

STAFF REPORT

Case No. 0218-03
 INFOR No. 18ZN1004

Planning Commission Hearing Date: May 30, 2018

Applicant & Legal Description	<p>Owner/Applicant: William B. Miller, Jr. Location Address: 6000 Yorktown Boulevard Legal Description: Being 5.205 out of Lot 12, Block 10, Flour Bluff and Encinal Farm and Garden Tract, located on the north side of Yorktown Boulevard, east of Loire Boulevard, and west of Cimarron Boulevard.</p>				
Zoning Request	<p>From: "RS-6" Single-Family 6 To: "IL" Light Industrial District Area: 5.205 acres Purpose of Request: For the sale of the property and to bring an existing nonconforming use of a building into conformity with the land's zoning.</p>				
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use	
	<i>Site</i>	"RS-6" Single-Family	Light Industrial	Commercial	
	<i>North</i>	"RS-6" Single-Family	Low Density Residential	Medium Density Residential	
	<i>South</i>	"RS-6" Single-Family	Low Density Residential	Medium Density Residential	
	<i>East</i>	"RS-6" Single-Family	Low Density Residential	Low and Medium Density Residential	
	<i>West</i>	"RS-TF" Two-Family	Vacant	Commercial	
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Southside Area Development Plan and is planned for commercial uses. The proposed rezoning to the "IL" Light Industrial District is inconsistent with the adopted Comprehensive Plan (Plan CC). Map No.: 044031 Zoning Violations: None</p>				
Transportation	<p>Transportation and Circulation: The subject property has approximately 536 feet of street frontage along Yorktown Boulevard which is designated as an "A3" Minor Collector Street. According to the Urban Transportation Plan, "A3" Minor Residential Collector Streets can convey a capacity between 30,000 to 48,000 Average Daily Trips (ADT).</p>				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Yorktown Boulevard	"A3" Minor Collector Street	130' ROW 79' paved	60' ROW 23' paved	N/A

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the “RS-6” Single-Family 6 District to the “IL” Light Industrial District on 5.205 acres for the sale of the property and to bring an existing nonconforming use of a building into conformity with the land’s zoning.

Development Plan: The subject property is comprised of 5.205 acres. The owner is requesting to rezone to the “IL” Light Industrial District. The applicant explains that the purpose of this zoning change request is to allow for the current use of the property to conform to the Unified Development Code (UDC). This building was originally built in 1982 prior to the city annexing this section of Corpus Christi. The existing building is 32,099 square feet in size. The use of the property has been for distribution purposes (Del Mar Distribution Company) since its inception. There are no current plans to expand the existing building, however, the owner is also seeking this change to ensure that his business or a future similar business is not in jeopardy of expansion based on the current zoning.

Existing Land Uses & Zoning: The subject property is currently zoned “RS-6” Single-Family 6 and is a portion vacant land and a portion with a 32,099 square foot building. The subject property and surrounding area was annexed in 1989. To the north and east are single-family residential subdivisions (King’s Point Unit 3 and 5, 2005) zoned “RS-6” Single-Family 6 District. The bordering single-family residences along the subject property were constructed between 2005 and 2012. Additionally, to the east is a large unplatted single-family property also zoned “RS-6” Single-Family 6 District. To the south is Yorktown Boulevard and a single-family residential subdivision (King’s Crossing Unit 14B) zoned “RS-6” Single-Family 6 District. The single-family residences were also constructed between 2005 and 2012. To the west is a vacant tract (King’s Point Unit 3, 2005) that was rezoned to the “RS-TF” Two-Family District in 2004.

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 Southside Area Development Plan (ADP). The proposed rezoning to the “IL” Light Industrial District is inconsistent with the adopted Comprehensive Plan (Plan CC) and with the following policies of Plan CC:

- Encourage orderly growth of new residential, commercial, and industrial areas (Future Land Use, Zoning, and Urban Design Policy Statement 1).
- 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).
- Promote medium density activities, such as apartments or office uses around commercial centers of high density, and the remaining area by low density use

such as single-family dwellings. (Future Land Use, Zoning, and Urban Design Policy Statement 3).

- High-intensity commercial and industrial areas should be buffered to provide transition from low-density residential areas (Southside ADP, Policy Statement B.6).
- New high-intensity commercial developments without adequate transition or buffering should be discouraged from locating directly adjacent to low-intensity residential areas. (Southside ADP, Policy Statement B.7).

