

STAFF REPORT

Case No. 0616-05

HTE No. 16-10000015

Planning Commission Hearing Date: June 29, 2016

Applicant & Legal Description	Applicant/Owner: CCSemloh Partnership, Ltd. Representative: John Bell Legal Description/Location: Tract 1: Being 10.536 acres out of Lots 6 and 11, Section 48, Flour Bluff and Encinal Farm and Garden Tracts and Tract 2: Being 0.552 acres out of Lots 7 and 10, Section 48 of the Flour Bluff an Encinal Farm and Garden Tracts, located on the south side of Compton Road approximately 1,250 west of Waldron Road.			
Zoning Request	From: "RE" Residential Estate District and "CG-1" General Commercial District To: "CG-2" General Commercial District Area: 11.088 acres Purpose of Request: To allow construction of an enclosed boat and recreational vehicle storage facility and other storage units on Tract 1 and general commercial uses on Tract 2.			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"RE" Residential Estate	Vacant	Estate Residential
	<i>North</i>	"CG-1" General Commercial and "CG-1/SP" General Commercial with a Special Permit	Public/Semi-Public, Commercial and Vacant	Public/Semi-Public and Commercial
	<i>South</i>	"RE" Residential Estate	Vacant	Drainage Ditch and Estate Residential
	<i>East</i>	"CG-2" General Commercial	Vacant	Commercial
	<i>West</i>	"RE" Residential Estate	Vacant and Drainage Ditch	Estate Residential
ADP, Map & Violations	Area Development Plan: The subject property is located within the boundaries of the Flour Bluff Area Development Plan and is planned for estate residential. The proposed rezoning to the "CG-2" General Commercial District is not consistent with the adopted Future Land Use Map or the Flour Bluff Area Development Plan but does further policies of the Comprehensive Plan pertaining to infill development. Map No.: 035032 Zoning Violations: None			

Transportation	Transportation and Circulation: The subject property has approximately 700 feet of street frontage along Compton Road, which the Urban Transportation Plan designates as a “C1” Minor Residential Collector street. The maximum desirable average daily trips (ADT) for a designated “C1” is 1,000 to 3,000 daily trips. The subject property is located on the south side of Compton Road approximately 1,250 feet west of Waldron Road, which is designated as an “A2” Secondary Arterial Divided street, with a maximum ADT of 20,000 to 32,000 daily trips.				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume (2013)
	Compton Road	“C1” Minor Residential Collector	60’ ROW 40’ paved	55’ & 80’ ROW 20’ & 65’ paved	N/A
	Waldron Road	“A2” Secondary Arterial Divided	100’ ROW 54’ paved	115’ ROW 65’ paved	15,938

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from “RE” Residential Estate District and “CG-1” General Commercial District to the “CG-2” General Commercial District to allow construction of an enclosed boat and recreational vehicle (RV) storage facility and other storage units on Tract 1. The proposed development on Tract 2 is unknown at this time. Tract 2 is a narrow remnant strip of land and the applicant is request the rezoning of Tract 2 so that it matches the zoning of his adjacent property to the south.

Development Plan: The owner is proposing to develop Tract 1 with multiple structures to be used for the storage of boats and RVs. As shown on the attached site plan, the development will consist of six storage buildings that vary in size.

A larger street yard setback of 50 feet is proposed along the northwest corner of the property abutting Compton Road and the required yard of 20 feet is shown along the remainder of the Compton Road frontage.

A Type C buffer, which consists of a 15-foot wide buffer yard and 15 buffer points, would be required along the south and west property boundaries. The property owner is proposing to position buildings 10 feet from the property line, along the south and west property lines in a manner that would allow the rear wall of the buildings to serve as a screen wall when placed in conjunction with a six foot masonry fence where there no building wall exists.

Per the Unified Development Code (UDC), no purging of inboard or outboard boat engines would be permitted at the site.

