



## **AGENDA MEMORANDUM**

Public Hearing & First Reading Ordinance for the City Council Meeting 08/25/20  
Second Reading Ordinance for the City Council Meeting 09/08/20

**DATE:** July 16, 2020  
**TO:** Peter Zaroni, City Manager  
**FROM:** Al Raymond, AIA, Director  
Development Services Department  
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Rezoning a property at or near Farm to Market Road 43

### **CAPTION:**

Zoning Case No. 0720-01, Bobak Mostaghassi (District 3). Ordinance rezoning property at or near the intersection of FM 43 and CR 33 from the "FR" Farm Rural District to the "CN-1" Neighborhood Commercial District and "CG-2" General Commercial District

### **SUMMARY:**

The purpose of the zoning request is to allow for the construction of a large-scale commercial development.

### **BACKGROUND AND FINDINGS:**

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

### ***Conformity to City Policy***

The subject property is located within the boundaries of the London Area Development Plan and is planned for commercial, mixed, 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 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 which is 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

***Public Input Process***

Number of Notices Mailed

1 within 200-foot notification area

4 outside notification area

*As of July 3, 2020:*

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.

***Commission Recommendation***

Planning Commission recommended 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 on July 22, 2020:

**ALTERNATIVES:**

1. Denial 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.

**FISCAL IMPACT:**

There is no fiscal impact associated with this item.

**RECOMMENDATION:**

Staff recommends:

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 recommended 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 with following vote count.

*Vote Count:*

For: 8

Opposed: 1

Absent: 0

Abstained: 0

**LIST OF SUPPORTING DOCUMENTS:**

Ordinance

Presentation - Aerial Map

Planning Commission Final Report