

# PLANNING COMMISSION FINAL REPORT

Case No. 0920-01  
INFOR No. 20ZN1021

**Planning Commission Hearing Date:** September 16, 2020

<b>Applicant &amp; Legal Description</b>	<b>Owner:</b> Nemec Family Properties, Ltd. <b>Applicant:</b> Identity Capital, LLC. <b>Location Address:</b> 3601 Interstate 69 <b>Legal Description:</b> Being a 5.24 acre tract out of Lot 8, Block 1, Nueces River Irrigation Park as shown on the map thereof recorded in Volume "A", Page 54, of the Map Records of Nueces County, Texas, located along the west side of Interstate 69, south of Northwest Boulevard (Farm to Market Road 624), and north of County Road 52.			
<b>Zoning Request</b>	<b>From:</b> "FR" Farm Rural District <b>To:</b> "CG-2" General Commercial District <b>Area:</b> 5.24 acres <b>Purpose of Request:</b> To allow for the construction of a commercial retail building approximately 50,000 square feet in size.			
<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	Agricultural	Medium Density Residential
	<i>North</i>	"FR" Farm Rural and "CG-2" General Commercial	Agricultural and Commercial	Medium Density Residential and Commercial
	<i>South</i>	"FR" Farm Rural	Agricultural and Low Density Residential	Medium Density Residential
	<i>East</i>	"CG-2" General Commercial	Commercial	Commercial
	<i>West</i>	"FR" Farm Rural and "RS-6" Single-Family 6	Agricultural and Commercial	Medium Density Residential
<b>ADP, Map &amp; Violations</b>	<b>Area Development Plan:</b> The subject property is located within the boundaries of the Northwest Area Development Plan and is planned for a Medium Density Residential use. The proposed rezoning to the "CG-2" General Commercial District is consistent with the adopted Comprehensive Plan (Plan CC) and warrants an amendment to the Future Land Use map. <b>Map No.:</b> 066050 <b>City Council District:</b> 1 <b>Zoning Violations:</b> None			
<b>Transportation</b>	<b>Transportation and Circulation:</b> The subject property has approximately 70 feet of street frontage along Interstate 69 which is designated as a "F1" Freeway / Expressway. According to the Urban Transportation Plan, "F1" Freeway / Expressway can convey a capacity between 60,000 to 200,000 Average Daily Trips (ADT).			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Interstate 69	"F1" Freeway / Expressway	400' ROW Varies paved	300' ROW 120' paved	12,985 ADT (2013)

**Staff Summary:**

**Requested Zoning:** The applicant is requesting a rezoning from the "FR" Farm Rural District to the "CG-2" General Commercial District to allow for the commercial retail building approximately 50,000 square feet in size.

**Development Plan:** The subject property is 5.24 acres in size. The proposed use is a commercial retail building approximately 50,000 square feet in size with approximately 200 parking spaces.

**Existing Land Uses & Zoning:** The subject property is currently zoned "FR" Farm Rural District and consists of vacant property and has remained undeveloped since annexation in 1995. To the north is a vacant property zoned "FR" Farm Rural District. Further to the north is a Wal-Mart zoned "CG-2" General Commercial District. To the south are vacant properties zoned "FR" Farm Rural District. To the east across Interstate 69 is a car dealership zoned "CG-2" General Commercial District. To the west are vacant properties zoned "FR" Farm Rural 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:** 12-inch PVC line located along Interstate 69.

**Wastewater:** 6-inch PVC line located along the rear property line.

**Gas:** 6-inch service line located along Interstate 69.

**Storm Water:** 20-inch line along Interstate 69.

**Plan CC & Area Development Plan Consistency:** The subject property is located within the boundaries of the Northwest Area Development Plan and is planned for a Medium Density Residential use. The proposed rezoning to the "CG-2" General Commercial District is 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).
- The expansion of business uses along Northwest Boulevard (F.M. 624) or any other arterial street should be planned and zoned so that the traffic carrying capacity of the street is protected. (Policy Statement E).
- Large-scale commercial uses are encouraged on both sides of US 77 (IH-69) north of Robstown. (Policy Statement F).

**Department Comments:**

- The proposed rezoning is consistent with the adopted Comprehensive Plan (Plan CC), compatible with the adjoining properties, does not have a negative impact upon the adjacent properties, and warrants an amendment to the Future Land Use map.

