

# ZONING REPORT

Case # 0922-03

Applicant & Subject Property			
<b>City Council District:</b> 1 <b>Owner:</b> Douglas and Joye Posey <b>Applicant:</b> Douglas and Joye Posey <b>Address:</b> 14446 Northwest Boulevard <b>Location:</b> Along the northside of Northwest Boulevard, south of Riverwood Drive, and west of River Hill Drive. <b>Legal Description:</b> Lot 2, Nueces River Irrigation Park Annex 2 <b>Acreage of Subject Property:</b> 2.174 acre <b>Pre-Submission/Early Assistance Meeting:</b> 7/15/2022			
Zoning Request			
<b>From:</b> "CG-2" General Commercial District, "RS-6" Single-Family District <b>To:</b> "CG-2" General Commercial District <b>Purpose of Request:</b> The purpose of the request is to bring the land use and zoning together in an appropriate zoning classification. The request will allow for the Unified Development Code required buffer zones. The clinic does not and will not board animals overnight.			
Land Development & Surrounding Land Uses			
	Zoning District	Existing Land Use	Future Land Use
Site	"CG-2" General Commercial, "RS-6" Single-Family	Commercial	Mixed Use
North	"RS-6" Single-Family	Low-Density Residential	Medium-Density Residential
South	"FR" Farm-Rural	Farm-Rural	Mixed Use
East	"RS-6" Single-Family, "ON" Neighborhood Office	Public/Semi-Public, Low-Density Residential	Mixed Use
West	"CG-2" General Commercial, "ON" Neighborhood Office	Commercial, Professional Office	Mixed Use
<b>Plat Status:</b> Subject property is not platted. <b>Air Installation Compatibility Use Zone (AICUZ):</b> No. <b>Code Violations:</b> None.			
Transportation and Circulation			
Northwest Boulevard	Designation-Urban Street	Section Proposed	Section Existing
	"A3" Primary Arterial Divided	6 Lanes 130' R.O.W. Median	2 Lanes 95 Feet Median
Utilities			

**Gas:** 6-inch WS gas line along Northwest Boulevard.  
**Stormwater:** Storm ditch along Northwest Boulevard.  
**Wastewater:** 18-inch clay along the west property line.  
**Water:** 12-inch waterline along Northwest Boulevard.

### 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 Area Development Plan (Adopted January 9, 2001).

**Future Land Use Map:** Designated Mixed Use.

**Water Master Plan, Wastewater Master Plan, Stormwater Master Plan:** Currently, there are no proposed improvements.

### Public Notification

Number of Notices Mailed:	<ul style="list-style-type: none"><li>• 9 within the 200-foot notification area</li><li>• 6 outside the 200-foot notification area</li></ul>
Number Returned in Favor:	<ul style="list-style-type: none"><li>• 0 inside notification area</li></ul>
Number Returned in Opposition:	<ul style="list-style-type: none"><li>• 0 inside notification area</li></ul>
PERCENT IN OPPOSITION:	<ul style="list-style-type: none"><li>• 0% in opposition within the 200-foot notification area</li></ul>

### Public Hearing Schedule

**Planning Commission Hearing Date:** September 7, 2022

**City Council 1<sup>st</sup> Reading/Public Hearing Date:** October 18, 2022

**City Council 2<sup>nd</sup> Reading Date:** October 25, 2022

### Background:

The second building, the northmost on the site, was constructed in 1976 and rezoned in 1983 by Ordinance No. 17487. The 200 feet was along the city limit line at the time which left most of the building, all but about four feet outside of the rezoned area. The first building was built in 1982 and the second building in 2007, according to Nueces County Appraisal District.

### Comprehensive Plan Consistency:

PLANCC - The proposed rezoning is consistent with the following Goals and Strategies for Decision Makers:

- Future Land Use, Zoning, and Urban Design
  - Promote a balanced mix of land uses to accommodate continued 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's continued veterinarian use is inconsistent with the FLUM and would require an amendment:

- Designated Future Land Use: Mixed Use.

