

# STAFF REPORT

Case No. 0118-02  
 INFOR No. 17ZN1042

**Planning Commission Hearing Date:** January 10, 2018

<b>Applicant &amp; Legal Description</b>	<p><b>Owner:</b> ERF Real Estate, Inc.  <b>Applicant/Representative:</b> Les Daniels  <b>Location Address:</b> 2882 Holly Road  <b>Legal Description:</b> Being a 5.512 acre tract out of Lot 4, Section 3, Bohemian Colony Lands, located on the northeast corner of Holly Road and Richter Street, west of Kostoryz Road, and east of Ayers Street.</p>			
<b>Zoning Request</b>	<p><b>From:</b> "RS-6" Single-Family 6  <b>To:</b> "CN-1" Neighborhood Commercial District  <b>Area:</b> 5.512 acres  <b>Purpose of Request:</b> To allow for the construction of commercial or retail uses.</p>			
<b>Existing Zoning and Land Uses</b>		<b>Existing Zoning District</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>
	<i>Site</i>	"RS-6" Single-Family	Vacant/Agricultural	Light Industrial
	<i>North</i>	"RS-6" Single-Family	Low Density Residential	Medium Density Residential
	<i>South</i>	"IL" Light Industrial	Light Industrial	Light Industrial
	<i>East</i>	"CN-1" Neighborhood Commercial	Commercial	Commercial
	<i>West</i>	"IL" Light Industrial	Drainage and Public/Semi-Public	Permanent Open Space and Government
<b>ADP, Map &amp; Violations</b>	<p><b>Area Development Plan:</b> The subject property is located within the boundaries of the Southside Area Development Plan and is planned for light industrial uses. The proposed rezoning to the "CN-1" Neighborhood Commercial District is <u>inconsistent</u> with the adopted Future Land Use Map. However, the proposed uses are consistent with the Southside ADP, PlanCC, and past rezoning decisions.  <b>Map No.:</b> 047037  <b>Zoning Violations:</b> None</p>			
<b>Transportation</b>	<p><b>Transportation and Circulation:</b> The subject property has approximately 800 feet of street frontage along Holly Road which is designated as an "A1" Minor Arterial Undivided Street and approximately 290 feet along Richter Street which is designated as a "C1" Minor Residential Collector.</p>			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Holly Road	"A1" Minor Arterial Undivided Street	95' ROW 64' paved	100' ROW 64' paved	17,050 ADT (2015)
	Richter Street	"C1" Minor Residential Collector	60' ROW 40' paved	60' ROW 40' paved	Not Available

**Staff Summary:**

**Requested Zoning:** The applicant is requesting a rezoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District on 5.512 acres for the construction of commercial and retail uses. The property is on the northeast corner of Holly Road and Richter Street.

**Development Plan:** The subject property is comprised of 5.512 acres. The owner is requesting to rezone the property to the "CN-1" Neighborhood Commercial District in order to construct either office or retail uses. There are no proposed building plans at this time.

**Existing Land Uses & Zoning:** The subject property is currently zoned "RS-6" Single-Family 6 and is vacant land. To the north, adjacent to the property is the Vista Hermosa Subdivision which was platted in 2007 and is zoned "RS-6" Single-Family 6 District. To the south of the property are various light industrial uses in the "IL" Light Industrial District and have been zoned as such since annexation in 1962. To the east is a Dollar General Store that was rezoned to the "CN-1" Neighborhood Commercial District in 2011. Further to the east across Santa Oliva Street, is a property that was also rezoned to the "CN-1" Neighborhood Commercial District in late 2017. To the west across Richter Street is zoned "IL" Light Industrial District and consists of various City of Corpus Christi services.

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

**Plat Status:** The property will need to be 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 "CN-1" Neighborhood Commercial District is inconsistent with the adopted Future Land Use Map. However, the proposed uses are consistent with past rezoning decisions and with the following policies of the Southside ADP and PlanCC:

- 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).

- Encourage orderly growth of new residential, commercial, and industrial areas. (Future Land Use, Zoning, and Urban Design Policy Statement 1).
- Support the separation of high-volume traffic from residential areas or other noise-sensitive land uses (Future Land Use, Zoning, and Urban Design Policy Statement 3).
- Encourage the design of commercial centers in a manner that minimizes the impacts of automobile intrusion, noise and visual blight on surrounding areas (Future Land Use, Zoning, and Urban Design Policy Statement 3).
- Screening fences, open space or landscaping can provide an essential buffer between shopping and residential areas (Future Land Use, Zoning, and Urban Design Policy Statement 3).
- The "B-1" Neighborhood Commercial and other commercial zoning regulations, in concert with the Comprehensive Plan policies, should be reviewed and revised as necessary to control the size and use of commercial centers so they remain in scale with their surrounding uses and highway carrying capacity (Policy Statement B.4).

