

ZONING REPORT

Case No.: 0312-01

HTE Case No.: 12-10000006

Planning Commission Hearing Date: March 28, 2012 (Tabled from March 14th)

Applicant & Legal Description	<p>Applicant: Nueces Stone Quarry, LLC Owner: Nueces Stone Quarry, LLC Representative: Yonca Ongun Legal Description/Location: Flour Bluff Point, Block 6, Lots 2, 3 and 4, located along the north side of South Padre Island Drive (SH 358) between Hermine Drive and Stone Street.</p>			
Zoning Request	<p>From: "CG-2" General Commercial District To: "IL" Light Industrial District Area: 0.64 Acres Purpose of Request: To allow for outside storage and the construction of a warehouse building.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"CG-2" General Commercial	Commercial	Commercial
	<i>North</i>	"RM-1" Multi-family 1 & "CG-1" General Commercial	Single-family residences	Commercial
	<i>South</i>	"CG-1" General Commercial	Single-family residence & Nursery	Commercial
	<i>East</i>	"CG-2" General Commercial	Auto repair facility	Commercial
	<i>West</i>	"CG-2" General Commercial	Auto repair facility	Commercial
ADP, Map & Violations	<p>Area Development Plan: The subject property is located in the Flour Bluff Area Development Plan (ADP) and is planned for commercial. The proposed change in zoning to the "IL" Light Industrial District is not consistent with the Flour Bluff ADP or the adopted Future Land Use Map. Map No.: 035032 Zoning Violations: Code Enforcement has cited the property owner for using the property with a use not consistent with the current zoning; obstruction of the right-of-way; and signage. Building Inspection has cited the owner for building without a permit.</p>			

Staff's Summary:

- **Requested Zoning:** The requested change of zoning is to allow outside storage of merchandise and construct a warehouse building for storage of materials and equipment.
- **Transportation and Circulation:** The subject property currently has direct access on the frontage road of South Padre Island Drive (SH 358). South Padre Island Drive (SH 358) is designated as a freeway by the Urban Transportation Plan. The roadway right-of-way varies in its width.

Street R.O.W.	Street	Urban Trans. Plan Type	Proposed Section	Existing Section	2007 Volume
	South Padre Island Drive (SH 358)	F1	400' ROW and varying paved section	Varied ROW and paved section	N/A

- **Relationship to Smart Growth:**

While continuing to utilize existing infrastructure, the proposed rezoning would have minimal impact with regards to smart growth.

- **Comprehensive Plan & Southside Area Development Plan Consistency:**

The Comprehensive Plan and the Flour Bluff Area Development Plan (ADP) designate the subject property as commercial use. The requested change in zoning to an "IL" Light Industrial District is not consistent with the Flour Bluff ADP or the adopted Future Land Use Map of the Comprehensive Plan. The existing use is a commercial establishment that contains outside storage and proposes to construct a warehouse building to store the equipment and some material. The proposed rezoning, while not compliant with the future land use plan, does follow current commercial development trends in and around this immediate area.

Plat Status: Subject property contains (3) three platted lots.

Department Comments:

- The applicant operates a stone sales business, and as such, stone materials are displayed outdoors. The applicant proposes to construct several warehouse structures in order to store equipment and stone materials. The proposed warehouse structure will range from 1,200 to 2,000 square feet. Moving the storage of equipment and material indoors make the property look more like a commercial establishment instead of a storage yard.
- This rezoning request from "CG-2" to "IL" is not consistent with the adopted future land use plan or Flour Bluff Area Development Plan. Despite the inconsistency, staff supports the commercial establishment to continue in operation provided that the outside storage is screened from view from the street right-of-way and adjacent properties. The proposed warehouse will not be out of character with the abutting commercial establishments.
- The subject property is under the Navy's Accident Potential Zone – 2 (APZ-2). The retail establishment is consistent with the Navy's recommended land use. High concentration of people within an APZ-2 is also not recommended.
- Staff met with the applicant on March 22, 2012, and was able to reach an agreement on the conditions of the Special Permit.

Staff Analysis:

Although the requested "IL" Light Industrial District is inconsistent with the adopted Flour Bluff Area Development Plan or Future Land Use Plan, both of which identify the area as remaining commercial development, the requested rezoning is consistent with the Navy's recommended land uses. An "IL" District, however, is not appropriate for this area because of the existing residential uses abutting to the north. The stone retail use is an appropriate use for the area if the site has the proper screening and buffering from the residential area to the north. This may be accomplished through a Special Permit to require the screening and setback from the residential area. The Special Permit would also limit the size of the proposed warehouses. Approval of the "IL" District would also create a spot zoning since there is no industrial zoning within the immediate area.