Existing Land Uses & Zoning: The subject property is vacant and zoned “RE” Residential Estate District. North of the subject property, across Compton Road, is zoned “CG-2” General Commercial and consists of “Gulf Coast Marine”, owned by the applicant, and Nueces County offices. Also to the north in the “CG-1/SP” General Commercial District with a Special Permit is “Bruno’s Bath House Dog Spaw and Resort”. The property to the south and west is zoned “RE” Residential Estate and to the east is zoned “CG-2” General Commercial, all of which are vacant. Bordering the west and south boundaries of the subject property are drainage ditches.

Comprehensive Plan & Area Development Plan (ADP) Consistency: The subject property is within the boundaries of the Flour Bluff ADP and the proposed rezoning is not consistent with the adopted Future Land Use Plan, which slates the property for estate residential uses, however, the rezoning may further other policies of the Comprehensive Plan. Policies that warrant consideration in consideration of this rezoning include the following:

1. Expansion of commercial uses into or within residential areas may be permitted only if such expansion maintains or improves the residential desirability of the impacted neighborhoods (Commercial Policy Statement D).
2. Infill development should be encouraged on vacant tracts within developed areas (Comprehensive Plan Residential Policy Statement H)
3. Incompatible industrial and commercial land uses should not abut residential areas. When these uses must abut residential areas, steps shall be taken to minimize conflicts, i.e., provision of open space, landscaping, screening fences, etc. (Corpus Christi Policy Statements, Land Use, Residential Policy Statement I)
4. Commercial uses adjacent to existing or proposed residential areas should be buffered or use sensitive in design. (Corpus Christi Policy Statements, Land Use, Residential Policy Statement C.)

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

Plat Status: The subject property is not platted.

Transportation: In April of 2016, the City Council voted to amend the Urban Transportation Plan Map of Mobility CC and deleted the extension of First National Boulevard (planned to extend from Compton Boulevard south through the subject property) pursuant to a recommendation from Development Services Department and the Transportation Advisory Commission (TAC).

The plan amendment was requested by Gulf Coast Marine. Specifically, Gulf Coast Marine contended the particular segment of First National Boulevard was not required to preserve orderly traffic flow in the area and that elimination of the segment would not create an adverse impact on traffic. Gulf Coast Marine contracted Maldonado-Burkett Intelligent Transportation Systems, LLP (MBITS) to conduct a Traffic Impact Analysis (TIA) to support their request. Trip generation data concluded that the proposed boat storage is expected to generate six (6) AM and ten (10) PM peak hour trips. The City of Corpus Christi’s Unified Development Code requires new and existing intersections to function at a Level of Service (LOS) of “D” or better. Findings of the TIA were that

intersections analyzed were functioning at a LOS D or better except for the stop-controlled intersections on Graham Road at Flour Bluff Drive and on Graham Road at Waldron Road. Both intersections currently function at a LOS E and are projected to remain at a LOS E.

Based on the TIA, the TAC recommended safety improvements in the area that the developer of the boat and RV storage will need to complete pursuant to approved public improvement construction plans. Specifically, Gulf Coast Marine will be required to install safety enhancements which affect the safety of motorists entering and existing the boat storage facility along Compton Road. Safety improvements recommended for installation include but are not limited to striping and signage installations along Compton Road and First National Boulevard and modifications to the median along Compton Road.

Department Comments:

- The applicant applied for this rezoning in March 2014, and the Planning Commission recommended denial of the rezoning. Additionally, an adjacent residential property owner was opposed to the boat and RV storage facility as proposed at that time.
- After withdrawing his application, the applicant rezoned his land farther to the east to the “CG-2” General Commercial District to allow the boat and RV storage use.
- The current requested rezoning to the “CG-2” General Commercial District is not consistent with the Comprehensive Plan or the Future Land Use Plan’s designation of the property for estate residential uses.
- The proposed rezoning to “CG-2” General Commercial may negatively impact the adjacent properties’ future development of estate residential uses.
- A “CG-2” General Commercial District would allow for uses such as vehicle sales and service and bars and night clubs which would not be compatible with the adjacent residentially zoned properties.
- Staff finds the proposed use with special provisions for buffering, increased setbacks, and other compatibility features to be compatible with the current zoning and development patterns of the abutting properties to the north and east. Staff further finds that, due to low traffic counts and generally limited activity associated with such storage use, the proposed use may be compatible with properties to the west and southwest provided certain development conditions are imposed to mitigate impacts of the development.
- Development conditions for a boat and RV storage facility can be applied via a Special Permit.
- Special Permit conditions coupled with standard UDC requirements for nonresidential developments adjacent to residential development will ensure that development is compatible with existing and future residential development.

