

PLANNING COMMISSION FINAL REPORT

Case No. 0616-02

HTE No. 16-10000017

Planning Commission Hearing Date: June 1, 2016

Applicant & Legal Description	Applicant/Owner: Coastal King, Ltd. Representatives: Urban Engineering Legal Description/Location: Lot 4, Block 4, Roseland Place, located on the northwest corner of Horne Road and Crosstown Expressway (State Highway 286).			
Zoning Request	From: "CN-1" Neighborhood Commercial District To: "CG-2" General Commercial District Area: 0.75 acres Purpose of Request: To allow construction of a self-service carwash, which is a general commercial use.			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"CN-1" Neighborhood Commercial	Vacant	Commercial
	<i>North</i>	"CG-2" General Commercial	Commercial	Commercial
	<i>South</i>	"RS-6" Single-Family 6 and "CN-1" Neighborhood Commercial	Low Density Residential and Commercial	Low Density Residential & Commercial
	<i>East</i>	"IL" Light Industrial	Right-of-way and Commercial	Right-of-way and Light Industrial
	<i>West</i>	"CG-2" General Commercial	Vacant	Commercial
ADP, Map & Violations	Area Development Plan: The subject property is located within the boundaries of the Westside Area Development Plan and is planned for commercial uses. The proposed rezoning to the "CG-2" General Commercial District is consistent with the adopted Future Land Use Map and the Westside Area Development Plan. Map No.: 047040 Zoning Violations: None			
Transportation	Transportation and Circulation: The subject property has approximately 200 feet of street frontage along Horne Road, which is an "A1" Minor Arterial Undivided street and approximately 215 feet along the Crosstown Expressway (State Highway 286) Access Road, which is an "F1" Freeway/Expressway.			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Horne Rd.	"A1" Minor Arterial Undivided	95' ROW 64' paved	80' ROW 60' paved	N/A
	Crosstown Expressway (State Highway 286) Access Road	"F1" Freeway/Expressway	400' ROW Varies-paved	350' ROW 280' paved	N/A

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District to allow the construction of a self-service car wash, however, if the zoning change is approved, any of the uses permitted in the "CG-2" General Commercial District may be developed on the property.

Development Plan: The proposed rezoning is a part of the Roseland Place Subdivision. The applicant indicates that current plans are to construct a self-service car wash.

Existing Land Uses & Zoning: The subject property is vacant and zoned "CN-1" Neighborhood Commercial. North of the subject property is zoned "CG-2" General Commercial and consists of a fast-food restaurant. South of the subject property across Horne Road is zoned "CN-1" Neighborhood Commercial and "RS-6" Single-Family 6, consisting of low density residential uses and a flower shop. East of the subject property is the freeway and across the freeway is a mini-storage facility which is zoned "IL" Light Industrial. West of the subject property is vacant and zoned "CG-2" General Commercial.

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 platted.

Comprehensive Plan & Area Development Plan Consistency: The subject property is located within the boundaries of the Westside Area Development Plan (ADP). The proposed rezoning to the "CG-2" General Commercial District is consistent with the Westside ADP and the adopted Future Land Use Map's designation of the property for commercial uses. Applicable Comprehensive Plan policies include but are not limited to the following:

- **Comprehensive Plan General Policy Statement D:** New development should occur in a pattern which is cost effective. The City should encourage new development where services can be provided economically and, wherever possible, promote contiguous development.
- **Comprehensive Plan Commercial Policy Statement F:** Commercial activities which generate large volumes of traffic should have direct access to an arterial road without having to traverse low-density areas.
- **Comprehensive Plan Commercial Policy Statement G:** Commercial service areas designed to serve local neighborhoods should be conveniently located and in harmony with the surrounding neighborhood.
- **Comprehensive Plan Residential Policy Statement H:** Encouraging infill development on vacant tracts of land within developed areas.

Department Comments:

- The proposed rezoning is consistent with the Comprehensive Plan.
- The property is appropriately located for commercial uses at the intersection of an expressway and a minor arterial roadway.
- The rezoning is compatible with present zoning of nearby property and to the character of the surrounding area.
- A “CG-2” District would allow uses that are compatible with the surrounding properties.
- The rezoning is not anticipated to have a negative impact upon the surrounding property.

Planning Commission and Staff Recommendation:

Approval of the change of zoning from the “CN-1” Neighborhood Commercial District to the “CG-2” General Commercial District.

