

# STAFF REPORT

Case No. 1019-06

INFOR No. 19ZN1022

**Planning Commission Hearing Date:** October 16, 2019

<b>Applicant &amp; Legal Description</b>	<b>Owner:</b> Rogerio and Maria E. Lopez <b>Applicant:</b> Diamond Events, LLC. <b>Location Address:</b> 3046 Holly Road <b>Legal Description:</b> Being 4.61 acres out of Lot 4, Section 3, Bohemian Colony Lands as recorded in Volume "A" at Page 48 of the Map Records of Nueces County, Texas, located along the north side Holly Road, west of Kostoryz Road, and east of Richter Street.			
<b>Zoning Request</b>	<b>From:</b> "RS-6" Single-Family 6 District <b>To:</b> "CN-1" Neighborhood Commercial District <b>Area:</b> 4.61 acres <b>Purpose of Request:</b> To allow for the construction of a retail center.			
<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	Vacant	Commercial
	<i>North</i>	"RS-6" Single-Family 6	Vacant	Medium Density Residential
	<i>South</i>	"RS-6" Single-Family 6	Professional Office	Medium Density Residential
	<i>East</i>	"CG-2" General Commercial	Commercial	Commercial
	<i>West</i>	"CN-1" Neighborhood Commercial	Vacant and Low Density Residential	Commercial
<b>ADP, Map &amp; Violations</b>	<b>Area Development Plan:</b> The subject property is located within the boundaries of the Southside Area Development Plan and is planned for commercial uses. The proposed rezoning is consistent with the adopted Comprehensive Plan (Plan CC). <b>Map No.:</b> 047037 <b>Zoning Violations:</b> None			
<b>Transportation</b>	<b>Transportation and Circulation:</b> The subject property has approximately 700 feet of street frontage along Holly Road which is designated as an "A1" Minor Arterial Street. According to the Urban Transportation Plan, "A1" Minor Arterial Streets can convey a capacity of 15,000 to 24,000 Average Daily Trips (ADT).			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Holly Road	“A1” Minor Arterial	95’ ROW 64’ paved	100’ ROW 64’ paved	17,050 ADT (2015)

**Staff Summary:**

**Requested Zoning:** The applicant is requesting a rezoning from the “RS-6” Single-Family District to the “CN-1” Neighborhood Commercial District to allow for the construction of a retail center.

**Development Plan:** The subject property is 4.61 acres in size. The owner is proposing a retail center on the eastern portion of the subject property. The proposed center is 21,000 square feet (sf) of which Mira's Sports and More will occupy all but 5,000 sf upon completion. The 5,000 sf will be used for retail or office lease space and future expansion. The center portion will be 20' high metal building with each side building extension being 16' high. Construction will be metal building with stone/brick wainscot and decorative parapet. There will be parking spaces in compliance with City code for proposed use. Signage will include front building facade and also a street pylon sign. Development will not commence until next year as the subject land is under contract and will close subject to re-zoning and platting requirements hopefully by year end. Mira's Sports and More is currently located at 6006 Ayers Street and is 11,000 sf in size. Their hours of operation are 9 am to 6 pm six days a week. Mira's employs 30 full time and 5 part time employees. They have outgrown the space and the proposed location on Holly Road is near the current location. The proposed zoning and use is compatible with the “CN-1” District recently granted to adjacent lots in 2011, 2017, and 2018 along this portion of Holly Road. The property rear will follow City code requirements and respect the privacy of residential owners. The remaining land will be platted into two one acre sites ready for future expansion or placed on the market for sale.

**Existing Land Uses & Zoning:** The subject property is currently zoned “RS-6” Single-Family 6 District, consists of a vacant lot, and has remained since annexation in 1962. To the north are single-family residences zoned “RS-6” Single-Family 6 District and platted in 2007 as the Vista Hermosa Subdivision. To the south are single-family residences zoned “RS-6” Single-Family 6 District and platted in 1980 as the Crestmont Unit 5 Subdivision. To the east are commercial properties zoned “CG-2” General Commercial District. The properties consist of the Corpus Christi All Star Gym and Events Center, as well as a Stripes convenience store. To the west are commercial businesses zoned “CN-1” Neighborhood Commercial District. The properties consist of Tejas Auto Insurance, Dollar General, and the Corpus Christi Wellness Center. All three of these commercial businesses were recently rezoned to the “CN-1” Neighborhood Commercial 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 not platted.

**Utilities:**

**Water:** 8-inch PVC line located along Holly Road.

**Wastewater:** 12-inch PVC line located along Holly Road.

**Gas:** 2-inch Service Line located along the rear property line.

**Storm Water:** Road side inlets located along Holly Road.

**Plan CC & Area Development Plan Consistency:** 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 "CN-1" Neighborhood Commercial District is consistent with the adopted Comprehensive Plan (Plan CC). 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).
- 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).
- The "B-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 consistent with the adopted Comprehensive Plan (Plan CC), compatible with the adjoining residential properties, and does not have a negative impact upon the adjacent commercial properties.
- The property is currently vacant and is a remaining "RS-6" Single-Family 6 tract. The subject property has never been developed.
- Surrounding properties have been rezoned within the past five years indicating a pattern towards neighborhood commercial development along the Holly Road corridor.
- If the "CN-1" Neighborhood Commercial District is approved, the retail development will need to abide all requirements of the Unified Development Code (UDC). Specific requirements would entail buffer yards and additional setbacks. Additionally, the "CN-1" District does not allow bars, pubs, taverns, or nightclubs.

