

ZONING REPORT

Case No.: 0413-03
 HTE No. 13-10000013

Planning Commission Hearing Date: May 22, 2013

Applicant & Legal Description	<p>Applicant: Avalon Corpus Christi Transitional Center, LLC Representative: David Conoly Owners: Darla-I, Ltd. and Myrtle-son, Ltd. Legal Description/Location: Being a tract of land comprised of Lots 1 - 6, Block 58, Beach Portion of the City of Corpus Christi, a portion of Fitzgerald Street closed by Ordinance No. 024009, and the northmost 10 feet of Lot 16, Block 48, Beach Portion, located on the southwest corner of North Tancahua Street and Resaca Street.</p>			
Zoning Request	<p>From: "CG-2" General Commercial District and "IH" Heavy Industrial District To: "IL" Light Industrial District Area: 1.25 acres Purpose of Request: To bring the property into conformance with the Unified Development Code (UDC) and subsequently expand the Reality Ranch Transitional Facility.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"CG-2" General Commercial & "IH" Heavy Industrial	Medium Density Residential	Commercial
	<i>North</i>	"IH" Heavy Industrial	Light Industrial	Commercial
	<i>South</i>	"IH" Heavy Industrial	Commercial	Commercial
	<i>East</i>	"IH" Heavy Industrial	Light Industrial & Vacant	Commercial
	<i>West</i>	"IH" Heavy Industrial	Public Semi-Public	Commercial
ADP, Map & Violations	<p>Area Development Plan: The subject property is located in the South Central Area Development Plan (ADP) and is planned for commercial uses. The proposed change of zoning to the "IL" Light Industrial District is not consistent with the Future Land Use Plan. Map No.: 045045 & 045046 Zoning Violations: None</p>			

Transportation	Transportation and Circulation: The subject property has approximately 300 feet of frontage along North Tanchua Street, which is a “C1” Minor Residential Collector street, and approximately 150 feet of frontage along Resaca Street, which is a Local Residential street. The development is using part of the future Fitzgerald Street right of way. No right of way dedication will be required with the replat of this property.				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	N. Tanchua St.	“C1” Minor Residential Collector	60’ ROW 40’ paved	95’ ROW 40’ paved	Not Available
	Resaca St.	Local Residential	50’ ROW 28’ paved	20’ ROW 28’ paved	Not Available

Staff Summary:

Requested Zoning: The applicant is requesting a change of zoning from the “CG-2” General Commercial and “IH” Heavy Industrial Districts in order to allow expansion of the existing nonconforming facility. The subject property was rezoned in 1998 to the “CG-2” General Commercial District (formerly “B-4” General Business District) to allow Reality Ranch, which is a post-incarceration and rehabilitation facility. This type of use is classified as a “social service” use. When the UDC was adopted, social service uses were no longer allowed in the “CG-2” District. The use is considered nonconforming and expansion of nonconforming uses is prohibited. Therefore, the applicant is requesting a rezoning in order to expand the facility.

Proposed Use & Development Plan: Avalon Corpus Christi Transitional Center will operate the Reality Ranch facility and will lease not purchase the subject property. Reality Ranch has been in operation at this location since its rezoning was initially approved in 1998. Reality Ranch is a licensed residential substance abuse treatment facility under contract to the Texas Department of Criminal Justice (TDCJ) and licensed by the Texas Department of State Health Services. Residents are all referred by TDCJ. Reality Ranch provides residential care to adult men transitioning from incarceration back into society and who have a history of chronic drug and/or alcohol abuse. Residents are not permitted to freely come and go. Persons leaving the facility must have an approved itinerary.

The applicant plan to add four modular buildings to the property. Of the four buildings proposed, a 1,200-square-foot building and 2,136-square-foot building will house residents; a 1,540-square-foot building will be used for office space; and a 160-square-foot building is for a security check in/out point.

Existing Land Uses & Zoning: North of the subject property is land owned by the Port of Corpus Christi zoned “IH” Heavy Industrial District. South of the subject property is the Concrete Street Amphitheater zoned “IH” Heavy Industrial District. West of the subject property is the City Broadway Wastewater Treatment Plant zoned “IH” Heavy Industrial District. East of the subject property is a parking lot zoned “IH” Heavy Industrial District.

AICUZ: The subject property is not located in a Navy Air Installation Compatibility Use Zones (AICUZ).

Comprehensive Plan & Area Development Plan (ADP) Consistency: The subject property is located within the boundaries of the South Central ADP and the proposed rezoning to the “IL” Light Industrial District is not consistent with the adopted Future Land Use Plan, which slates the property and other properties in the immediate vicinity for commercial uses.

