

PLANNING COMMISSION FINAL REPORT

Case No. 1019-08

INFOR No. 19ZN1033

Planning Commission Hearing Date: October 30, 2019

Applicant & Legal Description	<p>Owner: The William Earl Hensch Trust, Anna Belle Hensch, Retta Maurine Kasper, Corpus Christi Community Church, and South Texas Children's Home Land Management</p> <p>Applicant: MPM Development, LP.</p> <p>Location Address: 1442 Farm-to-Market (FM) 43</p> <p>Legal Description:</p> <p>Tract 1: Being 363.121 acre tract of land, more or less, a portion of 144.30 acre first tract and 252.688 acre second tract, both tracts described by deed, Volume 1066, Page 140, Deed Records of said county and being a portion of the net land described by deed, Doc. No. 2009010903, Official Records of said county and being a portion of a 256.56 acre tract described by deed recorded at Volume 229, Page 236, said deed records, and being a portion of Survey 135, Abstract 581, Survey 137, Abstract 579 and Survey 139, Abstract 577, said surveys named Cuadrilla Irrigation Company, Nueces County, Texas</p> <p>Tract 2: Being 83.287 acre tract of land, more or less, a portion of 144.3 acre First Tract and 252.688 acre Second Tract, Volume 1066, Page 140, Deed Records of said county and being a portion of the land d escribed by deed, Document No. 2009010903, Official Records of said county and all of a 10.08 acre tract described by deed recorded at Document No. 2017010862, said official records and also being a portion of Survey 135, Abstract 581, Cuadrilla Irrigation Company, Nueces County, Texas</p> <p>Located along the north side of Farm-to-Market Road 43, east of Digger Lane, and west of County Road 33.</p>			
Zoning Request	<p>From: "OCL" Outside City Limits (Annexed as "FR" Farm Rural District)</p> <p>To: Tract 1: "RS-4.5" Single-Family 4.5 District Tract 2: "CN-1" Neighborhood Commercial District</p> <p>Area: 446.41 acres</p> <p>Purpose of Request: To allow for the construction of single-family homes on Tract 1 and commercial development on Tract 2.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	Site	"OCL" Outside City Limits	Agricultural	Planned Development
	North	"OCL" Outside City Limits	Vacant	Outside City Limits
	South	"OCL" Outside City Limits	Vacant and Agricultural	Planned Development
	East	"OCL" Outside City Limits and "RS-4.5" Single-Family 4.5	Vacant and Public/Semi-Public	Planned Development
	West	"OCL" Outside City Limits	Low Density Residential	Planned Development

ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the London Area Development Plan and is planned for a planned development area. The proposed rezoning to the “RS-4.5” Single-Family 4.5 District and “CN-1” Neighborhood Commercial District is consistent with the adopted Comprehensive Plan (Plan CC).</p> <p>Map No.: 053034</p> <p>Zoning Violations: None</p>				
Transportation	<p>Transportation and Circulation: The subject property has approximately 1,800 feet of street frontage along Farm-to-Market 43 which is designated as an “A3” Primary Arterial Street. According to the Urban Transportation Plan, “A3” Primary Arterial Streets can convey a capacity of between 30,000 and 48,000 Average Daily Trips (ADT).</p>				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Farm-to-Market (FM) 43	“A3” Primary Arterial	130’ ROW 79’ paved	100’ ROW 70’ paved	N/A

Staff Summary:

Requested Zoning: The applicant is requesting on a property that is currently being annexed as “FR” Farm Rural District to the “RS-4.5” Single-Family 4.5 District and “CN-1” Neighborhood Commercial District.

Development Plan: The subject property is 446.41 acres in size. The owner is proposing approximately 1,445 single-family residences and small commercial development along FM 43.

