

ZONING REPORT

Case # 0723-06

Applicant & Subject Property

City Council District: 1

Owner: Costa Blue 914 S. Port Series

Applicant: Joe Ortiz

Address: 914 South Port Avenue, located along the east side of South Port Avenue, north of Buford Street, south of Ruth Street, west of 25th Street, and east of Hibiscus Street.

Legal Description: North half of Lot 5, Block 2, Montrose Park

Acreege of Subject Property: 0.14 acres

Pre-Submission Meeting: May 19, 2023

Zoning Request

From: "IL" Light Industrial District

To: "IL/SP" Light Industrial District with a Special Permit

Purpose of Request: To allow for commercial daycare, adaptive reuse of a former place of worship.

Land Development & Surrounding Land Uses

	Zoning District	Existing Land Use	Future Land Use
Site	"IL" Light Industrial	Vacant	Mixed Use
North		Commercial	
South			
East		"RS-6" Single-Family 6	
West	"IL" Light Industrial	Commercial	

Plat Status: Not currently platted.

Military Compatibility Area Overlay District (MCAOD, Effective August 22, 2022): No.

Code Violations: None.

Transportation and Circulation

	Designation-Urban Street	Section Proposed	Section Existing
South Port Avenue	"A1" Minor Arterial	4 Lanes, Center Turn Lane 95 Feet	4 Lanes, On-Street Parking Lanes 100 Feet ROW
Ruth Street	"C1" Collector	2 Lanes, 60 Feet	2 Lanes, 60 Feet

Transit: The Corpus Christi RTA provides service directly to the subject property via Route 12 Hillcrest/Baldwin and Route 23 Molina.

Bicycle Mobility Plan: The subject property is approximately 600 feet away from a proposed Bike Boulevard on Buford Avenue.

Utilities

Gas: A 2" WS line along the east side of South Port Avenue.
Stormwater: A 27" RCP along the west side of South Port Avenue.
Wastewater: An 8" VCP service line along the east side of South Port Avenue.
Water: A 2" SP line along the east side of South Port Avenue)

Corpus Christi Comprehensive Plan

Plan CC: Provides a vision, goals, and strategies, to guide, regulate, and manage future development and redevelopment within the corporate limits and extraterritorial jurisdiction (ETJ) was adopted in 2016.
Area Development Plan (ADP): According to Plan CC the subject property is located within the Westside Area Development Plan (Updated in January of 2023).
Water Master Plan: No improvements have been proposed.
Wastewater Master Plan: No improvements have been proposed.
Stormwater Master Plan: No improvements have been proposed.

Public Notification

Number of Notices Mailed	<ul style="list-style-type: none"> • 19 within a 200-foot notification area • 4 outside 200-foot notification area
In Opposition	<ul style="list-style-type: none"> • 0 inside the notification area • 0 inside the notification area • 0% in opposition within the 200-foot notification area (0 individual property owners)

Public Hearing Schedule

Planning Commission Hearing Date: August 23, 2023
City Council 1st Reading/Public Hearing Date: October 17, 2023
City Council 2nd Reading Date: October 24, 2023

Background:

The subject property is 0.14 acres in size and is not platted. The previous use was as a place of worship. The current lessee of the subject property, Ds Childcare, is licensed through the state for current home daycare and has leased the subject property to expand her existing childcare services. The catalyst for the rezoning case is a submitted building permit.

Ds Childcare has received a Child Care Provider Expansion Grant from the Texas Workforce Commission to help offset operational costs associated with the preparation to expand her home-based child business to an offsite location. Requirements for the grant included the following:

- A clear business plan and timeline for growth.
- Secure demand in the market in which they intend to serve.
- A clear staffing plan to support growth.
- A comprehensive financial plan to support sustainability.

- Demonstrate how they intend to provide increased value to their surrounding community and the Texas childcare industry through their expansion.

