STAFF REPORT

Case No. 1116-01
HTE No. 16-10000038

Planning Commission Hearing Date: November 2, 2016

Applicant & Legal Description	**Applicant/Owner:** Scott Electric Co. **Representatives:** Chris Flores **Legal Description/Location:** Four lots composed of Shoreline Park, Block 8, consisting of the following four lots: Southeast 40' of Lot 9; Northwest 10' of Lot 9, all Lot 10, and Southeast 20' Lot 11; West 30' Lot 11 and East 10' of Lot 12; West 43.75' of Lot 12; located on Dempsey Street between Lexington Avenue and North Port Avenue.
Zoning Request	**From**: "RS-6" Single-Family 6 District and "RS-6/SP" Single-Family 6 District with a Special Permit **To**: "IL" Light Industrial **Area**: 0.5847 acres **Purpose of Request**: To allow construction of a storage building.

Existing Zoning and Land Uses

	Existing Zoning District	Existing Land Use	Future Land Use
Site	"RS-6" Single-Family 6 & "RS-6/SP" Single-Family 6 with a Special Permit	Industrial	Medium Density Single Family Residential
North	"IL" Light Industrial & "RS-6" Single-Family 6	Low Density Residential & Light Industrial	Medium Density Single Family Residential
South	"RS-6" Single-Family 6	Vacant, Low Density Residential & Industrial	Medium Density Single Family Residential & Mixed Use
East	"IL" Light Industrial	Light Industrial	Medium Density Single Family Residential
West	"RS-6" Single-Family 6	Vacant & Low Density Residential	Medium Density Single Family Residential

ADP, Map & Violations	**Area Development Plan**: The subject property is located within the boundary of the Central Business Area Development Plan and is planned for commercial uses fronting Port Avenue and medium density residential uses fronting Lexington Avenue on all of Block 8 where the subject property is located. The proposed rezoning to the "IL" Light Industrial District is not consistent with the adopted Future Land Use Map or the Central Business Area Development Plan. **Map No.**: 046045 **Zoning Violations**: None

Transportation	**Transportation and Circulation**: The subject property has approximately 205 feet of street frontage along Dempsey Street, which egresses onto Port Avenue that the Urban Transportation Plan designates as an "A1" Arterial. The maximum desirable average daily trips (ADT) for a designated "A1" is 15,000 to 24,000 daily trips. The subject property is located on the north side of Dempsey Street approximately 95 feet west of Port Avenue.

Street R.O.W.

Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2015/2016)
Port Avenue	"A1" Minor Arterial Undivided	95' ROW 64' paved	72' ROW 58' paved	14,277 ADT
Dempsey Street	Local Residential	50' ROW 28' paved	43' ROW 27' paved	N/A

<u>Staff Summary</u>:

Requested Zoning: The applicant is requesting a rezoning from the "RS-6" Single-Family 6 District and the"RS-6" Single-Family 6 District with a Special Permit District to the
"IL" Light Industrial District to allow the construction of a storage building.

Development Plan: The proposed rezoning is within the Shoreline Park Subdivision. The applicant is proposing a storage building on a 0.5847 acre tract of land. The proposed storage building will cross three of the four lots and be 40 feet by 100 feet, totaling 4,000 square feet of building area. It will be used to store electrical and air conditioning parts and material which is already stored on sight in smaller buildings. A buffer yard of 10 feet along with a 6 foot standard screening fence would be required along the property lines abutting the "RS-6" Single-Family 6 District and is already in place along with a 6 foot standard screening fence to provide a visual barrier for the surrounding neighborhood. The site is proposed to have access from Dempsey Street and Port Avenue.

Existing Land Uses & Zoning: The subject property is currently being used for commercial vehicle storage and zoned "RS-6/SP" Single-Family 6 with a Special Permit District. Scott Electric Co. also owns the lots north of the subject property and is being used as commercial vehicle and parts storage that is zoned "IL" Light Industrial and "IL/SP" Light Industrial with a Special Permit District. South of the subject property is a commercial business, single-family residential, and two vacant lots zoned "IL" Light Industrial District and "RS-6" Single-Family 6 District, respectively. East of the subject property there are more lots owned by Scott Electric Co. which are also being used and are commercially zoned "IL" Light Industrial District. West of the subject property are vacant lots zoned "RS-6" Single-Family 6 District.