Existing Land Uses & Zoning: The subject property is currently located outside of the City limits of Corpus Christi and is not currently zoned. As part of the annexation process, the property will be zoned “FR” Farm Rural District. To the north are properties that are also located outside of the City limits and Oso Creek. To the south and west are properties that are also located outside of the City limits and consist of vacant properties with agricultural uses and large tract single-family homes. To the east are a vacant properties that are also 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: No wastewater access is located along the subject property.

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

Storm Water: Oso Creek is located to the north of the subject property.

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 planned development area. The proposed rezoning to the “RS-4.5” Single-Family 4.5 District and “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 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 consistent with the adopted Comprehensive Plan (Plan CC). 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.
- London School District is located to the east of the subject property at the intersection of County Road 33 and Farm-to-Market Road 43 (FM 43).
- Large tract single-family residential subdivisions have been constructed along the FM 43 corridor and receive City water service. However, none of these subdivisions are currently served by City wastewater services and are serviced via septic tanks.

Staff Recommendation:

Approval of the change of zoning on property that is currently being annexed as the “FR” Farm Rural District to be rezoned to the “RS-4.5” Single-Family 4.5 District (Tract 1) and “CN-1” Neighborhood Commercial District (Tract 2).

Planning Commission Recommendation (October 30, 2019):

Denial of the change of zoning on property that is currently being annexed as the “FR” Farm Rural District to be rezoned to the “RS-4.5” Single-Family 4.5 District (Tract 1) and “CN-1” Neighborhood Commercial District (Tract 2).

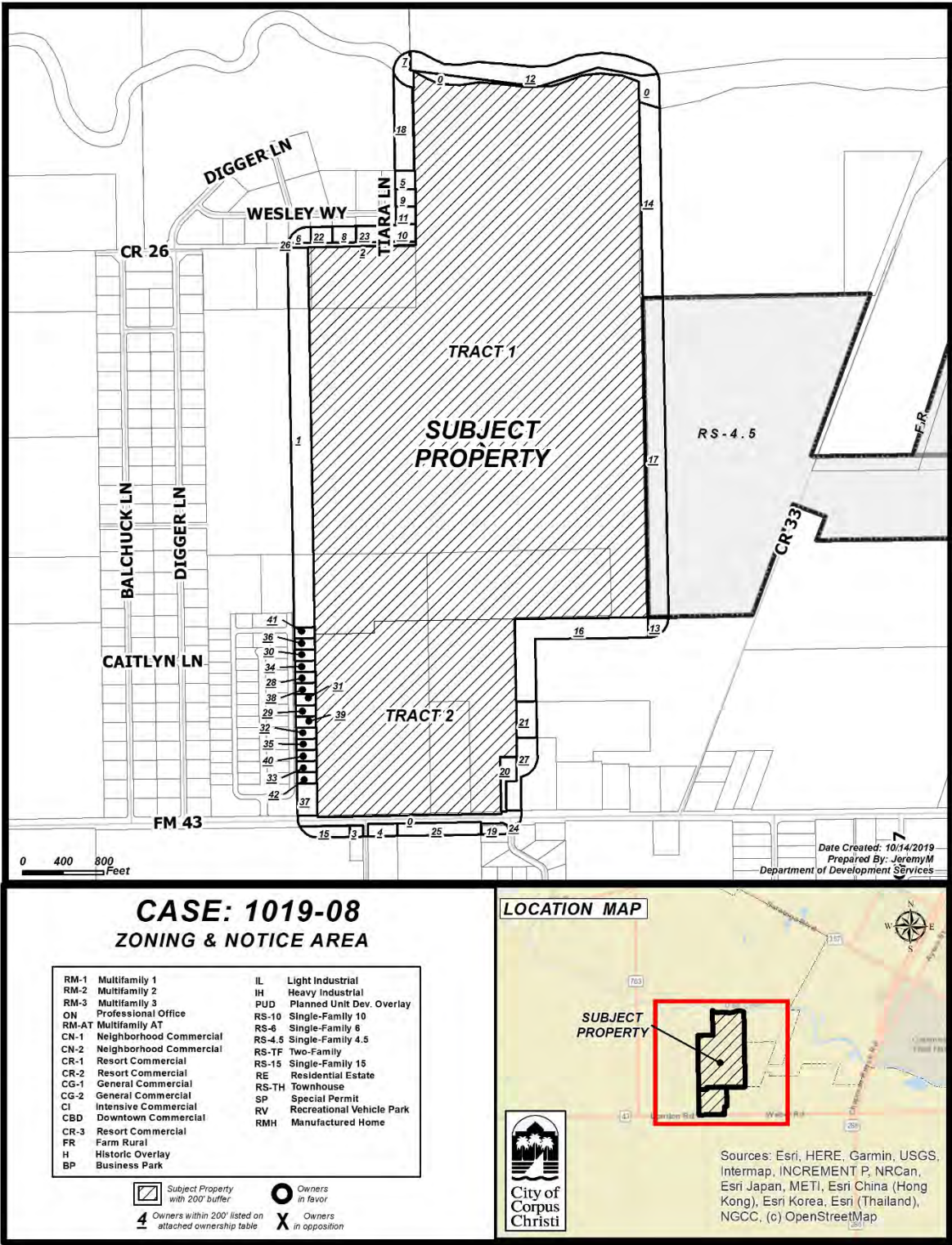
Public Notification	Number of Notices Mailed – 42 within 200-foot notification area 1 outside notification area
	<u>As of October 25, 2019:</u>
	In Favor – 0 inside notification area – 0 outside notification area
	In Opposition – 1 inside notification area – 0 outside notification area
	Totaling 0.03% 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/DevelopmentSvc/SHARED/ZONING CASES/2019/1019-08 Hench, Kasper, etc. \(MPM\)/Council Documents/Report - 1019-08 Hench, Kasper, etc1.docx](https://corpuschristi.sharepoint.com/sites/DevelopmentServices/DevelopmentSvc/SHARED/ZONING CASES/2019/1019-08 Hench, Kasper, etc. (MPM)/Council Documents/Report - 1019-08 Hench, Kasper, etc1.docx)