Department Comments:

- The proposed rezoning to the “IL” Light Industrial District is inconsistent with the adopted Comprehensive Plan (Plan CC).
- The proposed rezoning is also incompatible with neighboring properties and with the general character of the surrounding area. This rezoning may have a negative impact upon the surrounding neighborhood.
- The property is currently a portion vacant land and a portion with a 32,099 square foot warehouse style building and approximately 30 feet in height. The building was constructed in 1982 (7 years prior to annexation).
- The subject property is located midblock between South Staples Street and Cimarron Boulevard, a remaining “RS-6” Single-Family 6 tract annexed in 1989, and has never been developed further and is surrounded by residential zoning districts.
- The character of the Yorktown Boulevard corridor between South Staples Street and Cimarron Boulevard is primarily lower intensity commercial uses and the rear yards of single-family residences.
- Specific uses along the Yorktown Boulevard corridor:
 - At the major intersections: Pharmacy, two convenience stores/fueling stations, and two churches.
 - Midblock: Two existing small shopping centers, one shopping center under construction, a proposed dialysis clinic, a church, a funeral home, the rear yards of approximately 36 single-family homes (King’s Crossing Subdivision), and vacant properties zoned “RS-TF” Two-Family District or “CN-1” Neighborhood Commercial District.
- No industrial zoned properties or uses exist along the Yorktown Boulevard corridor from Weber Road (State Highway 43) to Cimarron Boulevard.
- Proposed development along and near the Yorktown Boulevard corridor includes a shopping center and dialysis clinic, Veteran’s Memorial High School, proposed multi-family apartment complexes, and infill residential development.
- Additionally, the proposed Del Mar College south side campus will be located on the Yorktown Boulevard corridor approximately 1.5 miles to the east of the subject property. Del Mar College is projecting the south side campus to have a population of 6,000 students by 2020 and an additional 14,000 students by 2030.
- Since the requested “IL” Light Industrial District is inconsistent with the adopted Comprehensive Plan (Plan CC), a Special Permit is a viable option of allowing the redevelopment of the existing nonconforming building.
- Staff has recommended uses for the building that are in line with a warehouse/distribution center use while restricting uses that may pose a risk or nuisance to neighboring single-family residences. Additionally, staff has proposed limited hours of operation as a condition of the Special Permit.

- In discussions with the applicant, the following are items of further discussion:
 - Additional land uses: (i.e Lumber Yard, Mini-Storage)
 - Buffer Yard/Height restriction vs. restriction of outdoor storage
 - Rezoning both lots or just one

Staff Recommendation:

Denial of the change of zoning from the “RS-6” Single-Family 6 District to the “IL” Light Industrial District, in lieu thereof approval of the “CN-1/SP” Neighborhood Commercial District with a Special Permit (SP) with the following conditions:

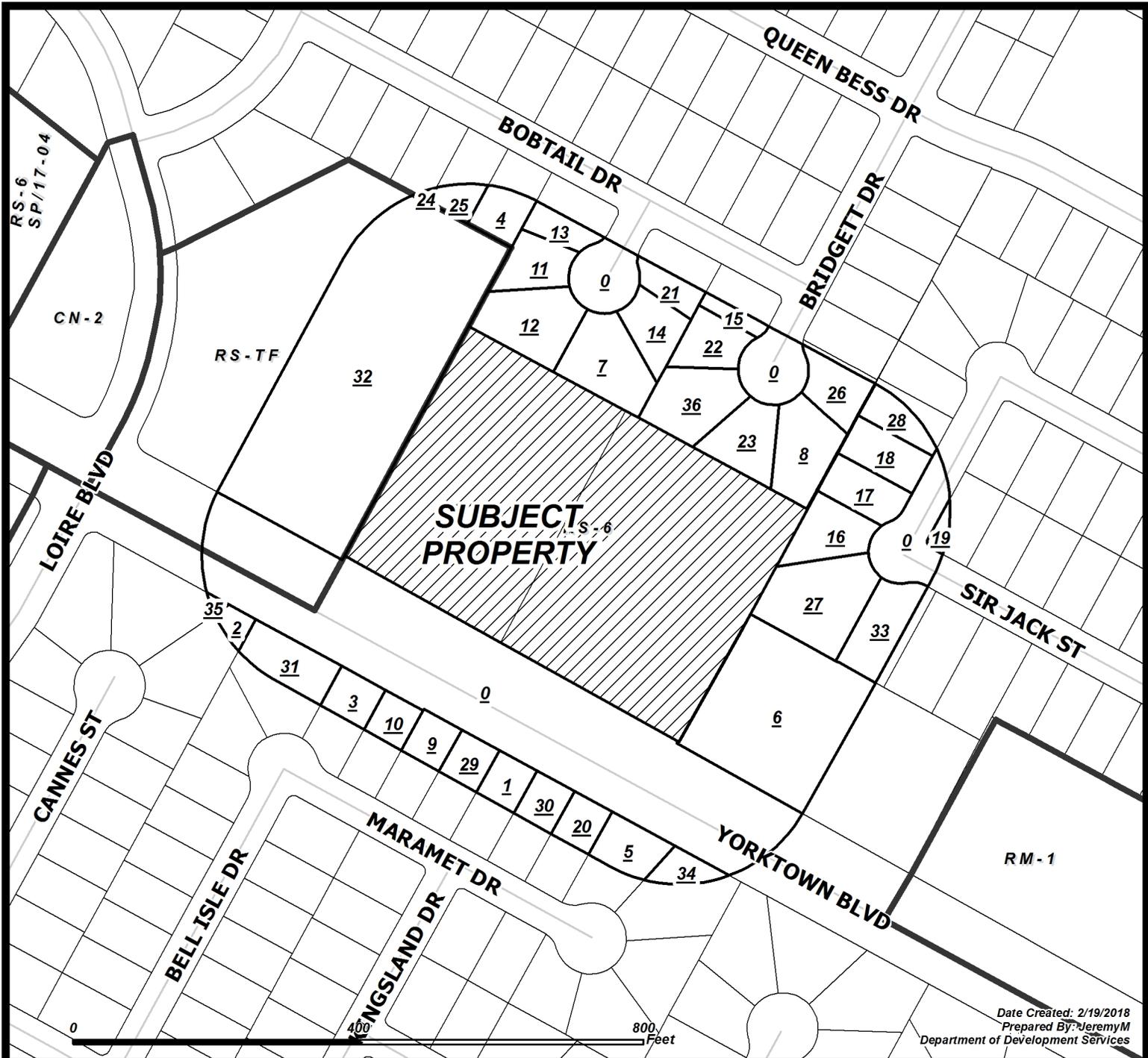
1. **Uses:** The only uses authorized by this Special Permit other than uses permitted by right in the base zoning district is “Warehouse and Freight Movement” as described per the Unified Development Code (UDC) except the following listed uses: bus barn, coal and coke storage and sales, lumber yard or other building material establishment, milk distributing station, and the stockpiling of sand, gravel, or other aggregate materials.
2. **Setback:** A setback at a minimum of 20 feet shall be maintained from any residential property. No buildings or storage is allowed within the setback.
3. **Outdoor Storage:** Outdoor storage is prohibited.
4. **Lighting:** All lighting must be shielded and directed away from abutting residences and nearby streets. Cut-off shields are required for all lighting. No light projection is permitted beyond the property line.
5. **Noise:** Noise regulations shall be subject to Section 31-3 of the Municipal Code. Outside paging, speakers, telephone bells, or similar devices are prohibited.
6. **Hours of Operation:** The hours of operation shall be daily from 6:00 AM to 9:00 PM.
7. **Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, Building, and Fire Code Requirements.
8. **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 or, a certificate of occupancy or UDC compliance has been issued. The Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

Public Notification	Number of Notices Mailed – 36 within 200-foot notification area 5 outside notification area
	<u>As of May 25, 2018:</u>
	In Favor – 0 inside notification area – 0 outside notification area
	In Opposition – 1 inside notification area – 0 outside notification area

Totaling 2.53% of the land within the 200-foot notification area in opposition.

Attachments:

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



Date Created: 2/19/2018
 Prepared By: Jeremy M
 Department of Development Services

CASE: 0218-03 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



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. 0218-03**

William B. Miller, Jr. has petitioned the City of Corpus Christi to consider a change of zoning from the "RS-6" Single-Family 6 District to the "IL" Light Industrial District, resulting in a change to the Future Land Use Map. The property to be rezoned is described as:

6000 Yorktown Boulevard and being 5.205 out of Lot 12, Block 10, Flour Bluff and Encinal Farm and Garden Tract, located on the north side of Yorktown Boulevard, east of Loire Boulevard, and west of Cimarron Boulevard.

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.

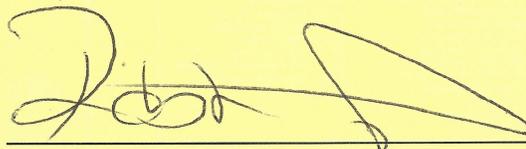
The Planning Commission will conduct a public hearing for this rezoning request to discuss and formulate a recommendation to the City Council. The public hearing will be held on **Wednesday, May 30, 2018**, during one of the Planning Commission's regular meetings, which begins at **5:30 p.m.**, in the 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: ROBERT NEWTON
Address: 4130 MOHICAN CIR City/State: CORPUS CHRISTI TX
() IN FAVOR (X) IN OPPOSITION Phone: 361-993-7290

REASON:



Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 18ZN1004
Property Owner ID: 7

Case No. 0218-03
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com