Plat Status: The existing facility is located on property that consists of multiple platted lots. In order to add additional buildings that would cross lot lines, the property would need to be replatted into one lot.

Department Comments:

- The continued existence and expansion of the Reality Ranch facility is compatible with current industrial zoning patterns in the area and will not have any negative impacts on the existing surrounding properties.
- The Future Land Use Plan calls for future commercial uses on the subject property and surrounding properties. Approving a rezoning to the “IL” Light Industrial District would not be consistent with the Future Land Use Plan. Granting a Special Permit with the “CG-2” General Commercial District remaining as the underlying district would allow the expansion of the existing facility while retaining the commercial zoning designation. A Special Permit would prevent other light industrial uses from occupying the property should the existing facility discontinue its operations at this location. Preventing future industrial uses on this property would be consistent with the plan for this area.
- The UDC allows a social service use in the “CG-1” General Commercial District only by means of a Special Permit. Compared to the “CG-2” General Commercial District, the “CG-1” District prohibits residential uses. The landowner wants to retain the option to develop the property with residential uses and chose to apply for the “IL” Light Industrial District with the knowledge that staff would recommend denial of the “IL” District and instead approval of the “CG-2/SP” General Commercial District with a Special Permit.
- The South Central Area Development Plan states that conversion of industrial uses between the City Broadway Wastewater Treatment Plant and U.S. Highway 181 should be encouraged to make this area more visitor-oriented. Retaining the “CG-2” General Commercial District would be consistent with the plan for this area.

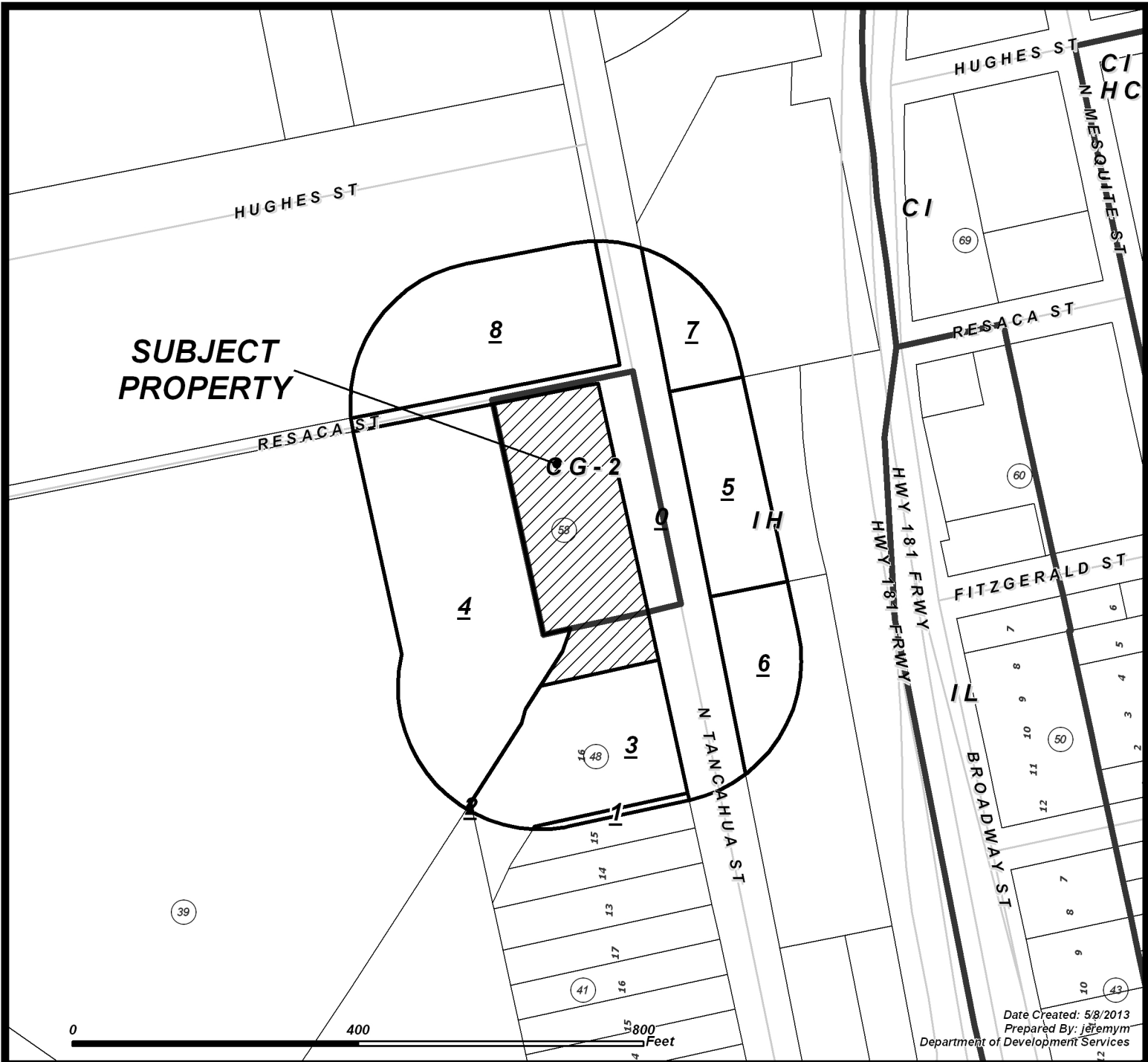
Planning Commission and Staff Recommendation (May 22, 2013):