AICUZ: The subject property is **<u>not</u>** located in one of the Navy's Air Installation Compatibility Use Zones (AICUZ).

Plan CC & Area Development Plan Consistency: The subject property is located within the boundary of the Central Business Area Development Plan which designates the subject property for medium density residential uses. The proposed rezoning to the "IL" Light Industrial District is inconsistent with Plan CC and the Future Land Use Map which designate the area as Medium Density Single Family Residential. Additionally, the following are pertinent elements of Plan CC and the Central Business Area Development Plan that should be considered:

- Promote financial incentives for business investments that offer the potential for strong catalytic impacts, and structure incentives to provide the maximum public benefits. (Plan CC, Element 4, Goal 2, Strategy 2)
- Encourage the development of a high-quality workforce across a wide range of occupations and skill levels that meets the current and emerging needs of local businesses and makes workforce a positive factor for business prospects. (Plan CC, Element 4, Goal 2, Strategy 3)
- Encourage improvements of the port area and its facilities according to the Port of Corpus Christi's Strategic Plan. (Plan CC, Element 4, Goal 7, Strategy 1)
- Promote expansions of local businesses and target innovative and entrepreneurial businesses for relocation, and attract high-wage jobs in fields such as tourism, science, technology, and green or clean industries that create a vibrant economy. (OBJECTIVE Economic Development 1, Central Business Area Development Plan)
- Mixed-use districts are being actively encouraged, and locations for new mixed-use centers are being identified, providing live-work-shop opportunities that minimize travel needs. The properties located along Shoreline Boulevard have been identified as areas that shall be considered for tourist-related and residential mixed uses, with limited office or non-tourism related business uses. (POLICY Live-Work Units 1.2, Central Business Area Development Plan)

Plat Status: The subject property is currently comprised of four platted lots. In order to construct the proposed storage building, the property needs to be replatted.

<u>Department Comments</u>:

- The proposed rezoning deviates from Plan CC:
    - Uses typically found in the "IL" Light Industrial District should be prohibited along Dempsey Street and Lexington Avenue which the future land use maps designates as Medium Density Single Family Residential.
    - The proposed storage building is completely within the lots owned by Scott Electric Co. which currently function as a commercial business and will not alter the aesthetics of the current buffer and standard screening fence.
- It is Staff's opinion that the proposed rezoning would negatively impact the surrounding residential properties and the property to be rezoned is inconsistent with the Future Land Use Plan's designation of the property as a Medium Density Single Family Residential use.
- An "IL" Light Industrial District would allow uses that are not compatible with the surrounding residential subdivision and could potentially increase traffic through residential areas on Dempsey Street and Lexington Avenue, which are local residential streets.

- Staff's opinion is that a storage building does not decrease the residential desirability of this neighborhood. This is one of the findings required per Plan CC when deciding which commercial uses to allow within residential areas.
- Property was previously rezoned in 2008 for an "SP" with conditions that created compatibility.
- It is Staff's opinion that a Special Permit with conditions could continue to work in this situation.

Staff Recommendation:
Denial of the change of zoning from the "RS-6" Single-Family 6 District and "RS-6/SP" Single-Family 6 District with a Special Permit to the "IL" Light Industrial District, and in lieu thereof, staff recommends extending the "RS-6/SP" Single-Family 6 District with a Special Permit to all four lots subject to the following six conditions:

1. **Uses:** The only uses authorized by this Special Permit other than uses permitted by right in the base zoning district is the outdoor storage of company and/or employee vehicles and a storage building for parts and material of air conditioners and electrical work.

2. **Lighting:** All security lighting must be shielded and directed away from adjacent residences and nearby streets. Cut-off shields are required for all lighting. No light projection is permitted beyond the property line near all public roadways and residential development.

3. **Landscape Strip:** A ten (10) foot wide visual landscape strip shall be installed and maintained running parallel to, in front of, and in the distance of the required six (6) foot standard screening fence.

