

PLANNING COMMISSION FINAL REPORT

Case No. 1119-03

INFOR No. 19ZN1032

Planning Commission Hearing Date: December 18, 2019

Applicant & Legal Description	Owner: Morteza Shafinury and Abdolrhim Aminzadeh Applicant: Saldana Consulting Location Address: 7121 Saratoga Boulevard (State Highway 357) Legal Description: Lot 1, Block 1, Brandywine South Unit 1, located along the south side of Saratoga Boulevard (State Highway 357), west of Airline Road, and east of Rodd Field Road.			
Zoning Request	From: "RM-1" Multifamily 1 District and "CG-2" General Commercial District To: "IL" Light Industrial District Area: 3.75 acres Purpose of Request: To allow for the construction of showroom warehouses.			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"RM-1" Multifamily 1 and "CG-2" General Commercial	Vacant	Medium Density Residential
	<i>North</i>	"CG-2" General Commercial	Commercial	Commercial
	<i>South</i>	"RM-1" Multifamily 1	Vacant and Public/Semi-Public	Government
	<i>East</i>	"RM-1" Multifamily 1 and "CG-2" General Commercial	Vacant and Commercial	Government
	<i>West</i>	"CG-2" General Commercial and "IL" Light Industrial	Vacant and Public/Semi-Public	Agricultural
ADP, Map & Violations	Area Development Plan: The subject property is located within the boundaries of the Southside Area Development Plan and is planned for a medium density residential use. The proposed rezoning to the "IL" Light Industrial District is inconsistent with the adopted Comprehensive Plan (Plan CC), and warrants an amendment to the Future Land Use Map. Map No.: 041032 Zoning Violations: None			
Transportation	Transportation and Circulation: The subject property has approximately 180 feet of street frontage along Saratoga Boulevard (State Highway 357) which is designated as a "A3" Primary Arterial Street. According to the Urban Transportation Plan, "A3" Primary Arterial 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
	Saratoga Boulevard (SH 357)	"A3" Primary Arterial	130' ROW 79' paved	125' ROW 66' paved	13,747 ADT (2013)

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "RM-1" Multifamily 1 District and "CG-2" General Commercial District to the "IL" Light Industrial District to allow for the construction of showroom warehouses. The subject property is 3.75 acres in size. According to the applicant, the purpose of the rezoning request is to construct showroom warehouses and additional structures for multiple uses. No additional details were provided to identify the other potential uses of the site.

Existing Land Uses & Zoning: The subject property is currently zoned "RM-1" Multifamily 1 District and "CG-2" General Commercial District, consists of vacant land, and has remained relatively undeveloped since annexation in 1995. To the north across Saratoga Boulevard (State Highway 357) is a retail shopping center zoned "CG-2" General Commercial District. To the south and east is a vacant property and a church (Calvary Chapel Coastlands) zoned "CG-2" General Commercial District and "RM-1" Multifamily 1 District. To the west is a vacant property and bank zoned "IL" Light Industrial District and "CG-2" General Commercial.

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.

Utilities:

Water: 12-inch C900 line located along Saratoga Boulevard (SH 357).

Wastewater: Not currently available. Extension will be needed.

Gas: 8-inch Service Line located along Saratoga Boulevard (SH 357).

Storm Water: 30-inch located along Saratoga Boulevard (SH 357).

Plan CC & Area Development Plan Consistency: The subject property is located within the boundaries of the Southside Area Development Plan and is planned for a medium density residential use. According to the draft Southside Area Development Plan, the subject property is planned for mixed uses. The proposed rezoning to the "IL" Light Industrial District is inconsistent 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).
- Promote interconnected neighborhoods with appropriate transitions between lower-intensity and higher-intensity 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).

Department Comments:

- The proposed rezoning is inconsistent with the adopted Comprehensive Plan (Plan CC), the current Southside ADP, and the draft Southside ADP.
- The proposed rezoning and the proposed use of showroom warehouses are incompatible with neighboring properties and with the general character of the surrounding area.
- The “IL” Light Industrial District allows uses such as heavy vehicle repair, warehousing, waste-related services, open storage, and social service uses.
- A buffer yard will be required between the potential “IL” District and the “RM-1” District and “CG-2” District to the east. The required buffer yards will be a Type C Buffer Yard is a 15-foot yard with at least 15-points and a Type A Buffer Yard is a 10-foot yard with at least 5-points.

Planning Commission and Staff Recommendation (December 18, 2019):

Denial of the change of zoning from the “RM-1” Multifamily 1 District and “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 are as defined by the Unified Development Code (UDC) in Section 5.1.4.I “Vehicle Sales and Service”, Section 5.1.5.A “Light Industrial Service, except Fuel storage (above ground), Section 5.1.5.B “Warehouse and Freight Movement” except bus barn, coal and coke storage and sales, milk distributing station, the stockpiling of sand, gravel, or other aggregate materials, and in Section 5.1.5.D “Wholesale Trade” except Farm Equipment and machinery sales and repair, Earth moving and heavy construction equipment sales and repair, Greenhouse (Wholesale), and Truck sales and repair (Heavy load vehicles).
2. **Buffer Yard:** A 10-foot wide buffer yard and 5 buffer yard points shall be required along the southern, eastern, and western property boundaries.
3. **Outdoor Storage:** Any outdoor storage is prohibited.

4. **Lighting:** All lighting must be shielded and directed away from adjacent properties and nearby streets. Cut-off shields are required for all lighting. No light projection is permitted beyond the property line.
5. **Noise:** Noise regulations shall be subject to Section 31-3 of the Municipal Code. Outside paging, speakers, telephone bells, or similar devices are prohibited.
6. **Hours of Operation:** The hours of operation shall be daily from 6:00 AM to 9:00 PM.
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 twenty-four (24) months of this ordinance, unless a complete building permit application has been submitted or, a certificate of occupancy or UDC compliance has been issued. The Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

Public Notification	Number of Notices Mailed – 4 within 200-foot notification area 6 outside notification area
	<u>As of December 13, 2019:</u>
	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)

[https://corpuschristi.sharepoint.com/sites/DevelopmentServices/DevelopmentSvcs/SHARED/ZONING CASES/2019/1119-03 Shafinury and Aminzadeh \(Saldana\)/Council Documents/Report - Shafinury and Aminzadeh.docx](https://corpuschristi.sharepoint.com/sites/DevelopmentServices/DevelopmentSvcs/SHARED/ZONING CASES/2019/1119-03 Shafinury and Aminzadeh (Saldana)/Council Documents/Report - Shafinury and Aminzadeh.docx)