Vote Results:

For: 9

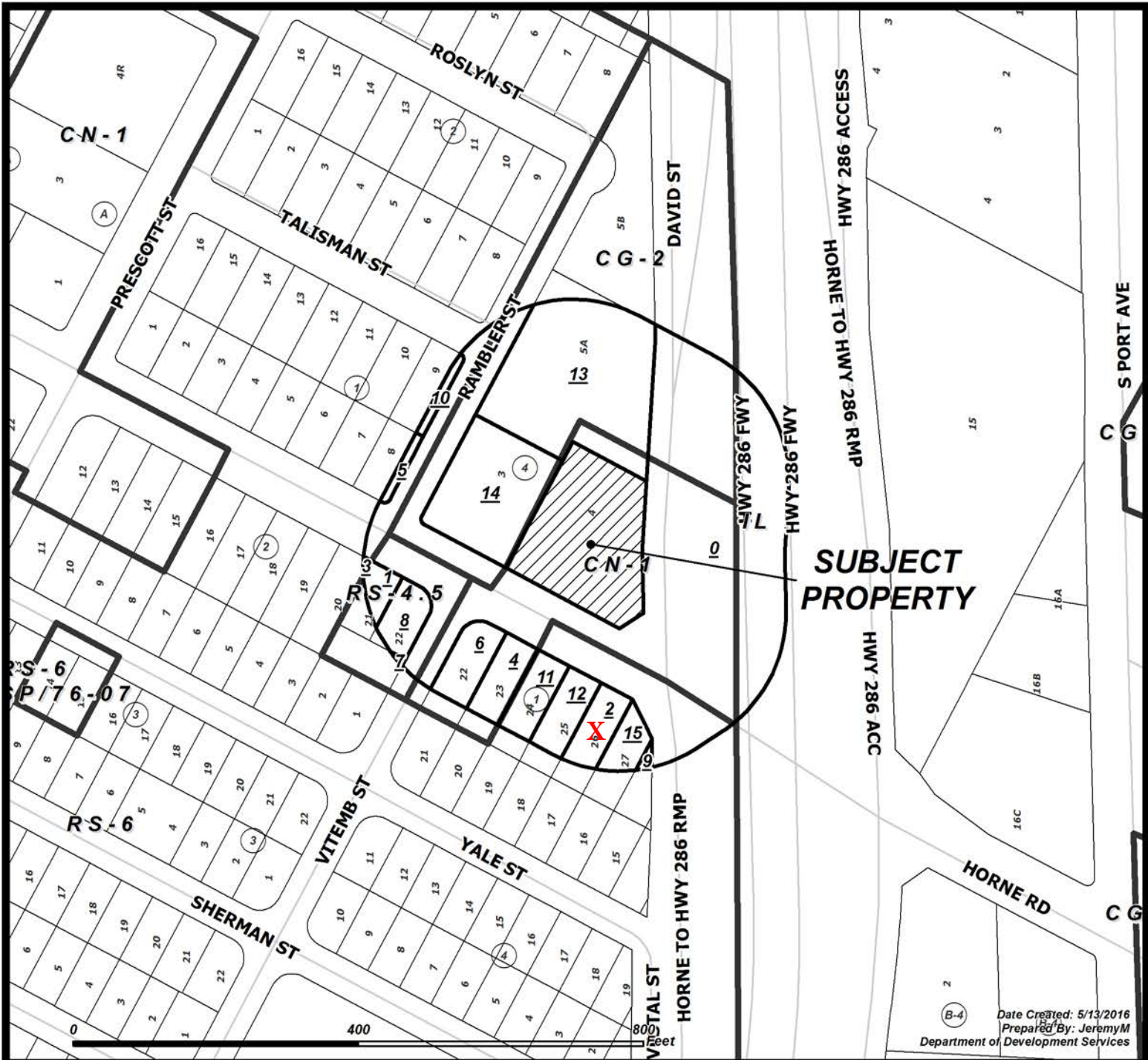
Opposed: 0

Absent: 0

Public Notification	Number of Notices Mailed – 15 within 200-foot notification area 5 outside notification area	
	<u>As of June 20, 2016:</u>	
	In Favor	–0 inside notification area – 0 outside notification area
	In Opposition	– 1 inside notification area – 0 outside notification area
Totaling 2.15% of the land within the 200-foot notification area in opposition.		

