

PLANNING COMMISSION FINAL REPORT

Case No. 0718-04

INFOR No. 18ZN1015

Planning Commission Hearing Date: July 25, 2018

Applicant & Legal Description	Owner: May Dev, LP. Applicant: The Clower Company Location Address: 7601 South Padre Island Drive and 5246 Lexington Road Legal Description: Lot 5 and 6, Block 1, Bridgepointe Landing, located at the southeast corner of the intersection of South Padre Island Drive and Lexington Road, and north of Holly Road.			
Zoning Request	From: "CG-2" General Commercial District To: "IL" Light Industrial District Area: 15.46 acres Purpose of Request: To allow for the construction of an auto sales and service and boat sales and service establishment with service areas.			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"CG-2" General Commercial	Vacant	Mixed Use
	<i>North</i>	"CG-2" General Commercial	Commercial	Mixed Use
	<i>South</i>	"RS-6" Single-Family 6	Low Density Residential	Medium Density Residential
	<i>East</i>	"CG-2" General Commercial	Vacant	Mixed Use
	<i>West</i>	"RS-6" Single-Family 6	Vacant	Mixed Use
ADP, Map & Violations	Area Development Plan: The subject property is located within the boundaries of the Southside Area Development Plan and is planned for mixed uses. The proposed rezoning to the "IL" Light Industrial District is inconsistent with the adopted Comprehensive Plan (Plan CC). Map No.: 039034 Zoning Violations: None			
Transportation	Transportation and Circulation: The subject property has approximately 237 feet of street frontage along South Padre Island Drive which is designated as a "F1" Freeway/Expressway and approximately 1,256 feet of street frontage along Lexington Road which is designated as a "C1" Minor Collector Street. According to the Urban Transportation Plan, "C1" Minor Collector Streets can convey a capacity between 1,000 to 3,000 Average Daily Trips (ADT).			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	South Padre Island Drive (SH 358)	"F1" Freeway/ Expressway	400' ROW Varies paved	268' ROW 228' paved	11,295 ADT (2013)
	Lexington Road	"C1" Minor Collector Street	60' ROW 40' paved	70' ROW 25' paved	N/A

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "CG-2" General Commercial District to the "IL" Light Industrial District to allow for the construction of an auto sales and service and boat sales and service establishment with service areas.

Development Plan: The subject property is 15.46 acres in size. The owner is proposing an auto sales and service and boat sales and service establishment with service areas.

Existing Land Uses & Zoning: The subject property is currently zoned "CG-2" General Commercial District and consists of vacant land. The subject property was zoned "CG-2" General Commercial District in 2016. The subject property was annexed in 1962 and has remained undeveloped since the time of annexation. To the north is an existing boat sales dealership (Premier Yamaha Boating Center) and is zoned "CG-2" General Commercial District. To the south is the Williams Drainage Channel which consists of a 155-foot wide channel at a depth of 10.27 feet. Across the Williams drainage channel are large tract single-family residences (Lexington Acres) zoned "RS-6" Single-Family 6 District. To the east are unplatted vacant properties zoned "CG-2" General Commercial District and "RM-3" Multifamily 3 District. To the west across Lexington Road are unplatted vacant property 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 "IL" Light Industrial District is inconsistent with the adopted Comprehensive Plan (Plan CC). However, the proposed use is consistent with the following policies:

- 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)
- Implement fair and equitable ways to promote better protection when two uses of differing intensities abut one other. (Southside ADP, Policy Statement B.5)

Department Comments:

- The proposed rezoning is inconsistent with the adopted Comprehensive Plan (Plan CC).
- The proposed rezoning is compatible with neighboring properties and with the general character of the surrounding area. This rezoning does not have a negative impact upon the surrounding neighborhood.
- The property is currently vacant and has not been developed since annexation in 1962.
- Vehicle and boat sales establishments are allowed by-right in the “CG-2” General Commercial District. However, any heavy repair work is only allowed in the industrial districts as per the Unified Development Code (UDC).
- According to the former Corpus Christi Zoning Ordinance, under the “B-4” Business District (“CG-2” General Commercial District), “Automobile service, painting and body work are permitted as an accessory use within an enclosed building when associated with auto sales establishment.”
- The addition of the paint and body shop of the vehicle repair facility would not have an adverse impact as it will always remain a secondary and ancillary use to the multi-brand vehicle sales establishment.
- An SP would provide the use requested by the applicant while protecting the integrity of surrounding uses including the nearby single-family neighborhood.
- All uses will be subject to the City’s noise ordinance to prevent a nuisance from occurring.
- Due to the adjacency to properties zoned “RS-6” Single-Family 6 District, “RM-3” Multifamily 3 District, and “CG-2” General Commercial District, a buffer yard will be required along the corresponding property line. Buffer yards consist of an area and point requirement as per the Unified Development Code (UDC). In addition, a 155 foot wide drainage corridor exists to the south to separate the proposed use from the single-family residences.
- The applicant is requesting a service center to operate as an ancillary repair shop. The Unified Development Code (UDC) defines vehicle services as:

Vehicle Service, Limited: Minor repair or replacement of parts, tires, tubes, or batteries, diagnostic services; minor motor services such as grease, oil, spark plug, or filter changing; tune-ups; emergency road services; replacement of starters, alternators, hoses, belts, and points; brake or muffler repair, wheel alignment, automobile washing, automobile upholstery, window-tinting, state inspections and associated minor repairs; routine servicing of air-conditioning systems, or other similar minor repair services. Minor repairs do not include uses listed under “vehicle service, heavy.”

Vehicle Service, Heavy: General repair or overhaul of engines, air-conditioning systems, transmissions, or radiators for motor vehicles; Repair of bodies, frames, or fenders, painting, undercoating, or rust-proofing; repair of heavy load vehicles such

as, tractor trailers, commercial dump trucks, or transit vehicles; customizing; vehicle steam cleaning; and other similar uses. Major repairs do not include uses listed under “vehicle service, limited.”

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

Denial of the change of zoning from the “CG-2” General Commercial District to the “IL” Light Industrial District, in lieu thereof, approval of the “CG-2/SP” General 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 “Vehicle Service, Heavy” 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 southern and eastern property line. No buildings or storage shall be allowed within the setback.
3. **Screening:** A solid 6-foot screening fence shall be installed along the eastern property line.
4. **Hours of Operation:** The hours of operation shall be from 7:00 AM to 9:00 PM Monday through Saturday.
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. **Outdoor Paging Systems/Intercom Systems:** Outside paging, speakers, telephone bells, or similar devices are prohibited.
7. **Vehicular Access:** Exiting of vehicular traffic shall be limited to right turn only onto Lexington Road and shall not drive through the residential neighborhood located to the south of the subject property.
8. **Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, Building, and Fire Code Requirements.
9. **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:

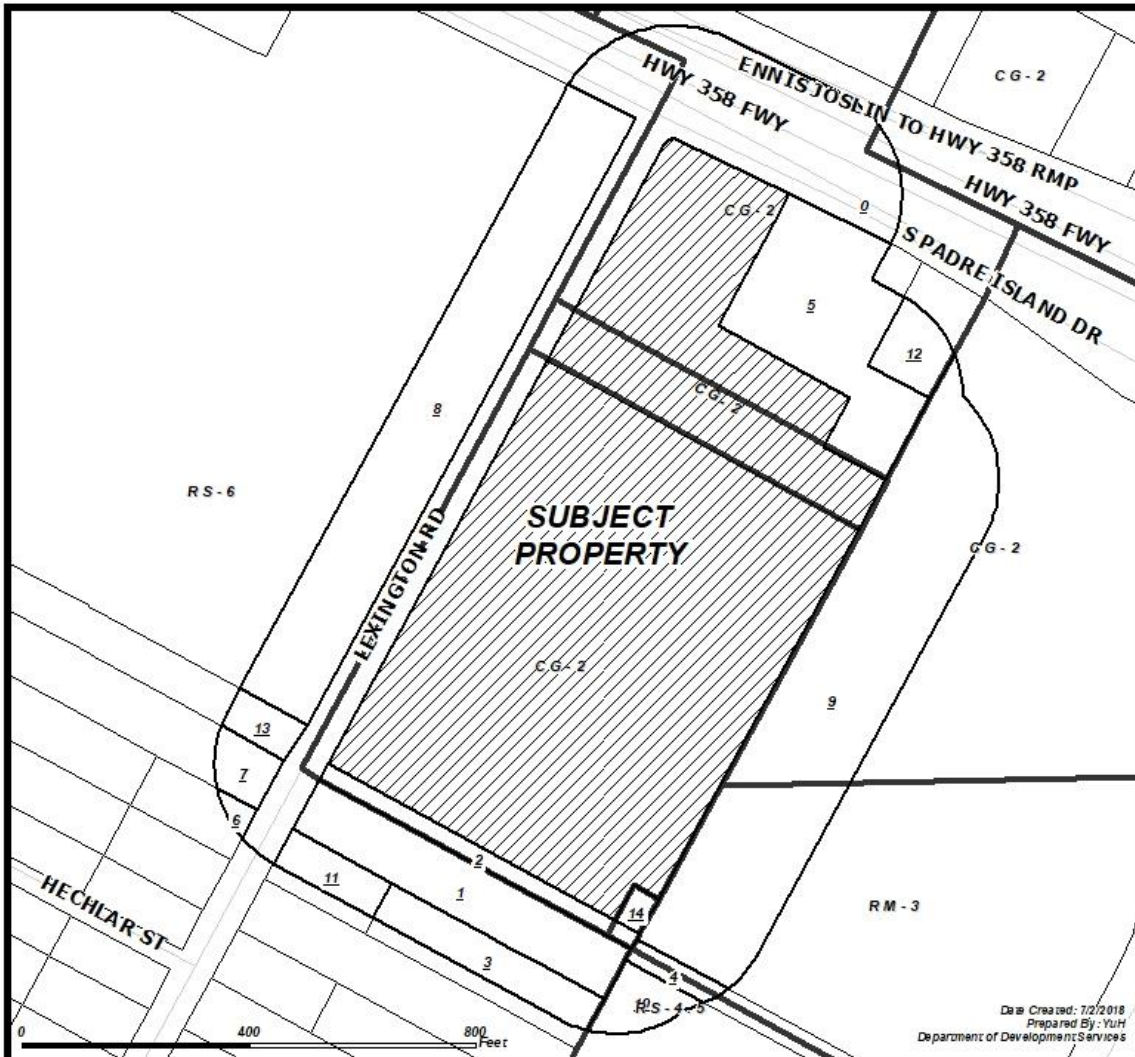
For:	6
Opposed:	0
Absent:	3
Abstained:	0