Planning Commission & Staff Recommendation (March 28, 2012):

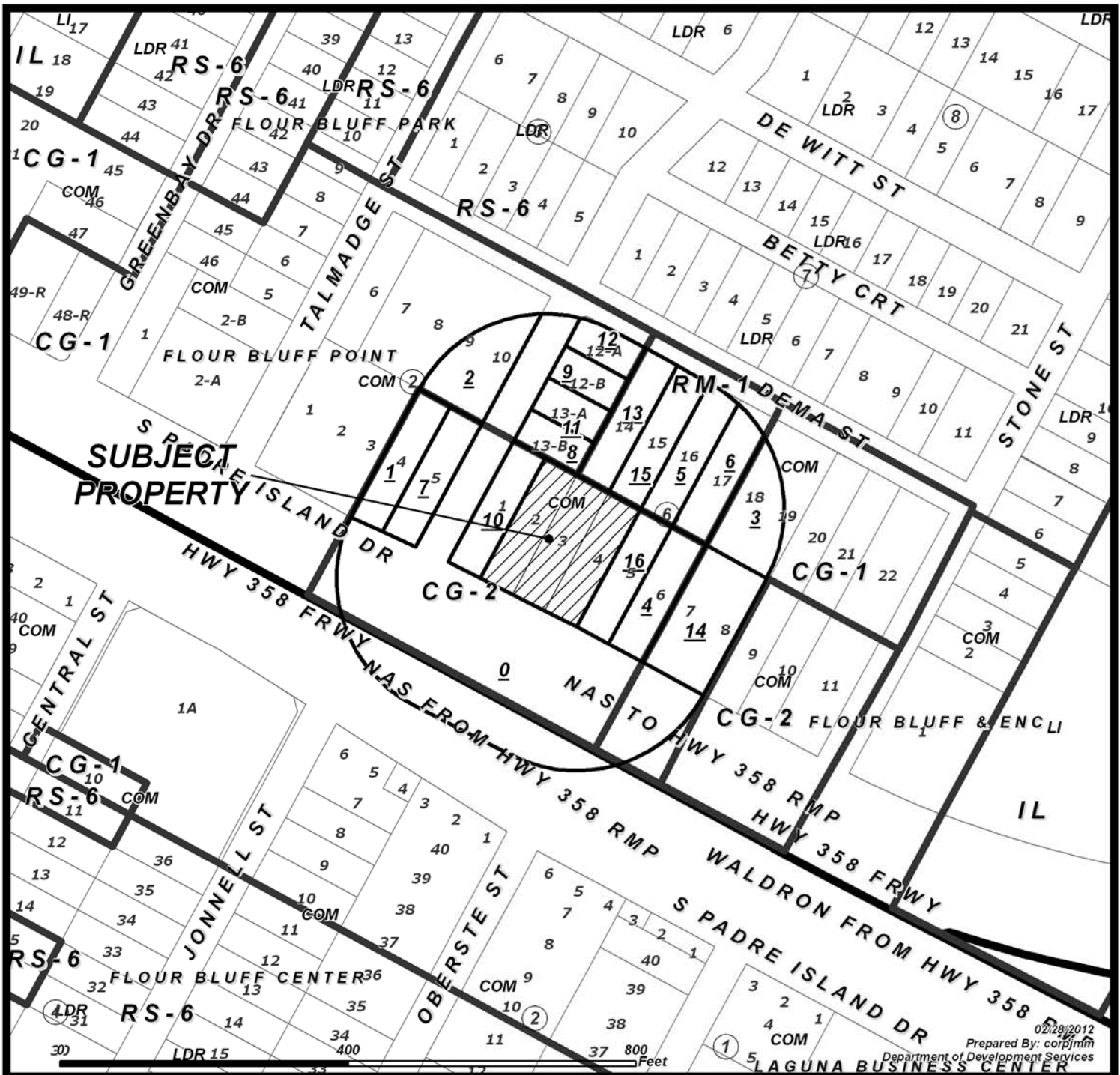
Denial of the change of zoning to the “IL” Light Industrial District and, in lieu thereof, approval of the “CG-2/SP” General Commercial District with a Special Permit for limited outside storage and a warehouse, subject to the following conditions:

1. **USE:** The only uses permitted by this Special Permit other than those uses permitted by-right in the “CG-2” General Commercial District are outside storage and a warehouse.
2. **OUTSIDE STORAGE:** The outside storage shall not exceed an area of 8,000 square feet. The outside storage must be set back at least five (5) feet with a landscape buffer from the residentially used property and screened from the street right-of-way and adjacent properties.
3. **WAREHOUSE:** The total square footage for the warehouses shall not exceed an area of 5,000 square feet.
4. **LIGHTING:** Any on-site lighting must be shielded and directed away from the property along its northern property line.
5. **TIME LIMIT:** This Special Permit shall expire after one (1) year from the date of the ordinance unless the property is in compliance with the conditions mentioned above and all other City of Corpus Christi rules and regulations.