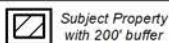
Attachments:

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



CASE: 0616-02 ZONING & NOTICE AREA

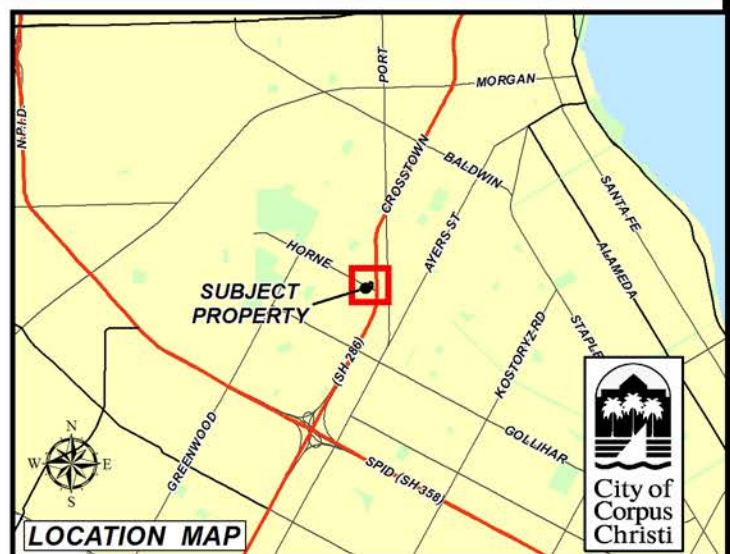
RM-1	Multifamily 1	IL	Light Industrial
RM-2	Multifamily 2	IH	Heavy Industrial
RM-3	Multifamily 3	PUD	Planned Unit Dev. Overlay
ON	Professional Office	RS-10	Single-Family 10
RM-AT	Multifamily AT	RS-6	Single-Family 6
CN-1	Neighborhood Commercial	RS-4.5	Single-Family 4.5
CN-2	Neighborhood Commercial	RS-TF	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		



4 Owners within 200' listed on attached ownership table



X Owners in opposition





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

REZONING APPLICATION

Office Use Only

Case No.: _____ Map No.: 047040

PC Hearing Date: _____ Proj. Mgr: _____

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: Urban Engineering Contact Person: Xavier Galvan
Mailing Address: 2725 Swantner Drive
City: Corpus Christi State: TX ZIP: 78404 Phone: (361) 854-4187 ext. 217
E-mail: xaviere@urbaneng.com Cell: ()

2. Property Owner(s): Coastal King, Ltd. Contact Person: Clinton Alley
Mailing Address: 108 N. Mesquite Street
City: Corpus Christi State: TX ZIP: 78401 Phone: (361) 882-4100
E-mail: cjalley1@gmail.com (Clinton Alley) Cell: ()

3. Subject Property Address: 2100 Horne Road @ Crosstown Area of Request (SF/acres): 0.75 Acres
Current Zoning & Use: CN-1 (Vacant) Proposed Zoning & Use: CG-2 (Car Wash)
12-Digit Nueces County Tax ID: 7506 - 0004 - 0040
Subdivision Name: Roseland Place Block: 4 Lot(s): 4
Legal Description if not platted: _____

4. Submittal Requirements:
☒ Early Assistance Meeting: Date Held 5/3/16; 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.

Owner or Agent's Signature

Gary Hodge

Owner or Agent's Printed Name

Applicant's Signature

Xavier Galvan for Urban Engineering

Applicant's Printed Name

Office Use Only: Date Received: 5-8-16 Received By: BKP ADP: WS

Rezoning Fee: \$1107.50 + PUD Fee 0 + Sign Fee 20.00 = Total Fee \$1127.50

No. Signs Required 2 @ \$10/sign Sign Posting Date: _____



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

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Office Use Only

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E-mail: xavierg@urbaneng.com Cell: (_____) _____

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Mailing Address: 108 N. Mesquite Street
City: Corpus Christi State: TX ZIP: 78401 Phone: (361) 882-4100
E-mail: cjalley1@gmail.com (Clinton Alley) Cell: (_____) _____

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Subdivision Name: Roseland Place Block: 4 Lot(s): 4
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☒ **Land Use Statement** ☒ **Disclosure of Interest** ☒ **Copy of Warranty Deed**
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☒ 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.

Owner or Agent's Signature

Robert G. Hart, III

Owner or Agent's Printed Name

Applicant's Signature

Xavier Galvan for Urban Engineering

Applicant's Printed Name

Office Use Only: Date Received: _____ Received By: _____ ADP: _____

Rezoning Fee: _____ + PUD Fee _____ + Sign Fee _____ = Total Fee _____

No. Signs Required _____ @ \$10/sign Sign Posting Date: _____

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 owner of the property is requesting a change of zoning from CN-1 to CG-2 for the development of a 7 bay, self-serve car wash. The car wash will have 7 wash bays, and 6 or 7 vacuum spaces. There will be one employee running the facility. It is assumed at this time that the car wash will be open 24 hours.