Public Notification	Number of Notices Mailed – 14 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
Totaling 53.12% 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)

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CASE: 0718-04
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-16 Single-Family 16
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 in opposition
4 Owners within 200' listed on attached ownership table



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. 0718-04**

May Dev, LP, has petitioned the City of Corpus Christi to consider a change of zoning from the "CG-2" General Commercial District to the "IL" Light Industrial District, resulting in a change to the Future Land Use Map. The property to be rezoned is described as:

7601 South Padre Island Drive (State Highway 358) and 5246 Lexington Road and Lot 5 and 6, Block 1, Bridgepointe Landing, located at the southeast corner of the intersection of South Padre Island Drive and Lexington Road, and north of Holly Road.

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 78469-277. 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: Lisa Chapa

Address: _____ City/State: Corpus Christi, TX

☐ IN FAVOR ☒ IN OPPOSITION

Phone: 361-960-7723

REASON:

Lisa Chapa
Signature

SEE MAP ON REVERSE SIDE
OR Case No.: 18ZN1015
Property Owner ID: 1

Case No. 0718-04
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com

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Printed Name: Margo Lyn Moore, Trustee

Address: 13810 Captains Row, SE 78418 City/State: CC., Tx 78418

() IN FAVOR (☒) IN OPPOSITION Phone: 361 813-4203

REASON: I am in support of a special use permit for a high end car dealership and high end boat dealership. Do not want to see "IL" zoning in the area.

Margo Lyn Moore
Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 18ZN1015
Property Owner ID: 8

Case No. 0718-04
Project Manager: Andrew Dimas
Email: andrewd2@ccetexas.com

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Printed Name: Ronald G. McGee, Sr. V.P., First Bank, Trustee of the C. Edgar M. Smith Marital Trust
Address: P.O. Box 749 City/State: Corpus Christi, TX 78403
() IN FAVOR (X) IN OPPOSITION Phone: 361-844-1047

REASON:

I am opposed to IL zoning, but will support a Special Use Permit for a high-end auto dealership & high-end marine dealership.

Ronald G. McGee
Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 18ZN1015
Property Owner ID: 9

Case No. 0718-04
Project Manager: Andrew Dimas
Email: andrewd2@cctexas.com

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Printed Name: Chris Brown
Address: P.O. Box 8229 City/State: CC TX
() IN FAVOR (X) IN OPPOSITION Phone: 361 779 2009

REASON:

I will support a special use permit for a high end auto dealership and high end marine boat dealership. But I oppose IL zoning
Chris Brown

Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 18ZN1015
Property Owner ID: 10

Case No. 0718-04
Project Manager: Andrew Dimas
Email: andrewd2@cclexas.com

Also want a 20' setback easement on Eastern Boundary and screening fence to screen parked cars and boats being repaired