

# STAFF REPORT

Case No. 1118-02  
INFOR No. 18ZN1030

**Planning Commission Hearing Date:** January 9, 2019

<b>Applicant &amp; Legal Description</b>	<b>Owner:</b> Charles L. Kosarek, Jr and Dane Casey Holdings, LLC <b>Applicant:</b> Orthopedic Associates of Corpus Christi, PA <b>Location Address:</b> 6001 Crosstown Expressway (State Highway 286) <b>Legal Description:</b> Being 28.29 acres out of Lot 2, Section 7, Bohemian Colony Lands, located on the west side of the Crosstown Expressway, south of Holly Road, and north of Saratoga Boulevard (State Highway 357).			
<b>Zoning Request</b>	<b>From:</b> "RS-6" Single-Family 6 District and "ON" Neighborhood Office District <b>To:</b> "ON" Neighborhood Office District, the "CN-1" Neighborhood Commercial District, and the "CC" Commercial Compatible District <b>Area:</b> 28.29 acres <b>Purpose of Request:</b> To allow for the construction of a medical office building.			
<b>Existing Zoning and Land Uses</b>		<b>Existing Zoning District</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>
	<i>Site</i>	"RS-6" Single-Family 6 and "ON" Neighborhood Office	Vacant	Medium Density Residential
	<i>North</i>	"ON" Neighborhood Office and "RS-6" Single-Family 6	Low and Medium Density Residential	Medium and High Density Residential
	<i>South</i>	"IL" Light Industrial	Vacant	Medium Density Residential
	<i>East</i>	"IL" Light Industrial	Public/Semi-Public	Light Industrial
	<i>West</i>	"RS-6" Single-Family 6	Public/Semi-Public	Medium Density Residential
<b>ADP, Map &amp; Violations</b>	<b>Area Development Plan:</b> 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 "ON" Neighborhood Office District, the "CN-1" Neighborhood Commercial District, and the "CC" Commercial Compatible District is generally consistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map. <b>Map No.:</b> 049037 <b>Zoning Violations:</b> None			
<b>Transportation</b>	<b>Transportation and Circulation:</b> The subject property has approximately 1,328 feet of street frontage along the Crosstown Expressway (State Highway 286) which is designated as an "F1" Freeway/Expressway and has approximately 485 feet of street frontage along Martin Street 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	405' ROW 288' paved	N/A
	Martin Street	"C1" Minor Collector	60' ROW 40' paved	60' ROW 40' paved	N/A

### **Staff Summary:**

**Requested Zoning:** The applicant is requesting a rezoning from the "RS-6" Single-Family 6 District and "ON" Neighborhood Office District to the "ON" Neighborhood Office District, the "CN-1" Neighborhood Commercial District, and the "CC" Commercial Compatible to allow for the construction of a medical office building.

**Development Plan:** The subject property is 12.809 acres in size. The owner is proposing the construction of a medical office building. South Texas Bone & Joint plans to continue a 40+ year commitment to advanced, subspecialty surgical care by expanding to the property located along the Crosstown Extension between Holly Road and Saratoga Boulevard. Development plans include an 80,000 square foot, 3-story medical office building bordered by a 24-hour Emergency Room. The property will house South Texas Bone & Joint which will provide sub-specialty orthopedic physical therapy, rehabilitation, and diagnostic imaging and musculoskeletal ultrasound care represented by nine surgeons, two primary care sports medicine physicians, seven mid-level physician assistants, and orthopedic nurse practitioners. The practice has nearly one-hundred support staff members. Included in the building will be a full service state-of-the-art outpatient surgery center with advanced robotic and digital technologies. The hours of operation will be 8:00 a.m. to 5:00 p.m. Monday through Friday, with late evening and lunch-hour appointments available on select days as well as Saturday morning options. The applicant wishes to rezone a portion of a previous rezoning case (approximately 300-feet in depth) along the Crosstown Expressway (State Highway 286) to allow for potential commercial development (i.e. retail, restaurants, etc.).

**Existing Land Uses & Zoning:** The subject property is currently zoned "RS-6" Single-Family 6 District and "ON" Neighborhood Office District, consists of vacant land, and has remained undeveloped since annexation in 1962. To the north and south along the Crosstown Expressway (State Highway 286) vacant tracts to the south or older single-family residences (Cabaniss Acres, 1946) to the north zoned "RS-6" Single-Family 6 District. To the east and across Martin Street are vacant properties zoned "RS-4.5" Single-Family 4.5 District and the new Los Encinos Elementary School. To the west and across the Crosstown Expressway are vacant properties zoned "IL" Light Industrial District.

**AICUZ:** A portion subject property (4.45 acres) **is** located in one of the Navy's Air Installation Compatibility Use Zones (AICUZ).