The subject property was chosen by the applicant with assistance from the Workforce Commission, based on the mapping of childcare deserts - determined by census bureau data. Childcare deserts are areas with at least 30 children under the age of 5 and either no or few childcare providers – with as many as 3 times as many children under five as there are childcare spots available.

Additionally, Ds Childcare has provided staff Childcare Surveys with completed parent surveys detailing knowledge of and support for the relocation of childcare services to the subject property. Ds Childcare also has a waitlist for childcare services which demonstrates demand.

Comprehensive Plan Consistency:

- **Plan CC:** The proposed rezoning is consistent with the following Goals and Strategies for Decision Makers:
 - Resilience and Resource Efficiency
 - Encourage the preservation and adaptive reuse of existing structures to reduce construction waste and conserve energy and materials.
 - Economic Development
 - Promote a community culture that recognizes and embraces innovation and entrepreneurship.
 - Support essential services, such as childcare that enable workers to seek and maintain employment.
 - Future Land Use, Zoning, and Urban Design
 - Promote the stabilization, revitalization, and redevelopment of older neighborhoods.
 - Encourage orderly growth of new residential, commercial, and industrial areas.
 - 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.
 - Promote interconnected neighborhoods with appropriate transitions between lower-intensity and higher-intensity land uses.
 - Encourage compact as opposed to linear form commercial centers to provide for a grouping of activities.
 - Such grouping of activities generally permits more effective traffic management, i.e., left-turn conflicts can be minimized, entryways/exits can be designed to serve several businesses, and right turns onto major streets can be encouraged.
- **Area Development Plan (Westside) and FLUM (Future Land Use Map):** The proposed rezoning is consistent with the following:
 - Foster an environment for economic development that attracts new businesses, increases employment, and revitalizes or enhances existing commercial and industrial uses.

- Use zoning to create buffers between existing and future residentially designated areas from industrial areas.
- The Westside ADP defines mixed-use centers to include residential, retail, hotel, and office use. Mixed-use centers are pedestrian-friendly with buildings oriented to the street. Churches, schools, and public uses are included in mixed-use areas.

The proposed rezoning is inconsistent with the FLUM's designation of mixed use.

Staff Analysis:

Staff reviewed the subject property's background information and the applicant's purpose for the rezoning request and conducted research into the property's land development history to include platting, zoning, existing surrounding land uses, and potential code violations. Staff compared the proposed zoning's consistency with the applicable elements of the comprehensive plan. As a result of the above analysis, staff notes the following:

- Staff has determined the rezoning request:
 - Is consistent with broader elements of the Comprehensive Plan
 - Is compatible with the present zoning and conforming uses of nearby property and to the character of the surrounding area.
 - The subject property is suitable for the land use proposed.
- The proposed rezoning supports economic development and entrepreneurship as detailed in PlanCC, as well as supports essential needs such as childcare.
- The location is ideally sited as the area is identified as a childcare desert.
- The Future Land Use map calls for a mixed-use area, which can include residential retail and office uses. The entire east block of South Port Avenue from Buford Avenue to Ruth Street is light industrially zoned with a Future Land Use designation of mixed-use. Staff seeks to maintain the continuity in the zoning district which allows commercial to light industrial uses considering the corridor's transitioning uses.
- A Special Permit can provide the limited use of the requested commercial daycare without amending the underlying zoning district – such that if the community daycare use is discontinued, the base zoning would remain.
- A shared parking agreement has been submitted to staff as a part of this rezoning application. This agreement will need to be filed with Nueces County and will be used during the building permit review process.
- The shared parking agreement will also address the required drive-through loading area as required by the Unified Development Code (§5.2.4.3) by allowing ingress from South Port Avenue and egress onto Ruth Street.

After evaluation of case materials provided and subsequent staff analysis including land development, surrounding uses and zoning, transportation and circulation, utilities, Comprehensive Plan consistency, and considering public input, staff recommends approval of the change of zoning.

