

# PLANNING COMMISSION FINAL REPORT

Case No. 0720-01

INFOR No. 20ZN1013

**Planning Commission Hearing Date:** July 8, 2020

<b>Applicant &amp; Legal Description</b>	<p><b>Owner:</b> Bobak Mostaghasi  <b>Applicant:</b> Bobak Mostaghasi  <b>Location Address:</b> 0 Farm to Market Road 43  <b>Legal Description:</b> Being 62.303 acre tract of land, more or less, a portion of Lot or Section "D", Laureles Farm Tracts, 36.699 acre tract of land, more or less, a portion of Lot or Section "D", Laureles Farm Tracts, and 286.80 acre tract of land, more or less, a portion of Lot or Section "D", Laureles Farm Tracts, located at the northwest corner of the intersection of Farm to Market Road 43 (Weber Road) and State Highway 286 (Crosstown Expressway).</p>			
<b>Zoning Request</b>	<p><b>From:</b> "FR" Farm Rural District  <b>To:</b> "CN-1" Neighborhood Commercial District and "CG-2" General Commercial District  <b>Area:</b> 385 acres  <b>Purpose of Request:</b> To allow for the construction of a large-scale commercial development.</p>			
<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>	"FR" Farm Rural	Vacant	Commercial, Mixed Use, and Medium Density Residential
	<i>North</i>	"FR" Farm Rural	Public/Semi-Public	High Density Residential
	<i>South</i>	Outside City Limits	Vacant	Commercial, Mixed Use, and Medium Density Residential
	<i>East</i>	"RS-4.5" Single-Family 4.5 and Outside City Limits	Vacant	Commercial
	<i>West</i>	Outside City Limits	Vacant	Medium Density Residential
<b>ADP, Map &amp; Violations</b>	<p><b>Area Development Plan:</b> The subject property is located within the boundaries of the London Area Development Plan and is planned for commercial, mixed uses and a medium density residential use. The proposed rezoning to the "CG-2" General Commercial District "CN-1" Neighborhood Commercial District is partially inconsistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use Map.  <b>Map No.:</b> 040034  <b>City Council District:</b> 3  <b>Zoning Violations:</b> None</p>			

<b>Transportation</b>	<b>Transportation and Circulation:</b> The subject property has approximately 6,400 feet of street frontage along Farm to Market Road 43 (Weber Road) which is designated as a “A3” Primary Arterial Street and approximately 1,100 feet of street frontage along State Highway 286 (Crosstown Expressway) which is designated as a “F1” Freeway/Expressway. According to the Urban Transportation Plan, “A3” Primary Arterial Streets can convey a capacity between 30,000 to 48,000 Average Daily Trips (ADT).				
<b>Street R.O.W.</b>	<b>Street</b>	<b>Urban Transportation Plan Type</b>	<b>Proposed Section</b>	<b>Existing Section</b>	<b>Traffic Volume</b>
	<b>FM 43 (Weber Rd.)</b>	“A3” Primary Arterial	130’ ROW 79’ paved	128’ ROW 70’ paved	N/A
	<b>SH 286 (Crosstown Expressway)</b>	“F1” Freeway / Expressway	400’ ROW Varies paved	440’ ROW 350’ paved	N/A

**Staff Summary:**

**Requested Zoning:** The applicant is requesting a rezoning from the “FR” Farm Rural District to the “CN-1” Neighborhood Commercial District and “CG-2” General Commercial District to allow for the construction of a large-scale commercial development.

**Development Plan:** The subject property is 385 acres in size. The applicant has not submitted any specific plans concerning the large-scale commercial development.

**Existing Land Uses & Zoning:** As part of the annexation process, the property will be zoned “FR” Farm Rural District. To the north are vacant properties located within the current City limits and zoned “FR” Farm Rural District. To the south and east are properties that are also located outside of the City limits and consist of vacant properties with agricultural uses. To the west are some vacant properties recently annexed and zoned “RS-4.5” Single-Family 4.5 District. In addition, there are adjacent properties to the west located outside of the City limits and the London School 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:** 16-inch C900 line located along FM 43.

**Wastewater:** Potential access to the existing wastewater lift station.

**Gas:** No gas access is located along the subject property.

**Storm Water:** Drainage would be directed toward State Highways 286 (Crosstown Expressway).

**Plan CC & Area Development Plan Consistency:** The subject property is located within the boundaries of the London Area Development Plan and is planned for a commercial,

mixed uses, and a medium density residential use. The proposed rezoning to the “CN-1” Neighborhood Commercial District and “CG-2” General Commercial 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 6).
- Support a policy of annexation of land at the periphery of the city to protect the city from urban growth that is incompatible with the developmental objectives of Corpus Christi and to achieve orderly growth. (Future Land Use, Zoning, and Urban Design Policy Statement 6).
- Land should be annexed so that all structures are constructed in accordance with building, plumbing, electrical, and other City codes, which are designed to ensure the public health, safety, and welfare. (Future Land Use, Zoning, and Urban Design Policy Statement 6).
- Annexation should occur so that impacted areas may benefit from public health programs, zoning laws, police and fire protection, and so that new developments may be planned and linked to the municipal water supplies, wastewater, and storm drainage systems. (Future Land Use, Zoning, and Urban Design Policy Statement 6).

