

STAFF REPORT

Case No. 0321-04

INFOR No. 18ZN1032

Planning Commission Hearing Date: March 17, 2021

Applicant & Legal Description	Owner: ERF Real Estate, Inc. Applicant: ERF Real Estate, Inc. Location Address: 4130 South Alameda Street Legal Description: Lot 1, Block 1, Carmelite Home Tract, located on the north side of South Alameda Street, east of Carmel Parkway, and west of Everhart Road.			
Zoning Request	Request: Special Permit Time Extension of 24 months Area: 6.82 acres Purpose of Request: To allow for market conditions to be conducive for future commercial neighborhood development.			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	Site	“RS-6” Single-Family 6, “RM-1” Multifamily-1, “CN-1” Neighborhood Commercial, and “RM-1 SP/19-03 Multifamily-1 with a Special Permit”	Vacant	High Density Residential
	North	“RS-6” Single-Family 6 and Drainage ROW	Park and Vacant	Permanent Open Space and Medium Density Residential
	South	“RS-6” Single-Family 6 and “CG-2” General Commercial	Commercial and Low Density Residential	Commercial and Medium Density Residential
	East	“RS-6” Single-Family 6 and Drainage ROW	Park and Low Density Residential	Permanent Open Space and Medium Density Residential
	West	“CN-1” Neighborhood Commercial	Commercial and Professional Office	Commercial
ADP, Map & Violations	Area Development Plan: The subject property is located within the boundaries of the Midtown Area Development Plan (ADP), formerly known as the Southeast ADP and is planned for high density residential uses. The current zoning is generally consistent with the adopted Comprehensive Plan (Plan CC). Map No.: 043038 Council District: 4 Zoning Violations: None			

Transportation	Transportation and Circulation: The subject property has approximately 570 feet of street frontage along South Alameda Street which is designated as an “A2” Secondary Arterial Street and has approximately 1,140 feet of street frontage along Everhart Road which is designated as an “A1” Minor Arterial Street. According to the Urban Transportation Plan, “A2” Secondary Arterial Streets can convey a capacity between 20,000 to 32,000 Average Daily Trips (ADT).				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	South Alameda Street	“A2” Secondary Arterial	100’ ROW 54’ paved	115’ ROW 65’ paved	12,967 ADT (2015)
	Everhart Road	“A1” Minor Arterial	95’ ROW 64’ paved	87’ ROW 32’ paved	Not Available

Staff Summary:

Current Zoning and Special Permit:

The applicant is requesting a special permit time extension of 24 months to allow for future neighborhood commercial use. Unified Development Code Section (UDC) 3.6.6 and 3.6.7. requires the property owner or applicant to apply for extension for their special permit before the expiration date of their special permit. Expiration date for this special permit is April 1, 2021.

Adopted Special Permit Language:

1. **Uses:** The only uses authorized by this Special Permit other than uses permitted by right in the base zoning district are as defined by the Unified Development Code (UDC) in Section 5.1.2.A “Household Living”, multifamily uses are allowed by-right at a maximum density of 22 dwelling units per acre, Section 5.1.2.B “Group Living” except boarding, rooming, or lodging house or dormitory, Section 5.1.5.E “Medical Facility” except blood plasma donation center, Minor Emergency Center, or Hospital, Section 5.1.4.C “Office”, Section 5.1.4.F “Restaurant” except for restaurants with a drive-through or drive-in facility as an accessory use, and Section 5.1.4.G “Retail Sales and Service” except convenience goods.
2. **Driveways:** The crossing for vehicular access over the Carmel Parkway drainage ditch is prohibited.
3. **Dumpsters:** All dumpsters or refuse receptacles shall be screened from view from any public right-of-way.
4. **Lighting:** All lighting must be shielded and directed away from single-family 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 limited to 6:00 AM to 9:00 PM.
7. **Landscaping:** In lieu of a standard buffer yard, a yard consisting of a row of canopy trees with a minimum of a 2 ½" caliper shall be placed 30 feet on center along the property line shared with the drainage ditch. Additionally along the shared property line, a solid visual screen consisting of a hedge of plants shall be placed between the trees at least 3 feet in height.
8. **Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, Building, and Fire Code Requirements.
9. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within twenty-four (24) 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.

