

STAFF REPORT

Case No. 0517-03
 Infor No. 17ZN1013

Planning Commission Hearing Date: May 17, 2017

Applicant & Legal Description	<p>Applicant/Owner: Magellan Terminal Holdings, L.P. Representatives: Brian Mayfield Legal Description/Location: Webb Tract Port View 101.58 acres, located along the west side of Poth Lane, south of Tribble Lane, and north of Interstate 37.</p>			
Zoning Request	<p>From: "CG-1" General Commercial District To: "IH" Heavy Industrial District Area: 22.83 acres Purpose of Request: To allow above ground fuel tanks.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"CG-1" General Commercial	Heavy Industrial and Light Industrial	Heavy Industrial and Light Industrial
	<i>North</i>	"IH" Heavy Industrial	Heavy Industrial	Heavy Industrial
	<i>South</i>	"RS-6" Single Family 6 and "ON" Neighborhood Office	Vacant	Light Industrial
	<i>East</i>	Outside City Limits (OCL)	Vacant	Light Industrial
	<i>West</i>	Outside City Limits (OCL)	Heavy Industrial	Heavy Industrial
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Westside Area Development Plan and is planned heavy industrial uses including the wholesale storage of petroleum products. The proposed rezoning to the "IH" Heavy Industrial District is consistent with the adopted Future Land Use Map and the Westside Area Development Plan. Map No.: 049045 Zoning Violations: None</p>			
Transportation	<p>Transportation and Circulation: The subject property has approximately 765 feet of frontage along Poth Lane and 1,424 feet of frontage along Tribble Lane. The Urban Transportation Plan designates both as local streets. The subject property is located on the west side of Poth Lane approximately 150 feet north of IH 37 Access Road</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Poth Lane	Local Residential	50' ROW 28' paved	40' ROW 26' paved	N/A
	Tribble Lane	Local Residential	50' ROW 28' paved	20' ROW 20' paved	N/A

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the “CG-1” General Commercial to the “IH” Heavy Industrial District to allow for wholesale storage tanks for petroleum products.

Development Plan: The subject property is comprised of 23.83 acres and is proposed to be site of wholesale storage tanks for petroleum products.

Existing Land Uses & Zoning: The subject property is currently zoned “CG-1” General Commercial and has a heavy industrial use of large above ground storage tanks. The current use of above ground storage tanks extends to the north which is zoned “IH”. Properties to the north were annexed into the City in 1995 and were originally zoned as a combination of the “CG-1” General Commercial District (Formerly B-3) and the “IL” Light Industrial District (Formerly I-2). Furthermore, the properties to the north were rezoned to “IH” Heavy Industrial District in 2004. The properties to the east and west are Outside City Limits (OCL) and are designated as part of Industrial District #1.

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

PlanCC & Area Development Plan Consistency: The subject property is located within the boundaries of the Westside Area Development Plan (ADP). The proposed rezoning to the “IH” Heavy Industrial District is consistent with the Westside ADP and the adopted Future Land Use Plan’s designation of the property as heavy industrial. Additionally, the following are pertinent elements of the Comprehensive Plan and should be considered:

- 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).
- The City should evaluate zoning districts where existing zoning should be changed to implement the Land Use Plan (Policy Statement C.3).
- Industrial properties should be required to minimize undesirable "spillover effects" into residential and commercial areas (this includes noise, air pollution, negligent visual blight, etc.) by means of property layout-out and organization of

activities by screening and maintaining buffer areas or zones for their activities (Policy Statement C.6).

Department Comments:

- The proposed rezoning is compatible with PlanCC and the Westside Area Development Plan. The proposed rezoning is also compatible with neighboring properties and with the general character of the surrounding area.
- The business of the subject property is the leasing of space for the wholesale storage of diesel, gasoline, and other petroleum based products within permanently installed above ground tanks.
- The storage tanks on-site have existed in their current size and configuration since at least 1985.
- Based on aerial photos, storage tanks have existed on-site since at least 1956.
- The area within where the Subject Property is located was annexed in 1995 and zoned “CG-1” General Commercial District (Formerly B-3). The “CG-1” District was granted due to the adjacency of the single-family homes of Country Club Place. The properties that constitute the single-family home to the south were annexed in 1954. Specific mention of non-conforming uses was included in the staff report in 1995. The purpose of the “CG-1” District was to create a zoning buffer/transition area and prevent the expansion of above ground tanks due to the threat of potential ground contamination and its effects on the adjacent residences. At the time, it was mentioned that the tanks would be removed over time. However, operations have not ceased and the adjacent single-family homes no longer exist.
- A property adjacent to the south also owned by the applicant was recently rezoned in 2015 to “ON” Neighborhood Office District to accommodate an administrative office building. Properties also to the south were recently rezoned in 2016 to “IL” Light Industrial District.
- According to the Texas Railroad Commission, there are existing pipelines that convey pressurized liquid combustibles that border and cross through the Subject Property. Pipelines also cross the adjacent properties to the south.
- There are remaining adjacent properties to the south that retain the “RS-6” Single-Family 6 District. These properties consist of former single-family homes that have slowly vacated the area over time since the early 1990s. Today, no single-family homes remain. Additionally, as mentioned above, there are pressurized pipelines that cross through these properties, therefore no single-family homes will return.
- However, due to the “RS-6” District properties, buffer yards will be required. The buffer yard requirement between properties zoned “IH” Heavy Industrial and properties zoned “RS-6” Single-Family 6 District is a Type E buffer yard. According the Unified Development Code (UDC), the Type E buffer yard requires 25 feet and 50 points.
- The Subject Property has an existing berm of earth/concrete of approximately 12-15 feet in height. The berm will be extended if and when additional fuel storage tanks are located on-site.
- The subject property is located within the city limits and therefore is required to meet the standards of the National Fire Protection Association (NFPA). In the case of emergency, the Corpus Christi Fire Department (CCFD) would be the responding party.