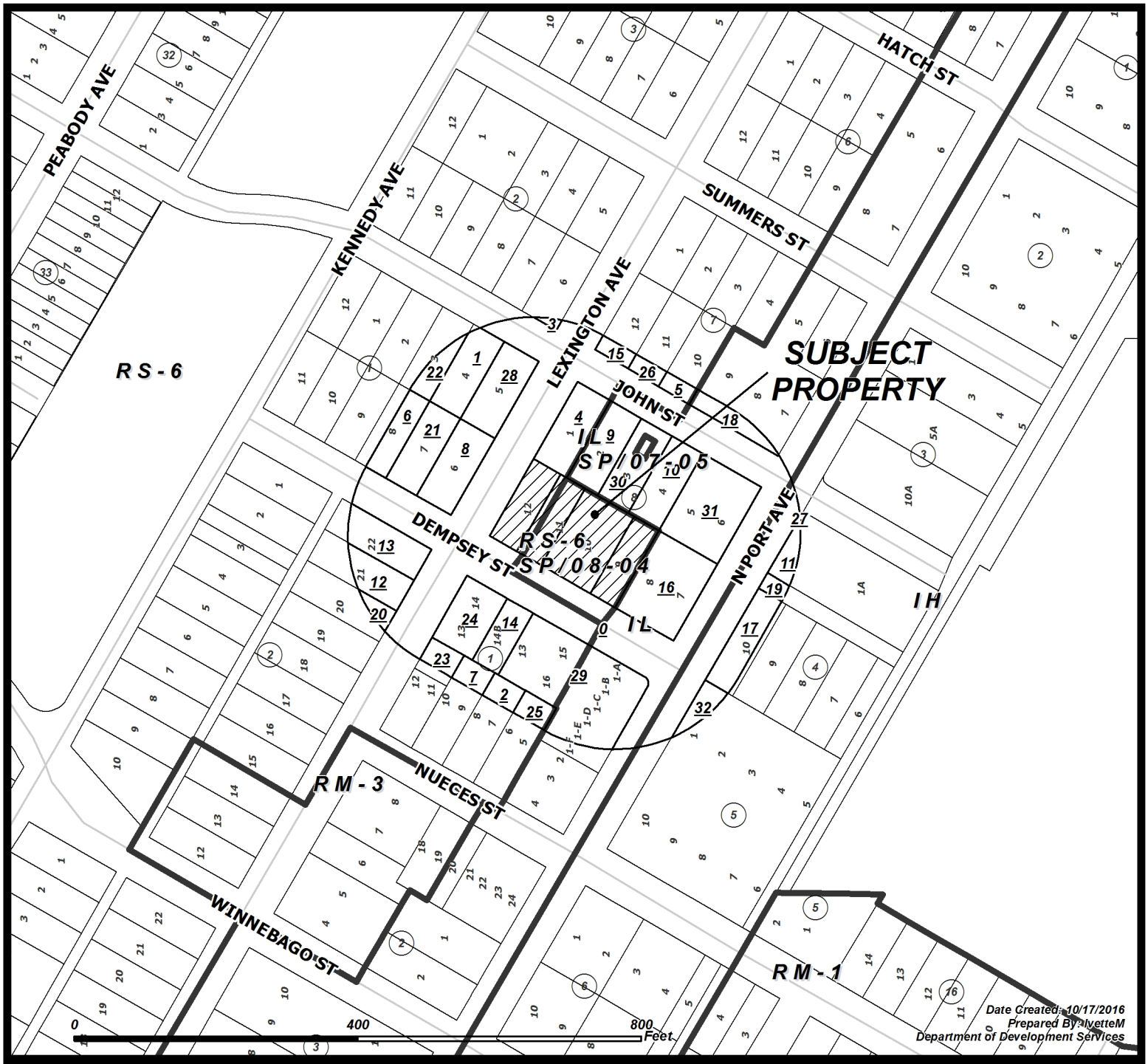
4. **Screening Fence:** A six (6) foot standard screening fence shall be installed and maintained to provide a visual barrier between the vehicular storage yard/building and the surrounding neighborhood.