Staff Recommendation:

Tract 1:

Denial of the change of zoning from the “RE” Residential Estate District and “CG-1” General Commercial District to the “CG-2” General Commercial District, and in lieu thereof, approval of a “RE/SP” Residential Estate District with a Special Permit for a boat and recreational vehicle storage facility subject to compliance with the setbacks and buffering elements identified in the attached site plan and the following conditions:

1. **Uses:** The only uses authorized by this Special Permit other than uses permitted in the base zoning district is a gated, self-service storage facility for fully-enclosed boat and recreational vehicle storage.
2. **Minimum Yards:** The street yard setback along the northwest corner of the property abutting Compton Road shall be a minimum of 50 feet. The street yard setback along the remainder of Compton Road frontage shall be a minimum of 50 feet.
3. **Buffer Yards:** A 50-foot wide buffer yard (coterminous with the street yard) and a six-foot solid wood screening fence shall be installed, maintained and remain in place on that portion of the northwest corner of the property abutting Compton Road. A 15-foot wide buffer yard and 15 buffer points shall be installed, maintained, and remain in place along any side of the property abutting a residential zoning district; except that, for any area abutting a drainage ditch with a minimum of 30 feet of right-of-way the buffer yard may be comprised of a continuous masonry wall at least six feet in height, which may be comprised of a combination of the rear wall of a building and a masonry wall, set back a minimum of 10 feet from the property line.
4. **Landscaping:** Seventy percent of the required landscaping shall be installed, maintained, and remain in place on that portion of the northwest corner of the property abutting Compton Road where the site plan indicates a 50-foot buffer yard.
5. **Architectural Elements:** Buildings constructed along the west and south property lines abutting residential zoning districts shall incorporate masonry-type elements, such as but not limited to wainscoting.
6. **Lighting:** All lighting shall be shielded and pole lights shall be of the full cut-off type. Freestanding pole lights are not allowed within 50 feet of a property line abutting residential zoning districts.
7. **Signage:** One freestanding sign shall be allowed. The freestanding sign must be a monument sign, which shall not exceed eight feet in height and 50 square feet in area. One wall sign shall be permitted not to exceed 60 square feet. The wall sign shall face Compton Road.
8. **Vehicle Stacking:** A minimum of four off-street vehicle stacking spaces designed in accordance with all standards of the UDC for gated parking areas shall be provided between the public right-of-way and the front access gate of the storage facility.
9. **Storage Space:** The maximum allowable storage space for a boat or recreational vehicle storage unit shall not exceed 500 square feet in accordance with the UDC.
10. **On-site Operations:** No cleaning, purging, or maintenance of marine engines shall be permitted. The repair of boats and recreational vehicles shall be prohibited.

- 11. Traffic Improvements:** The Owner shall construct or install traffic improvements identified in the Traffic Impact Analysis submitted to the Transportation Advisory Commission for the removal of First National Boulevard from the Urban Transportation Plan.
- 12. Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable requirements of the UDC, Building and Fire Code.
- 13. Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within 12 months of this ordinance unless a complete building permit application has been submitted, and the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