Development Plan:

The subject property is 6.82 acres in size. The owner is proposing future development of the property. The vacant property was the location of an assisted living facility originally built prior to the former Corpus Christi Zoning Ordinance, which had been in operation until late 2017. The property had been on the market for sale since the closing of the former nursing home and has garnished a great deal of interest from multiple parties. The building has since been demolished in late 2020. The interest has ranged from grocery stores, convenience stores, fast food restaurants, boutique hotels, apartments, etc. According to the owner, to make the property more marketable the property will require the special permit to be extended in order to accommodate its future use.

Existing Land Uses & Zoning:

The subject property is currently zoned "RS-6" Single-Family 6 District, "RM-1", "RM-1 SP/19-03", and "CN-1" and has recently become vacant land. The subject property was annexed in 1962 and is vacant. Mount Carmel Assisted Living Center was built in 1953 and designed to look like a Spanish mission. The vacant property was the location of the facility opened in 1954 and was the only assisted living center in Corpus Christi until 1997. To the north is a drainage right-of-way approximately 75 feet in width that is a portion of Carmel Parkway. Adjacent to the drainage ditch is the extension of Carmel Parkway approximately 40 feet in width. North of Carmel Parkway is a residential neighborhood (Lamar Park Unit 9, 1955) zoned "RS-6" Single-Family 6 District. To the south is Everhart Road. Across Everhart is a commercial shopping center (Town & Country Shopping Center) zoned "CG-2" General Commercial District. Also across Everhart Road is a residential neighborhood (Alameda Estates 2, 1945) zoned "RS-6" Single-Family 6 District. To the east is Everhart Road. Across Everhart Road is a

residential neighborhood (Alameda Estates 3, 1948) zoned “RS-6” Single-Family 6 District and Lamar Park. To the west is a commercial shopping center zoned “CN-1” Neighborhood Commercial District and consists of a jewelry store, professional office, a bank, and a liquor store.

AICUZ:

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

Plat Status:

The property is platted.

Utilities:

Water: 6-inch PVC line located along South Alameda Street in front of the subject property.

Wastewater: 8-inch VCP line located along South Alameda Street in front of the subject property.

Gas: 2-inch Service Line located along Everhart Road in front of the subject property.

Storm Water: Inlets located to the south along Everhart Road and the Carmel Parkway ditch to the north.

Department Comments:

- The proposed special permit extension is generally consistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map.
- The proposed special permit extension is compatible with neighboring properties and with the general character of the surrounding area. This special permit extension does not have a negative impact upon the surrounding neighborhood.
- This site previously consisted of an assisted living facility, built in 1953, that held historic value and was a character defining building for the South Alameda Street corridor. Since the rezoning, the building was completely razed.
- Planning Commission approved staff’s recommendation to approve the initial zoning request of “CN-1” Neighborhood Commercial
- City Council unanimously approved a special permit in lieu of the “CN-1” District on March 26th 2019, after city staff and the surrounding neighborhood had drafted a special permit.

Staff Recommendation:

Approval of the extension of the special permit “RM-1/SP” ordinance number 031728 for another twenty-four months.

Public Notification	Number of Notices Mailed – 35 within 200-foot notification area 5 outside notification area
	<u>As of March 9, 2021:</u>
	In Favor – 0 inside notification area – 0 outside notification area
	In Opposition – 0 inside notification area – 0 outside notification area
	<p>Totaling 0% of the land within the 200-foot notification area in opposition.</p> <p>*Created by calculating the area of land immediately adjoining the subject property and extending 200-foot therefrom. The opposition is totaled by the total area of land that each individual property owner owns converted into a percentage of the total 200-foot notification area. Notified property owner's land in square feet / Total square footage of all property in the notification area = Percentage of public opposition</p>

Attachments:

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

 Subject
Property

RM-1	Multifamily 1	IL	Light Industrial
RM-2	Multifamily 2	IH	Heavy Industrial
RM-3	Multifamily 3	PUD	Planned Unit Dev. Overlay
OK	Professional Office	RS-10	Single-Family 10
RM-AT	Multifamily AT	RS-6	Single-Family 6
SN-1	Neighborhood Commercial	RS-4.5	Single-Family 4.5
CN-2	Neighborhood Commercial	RS-7F	Two-Family
CR-1	Resort Commercial	RS-15	Single-Family 15
CR-2	Resort Commercial	RE	Residential Estate
Q-1	General Commercial	RS-TH	Townhouse
Q-2	General Commercial	SP	Special Permit
CI	Intensive Commercial	R/V	Recreational Vehicle Park
CSD	Downtown Commercial	RMH	Manufactured Home
CR-3	Resort Commercial		
FR	Farm Rural		
H	Historic Overlay		
BP	Business Park		