Denial of the change of zoning from the “CG-2” General Commercial District and “IH” Heavy Industrial District to the “IL” Light Industrial District, and in lieu thereof, approval of the “CG-2/SP” General Commercial District with a Special Permit subject to the following conditions:

1. **USE:** The only use allowed on the property other than a use allowed by right in the “CG-2” General Commercial District is a social service use.
2. **TIME LIMIT:** This Special Permit shall be deemed to have expired within 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.

Public Notification	Number of Notices Mailed – 7 within 200’ notification area; 2 outside notification area
	<u>As of May 23, 2013:</u>
	In Favor – 0 (inside notification area); 0 (outside notification area)
	In Opposition – 1 (inside notification area); 0 (outside notification area)
For 0.61% in opposition.	

- Attachments:
1. Location Map (Existing Zoning & Notice Area)
 2. Site Plan







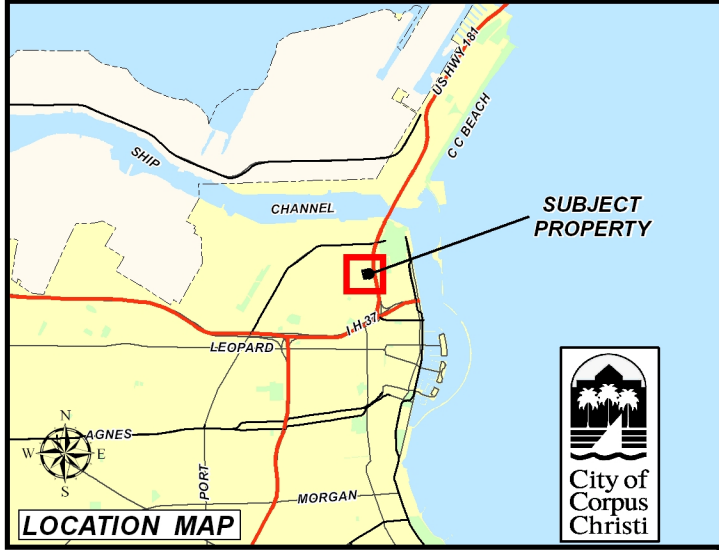
Date Created: 5/8/2013
 Prepared By: Jeremy
 Department of Development Services