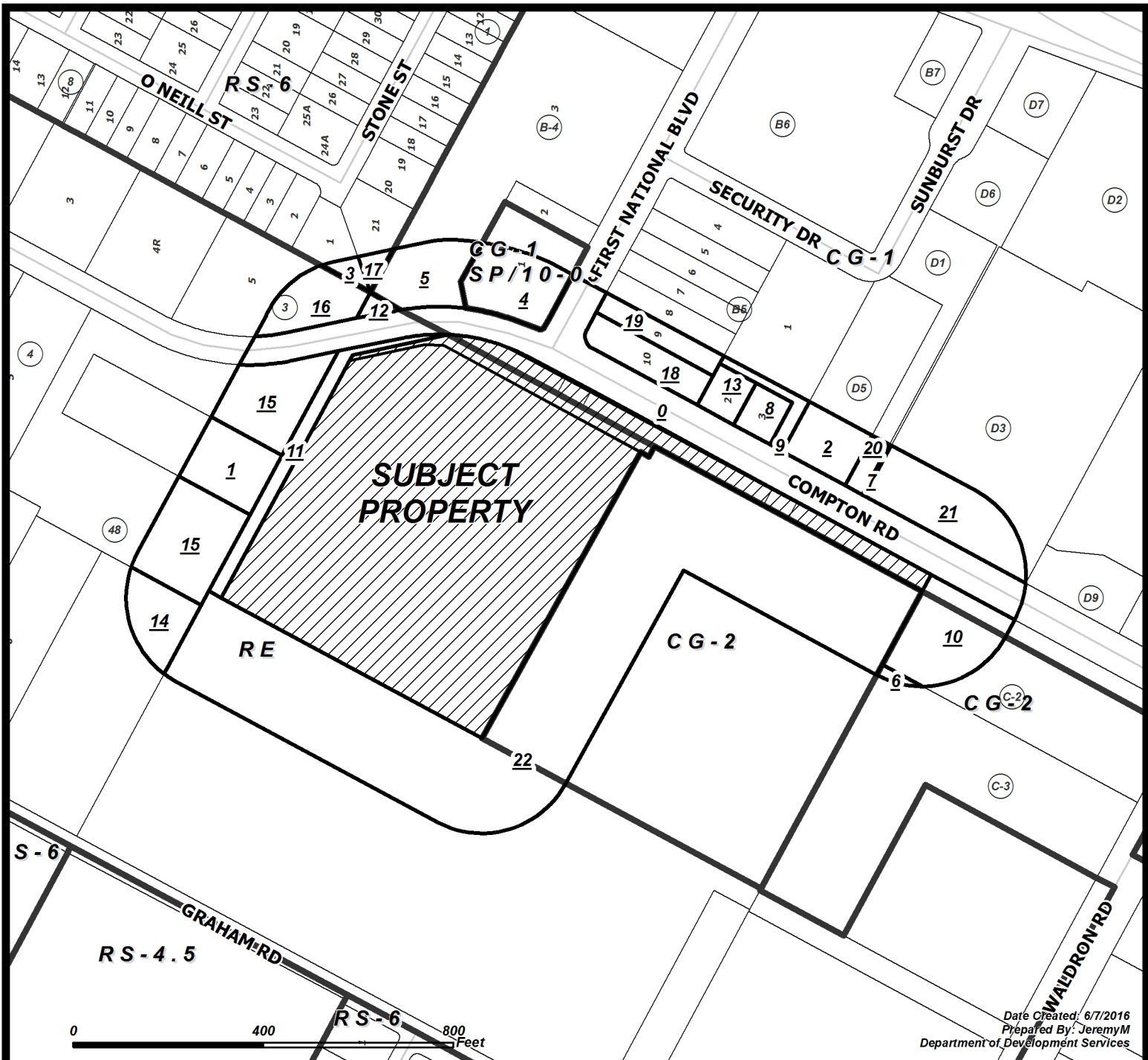
Tract 2:

Approval of the rezoning from the “RE” Residential Estate District and “CG-1” General Commercial District to the “CG-2” General Commercial District.

Public Notification	Number of Notices Mailed – 22 within 200-foot notification area 1 outside notification area
	<u>As of June 22, 2016:</u>
	In Favor – 0 inside notification area – 0 outside notification area
	In Opposition – 0 inside notification area – 0 outside notification area
	Totaling 0.00% of the land within the 200-foot notification area in opposition.