5. **Hours of Operation:** The hours of operation shall be the same as the business hours of operation from 7:00 AM to 5:30 PM Monday through Friday.

6. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within twelve (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 – 31 within 200-foot notification area 2 outside notification area ***<u>As of October 26, 2016</u>:*** In Favor – 0 inside notification area – 0 outside notification area In Opposition – 0 inside notification area – 0 outside notification area Totaling 0.0% of the land within the 200-foot notification area in opposition.

Attachments:
1. Location Map (Existing Zoning & Notice Area)
2. Application
3. Public Comments Received (if any)



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ZONING & NOTICE AREA

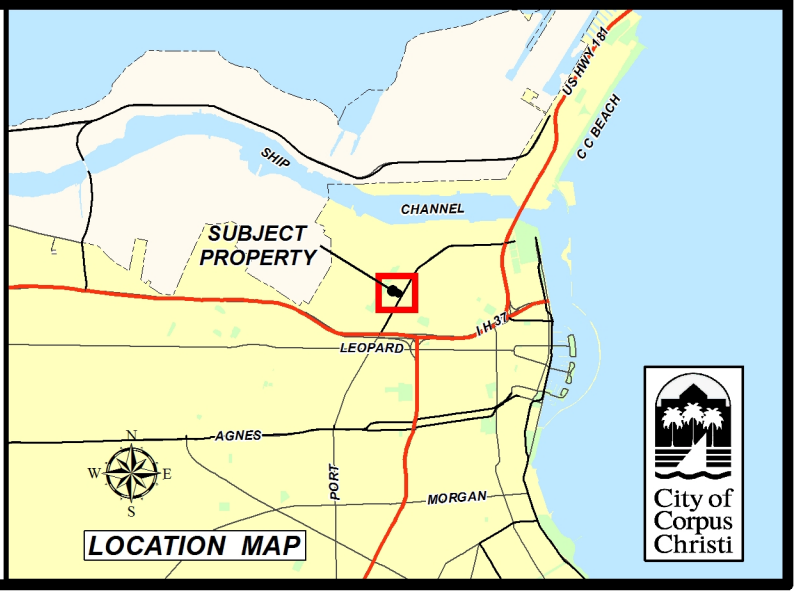
RM-1	Multifamily 1	IL	Light Industrial
RM-2	Multifamily 2	IH	Heavy Industrial
RM-3	Multifamily 3	PUD	Planned Unit Dev. Overlay
ON	Professional Office	RS-10	Single-Family 10
RM-AT	Multifamily AT	RS-6	Single-Family 6
CN-1	Neighborhood Commercial	RS-4.5	Single-Family 4.5
CN-2	Neighborhood Commercial	RS-TF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

Subject Property with 200' buffer

Owners in favor

4 Owners within 200' listed on attached ownership table

X Owners in opposition



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REZONING APPLICATION

Development Services Dept.
P.O. Box 9277
Corpus Christi, Texas 78469-9277
(361) 826-3240
Located at 2406 Leopard Street

Office Use Only

Case No.: 1116-01 Map No.: 046045

PC Hearing Date: Nov. 2, 2016 Proj.Mgr:

Hearing Location: City Hall, Council Chambers, 1201 Leopard Street
Hearing Time: 5:30 p.m.

** A MAXIMUM OF FIVE REZONINGS CASES ARE SCHEDULED PER HEARING.*
** INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.*

1. Applicant: Scott Electric Co. Contact Person: Christopher Flores
Mailing Address: P.O. Box 1819
City: Corpus Christi State: TX ZIP: 78403 Phone: (361) 884-6326
E- Cell: (361) 533-3480

2. Property Owner(s): Mike Hope Contact Person: Christopher Flores
Mailing Address: P.O. Box 1819
City: Corpus Christi State: TX ZIP: 78403 Phone: (361) 884-6326
E- Cell: ( )

3. Subject Property Address: See Attached Sheet Area of Request (SF/acres):
Current Zoning & Use: RS-6 and RS-6/SP Proposed Zoning & Use: IL
12-Digit Nueces County Tax ID: ____-____-____
Subdivision Name: See Attached Sheet Block: Lot(s):
Legal Description if not platted: See Attached Sheet

