

ZONING REPORT

Case # 0223-01

Applicant & Subject Property			
<p>City Council District: 1 Owner: Mehran and Sepideh Vatankah Applicant: DGOGCorpuschristi09212022 LLC Address: 12102 Leopard Street, located along the north side of Leopard Street, east of Callicoatte Road, and South of Interstate Highway 37. Legal Description: 5.07 Acres out of Tract 12, Harney Partition Acreege of Subject Property: 5.07 Acres Pre-Submission Meeting: December 8, 2022</p>			
Zoning Request			
<p>From: "RS-6" Single-Family 6 District To: "CG-2" General Commercial District Purpose of Request: To allow for a commercial development (Dollar General retail store).</p>			
Land Development & Surrounding Land Uses			
	Zoning District	Existing Land Use	Future Land Use
Site	"RS-6" Single-Family 6	Vacant	Medium-Density Residential
North	Expressway (IH-37)	Transportation	Transportation
South	"RS-6" Single-Family 6, "RS-TF" Two-Family	Low-Density Residential	Medium-Density Residential, Commercial
East	"RS-6" Single-Family 6, "CG-2" General Commercial	Vacant, Commercial, Public/Semi-Public, and Medium-Density Residential	Commercial, Government, and Medium-Density Residential
West	"CG-2" General Commercial	Low-Density Residential, Commercial	Low-Density Residential, Commercial, Medium-Density Residential
<p>Plat Status: The property is not platted. A plat application has been submitted. Military Compatibility Area Overlay District (MCAOD, Effective August 22, 2022): None Code Violations: None</p>			
Transportation and Circulation for Leopard Street ¹			
	Designation-Urban Street ¹	Section Proposed ¹	Section Existing
Leopard Street	"A2" Secondary Arterial (Divided)	4 Lanes, Median, 100 Feet	4 Lanes, Median & Ctr Turning Lane Approx. 160+ feet

Transit²: The Corpus Christi RTA provides service to the subject property via Bus Route 27 Leopard and Bus Route 50 Calallen/NAS Express along Leopard Street. Route 27's stops are located about a half-mile north of the site near Callicoatte Road, and a mile south near Western Drive inbound and outbound. Bus Route 50 Calallen/NAS Express's stop is One mile and a half north of the site.

Bicycle Mobility Plan³: The subject property is approximately a mile away from a proposed Bike CC Mobility infrastructure on Hearn Road that intermittently transitions into a one-way Cycle track, a bike boulevard, and an Off-Road Multi-Use Trail.

¹ City of Corpus Christi Urban Transportation Plan, ² Corpus Christi Regional Transportation Authority, ³ Strategic Plan for Active Mobility

Utilities

Gas: An 8-inch WS gas line along the north side of Leopard Street.

Stormwater: There are multiple pipes. An 18-inch RCP and a 42-inch RCP along the south side of Leopard Street. At the northeast corner of the lot, there is a 24-inch RCP pipe owned/maintained by TXDOT.

Wastewater: An 8-inch clay pipe along the south side of Leopard Street.

Water: There are multiple pipes. A 6-inch and 8-inch ACP, 6-inch PVC, and a 48-inch SP along the south side of Leopard Street, and a 30-inch CIP pipe along the north side of Leopard Street.

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 Northwest Development Plan (Adopted on January 9, 2001).

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"> 15 within a 200-foot notification area 3 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

Public Hearing Schedule

Planning Commission Hearing Date: February 8, 2023

City Council 1st Reading/Public Hearing Date: March 21, 2023

City Council 2nd Reading Date: March 28, 2023

Background:

The subject property is a 5.07-acre parcel in the northwest area, bounded at the north by Interstate Highway 37 (IH-37), at the south by Leopard Street (a secondary arterial), and situated west of Callicoatte Road (a primary arterial).

The proposed development is a 10,640-square-foot, single-story, Dollar General retail store. The store will be located on a 1.76-acre parcel, southernmost of the lot, out of the 5.07 acres requested for rezoning. The remainder of the site will be vacant per the applicant. The operation hours will be between the hours of 07:00 AM and 09:00 PM, seven days per week, and will have approximately 6 employees.