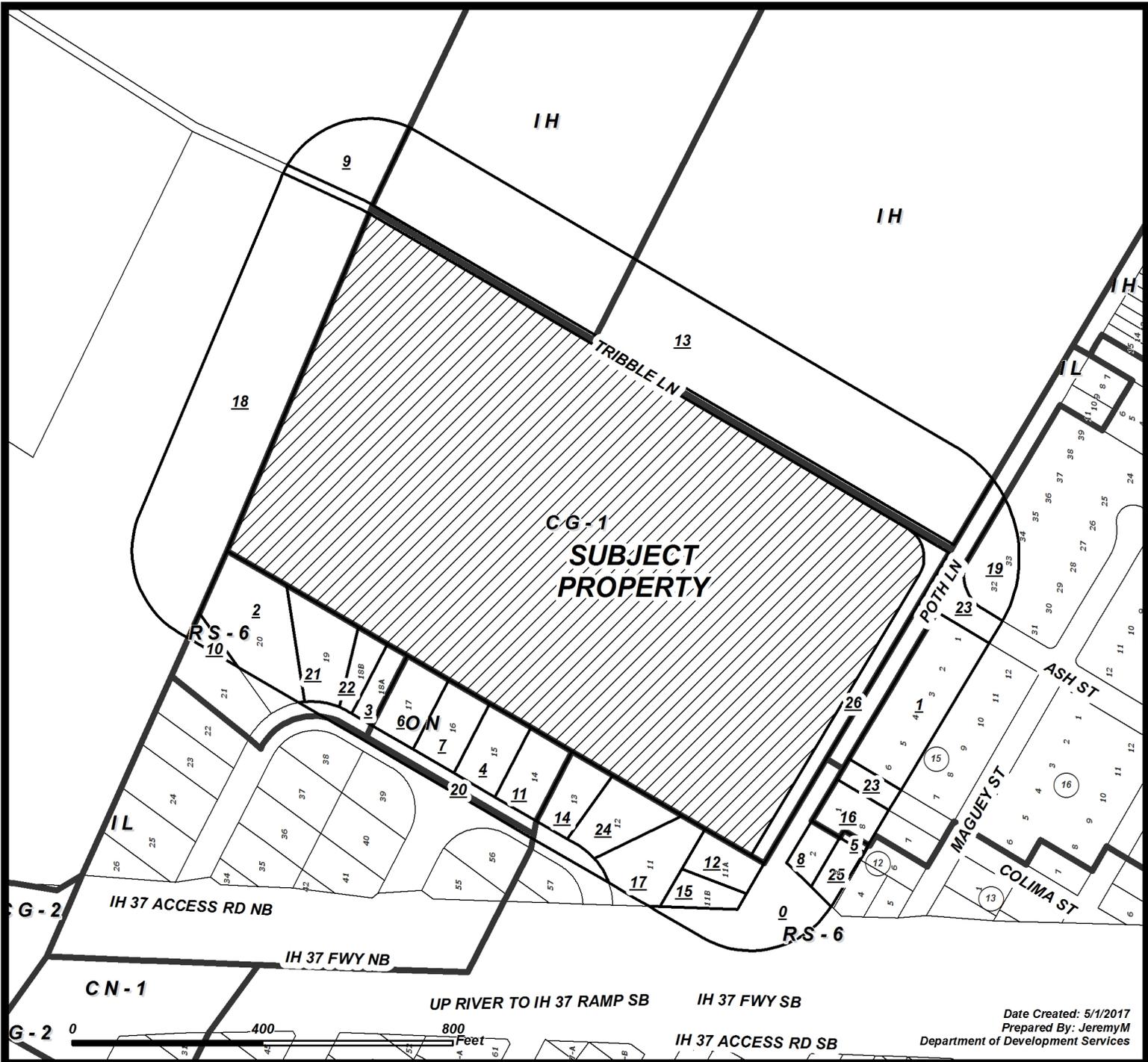
Staff Recommendation:

Approval of the change of zoning from “CG-1” General Commercial District to the “IH” Heavy Industrial District.

Public Notification	Number of Notices Mailed – 26 within 200-foot notification area 5 outside notification area
	<u>As of May 12, 2017:</u>
	In Favor – 0 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.

Attachments:

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



Date Created: 5/1/2017
 Prepared By: Jeremy M
 Department of Development Services

CASE: 0517-03 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
 Owners within 200' listed on attached ownership table
 Owners in opposition