Planning Commission and Staff Recommendation (August 23, 2023): Approval of the change of zoning from the "IL" Light Industrial District to the "IL/SP" Light Industrial District with a Special Permit subject to the following conditions:

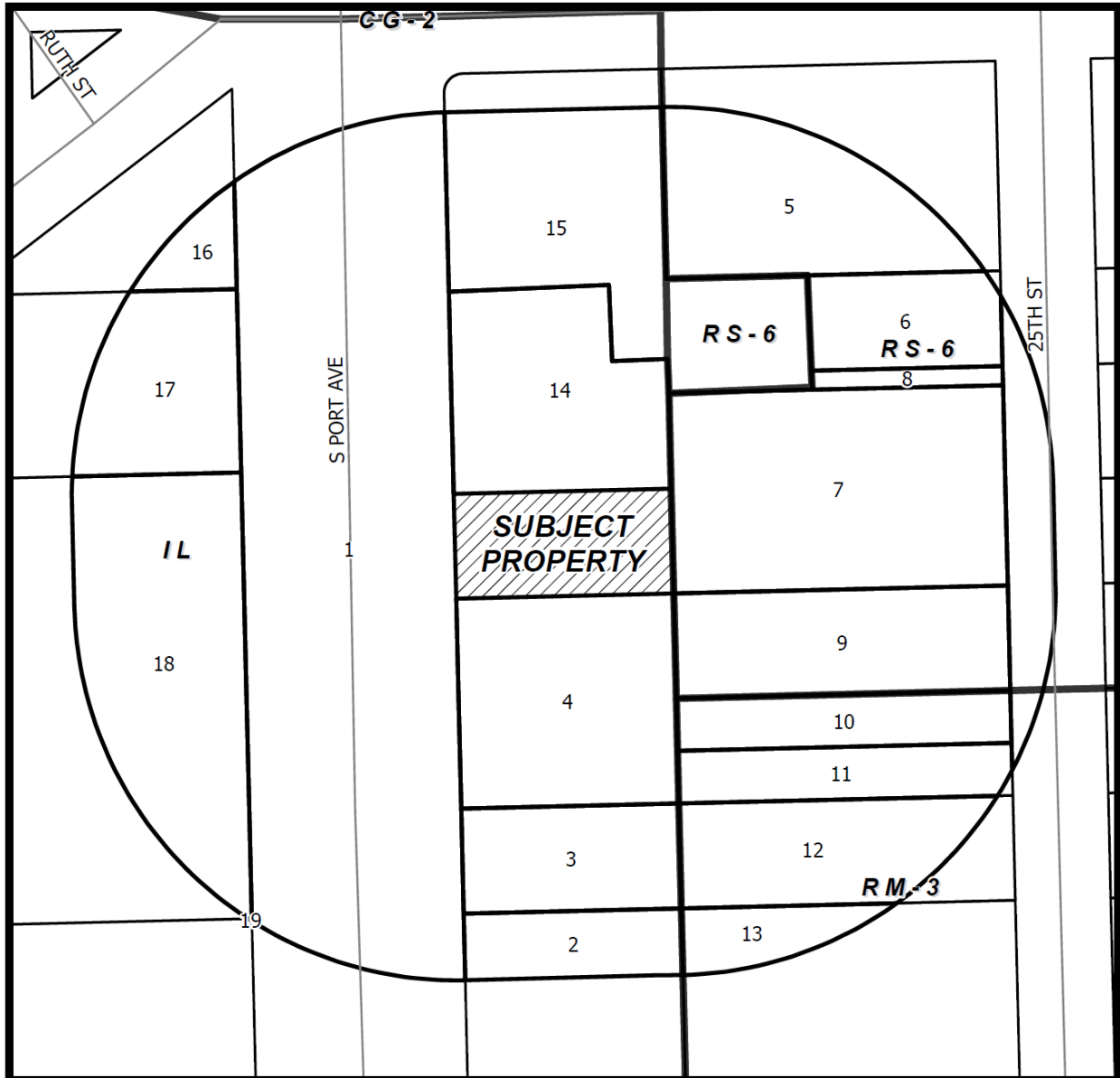
1. Use: The only use allowed other than uses allowed in the base zoning district is a commercial day care center.