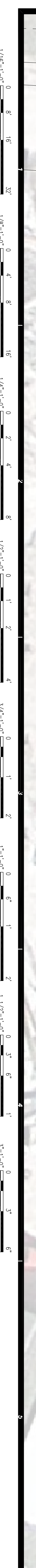
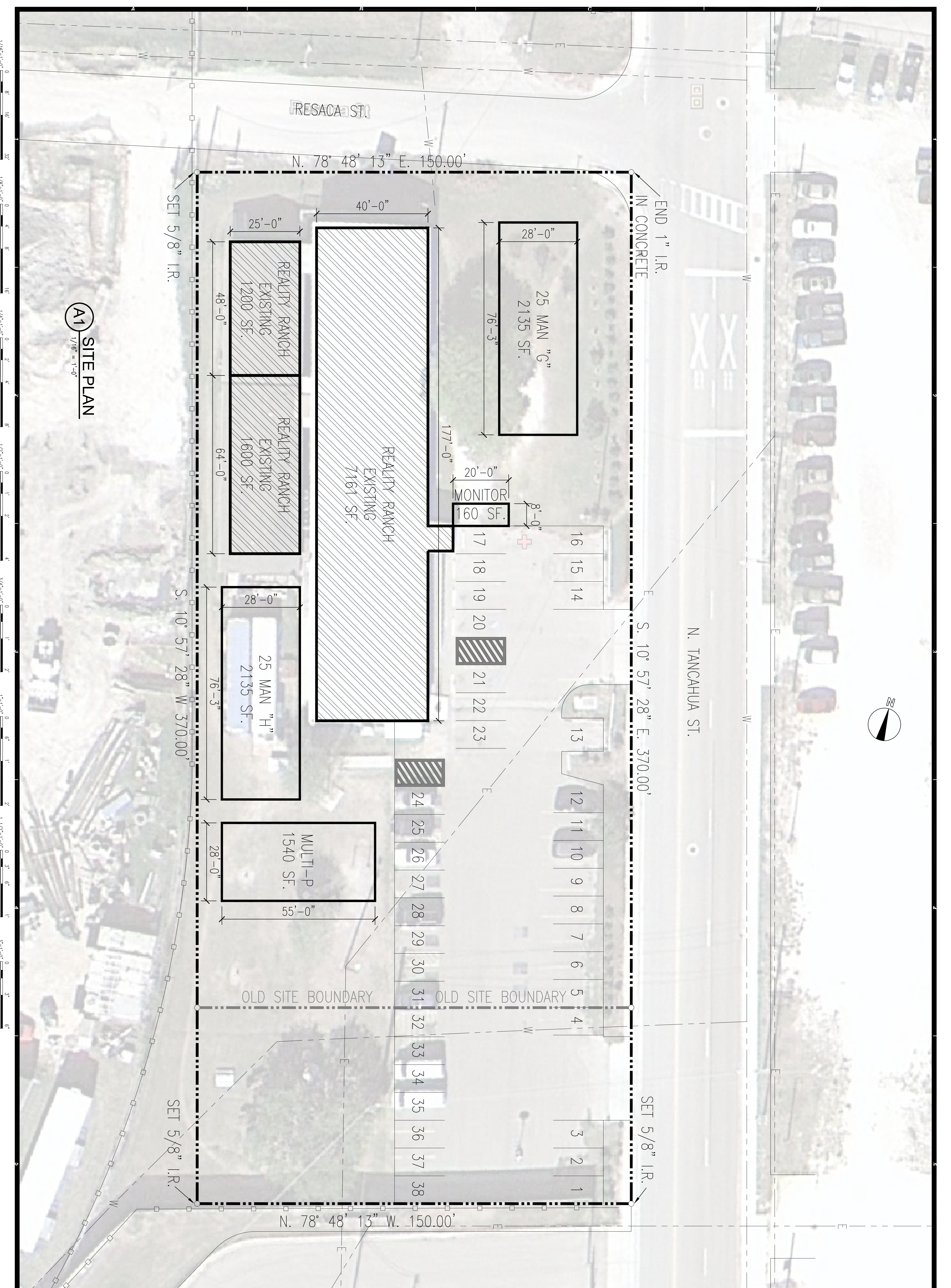
CASE: 0413-03

2. SITE - EXISTING ZONING, NOTICE AREA & OWNERSHIP

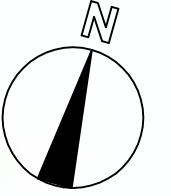
RM-1 Multifamily 1	IL Light Industrial
RM-2 Multifamily 2	IH Heavy Industrial
RM-3 Multifamily 3	PUD Planned Unit Dev. Overlay
ON Professional Office	RS-10 Single-Family 10
RM-AT Multifamily AT	RS-6 Single-Family 6
CN-1 Neighborhood Commercial	RS-4.5 Single-Family 4.5
CN-2 Neighborhood Commercial	RS-TF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

-  Subject Property with 200' buffer
-  Owners in favor
-  Owners within 200' listed on attached ownership table
-  Owners in opposition





A1 SITE PLAN
1/16" = 1'-0"



 SPINKS REED, LLC Title: 214.888.7488 Tel: 978.977.2655 Fax: 978.966.5010	This document, and the ideas and designs incorporated herein, as an integral part of the project, are the property of Spinks Reed, LLC and is not to be used, copied, reproduced, or disseminated, without the written authorization of Spinks Reed, LLC.	PROJECT: REALITY RANCH SHEET TITLE: SITE PLAN DATE: _____ DESCRIPTION: _____	NOT FOR CONSTRUCTION PROJECT NO: 2012XX DRAWN BY: BSG CHECKED BY: DRB DATE: 04/09/2013 COPYRIGHT © KLEID ARCHITECTURE
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