Attachments:

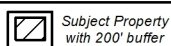
1. Location Map (Existing Zoning & Notice Area)
2. Site Plan
3. Application
4. Public Comments Received (if any)



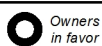
Date Created: 6/7/2016
 Prepared By: Jeremy M
 Department of Development Services

CASE: 0616-05 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	



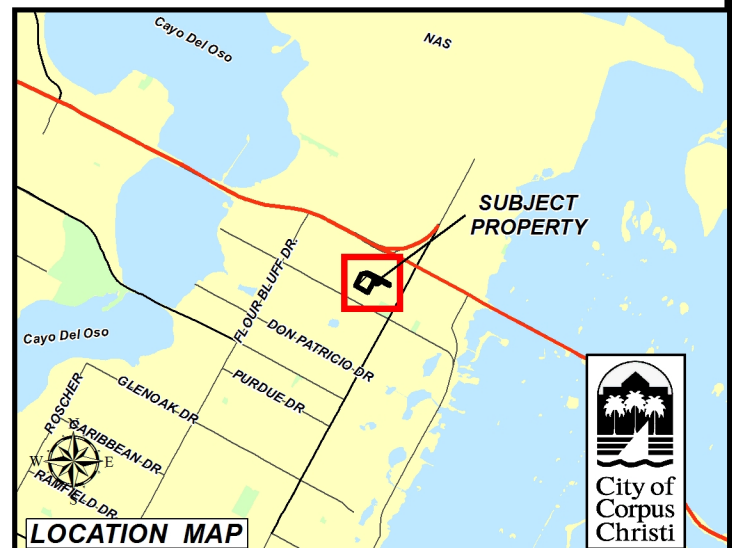
Subject Property
 with 200' buffer



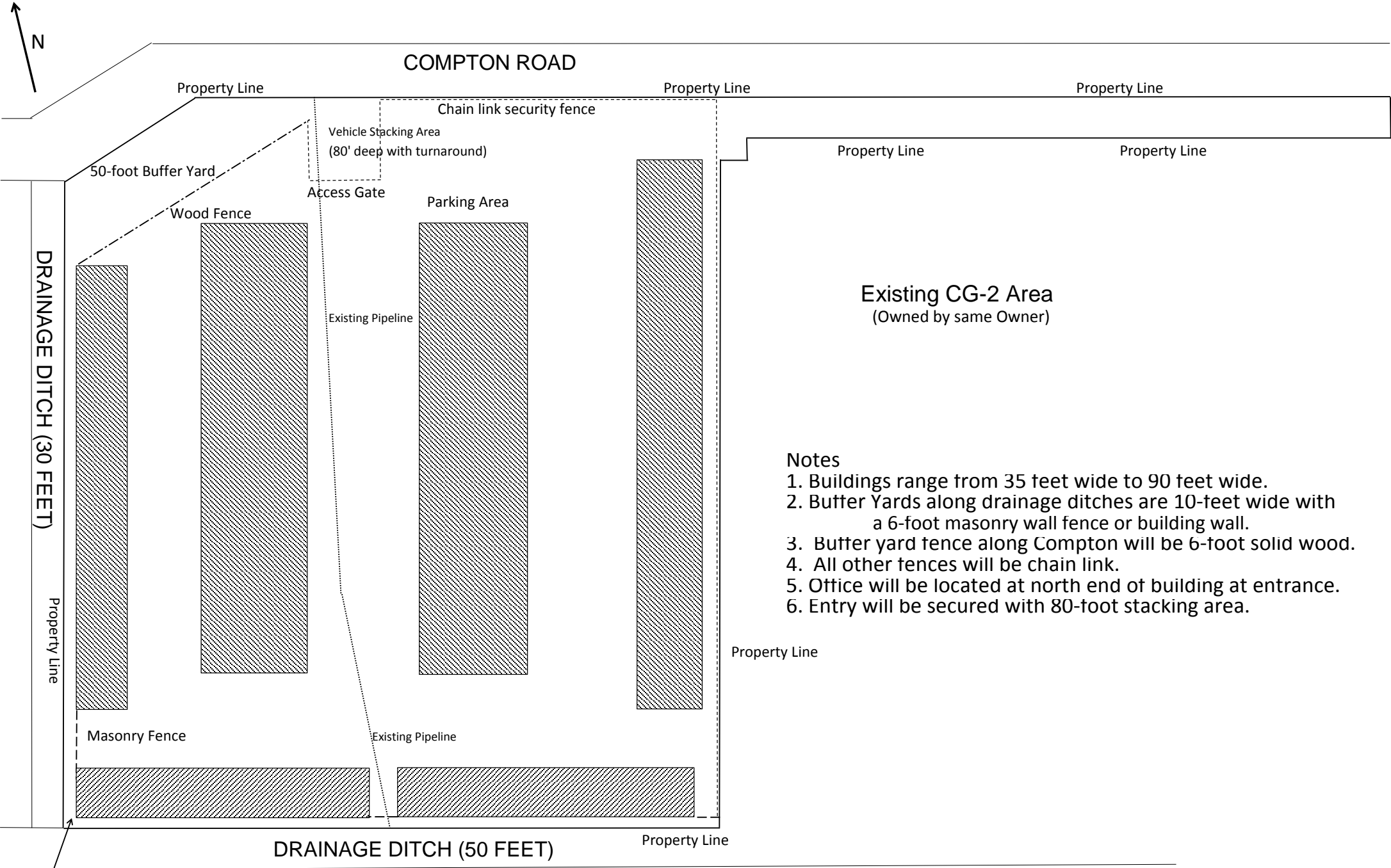
Owners
 in favor

4 Owners within 200' listed on
 attached ownership table

X Owners
 in opposition



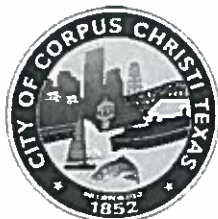
Site Plan for CCSemloh Partnership, Ltd.



- Notes
- 1. Buildings range from 35 feet wide to 90 feet wide.
 - 2. Buffer Yards along drainage ditches are 10-feet wide with a 6-foot masonry wall fence or building wall.
 - 3. Buffer yard fence along Compton will be 6-foot solid wood.
 - 4. All other fences will be chain link.
 - 5. Office will be located at north end of building at entrance.
 - 6. Entry will be secured with 80-foot stacking area.

10-foot buffer yard between masonry wall and property line.

16-10000015



Development Services Dept.
P.O. Box 9277
Corpus Christi, Texas 78469-9277
(361) 826-3240
Located at 2406 Leopard Street

Office Use Only

REZONING APPLICATION

Case No.: 0615-05 Map No.: 035032

PC Hearing Date: June 29, 2016 Proj.Mgr: Dolores Wood

Hearing Location: City Hall, Council Chambers, 1201 Leopard Street
Hearing Time: 5:30 p.m.

* A MAXIMUM OF FIVE REZONINGS CASES ARE SCHEDULED PER HEARING.
* INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

1. Applicant: CCSemloh Partnership, Ltd. Contact Person: John Bell
Mailing Address: c/o 615 N. Upper Broadway, Suite 1100
City: Corpus Christi State: TX ZIP: 78401 Phone: (361) 888-9201
E-mail: jdbell@wbwpc.com Cell: (361) 877-8393

2. Property Owner(s): CCSemloh Partnership, Ltd. Contact Person: Billy Holmes
Mailing Address: P. O. Box 18328
City: Corpus Christi State: TX ZIP: 78480 Phone: (361) 937-7800 ext 12
E-mail: billy@gcmboats.com Cell: ()

3. Subject Property Address: n/a Area of Request (SF/acres): 10.67 acres
Current Zoning & Use: RE - vacant Proposed Zoning & Use: CG-2
12-Digit Nueces County Tax ID: 2476 - 0048 - 1000 (see attached additional acct)
Subdivision Name: FB Encinal Farm & Garden Tracts Block: 48 Lot(s): 10 & 11
Legal Description if not platted: (also parts of Lot B-4 and C, Laguna Business Center)

4. Submittal Requirements:
☒ Early Assistance Meeting: Date Held 2-3-2016 ; with City Staff Dolores Wood
☒ Land Use Statement ☒ Disclosure of Interest ☒ Copy of Warranty Deed
IF APPLICABLE:
☒ Peak Hour Trip Form (if request is inconsistent with Future Land Use Plan) ☐ Site Plan for PUD or Special Permit
☒ Metes & Bounds Description with exhibit if property includes un-platted land (sealed by RPLS) ☐ Lien Holder Authorization
☒ Appointment of Agent Form if landowner is not signing this form

I certify that I have provided the City of Corpus Christi with a complete application for review, that I am authorized to initiate this rezoning as or on behalf of the Property Owner(s); and the information provided is accurate.

