

# STAFF REPORT

Case No. 0719-01

INFOR No. 18ZN1008

**Planning Commission Hearing Date:** July 10, 2019

<b>Applicant &amp; Legal Description</b>	<b>Owner:</b> Corpus Christi's Limousines Unlimited, Inc. <b>Applicant:</b> Saxet Funeral Home <b>Location Address:</b> 4001 Leopard Street <b>Legal Description:</b> Villa Gardens Annex, Lots 2 thru 5, located on the south side of Leopard Street, west of Villa Drive, and east of Van Cleve Drive.			
<b>Zoning Request</b>	<b>Request:</b> Special Permit Time Extension of 12 months <b>Area:</b> 0.51 acres <b>Purpose of Request:</b> To have enough time for the construction and installation of the crematorium approved and adopted in 2018.			
<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>	"CG-2" General Commercial/SP	Commercial	Commercial
	<i>North</i>	"CG-2" General Commercial	Commercial	Commercial
	<i>South</i>	"RS-6" Single-Family 6	Public/Semi-Public and Low Density Residential	Government and Medium Density Residential
	<i>East</i>	"CG-2" General Commercial	Public/Semi-Public and Vacant	Government and High Density Residential
	<i>West</i>	"CG-2" General Commercial	Commercial	Commercial
<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 time extension of the CG-2/SP for a crematorium use is consistent with the Future Land Use. <b>Map No.:</b> 049045 <b>Zoning Violations:</b> None			
<b>Transportation</b>	<b>Transportation and Circulation:</b> The subject property has approximately 136 feet of street frontage along Leopard Street which is designated as an "A1" Minor Arterial Street, approximately 223 feet along Villa Street which is designated as a Local/Residential Street, and approximately 105 feet along Leigh Drive which is also designated as a Local/Residential Street. The site is serviced by Route 27 of the Corpus Christi Regional Transit Authority. The closest bus stops are 450 to the west and 300 feet to the east in front of Oak Park Elementary School.			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Leopard Street	"A1" Minor Arterial Street	95' ROW 64' paved	105' ROW 64' paved	10,537 ADT (2014)
	Villa Street	Local/Residential	50' ROW 28' paved	60' ROW 34' paved	N/A
	Leigh Drive	Local/Residential	50' ROW 28' paved	50' ROW 30' paved	N/A

**Staff Summary:**

**Request:** The purpose of the request is to extend the time limit of the Special Permit for an additional 12 months.

**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.

**Department Comments:**

- The applicant is requesting a time extension for the rezoning that was issued on May 2, 2018. It has been one year since the approval and there has been no action on the rezoning approval. Therefore, a time extension is needed for the rezoning approval to remain valid.
- The applicant contends that due to difficulties and financial business constraints, he has not been able to meet the time limit for his crematorium project.
- The Planning Commission approved the 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
  - **Uses:** The only use authorized by this Special Permit other than uses permitted by right in the base zoning district is "Crematorium" as defined by the Unified Development Code (UDC).
  - **Hours of Operation:** The hours of operation of the crematorium shall be daily from 7:00 AM to 10:00 PM.
  - **Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, Building, and Fire Code Requirements.
  - **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.

- Council may grant a maximum of two consecutive extensions. Thereafter, a new application for a special permit must be filed.

**Staff Recommendation:**

Approval of the requested Special Permit time extension for a period of 12 months.

<b>Public Notification</b>	Number of Notices Mailed – 14 within 200-foot notification area 5 outside notification area	
	<b><u>As of June 28, 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)