### **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:

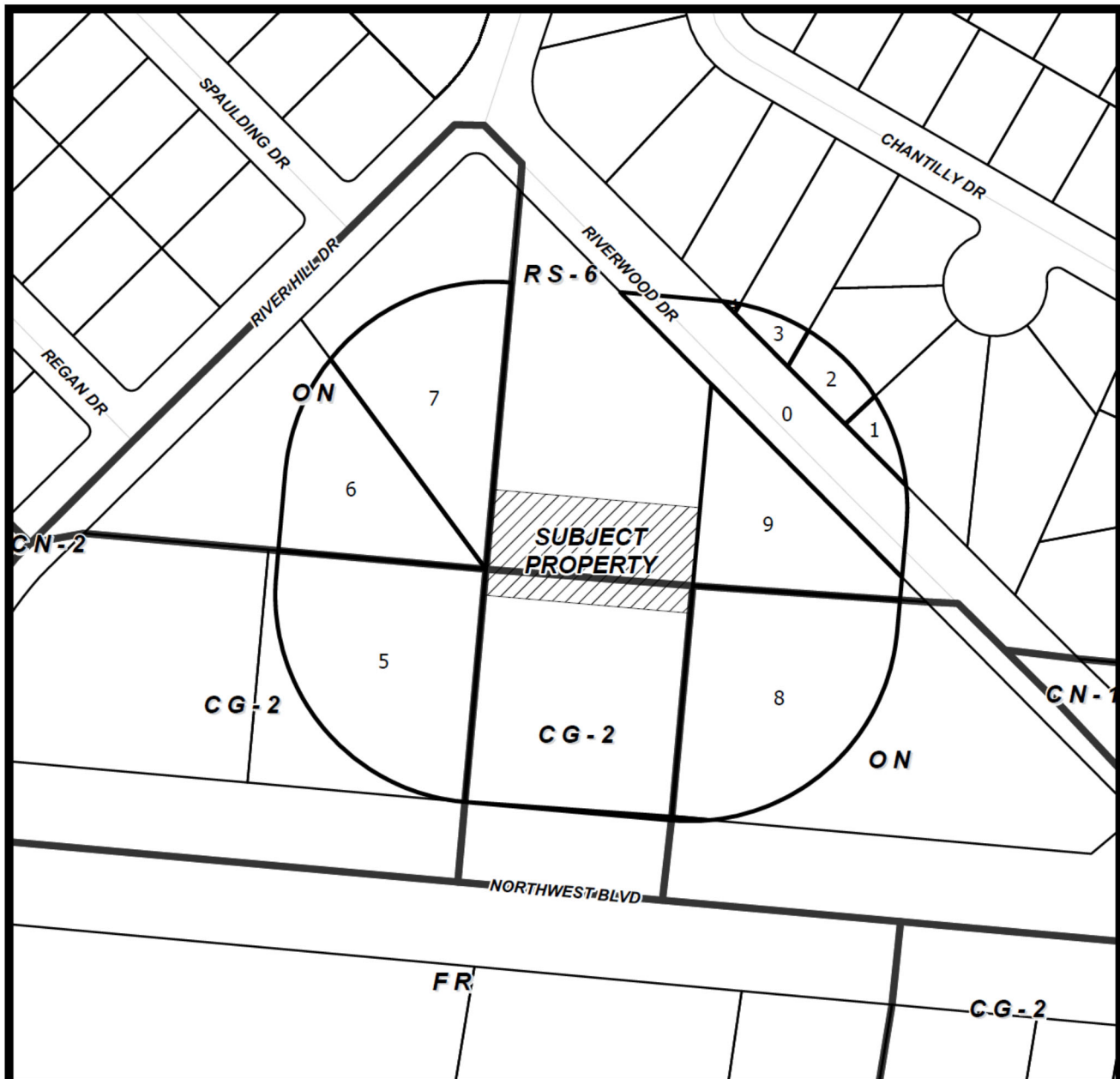
- The proposed rezoning is inconsistent with the Future Land Use Map.
- However, the proposed rezoning is consistent with many broader elements of the Comprehensive Plan.
- The subject property has successfully been in use since the 1980s.
- While the applicant is requesting the “CG-2” General Commercial District, the requested zoning district is incompatible with the adjacent “RS-6” Single-Family District.
- To maintain compatibility with adjacent land uses, staff is recommending a special permit with the base zoning of “ON” Neighborhood Commercial with a Special Permit to allow veterinary uses.

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 proposes denial of the “CG-2” Commercial District in lieu of “ON/SP” Neighborhood Office District with a Special Permit.

**Staff Recommendation:** Denial of the change of zoning from the “CG-2” General Commercial District and the “RS-6” Single-Family District to the “CG-2” District in lieu thereof approval of the “ON/SP” Neighborhood Commercial District with a Special Permit subject to the following conditions:

1. **Uses:** The only uses authorized by this Special Permit other than uses permitted in the base zoning district are veterinarian or animal hospital uses without outdoor runs and kennels.
2. **Buffer Yard:** Type A Buffer yards are required adjacent to single-family districts as described in the Unified Development Code §7.9 Required Buffer Yards.
3. **Other Requirements:** The conditions listed herein do not preclude compliance with other applicable UDC, Municipal, Building, or Health Department requirements.
4. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within 12 months of this ordinance unless a plat has been submitted, and the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

# ATTACHMENT A: EXISTING ZONING AND NOTICE AREA



## CASE: 0922-03 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  
 Owners within 200' listed on attached ownership table  
 Owners in opposition