**Plat Status:** The property is not platted.

**Utilities:**

**Water:** 8-inch C900 line located along Crosstown Expressway (State Highway 286) in front of the subject property.

**Wastewater:** 8-inch PVC line located along Martin Street to the rear of the subject property.

**Gas:** 4-inch Service Line located to the north of the subject property.

**Storm Water:** Inlets located to the east along Crosstown Expressway (State Highway 286) and to the west along Martin Street.

**Plan CC & Area Development Plan Consistency:** 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 "ON" Neighborhood Office District, the "CN-1" Neighborhood Commercial District, and the "CC" Commercial Compatible District is generally consistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map. The following policies should be considered:

- Encourage orderly growth of new residential, commercial, and industrial areas (Future Land Use, Zoning, and Urban Design Policy Statement 1).
- 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).
- Support the separation of high-volume traffic from residential areas or other noise-sensitive land uses (Future Land Use, Zoning, and Urban Design Policy Statement 3).
- 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).
- Promote interconnected neighborhoods with appropriate transitions between lower-intensity and higher-intensity land uses. (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).
- Promote medium density activities, such as apartments or office uses around commercial centers of high density, and the remaining area by low density use such as single-family dwellings. (Future Land Use, Zoning, and Urban Design Policy Statement 3).
- 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).
- The "B-1" Neighborhood Commercial ("CN-1" Neighborhood Commercial) and other commercial zoning regulations, in concert with the Comprehensive Plan policies, should be reviewed and revised as necessary to control the size and

use of commercial centers so they remain in scale with their surrounding uses and highway carrying capacity (Policy Statement B.4).

**Department Comments:**

- The proposed rezoning is generally consistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map.
- 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 in regards to noise.
- A previous rezoning case was heard by the Planning Commission and City Council in 2018. The rezoning from the “RS-6” District to the “ON” Neighborhood Office District was approved.
- The applicant wishes to rezone a portion of the previous rezoning case (approximately 300-feet in depth) along the Crosstown Expressway (State Highway 286) to allow for potential commercial development (i.e. retail, restaurants, etc.).
- The limited hours of operation of 8:00 a.m. to 5:00 p.m. would reduce any potential negative impacts from occurring in regard to the hospital complex.
- While the “CN-1” District does not allow more intense commercial uses such as Mini-Storage, Bars, and Night Clubs. However, the “CN-1” District has no restriction on the size of restaurant uses or retail development.
- Staff has concluded that the adjacent neighborhood would be better protected by the “ON” Neighborhood Office District versus the “CN-1” Neighborhood Commercial District. However, the applicant is requesting that the frontage of the property with a 300 foot depth be rezoned to “CN-1” Neighborhood Office to open the possibilities of retail and restaurant development as out parcels without square footage restrictions.
- The “ON” District has increased side setback requirement of 20-feet vs. 10-feet as required by the “CN-1” District. The “ON” District also allows a height of 45 feet, however, the 2:1 setback protection as per section 4.2.8 of the UDC is still applicable.
- Both the “ON” District and “CN-1” District require a buffer yard. A Type B buffer yard will be required for the northern property line adjacent to the Cabaniss Acres Subdivision and on the southern property line. A Type B buffer yard consists of a 10-foot wide buffer and at least 10 points. Additionally, a storm water drainage area is proposed between the single-family residences and the future medical facility.
- A portion of the subject property (4.95 acres) is located within Accident Potential Zone 2 (APZ-2) of the Air Installation Compatibility Use Zone (AICUZ) map. Staff is recommending the use of the “CC” Commercial Compatible District which will limit the uses related to the congregating of people and also limit the size of buildings to a specific Floor Area Ratio (FAR).

**Staff Recommendation:**

Approval of the change of zoning from the “RS-6” Single-Family 6 District and “ON” Neighborhood Office District to the “ON” Neighborhood Office District, the “CN-1” Neighborhood Commercial District, and the “CC” Commercial Compatible District.


<b>Public Notification</b>	Number of Notices Mailed – 9 within 200-foot notification area 5 outside notification area
	<b><u>As of January 4, 2019:</u></b>
	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:**


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


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RM-1	Multifamily 1	IL	Light Industrial
RM-2	Multifamily 2	HW	Heavy Industrial
RM-3	Multifamily 3	PUD	Planned Unit Dev. Overlay
ON	Professional Office	R-10	Single-Family 10
RM-AT	Multifamily At	R-8	Single-Family 8
ON-1	Neighborhood Commercial	R-4.6	Single-Family 4.6
CR-1	Resort Commercial	R-12 F	Two-Family
CR-2	Resort Commercial	R-16	Single-Family 16
CO-1	General Commercial	RE	Residential Estate
CO-2	General Commercial	R3-TH	Townhouse
CI	Intensive Commercial	sp	Special Permit
CD	Downtown Commercial	RV	Recreational Vehicle Park
CR-3	Resort Commercial	RMH	Manufactured Home
FR	Farm Rural		
H	Historic Overlay		
BP	Business Park		

 Subject Property with 200' buffer

 Owners in favor

 Owners within 200' listed on attached ownership table

 Owners in opposition