Exhibit A



Persons with disabilities planning to attend this meeting, who may require special services, are requested to contact the Development Services Department at least 48 hours in advance at (361) 826-3240. Personas con incapacidades que tienen la intención de asistir a esta junta y que requieren servicios especiales, se les suplica que den aviso 48 horas antes de la junta llamando al departamento de servicios de desarrollo, al número (361) 826-3240.

If you wish to address the Commission during the meeting and your English is limited, please call the Development Services Department at (361) 826-3240 at least 48 hours in advance to request an interpreter be present during the meeting. Si usted desea dirigirse a la comisión durante la junta y su inglés es limitado, favor de llamar al departamento de servicios de desarrollo al número (361) 826-3240 al menos 48 horas antes de la junta para solicitar un intérprete ser presente durante la junta.

**CITY PLANNING COMMISSION
PUBLIC HEARING NOTICE
Rezoning Case No. 1019-08**

The William Earl Hensch Trust, Anna Belle Hensch, Retta Maurine Kasper, Corpus Christi Community Church, and South Texas Children's Home Land Management has petitioned the City of Corpus Christi to consider a change of zoning of property currently being annexed from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District (Tract 1) and "CN-1" Neighborhood Commercial District (Tract 2), resulting in a change to the Future Land Use Map. The property to be rezoned is described as:

1442 Farm-to-Market (FM) 43 and described as Tract 1: Being 363.121 acre tract of land, more or less, a portion of 144.30 acre first tract and 252.688 acre second tract, both tracts described by deed, Volume 1066, Page 140, Deed Records of said county and being a portion of the net land described by deed, Doc. No. 2009010903, Official Records of said county and being a portion of a 256.56 acre tract described by deed recorded at Volume 229, Page 236, said deed records, and being a portion of Survey 135, Abstract 581, Survey 137, Abstract 579 and Survey 139, Abstract 577, said surveys named Cuadrilla Irrigation Company, Nueces County, Texas. Tract 2: Being 83.287 acre tract of land, more or less, a portion of 144.3 acre First Tract and 252.688 acre Second Tract, Volume 1066, Page 140, Deed Records of said county and being a portion of the land described by deed, Document No. 2009010903, Official Records of said county and all of a 10.08 acre tract described by deed recorded at Document No. 2017010862, said official records and also being a portion of Survey 135, Abstract 581, Cuadrilla Irrigation Company, Nueces County, Texas. Located along the north side of Farm-to-Market Road 43, east of Digger Lane, and west of County Road 33.

The Planning Commission may recommend to City Council approval or denial, or approval of an intermediate zoning classification and/or Special Permit. Approval of a change of zoning, if inconsistent with the City's Comprehensive Plan, will also have the effect of amending the Comprehensive Plan to reflect the approved zoning. The Planning Commission will conduct a public hearing for this rezoning request to discuss and formulate a recommendation to the City Council. The public hearing will be held on Wednesday, October 30, 2019, during one of the Planning Commission's regular meetings, which begins at 5:30 p.m., in the City Council Chambers, 1201 Leopard Street. You are invited to attend this public hearing to express your views on this rezoning request. For more information, please call (361) 826-3240.

TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE DEVELOPMENT SERVICES DEPARTMENT, P. O. BOX 9277, CORPUS CHRISTI, TEXAS 78469-9277. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

NOTE: In accordance with the Planning Commission By-Laws, no discussion shall be held by a member or members of this Commission with an applicant or appellant concerning an application or appeal, either at home or office, or in person, by telephone call or by letter.

Printed Name: Sandra Bransford
Address: 2474 LOXLEY DR City/State: Corpus Christi TX
() IN FAVOR ☒ IN OPPOSITION Phone: (361) 443-8586 78415
REASON:

Signature

SEE MAP ON REVERSE SIDE
INFOR Case No.: 192N1033
Property Owner ID: 24

Case No. 1019-08
Project Manager: Andrew Dimas
Email: AndrewD2@octexas.com

NOTTINGHAM ACRES UNIT 1 & 2 HOMEOWNERS AND SURROUNDING NEIGHBORHOODS

October 22, 2019

The city planning commission has set a public meeting on Wednesday October 30, 2019 to discuss aproval or opposition to the rezoning of the land (rezoning case No. 1019-08) located on FM 43 across from Nottingham Acres and next to London ISD. This is a concern for Nottingham Acres and all surrounding neighborhoods. We need to attend this meeting in opposition to this case. RS-4.5 and CN-1 is inconsistent with the neighborhood context. The rezoning will have a significant impact on the charater, quality and property values of the homes in our neighborhoods. Our neighborhoods are rural areas in the county. The values of our properties are \$400,000.00 and above. The R-4.5 zoning if approved would allow a very dense development with the smallest homes allowed by the Residential Development Standards. It will be hard to oppose this rezoning with only a few residents receiving the notices. The requirement is to send out rezoning notices to property owners within 200 feet of the rezoning project. This was not effective for our concerns, In reality this was only a few homeowners. The rapid development that is planned will have a negative impact on the London ISD, our children's valuble education will suffer from overcrowding. All the homes and apartments to be built in this rezoning falls within the London ISD district boundries. The traffic back up and accidents that occurs along FM43 in front of London ISD is already a major concern. The CN-1 zoning would allow mult-family and apartment complexes to be built. We as homeowners must attend the public meeting to show our opposition to this rezoning. Please see attached notice, charts from the city ordinaces and London ISD boundry map. We must attend this public meeting. Please RSVP to Nottinghamacresunit1HOA@gmail.com / Additional informational meeting Monday October 28, 2019. Time and place to be announced