



AGENDA MEMORANDUM

Public Hearing / First Reading for the City Council Meeting of September 20, 2016
Second Reading for the City Council Meeting of September 27, 2016

DATE: August 30, 2016

TO: Margie C. Rose, City Manager

FROM: Daniel McGinn, AICP, Interim Director, Development Services Department
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| <p>Public Hearing and First Reading Ordinance - Rezoning property located at 5702 Corsica Road</p> |
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CAPTION:

Case No. 0716-06 Corner Strong, Ltd.: Ordinance amending the Unified Development Code ("UDC"), upon application by Corner Strong, Ltd ("Owner"), by changing the UDC Zoning Map in reference to a 4.99-acre tract of land of which 4.52 acres is out of Lots 17, 18, 31 and 32, Section 11, Flour Bluff and Encinal Farm Garden Tracts and 0.47 acres is out of Lot 11, Block 2, Barclay Grove Unit 11, from the "CN-1" Neighborhood Commercial District and "CG-2" General Commercial District to the "CN-1/SP" Neighborhood Commercial District with a Special Permit; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

PURPOSE:

The purpose of this item is to rezone the property to allow a mini-storage facility.

RECOMMENDATION:

Planning Commission and Staff Recommendation (August 24, 2016):

Denial of the change of zoning from the "CN-1" Neighborhood Commercial District and the "CG-2" General Commercial District to the "CG-2" General Commercial District, and, in lieu thereof, approval of the "CN-1/SP" Neighborhood Commercial District with a Special Permit, subject to the Owner complying with the following conditions and the conceptual site plan.

1. **Use:** The only use allowed on the Property other than uses permitted in the base zoning districts is a mini-storage facility and related accessory uses.
2. **Setbacks:** The storage of boats and campers, a permitted accessory use to mini-storage, and the location of dumpsters shall be limited to the west half of

the Property.

3. **Access:** Access shall be limited to the west portion of the property fronting Corsica Road.
4. **Building Design:** Any buildings constructed within 260 feet of Corsica Road shall have a non-metal façade. Mini-storage buildings shall be prohibited from having doors/openings facing residential uses.
5. **Screening Fence:** A minimum six-foot tall solid wood screening fence is required to be constructed, remain in place, and maintained between the mini-storage facility and the residential uses.
6. **Buffer Yard:** A 15-foot wide buffer yard and 15 buffer yard points shall be required along the property boundaries adjacent to residential zoning districts. Trees and shrubs shall be planted, remain in place, and be maintained between the mini-storage facility and the residential uses. A continuous line of shrubs shall border the fence. A canopy or understory tree other than palm trees shall be planted every 50 feet on center within the buffer yard.
7. **Lighting:** All lighting shall be shielded to direct light downward and pole lights shall be of the full cut-off type. Freestanding pole lights are prohibited within 50 feet of the property line of a residential use. No light source shall exceed the roof height of the buildings on site or 15 feet, whichever is more restrictive.
8. **Building Height:** Buildings, excluding the office, shall not exceed 15 feet where adjacent to a single-family residential use. Otherwise, the maximum building height shall be 35 feet. Boat and camper storage is limited to the west half of the Property and shall not be considered “adjacent” to single-family residential uses.
9. **Hours of Operation:** The hours of operation for the public shall be limited from 6 AM to 10 PM Sunday through Thursday and from 6 AM to 11 PM on Friday and Saturday.
10. **Signage:** Freestanding signage shall be limited to the west portion of the property fronting on Corsica Road. Wall signs shall not be oriented toward the east.
11. **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.

Vote Results

For: 9

Against: 0

Absent: 0

BACKGROUND AND FINDINGS:

The applicant is requesting a rezoning from the “CN-1” Neighborhood Commercial and “CG-2” General Commercial Districts to the “CG-2” General Commercial District to allow the construction of a mini-storage facility. The majority of the property is zoned “CN-1” Neighborhood Commercial District. A mini-storage facility is not considered a neighborhood commercial use. The Planning Commission and Staff recommend retaining the “CN-1” Neighborhood Commercial District and granting a Special Permit. The applicant agrees with the Special Permit as proposed.

The subject property is located within the boundaries of the Southside Area Development Plan (ADP). The proposed rezoning to the “CG-2” General Commercial District is consistent with the adopted Future Land Use Plan’s designation of the property as commercial but is not consistent with the Southside Area Development Plan or the Corpus Christi Policy Statements concerning land use compatibility and protection of neighborhoods. While the Comprehensive Plan does designate the property for commercial use, the mini-storage use directly abutting a low density residential area is incompatible. In 2014, the property was rezoned and the owner agreed that only the property fronting South Staples Street should be zoned “CG-2” and the remainder would be “CN-1” to protect the neighborhoods. A “CG-2” District would allow uses that are not compatible with the surrounding residential subdivision and, as proposed, could potentially increase traffic through residential areas on Corsica Road. A Special Permit with conditions to increase compatibility with the neighborhood would be consistent with City plans and policies.

ALTERNATIVES:

1. Deny the “CG-2” General Commercial District and, in lieu thereof, approve the “CN-1/SP” Neighborhood Commercial District with a Special Permit (As Recommended by the Planning Commission and Staff)
2. Approve the requested “CG-2” General Commercial District (Requires 3/4 vote)
3. Deny the request

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO CITY POLICY:

The subject property is located within the boundaries of the Southside Area Development Plan (ADP). The proposed rezoning to the “CG-2” General Commercial District is consistent with the adopted Future Land Use Plan’s designation of the property as commercial but is not consistent with the Southside Area Development Plan or the Corpus Christi Policy Statements concerning land use compatibility and protection of neighborhoods. The recommended Special Permit with Neighborhood Commercial zoning would comply with City plans and policies.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

Legal and Planning Commission

FINANCIAL IMPACT:

☐ Operating

☐ Revenue

☐ Capital

☒ Not applicable

| Fiscal Year: 2015-2016 | Project to Date Expenditures (CIP only) | Current Year | Future Years | TOTALS |
|-------------------------------|--|---------------------|---------------------|---------------|
| Line Item Budget | | | | |
| Encumbered / Expended Amount | | | | |
| This item | | | | |
| BALANCE | | | | |

Fund(s):

Comments: None

LIST OF SUPPORTING DOCUMENTS:

Ordinance-SP

Ordinance-CG-2

Presentation - Aerial Map

Planning Commission Final Report