**Planning Commission and Staff Recommendation (September 16, 2020):**

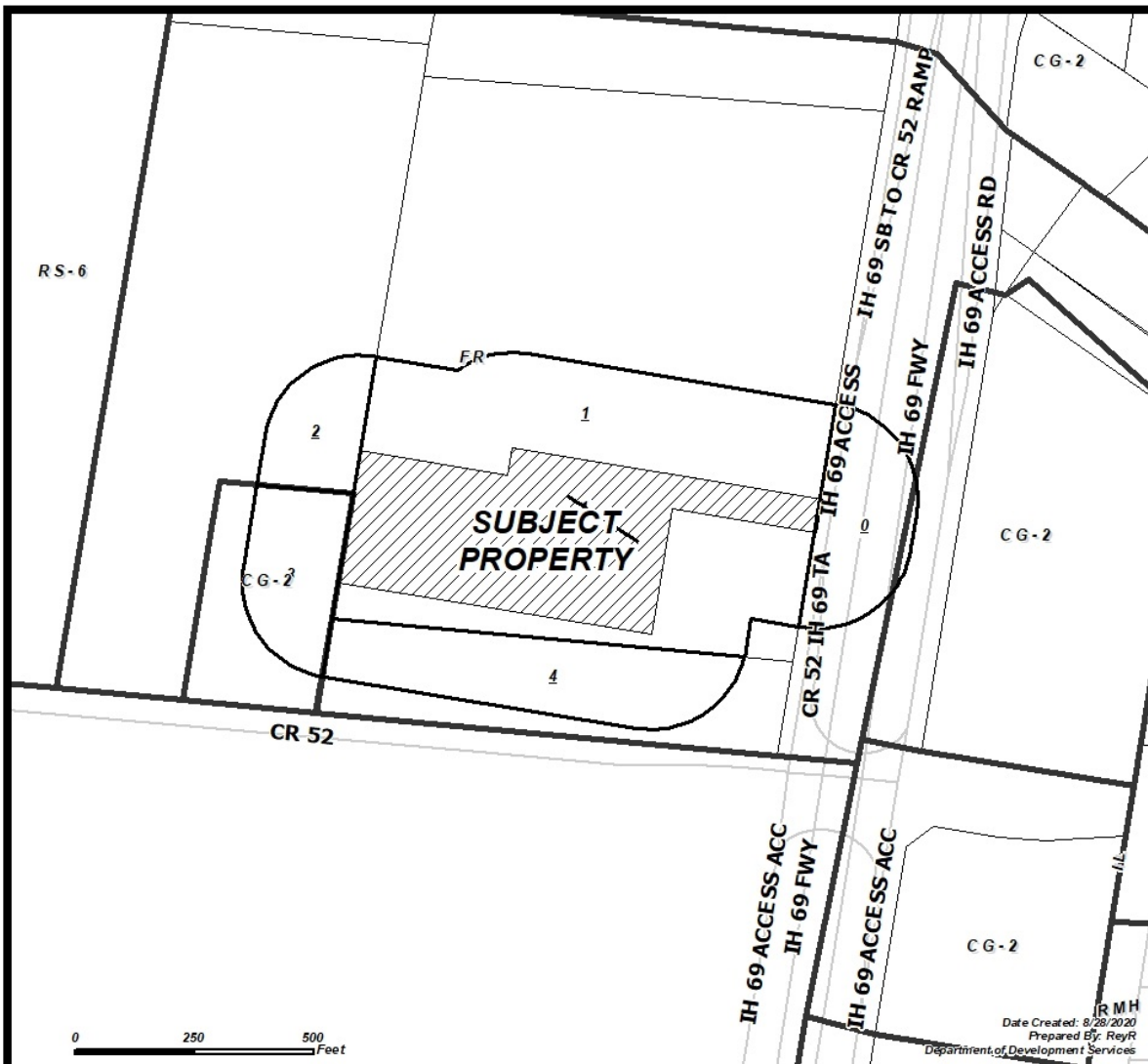
Approval of the change of zoning from the "FR" Farm Rural District to the "CG-2" General Commercial District.

Public Notification	Number of Notices Mailed – 4 within 200-foot notification area 7 outside notification area
	<b><u>As of September 4, 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)

<https://corpuschristi.sharepoint.com/sites/DevelopmentServices/DevelopmentSvcs/SHARED/ZONING CASES/2020/0920-01 Nemec Family Properties, LTD/Council Documents/Report - Nemec Family Properties, LTD.docx>



### CASE: 0920-01 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
CN-2	Neighborhood Commercial	RS-TF	Two-Family
CR-1	Resort Commercial	RS-15	Single-Family 15
CR-2	Resort Commercial	RE	Residential Estate
CG-1	General Commercial	RS-TH	Townhouse
CG-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