- Specifically, a Type B buffer yard will be required for the north property line adjacent to the Vista Hermosa Subdivision. Type B buffer yards consist of a 10-foot wide buffer and at least 10 landscape points.

**Staff Recommendation:**

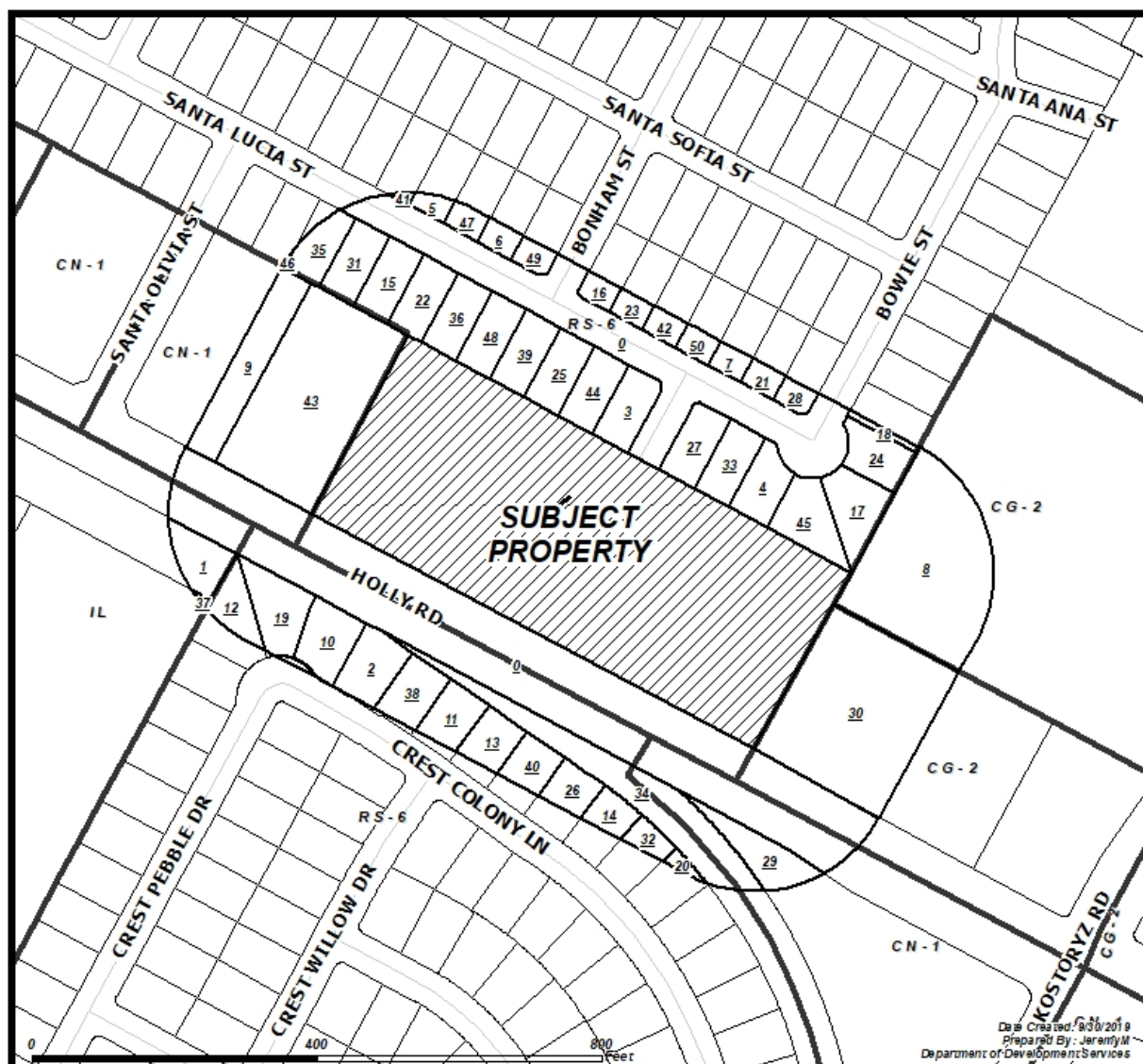
Approval of the change of zoning from the “RS-6” Single-Family 6 District to the “CN-1” Neighborhood Commercial District.

Public Notification	Number of Notices Mailed – 50 within 200-foot notification area 5 outside notification area	
	<b><u>As of October 11, 2019:</u></b>	
	In Favor	– 0 inside notification area – 0 outside notification area
	In Opposition	– 0 inside notification area – 0 outside notification area
	Totalling 0.00% of the land within the 200-foot notification area in opposition.	

**Attachments:**

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

[https://corpuschristi.sharepoint.com/sites/DevelopmentServices/DevelopmentSvc/SHARED/ZONING CASES/2019/1019-06 Rogerio and Maria E. Lopez \(Mira's Sporting\)/PC Documents/PC Report\\_1019-06 Rogerio and Maria E. Lopez.docx](https://corpuschristi.sharepoint.com/sites/DevelopmentServices/DevelopmentSvc/SHARED/ZONING CASES/2019/1019-06 Rogerio and Maria E. Lopez (Mira's Sporting)/PC Documents/PC Report_1019-06 Rogerio and Maria E. Lopez.docx)



Date Created: 9/30/2019  
Prepared By: Jeremy M.  
Department of Development Services

## CASE: 1019-06 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
CO-1 General Commercial	RS-TH Townhouse
CO-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 within 200' listed on attached ownership table  
 Owners in opposition

## LOCATION MAP