**Department Comments:**

- The proposed rezoning is compatible with the Future Land Use Map, PlanCC, and the Southside Area Development Plan (ADP). The proposed rezoning to the "CN-1" Neighborhood Commercial District is inconsistent with the adopted Future Land Use Map. However, the proposed uses are consistent with the Southside ADP, PlanCC, and past rezoning decisions. The proposed rezoning is also compatible with neighboring properties and with the general character of the surrounding area. This rezoning does not have a negative impact upon the surrounding neighborhood.
- The property is currently vacant and is a remaining "RS-6" Single-Family 6 tract and has never been developed.
- Surrounding properties have been rezoned within the past five years indicating a pattern towards neighborhood commercial development.
- If the "CN-1" Neighborhood Commercial District is approved, the retail development will still need to abide all requirements of the Unified Development Code (UDC). Specific requirements would entail buffer yards and additional setbacks. Additionally, the "CN-1" District does not allow bars, pubs, taverns, or nightclubs.
- Specifically, a Type B buffer yard will be required for the north property line adjacent to the Vista Hermosa Subdivision and on the east property line where the remainder tract remains "RS-6". A Type B buffer yard consists of a 10 foot wide buffer and at least 10 landscape points.

**Staff Recommendation:**

Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District.

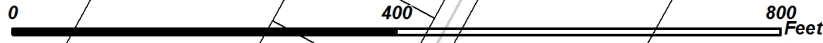
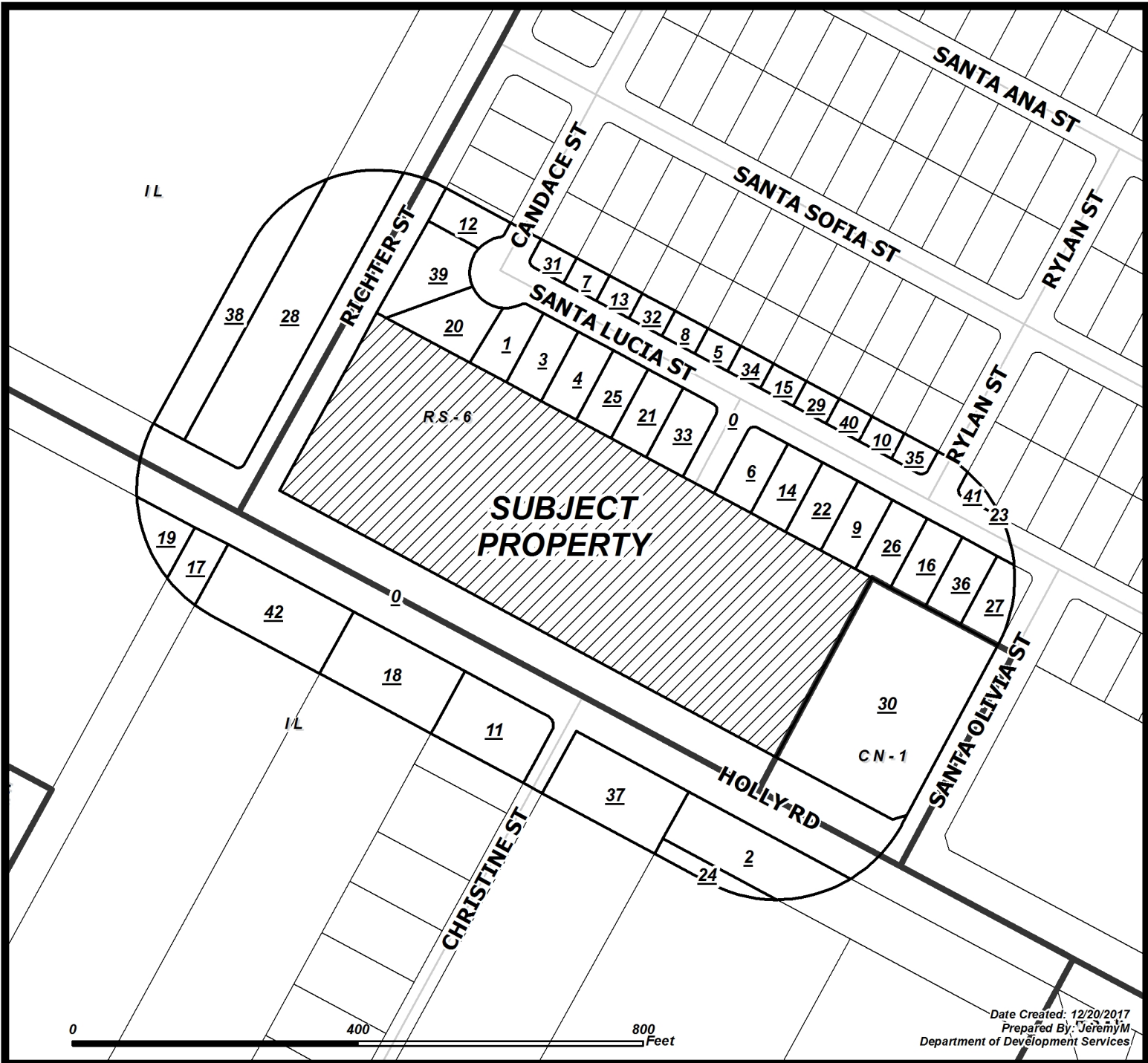
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<b>Public Notification</b>	Number of Notices Mailed – 42 within 200-foot notification area 5 outside notification area
	<b><u>As of January 5, 2018:</u></b>
	In Favor – 0 inside notification area – 0 outside notification area
	In Opposition – 0 inside notification area – 0 outside notification area
Totaling 0% of the land within the 200-foot notification area in opposition.	

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**Attachments:**

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



Date Created: 12/20/2017  
 Prepared By: Jeremy M  
 Department of Development Services

# CASE: 0118-02 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