**Department Comments:**

- The proposed rezoning is mostly consistent with the adopted Comprehensive Plan (Plan CC). However, a portion of the subject property has the future land use designation of medium density residential and therefore inconsistent with a portion of 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. However, adequate buffering should be considered along the shared property line between the residential and commercial developments.
- The proposed large-scale commercial development will serve the expanding London area. In 2019, two major annexations occurred. The projected residential development due to the annexation totals approximately 1,800 single-family homes.
- The appropriate buffering consists of using the “ON” Neighborhood Office District in lieu of the “CN-1” Neighborhood Commercial District. While the “ON” District offers the same amount of density of multifamily units, the “ON” District prohibits retail and restaurant uses not accessory to an office development. Additionally, the “ON” District allows medical uses by-right. Considering the significant number of adjacent single-family home, medical facilities and other professional office uses will be needed.

**Staff Recommendation:**

1. Approval of the change of zoning from the “FR” Farm Rural District to the “CG-2” General Commercial District.
2. Denial of the change of zoning from the “FR” Farm Rural District to the “CN-1” Neighborhood Commercial District, in lieu thereof, approval of the “ON” Neighborhood Office District.

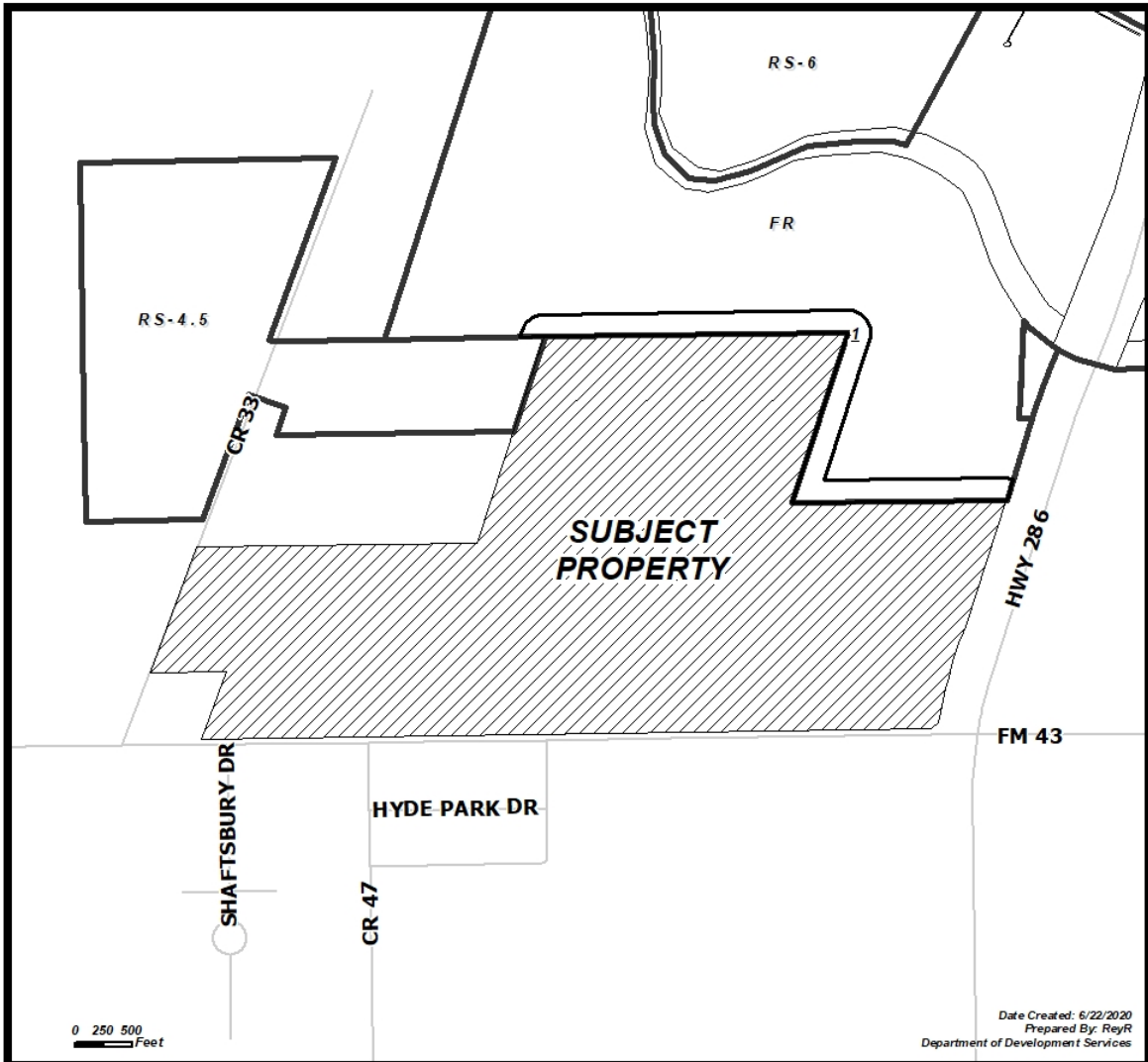
**Planning Commission Recommendation (July 22, 2020):**

Approval of the change of zoning from the “FR” Farm Rural District to the “CG-2” General Commercial District and the “CN-1” Neighborhood Commercial District.

<b>Public Notification</b>	Number of Notices Mailed – 1 within 200-foot notification area 4 outside notification area
	<b><u>As of July 3, 2020:</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)



**CASE: 0720-01  
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-6 Single-Family 6
CN-1 Neighborhood Commercial	RS-4.5 Single-Family 4.5
CR-1 Resort Commercial	RS-TF Two-Family
CR-2 Resort Commercial	RS-15 Single-Family 15
CG-1 General Commercial	RE Residential Estate
CG-2 General Commercial	RS-TH Townhouse
CI Intensive Commercial	SP Special Permit
CBD 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

