27, 2018:</u>
	In Favor – 0 inside notification area – 0 outside notification area
	In Opposition – 1 inside notification area – 0 outside notification area
Totaling 2.39% of the land within the 200-foot notification area in opposition.	

Attachments:

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

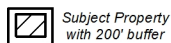
K:\DevelopmentSvcs\SHARED\ZONING CASES\2018\0418-01 4821 Ayers, LLC. & Tawil Enterprises, LLC\Council Documents\Staff Report_0418-01 4821 Ayers, LLC. & Tawil Enterprises, LLC.docx



Date Created: 4/17/2018
 Prepared By: Jeremy M
 Department of Development Services

CASE: 0418-01 ZONING & NOTICE AREA

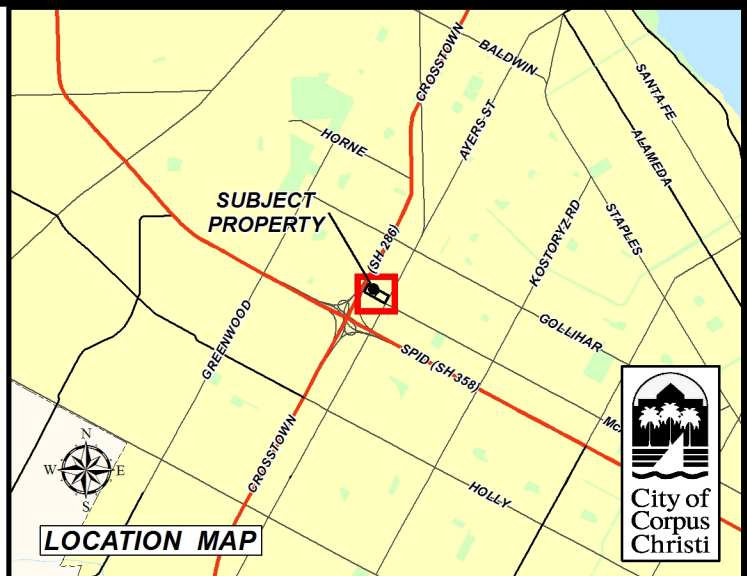
RM-1	Multifamily 1	IL	Light Industrial
RM-2	Multifamily 2	IH	Heavy Industrial
RM-3	Multifamily 3	PUD	Planned Unit Dev. Overlay
ON	Professional Office	RS-10	Single-Family 10
RM-AT	Multifamily AT	RS-6	Single-Family 6
CN-1	Neighborhood Commercial	RS-4.5	Single-Family 4.5
CN-2	Neighborhood Commercial	RS-TF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



LOCATION MAP



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 commission 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. 0418-01**

4821 Ayers LLC. & Tawil Enterprises LLC. has petitioned the City of Corpus Christi to consider a change of zoning from the "IL" Light Industrial District to the "CG-2" General Commercial District, not resulting in a change to the Future Land Use Map. The property to be rezoned is described as:

4821 Ayers Street and being 8.48 acre tract of land out of Lot 16, Section D, Paisley Subdivision of the Hoffman Tract, a map of which is recorded in Volume A, Page 28, Map Records, Nueces County, Texas, located on the west side of Ayers Street, south of Gollihar Road, and north of McArdle Road.

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 on **Wednesday, May 2, 2018**, during one of the Planning Commission's regular meetings, which begins at **5:30 p.m.** in the City Council Chambers, 1201 Leopard Street. You are invited to attend this public hearing to express your views on this rezoning request. For more information, please call (361) 826-3240.

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.