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

North	-	<u>CG-2 (Restaurant)</u>
South	-	<u>CN-1 (Flower Shop) and RS-6 (Residential)</u>
East	-	<u>CN-1 (Crosstown Expressway)</u>
West	-	<u>CG-2(Vacant)</u>



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: Gary Hodge

STREET: 108 N. Mesquite Street

CITY: Corpus Christi, Texas

ZIP: 78401

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)

N/A

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

N/A

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

N/A

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

N/A

CERTIFICATE

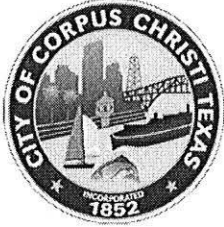
I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Corpus Christi, Texas as changes occur.

Certifying Person: Gary Hodge
(Print Name)

Title: Managing Director

Signature of Certifying Person: _____

Date: 5.2.16



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NAME: Urban Engineering

STREET: 2725 Swantner Drive

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ZIP: 78404

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Name

Consultant

N/A

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: Xavier Galvan
(Print Name)

Title: Project Manager / Senior Planning Tech

Signature of Certifying Person: _____

Date: 5-5-16



DISCLOSURE OF INTERESTS

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NAME: Robert G. Hart, III

STREET: 108 N. Mesquite Street CITY: Corpus Christi, Texas ZIP: 78401

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

DISCLOSURE QUESTIONS

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Job Title and City Department (if known)

N/A

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Title

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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

N/A

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: Robert G. Hart, III
(Print Name)

Title: Managing Owner

Signature of Certifying Person: _____

Date: 5.2.16

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: Urban Engineering

Mailing Address: 2725 Swanter Drive

City: Corpus Christi State: Texas Zip: 78404

Home Phone: () Business Phone: (361) 854-3101 Cell: ()

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: Project Manager/Senior Platting Tech

Printed/Typed Name of Agent: Xavier Galvan for Urban Engineering Date: 5-5-16

*Signature of Property Owner:  Title: Managing Owner of Hart Restaurant Management, Inc., General Partner of Coastal King, Ltd.

Printed/Typed Name of Property Owner: Robert G. Hart, III Date: 5-4-16

*Signature of Property Owner:  Title: Managing Director of Hart Restaurant Management, Inc., General Partner of Coastal King, Ltd.

Printed/Typed Name of Property Owner: Gary Hodge Date: 5-4-16

*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.

Persons with disabilities planning to attend this meeting, who may require special services, are requested to contact the Development Services Department at least 48 hours in advance at (361) 826-3240. Personas con incapacidades, que tienen la intención de asistir a esta junta y que requieren servicios especiales, se les suplica que den aviso 48 horas antes de la junta llamando al departamento de servicios de desarrollo, al número (361) 826-3240.

If you wish to address the Commission during the meeting and your English is limited, please call the Development Services Department at (361) 826-3240 at least 48 hours in advance to request an interpreter be present during the meeting. Si usted desea dirigirse a la comisión durante la junta y su inglés es limitado, favor de llamar al departamento de servicios de desarrollo al número (361) 826-3240 al menos 48 horas antes de la junta para solicitar un intérprete ser presente durante la junta.

**CITY PLANNING COMMISSION
PUBLIC HEARING NOTICE
Rezoning Case No. 0616-02**



Coastal King, Ltd. has petitioned the City of Corpus Christi to consider a change of zoning from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District, not resulting in a change to the Future Land Use Map. The property to be rezoned is described as:

Lot 4, Block 4, Roseland Place, located on the northwest corner of Horne Road and Crosstown Expressway (State Highway 286).

The Planning Commission may recommend to City Council approval or denial, or approval of an intermediate zoning classification and/or Special Permit. Approval of a change of zoning, if inconsistent with the City's Comprehensive Plan, will also have the effect of amending the Comprehensive Plan to reflect the approved zoning.

The Planning Commission will conduct a public hearing for this rezoning request to discuss and formulate a recommendation to the City Council. The public hearing will be held on **Wednesday, June 1, 2016**, during one of the Planning Commission's regular meetings, which begins at **5:30 p.m.**, in the City Council Chambers, 1201 Leopard Street. You are invited to attend this public hearing to express your views on this rezoning request. For more information, please call (361) 826-3240.

TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE DEVELOPMENT SERVICES DEPARTMENT, P. O. BOX 9277, CORPUS CHRISTI, TEXAS 78469-9277. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

NOTE: In accordance with the Planning Commission By-Laws, no discussion shall be held by a member or members of this Commission with an applicant or appellant concerning an application or appeal, either at home or office, or in person, by telephone call or by letter.

Printed Name: Alejandro J. Aparicio
Address: 2125 HORNE Rd City/State: Corpus Christi, TX.
() IN FAVOR ☒ IN OPPOSITION Phone: 361-288-1984

REASON: Too many Riff-Riffs - bad activity AT NITE

Alejandro J. Aparicio
Signature