Billy Holmes
Owner or Agent's Signature
Billy Holmes
Owner or Agent's Printed Name

Billy Holmes
Applicant's Signature
Billy Holmes
Applicant's Printed Name

Office Use Only: Date Received: 5-4-16 Received By: BT ADP: FB
Rezoning Fee: \$1692.50 + PUD Fee 0 + Sign Fee 10.00 = Total Fee \$1702.50
No. Signs Required 1 @ \$10/sign Sign Posting Date:

ATTACHMENT TO REZONING APPLICATION

APPICANT: CCSemloh Partnership, Ltd.

Additional Tax Accounts of Property:

4105-0005-0000

Laguna Business Center, Block C (portion)

4105-0004-0002

Laguna Business Center, Block B-4 (portion)

LAND USE STATEMENT

1. State the purpose of the request and include applicable background information as to the development plan for the property, i.e., usage of property, number and square footage(s) of existing and/or proposed building(s)/unit(s), building(s)/unit(s) height, parking plans/spaces, phasing schedule of development, number of employee(s) associated with the office, business or industrial development, hours of operation, modification or demolition plans for existing structure(s), type, area and setback of signage, etc.

The property currently is vacant. The intended use of the property is for enclosed boat, RV and other storage units within a secured area. All accommodations will be made to properly screen the property from the adjacent residential uses. The facility will be served by a single driveway on Compton Road.

As provided in the Code, development of the property will include a buffer yard and lighting shall be shielded to eliminate any intrusion into any nearby residential areas.

2. Identify the existing land uses adjoining the area of request:

North - CG-1

South - RE

East - CG-2

West - RE

APPOINTMENT OF AGENT

As owner of the subject property, I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: John D. Bell

Mailing Address: c/o 615 N. Upper Broadway, Suite 1100

City: Corpus Christi State: TX Zip: 78401

Home Phone: (361) 949-7178 Business Phone: (361) 888-9201 Cell: (361) 877-8393

I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to:

Be the point of contact between myself and the City of Corpus Christi; make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; consent to legally binding modifications; conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me.

I understand that the City of Corpus Christi will deal only with a fully authorized agent. At any time it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications related to this application are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, I agree to hold harmless and indemnify the City of Corpus Christi, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter. If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have the legal authority to make this binding appointment on behalf of the entity, and every reference herein to "I", "my", or "me" is a reference to the entity.

*Signature of Agent:  Title: Attorney

Printed/Typed Name of Agent: John D. Bell Date: 3-22-16

*Signature of Property Owner:  Title: Partner

Printed/Typed Name of Property Owner: Billy Holmes Date: 3-16-2016

*Signature of Property Owner: _____ Title: _____

Printed/Typed Name of Property Owner: _____ Date: _____

*Signature of Property Owner: _____ Title: _____

Printed/Typed Name of Property Owner: _____ Date: _____

*Application must be signed by the individual applicant, each partner of a partnership, or by an authorized officer of a corporation or association.



DISCLOSURE OF INTERESTS

City of Corpus Christi Ordinance 17112, as amended, requires all persons or firms seeking to do business with the City to provide the following information. **Every question must be answered.** If the question is not applicable, answer with "NA".

NAME: CCSemloh Partnership, Ltd.

STREET: PO Box 18328

CITY: Corpus Christi

ZIP: 78480

FIRM is: ☐ Corporation ☒ Partnership ☐ Sole Owner ☐ Association ☐ Other _____

DISCLOSURE QUESTIONS

If additional space is necessary, please use the reverse side of this page or attach separate sheet.

1. State the names of each "employee" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name

Job Title and City Department (if known)

none

2. State the names of each "official" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name

Title

none

3. State the names of each "board member" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name

Board, Commission, or Committee

none

4. State the names of each employee or officer of a "consultant" for the City of Corpus Christi who worked on any matter related to the subject of this contract and has an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name

Consultant

none

CERTIFICATE

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Corpus Christi, Texas as changes occur.

Certifying Person: Billy Holmes
(Print Name)

Title: Partner

Signature of Certifying Person: Billy Holmes

Date: 3-16-2016