Neighborhood commercial uses, residential uses of varying density (with the less dense ones at the eastern extremity of the block), and a few vacant lots characterize the block. Similar uses can be noted beyond with limited general commercial uses, and smaller residential lots. The uses immediately adjacent to the site include a 3-story apartment complex, the VFW (Veteran of Foreign Wars) office, a Single-Family lot, and a couple vacant ones. The commercial uses are located on "CG-2" General Commercial zoned lots.

Comprehensive Plan Consistency:

- **Plan CC:**
 - The proposed rezoning is consistent with the following Goals and Strategies for Decision Makers:
 - Future Land Use, Zoning, and Urban Design
 - 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.
- **Future Land Use Map (FLUM):**
 - The proposed rezoning is inconsistent with the designated Future Land Use.
 - Designated Future Land Use: *Medium-Density Residential*.
- **Area Development Plan (ADP):**
 - The proposed rezoning is consistent with the following policy statements:
 - The most appropriate locations for commercial development of small scale for convenience shopping are at arterial or arterial intersections with commercial uses concentrated at the major intersections of arterials.
 - The Northwest area (immediately south of the Nueces River, west of Rand Morgan Road, and north of State Highway 44) is underserved" by grocery stores and convenience shops.
 - Only two grocers are serving the area. Both are located closer to the edge of the northwest area and exceed a half-mile travel distance for some neighborhoods.
 - H-E-B is over a mile south of the site.
 - Walmart Superstore is two miles north of the site.
 - A Dollar General retail store can help bridge the gap.

- The expansion of commercial development along any arterial street should be planned and zoned so that the traffic carrying capacity of the street is protected. The plan recognizes the many existing commercial uses located along Leopard Street and other arterial streets and calls for their continuance. Every available means should be used to manage traffic flow/access to protect the City's investment in an efficient transportation system.
 - Leopard Street is a 160-Foot Four-Lane-arterial with a median/center turning lane. It is the commercial corridor for the area and is zoned predominantly "CG-2" General Commercial, specifically east of Violet Road and west of US-77/Union Pacific.
 - West of Violet Road and east of US-77/Union Pacific, Leopard consists of nodal commercial developments with varying residential uses. The ones on large lots are particular to the block. The south side of Leopard Street is mostly lined with "RS-6" residential subdivisions and a few commercial uses on smaller lots. Most of them are neighborhood commercial uses in nature.
 - The tallest structures are the adjacent three-story apartment complex along the north side of Leopard Street and the two-story along its south side.

Staff Analysis:

"While the comprehensive plan is consulted when making decisions about rezoning. It does not justify the denial of a plat or the development of land." (Plan CC). 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:

- The proposed rezoning is consistent with many broader elements of the City of Corpus Christi Comprehensive Plan.
- The proposed rezoning is inconsistent with the Future Land Use Map (FLUM) and will warrant a change to the map.
 - The Future Land Use Map (FLUM) designates a Medium-Density Residential use (RS-6 to RS-TF Districts), however, the adjacent lots are zoned "CG-2" General Commercial.
 - The Future Land Use Element of the City of Corpus Christi Comprehensive Plan encourages appropriate transitions between residential and commercial uses and the abutting parcels are subject to more intense commercial developments in the future due to their "CG-2" General Commercial designation.
- The proposed rezoning is consistent with many policy statements of the Northwest Area Development Plan (ADP).
 - The Northwest Area Development Plan (ADP) finds this type of development desirable to serve the outlying areas of the plan. The City of Corpus Christi Comprehensive Plan recommends so as well. Such developments are a necessity and can serve residents and workers of the neighborhoods in the area.
 - Dollar General is one of very few convenience shops that have started to introduce fresh produce into their stores.

- Staff does not foresee any adverse effects on adjoining properties. It is compatible with the surrounding uses, neighborhood's character, and addresses locational needs.
 - The proposed development is appropriately sited between an interstate highway and arterial, and within 500 Feet of the Callicoatte Road/Leopard Street intersection per the nodal approach.
 - East of the site is a banking center, and VFW (Veterans of Foreign Wars) office west on large lots. The adjoining residential lot contains a three-story apartment complex. The City of Corpus Christi Comprehensive Plan recommends placement of high-density residential developments in proximity to commercial uses.
 - Leopard Street is the commercial corridor for the northwest area.
 - Both Walmart and H-E-B are closer to the northwest area's edges. While not a grocery store, a Dollar General can certainly help those with limited or no access to a vehicle.