4. Submittal Requirements:
- [x] **Early Assistance Meeting:** Date Held 10-3-16 ; with City Staff Priscilla Ramirez
- [x] **Land Use Statement** [x] **Disclosure of Interest** [x] **Copy of Warranty Deed**

IF APPLICABLE:
- [x] Peak Hour Trip Form (if request is inconsistent with Future Land Use Plan)
- [ ] Site Plan for PUD or Special Permit
- [ ] Metes & Bounds Description with exhibit if property includes un-platted land (sealed by RPLS)
- [x] Lien Holder Authorization
- [x] Appointment of Agent Form if landowner is not signing this form

I certify that I have provided the City of Corpus Christi with a *complete* application for review; that I am authorized to initiate this rezoning as or on behalf of the Property Owner(s); and the information provided is accurate.

C. Flores
Owner or Agent's Signature — Applicant's Signature

Christopher Flores
Owner or Agent's Printed Name — Applicant's Printed Name

Office Use Only: Date Received: 10-5-16 Received By: AD ADP: CB
Rezoning Fee: 1107.50 + PUD Fee Ø + Sign Fee 20 = Total Fee 1127.50
No. Signs Required 2 @ $10/sign Sign Posting Date:

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Supplement Document

Property ID	Tax ID	Land area	Legal Description
1. 200021058	8013-0008-0090	0.1148 Acre 5000.0 Sqft	Shoreline PK SE40' LT 9 BK 8
2. 200021064	8013-0008-0095	0.2296 Acre 10000.0 Sqft	Shoreline PK NW10' LT 9, All LT 10 & SE20' of LT 11 BK 8.
3. 200021073	8013-0008-0120	0.1148 Acre 5000.0 Sqft	Shoreline PK W30' LT 11 & E10' of LT 12 BK 8
4. 200021076	8013-0008-0125	0.1255 Acre 5468.0 Sqft	Shoreline PK W43.75' of LT 12 BK 8
Total Land Area		0.5847 Acre / 25,468 Sqft	

LAND USE STATEMENT

1. State the purpose of the request and include applicable background information as to the development plan for the property, i.e., usage of property, number and square footage(s) of existing and/or proposed building(s)/unit(s), building(s)/unit(s) height, parking plans/spaces, phasing schedule of development, number of employee(s) associated with the office, business or industrial development, hours of operation, modification or demolition plans for existing structure(s), type, area and setback of signage, etc.

   * Scott Electric Co. is requesting a re-zoning in order to build a new 40' x 100' (4000 sqf) storage building. This building will be strictly for storage of electrical and a/c parts and material. The hous of operation will be the same as our business hours ...Monday thru Friday 7:00am - 5:30pm.

2. Identify the existing land uses adjoining the area of request:

   North - Business-Scott Electric Main Office

   South - Business- GIS Const. LLC

   East - Business- Bradleys

   West - Residential- Lexington Ave

DISCLOSURE OF INTERESTS

City of Corpus Christi Ordinance 17112, as amended, requires all persons or firms seeking to do business with the City to provide the following information. ***Every question must be answered***. If the question is not applicable, answer with "NA".

NAME: Scott Electric Co.

STREET: 2001 N. Port Ave **CITY:** Corpus Christi **ZIP:** 78403

FIRM is: ○ Corporation ○ Partnership ● Sole Owner ○ Association ○ Other_____

DISCLOSURE QUESTIONS

If additional space is necessary, please use the reverse side of this page or attach separate sheet.

1. **State the names of each "employee" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".**

Name	Job Title and City Department (if known)
N/A	

2. **State the names of each "official" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".**

Name	Title
N/A	

3. **State the names of each "board member" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".**

Name	Board, Commission, or Committee
N/A	

4. **State the names of each employee or officer of a "consultant" for the City of Corpus Christi who worked on any matter related to the subject of this contract and has an "ownership interest" constituting 3% or more of the ownership in the above named "firm".**

Name	Consultant
N/A	

CERTIFICATE

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Corpus Christi, Texas as changes occur.

Certifying Person: Christopher Flores (Print Name) Title: Manager

Signature of Certifying Person: _____ Date: 10-3-16