Pending. Comments Received	Number of Notices Mailed – 16 within 200’ notification area; 0 outside notification area	
	<u>As of May 1, 2012</u>	
	Favor	– 0 (inside notification area); 0 (outside notification area)
	Opposition	– 0 (inside notification area); 0 (outside notification area)
	For 0.0% in opposition	

Attachments:

1. Site – Existing Zoning, Notice Area, & Ownership Map
2. Conceptual Site Plan



02/28/2012
 Prepared By: corbjmfm
 Department of Development Services

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2. SITE - EXISTING ZONING, NOTICE AREA & OWNERSHIP

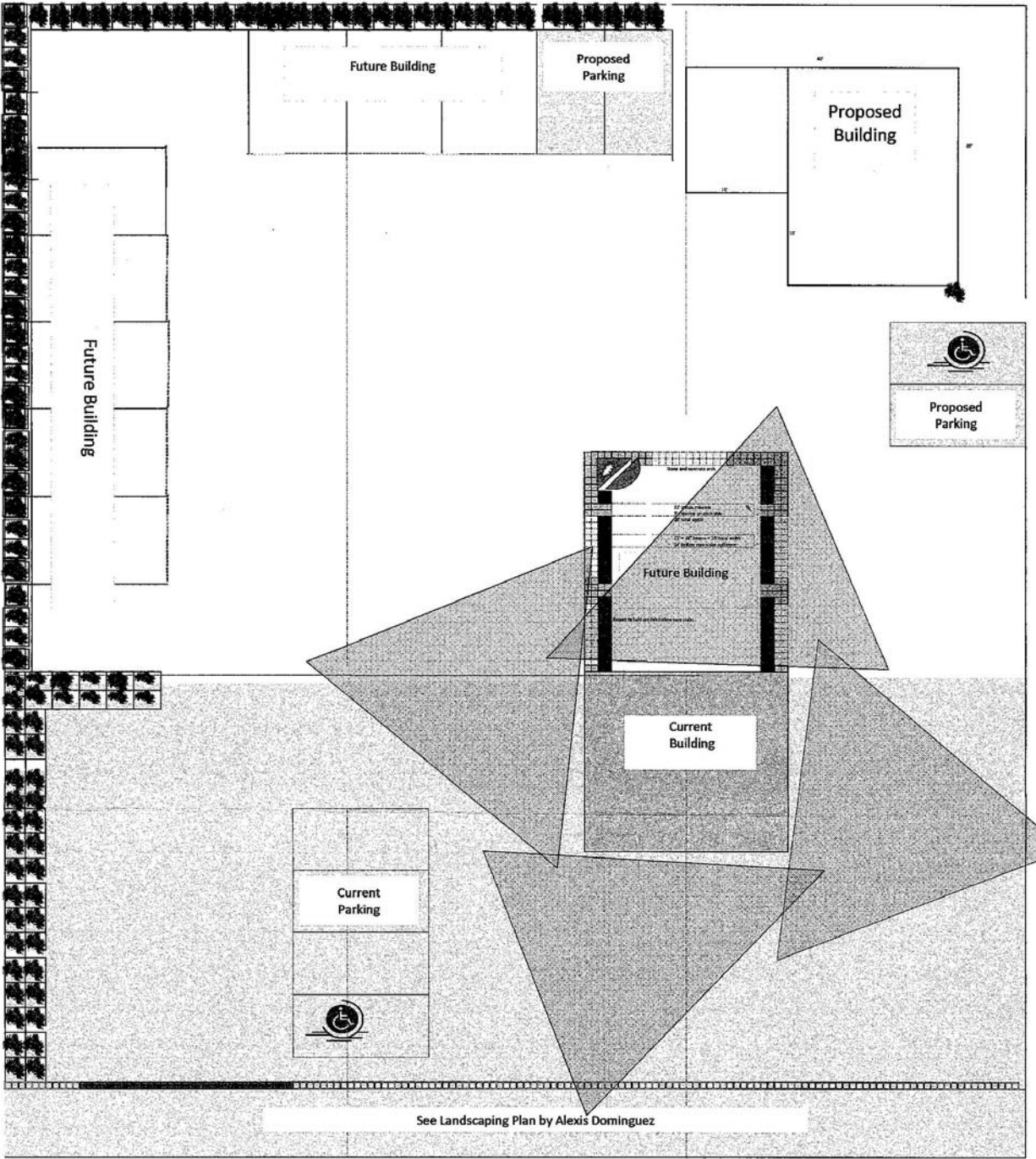
RM-1 Multifamily 1	IL Light Industrial
RM-2 Multifamily 2	IH Heavy Industrial
RM-3 Multifamily 3	PUD Planned Unit Dev. Overlay
ON Professional Office	RS-10 Single-Family 10
RM-AT Multifamily AT	RS-6 Single-Family 6
CN-1 Neighborhood Commercial	RS-4.5 Single-Family 4.5
CN-2 Neighborhood Commercial	RS-TF 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 in opposition
4 Owners within 200' listed on attached ownership table



Site Plan with Parking and Landscaping

Scale 1" = 20'



Tract 3

Tract 2

Tract 1

2. CONCEPTUAL SITE PLAN