2. Location of Outdoor Play or Instruction Area: May be allowed in the front of the property but not in the required street yard as per the site plan.
3. Off-Street Parking and Loading: A signed shared parking agreement must be submitted with the building permit application to include 4 employee parking spaces and a drive-thru loading area with 5 vehicle stacking spaces as per the site plan
4. Occupancy: Shall be limited to 4 employees and no more than 38 children.
5. Screening: Outdoor play area shall be screened according to Texas Child Care Licensing requirements.
6. State Licensing: The applicant shall maintain Texas Child Care Licensing.
7. Hours of Operation: The hours of operation shall be limited from 6:00 AM to 7:00 PM.
8. Other Requirements: The conditions listed herein do not preclude compliance with other applicable UDC and Building and Fire Code Requirements.
9. Time Limit: In accordance with the UDC, 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.

Attachment:





- A. Existing Zoning and Notice Area Map
- B. Site Map

ATTACHMENT A: EXISTING ZONING AND NOTICE AREA



CASE: 0723-06 Zoning and 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	

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



ATTACHMENT B: SITE PLAN



SUPERIOR DESIGNS, LLC
 361 425-1499
 JOHANNA ORTIZ
 SUPERIORDESIGNS@GMAIL.COM
 WWW.SUPERIORDESIGNS.COM

DS CHILD CARE 914 S. PORT AVE.

DESIGN PREPARATION CONTRACT AGREEMENT IS TO BE SIGNED BY THE OWNER OF SUPERIOR DESIGNS, LLC. THIS CONTRACT IS NOT VALID UNLESS SIGNED BY AN OWNER OF SUPERIOR DESIGNS, LLC. SUPERIOR DESIGNS, LLC IS NOT RESPONSIBLE FOR ANY DAMAGE TO THE PROPERTY OF SUPERIOR DESIGNS, LLC OF CORPUS CHRISTI, TEXAS, TEXAS. © COPYRIGHT 2021

NOTE:
 SUBCONTRACTORS ARE RESPONSIBLE FOR OBTAINING AND OBTAINING CORRECTING ALL NECESSARY PERMITS AND LICENSES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND LICENSES. SUPERIOR DESIGNS, LLC IS NOT RESPONSIBLE FOR THE PROJECT CONSTRUCTION.

- NOTE: SUB CONTRACTORS TO
 1. ALL ARE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND LICENSES.
 2. PROVIDE WALKWAY AS PER NEEDS FOR ALL ACCESSIBLE AREAS.
 3. PROVIDE WALKWAY AS PER NEEDS FOR ALL ACCESSIBLE AREAS.
 4. PROVIDE WALKWAY AS PER NEEDS FOR ALL ACCESSIBLE AREAS.
 5. PROVIDE WALKWAY AS PER NEEDS FOR ALL ACCESSIBLE AREAS.
 6. PROVIDE WALKWAY AS PER NEEDS FOR ALL ACCESSIBLE AREAS.
 7. PROVIDE WALKWAY AS PER NEEDS FOR ALL ACCESSIBLE AREAS.
 8. PROVIDE WALKWAY AS PER NEEDS FOR ALL ACCESSIBLE AREAS.
 9. PROVIDE WALKWAY AS PER NEEDS FOR ALL ACCESSIBLE AREAS.
 10. PROVIDE WALKWAY AS PER NEEDS FOR ALL ACCESSIBLE AREAS.

LEGALS

LOT 5
 BLK 2
 SUB. MONROSE PARK NO.2 OF

AREAS

FIRST FLOOR -----2,600 SQ. FT.

DRAWING TITLES

EXISTING
 PARKING

JOB NO.: 1669

DATE: 01-17-2023

DRAWN BY: JOHANNA ORTIZ

CHECKED BY: JOE A. ORTIZ

SHEET NUMBER

S-1