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.

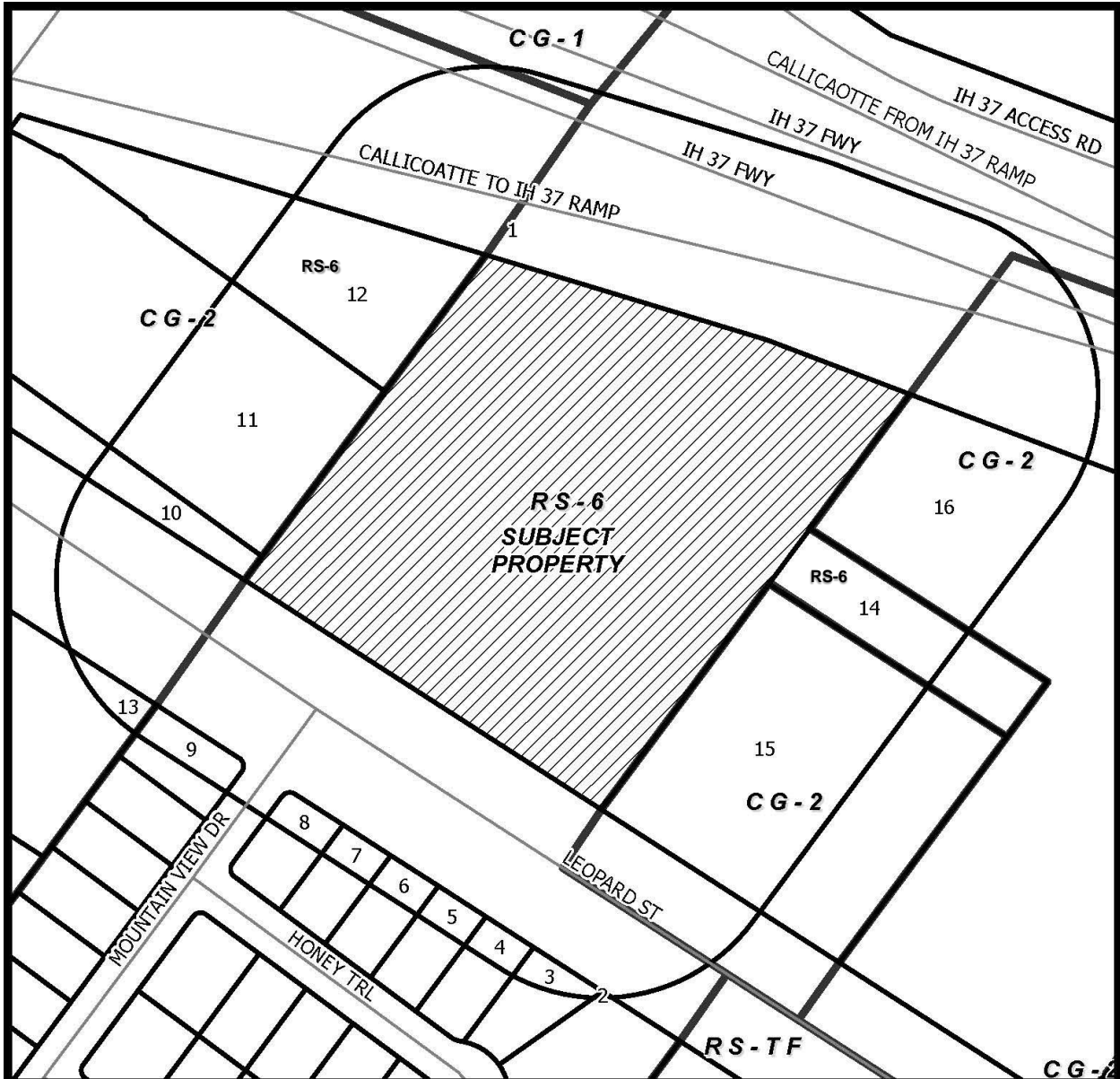
Staff and Planning Commission Recommendation (February 8, 2023):

Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District.

Attachment:

Attachment A: Existing Zoning and Notice Area map.

ATTACHMENT A: EXISTING ZONING AND NOTICE AREA



CASE: 0223-01

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

4 Owners within 200' listed on attached ownership table

X Owners in opposition

