

PLANNING COMMISSION FINAL REPORT

Case No. 0718-03

INFOR No. 18ZN1014

Planning Commission Hearing Date: July 25, 2018

Applicant & Legal Description	Owner: Dr. Haysam Dawod, DDS. Applicant: The Clower Company Location Address: 7001 South Staples Street Legal Description: Lot 6, Block 1, Sterling Corners, located on the west side of South Staples Street, south of Timbergate Drive, and north of Lipes Boulevard.			
Zoning Request	From: "CN-1" Neighborhood Commercial District To: "CG-2" General Commercial District Area: 0.64 acres Purpose of Request: To allow for the construction of an automated car wash.			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"CN-1" Neighborhood Commercial	Commercial	Commercial
	<i>North</i>	"CN-1" Neighborhood Commercial	Commercial	Commercial
	<i>South</i>	"CN-1" Neighborhood Commercial	Commercial	Commercial
	<i>East</i>	"RE" Residential Estate	Vacant and Commercial	Commercial and High Density Residential
	<i>West</i>	"CG-1" General Commercial	Low and Medium Density Residential	Medium and High Density Residential
ADP, Map & Violations	Area Development Plan: The subject property is located within the boundaries of the Southside Area Development Plan and is planned for commercial uses. The proposed rezoning to the "CG-2" General Commercial District is inconsistent with the adopted Comprehensive Plan (Plan CC) in relation to the proposed use. Map No.: 044032 Zoning Violations: None			
Transportation	Transportation and Circulation: The subject property has approximately 130 feet of street frontage along South Staples Street which is designated as an "A3" Primary-Arterial Divided Street. According to the Urban Transportation Plan, "A3" Primary-Arterial Divided Streets can convey a capacity between 30,000 to 48,000 Average Daily Trips (ADT).			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	South Staples Street	"A3" Primary- Arterial Divided Street	130' ROW 79' paved	105' ROW 70' paved	17,712 ADT (2014)

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 for the construction of an automated car wash.

Development Plan: The subject property is 0.64 acres in size. The owner is proposing the construction of a 2,400 square foot automated car wash. The automated car wash will have between 3 and 5 employees. The hours of operation will be from 8 am to 8 pm.

Existing Land Uses & Zoning: The subject property is currently zoned "CN-1" Neighborhood Commercial District and consists of vacant land. The subject property was zoned "CN-1" Neighborhood Commercial District in 2005. The subject property was annexed in 1989 and is platted. To the north and south along the South Staples Street corridor are vacant properties and commercial properties consisting of a restaurants and retail businesses. To the east and across South Staples Street are vacant properties zoned "CG-2" General Commercial District and "CN-1" Neighborhood Commercial District. To the west are single-family residences (Crossgate Ridge Unit 1 Subdivision) zoned "RS-6" Single-Family 6 District.

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

Plat Status: The property is platted.

PlanCC & Area Development Plan Consistency: 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 inconsistent with the adopted Comprehensive Plan (Plan CC) in relation to the proposed use. The following policies should be considered:

- Promote a balanced mix of land uses to accommodate continuous growth and promote the proper location of land uses based on compatibility, locational needs, and characteristics of each use. (Future Land Use, Zoning, and Urban Design Policy Statement 1)
- Encourage orderly growth of new residential, commercial, and industrial areas. (Future Land Use, Zoning, and Urban Design Policy Statement 1)
- Encourage the design of commercial centers in a manner that minimizes the impacts of automobile intrusion, noise and visual blight on surrounding areas. (Future Land Use, Zoning, and Urban Design Policy Statement 3)

- Screening fences, open space or landscaping can provide an essential buffer between shopping and residential areas. (Future Land Use, Zoning, and Urban Design Policy Statement 3)
- Implement fair and equitable ways to promote better protection when two uses of differing intensities abut one other. (Southside ADP, Policy Statement B.5)
- High-intensity commercial and industrial areas should be buffered to provide transition from low-density residential areas. (Southside ADP, Policy Statement B.6)
- New high-intensity commercial developments without adequate transition or buffering should be discouraged from locating directly adjacent to low-intensity residential areas. (Southside ADP, Policy Statement B.7)

Department Comments:

- The proposed rezoning is inconsistent with the adopted Comprehensive Plan (Plan CC) in relation to the proposed use.
- The proposed rezoning is partially compatible with neighboring properties and with the general character of the surrounding area. This rezoning does may have a negative impact upon the surrounding neighborhood in regards to noise.
- Existing commercial properties to the north and south are zoned a combination of “CN-1” Neighborhood Commercial and “CG-2” General Commercial District.
- The “CG-2” District opens the possibility of more intense commercial uses such as Mini-Storage, Bars, and Night Clubs adjacent to single-family residences.
- An automated car wash with a single wash bay is a low impact commercial use. The limited hours of operation of 8 am to 8 pm would reduce any potential negative impacts from occurring.
- As in previous car wash projects a question of noise has arisen. This proposed automated car wash will have vacuums. However, the latest trends in car vacuums is typically a single underground unit that has multiple access points to parking stall stations for use versus the traditional individual vacuum unit at each use area.
- Due to the partial adjacency to properties zoned “RS-6” Single-Family 6 District, a Type C buffer yard will be required along the northern and western property lines. Type C buffer yards consist of 15 feet in width and a 15 point requirement as per the Unified Development Code (UDC).
- If the “CG-2” General Commercial District is approved, the proposed development will still need to abide by all requirements of the Unified Development Code (UDC).

Planning Commission and Staff Recommendation (July 25, 2018):

Denial of the change of zoning from the “CN-1” Neighborhood Commercial District to the “CG-2” General Commercial District, in lieu thereof, approval of the “CN-1/SP” Neighborhood Commercial District with a Special Permit (SP) with the following conditions.

1. **Uses:** The only uses authorized by this Special Permit other than uses permitted by right in the base zoning district is “Car Wash, automated” as defined by the Unified Development Code (UDC). All vehicle service and repairs must be done within an enclosed building and must follow all federal, state, local regulations.
2. **Setback:** A setback at a minimum of 20 feet shall be maintained from the rear property line. No buildings or storage shall be allowed within the setback.

3. **Hours of Operation:** The hours of operation shall be daily from 8:00 AM to 8:00 PM.
4. **Dumpster Screening:** Any dumpster located on the Property shall be effectively screened from view by means of a screening fence or landscaping.
5. **Lighting:** All security lighting must be shielded and directed away from abutting residences and nearby streets. Cut-off shields are required for all lighting. No light projection is permitted beyond the property line near all public roadways and residential development.
6. **Noise:** Must not exceed sixty (60) dB at the property line where adjacent to residential properties.
7. **Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, Building, and Fire Code Requirements.
8. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within twelve (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.

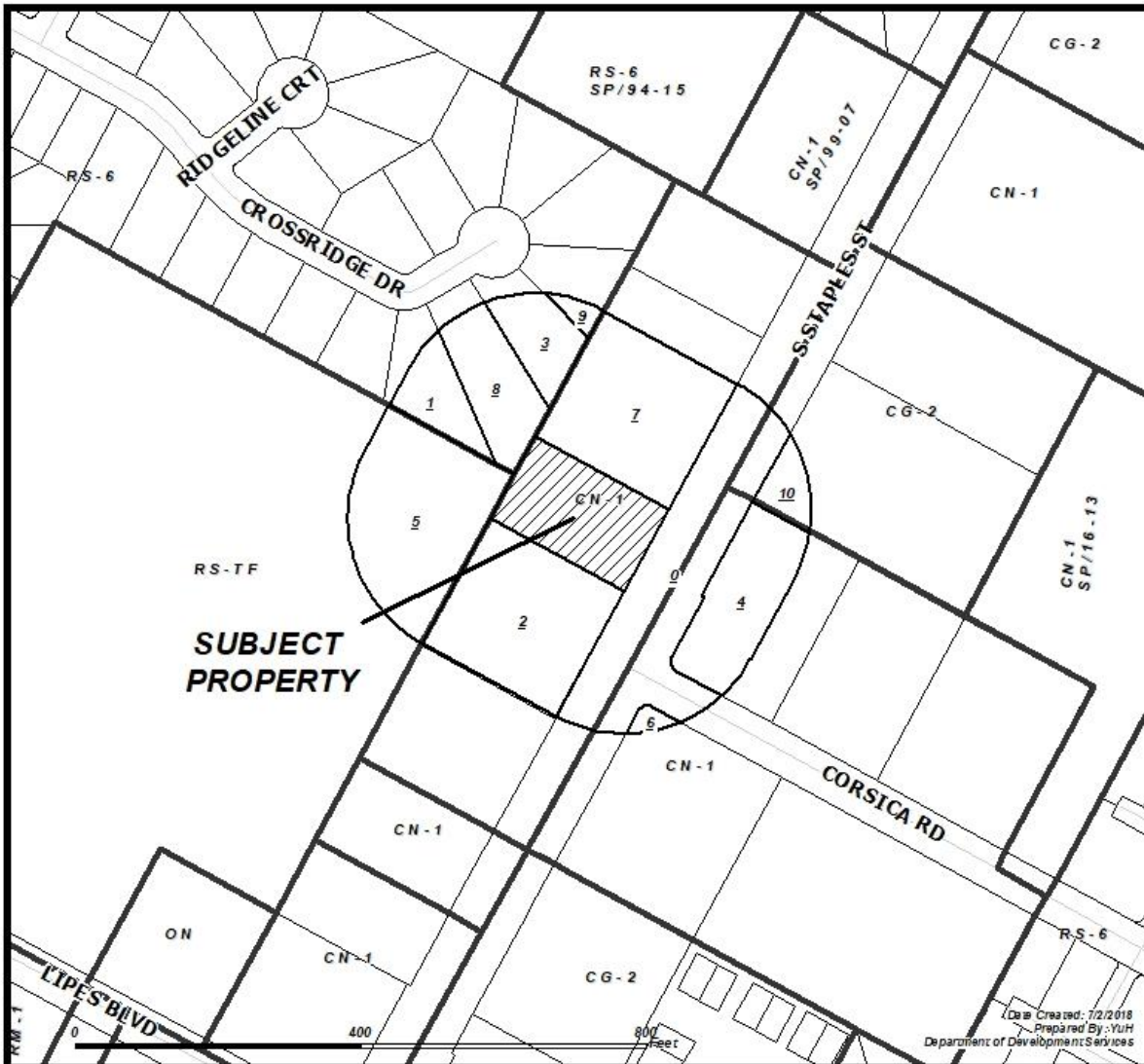
Vote Results:

For: 6
Opposed: 0
Absent: 3
Abstained: 0

Public Notification	Number of Notices Mailed – 10 within 200-foot notification area 5 outside notification area	
	<u>As of July 20, 2018:</u>	
	In Favor	– 0 inside notification area – 0 outside notification area
	In Opposition	– 4 inside notification area – 0 outside notification area
	Totalling 27.33% of the land within the 200-foot notification area in opposition.	

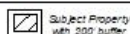
Attachments:

- A. Location Map (Existing Zoning & Notice Area)
- B. Public Comments Received (if any)



CASE: 0718-03
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-8 Single-Family 8
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



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 solicita 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. 0718-03**

Dr. Haysam Dawod, DDS, 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:

7001 South Staples Street and Lot 6, Block 1, Sterling Corners, located on the west side of South Staples Street, south of Timbergate Drive, and north of Lipes Boulevard.

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, July 25, 2018, 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: ZARGHAMANI Amir G. Id-Rahisli

Address: 7009 S Staples City/State: CC-TX 78113

() IN FAVOR (X) IN OPPOSITION Phone: 361 510 8249

REASON: Too much Traffic For Entrance Because They don't have entrance through the Staples y m not agree with Car wash

Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 182N1014
Property Owner ID: 2

Case No. 0718-03
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com

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Printed Name: Zarghooni - Amir

Address: 7002 S Staples City/State: CC Tx 78414

() IN FAVOR ☒ IN OPPOSITION Phone: 361 560 8248

REASON: No CAR wash

Signature

SEE MAP ON REVERSE SIDE
INFO Case No.: 18ZN1014
Property Owner ID: 4

Case No. 0718-03
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com

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Printed Name: Calden P. Estel & Carol

Address: 7042 S Staples City/State: CC, TX 78414

() IN FAVOR (X) IN OPPOSITION Phone: 361 2497776

REASON: Heavy Traffic due to the car wash

Signature Khalil Z. Z. Z.

SEE MAP ON REVERSE SIDE
INFOR Case No.: 18ZN1014
Property Owner ID: 6

Case No. 0718-03
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com

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Printed Name: Zarghouni, Kamran

Address: 7002 S Staples City/State: CC-TX 78414

() IN FAVOR (X) IN OPPOSITION Phone: 361 739 1396

REASON: No Access through Staples caused too many problems for car wash

Signature [Signature]

SEE MAP ON REVERSE SIDE
INFOR Case No.: 18ZN1014
Property Owner ID: 9

Case No. 0718-03
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com