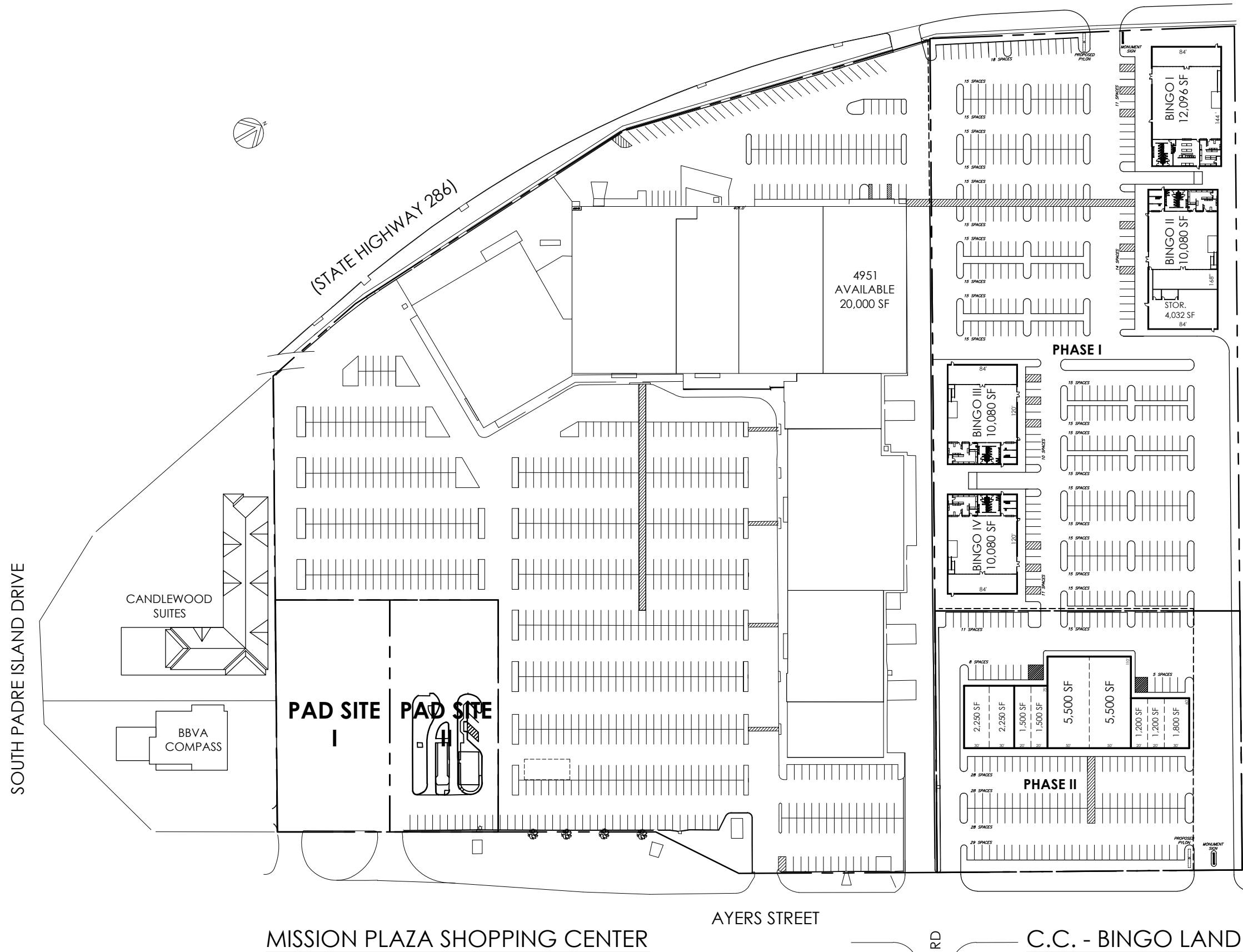
Printed Name: Josefina Trevino
Address: P.O. Box 153 City/State: Driscoll Tx
() IN FAVOR () IN OPPOSITION Phone: 361-387-7269 783

REASON:

Signature Josefa Trevino

SEE MAP ON REVERSE SIDE
INFOR Case No.: 18ZN1007
Property Owner ID: 5

Case No. 0418-01
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com



PHASE I:

BINGO I - NIGHT TIME	12,096 SF
BINGO II - DAY TIME	10,080 SF
w/ STORAGE	4,032 SF
BINGO III - AFTERNOON	10,080 SF
BINGO IV - LATE NIGHT	10,080 SF
TOTAL BLDG. S.F.	46,368 SF

PARKING AVAIL. 328 SPACES

PHASE II:

RETAIL BLDG.	22,700 SF
TOTAL BLDG. S.F.	22,700 SF

PARKING REQ. 101 SPACES

PARKING AVAIL. 152 SPACES

OPEN LAND - 8.49 ACRES

4821 Ayers Street, Corpus Christi, Texas 78415

September 26, 2017

MASTER SITE PLAN - SCHEME 12

