MINUTES
REGULAR PLANNING COMMISSION MEETING
CITY OF CORPUS CHRISTI
City Hall Council Chambers, 1201 Leopard Street
July 15, 2015
5:30 P.M.

COMMISSIONERS:
Philip Ramirez, Chairman
Jeremy Baugh
Fred Braselton
Jonas Chupe*
Carl Crull*
Heidi Hovda*
Mike Lippincott**
Eric Villarreal, Vice Chairman
Marsha Williams

Absent
****Arrived at 5:35 p.m.***

STAFF:
Daniel M. Grimsbo, P.E., Director Development Services
Julio Dimas, Assistant Director, Development Services
Julian Grant, Senior Assistant City Attorney
Annika Gunning, Senior Project Planner
Jessica Alford, Project Manager
Dolores Wood, Project Manager
Linda Williams, Recording Secretary

I. CALL TO ORDER

The meeting was called to order at 5:32 p.m. by Chairman Ramirez and a quorum was declared.

II. ABSENCES

Jonas Chupe
Carl Crull
Heidi Hovda

III. APPROVAL OF MINUTES

1. July 1, 2015 Meeting

Motion to **approve** Item "1," the July 1, 2015 minutes was made by Vice Chairman Villarreal and seconded by Commissioner Braselton. Motion passed with Commissioners Chupe, Crull and Lippincott absent.

IV. PUBLIC HEARING AGENDA ITEMS – Discussion and Possible Action

A. PLATS

New Plat

Julio Dimas, Development Services, read New Plats Item "2" into record as shown below. Mr. Dimas stated the plat satisfied all requirements of the Unified Development Code (UDC) and State Law and the Technical Review Committee recommends approval.

2. 0515070-NP055 (15-23000027)
ANDREWS SUBDIVISION, BLOCK 2, LOT 5 (FINAL – 2.18 ACRES)
Located south of Andrews Drive between Crosstown Expressway (SH 286) and South Port Avenue.

After Staff's presentation, the floor was opened for comments and discussion by commissioners. There being none, the public hearing was opened with no one coming forward and the public hearing was closed. Chairman Ramirez called for a motion. Motion to **approve** New Plats Item "2" was made by Vice Chairman Villarreal and seconded by Commissioner Braselton. Motion passed with Commissioner Chupe, Crull and Hovda absent.

IV. PUBLIC HEARING AGENDA ITEMS – Discussion and Possible Action

B. ZONING

Continued Zoning (Tabled from the June 17, 2015 Meeting)

Dolores Wood, Development Services, addressed the commission. Ms. Wood read Continued Zoning Item "3" into record as shown below. Ms. Wood stated the subject property was located within the boundaries of the Westside Area Development Plan and is planned for commercial uses. Ms. Wood continued the requested change of zoning to the "IL" Light Industrial District is not consistent with the Future Land Use Plan.

3. **Case No. 0615-04 – Jesus Mora:** A change of zoning from the "CI" Intensive Commercial District to the "IL" Light Industrial District, resulting in a change to the Future Land Use Plan from commercial to light industrial.
Property is described as Lot 4-B, Barthlome Acre Tracts, located along the south side of Barthlome Street between Nueces Bay Boulevard and Lily Street.

Ms. Wood presented several aerial views of the subject property. Ms. Wood stated the purpose of the change of zoning is to allow warehouse storage of equipment and vehicles. The applicant is the owner of a contracting company that installs cable wire for telecommunication services. Ms. Wood stated the property was purchased as it is currently constructed and the existing buildings were built without permits. Ms. Wood stated the site is in violation of the UDC regarding the setback, screening and building code requirements.

Ms. Wood stated nineteen (19) notices were mailed to owners within the notification area, six (6) to owners outside the notification area and no notices were returned in favor or opposition. Ms. Wood stated Staff recommends denial of the change of zoning from the "CI" Intensive Commercial District to the "IL" Light Industrial District and, in lieu thereof, approval of the "CI/SP" Intensive Commercial District with a Special Permit for a contractor's shop and storage yard subject to nine conditions which were read into record. After Staff's presentation, Chairman Ramirez opened the floor for comments and discussion by commissioners.

Chairman Ramirez asked about the buffer requirements and if the applicant was in agreement with Staff's recommendation and Ms. Wood stated the applicant agreed with the recommendation and the requirements as outlined. After all comments and discussion by commissioners concluded, the public hearing was opened with no one coming forward and the public hearing was closed.

Chairman Ramirez called for a motion. Motion to **deny** the change of zoning from the "CI" Intensive Commercial District to the "IL" Light Industrial District and, in lieu thereof, **approve** the "CI/SP" Intensive Commercial District with a Special Permit for a contractor's shop and storage yard subject to nine (9) conditions was made by Commissioner Braselton and seconded by Commissioner Baugh. Motion passed with Commissioners Chupe, Crull and Hovda absent.

New Zoning

Jessica Alford, Development Services, read New Zoning Item "4" into record as shown below. Ms. Alford stated the subject property was located within the boundaries of the Southside Area Development Plan and is planned for medium density residential uses. Ms. Alford continued the requested change of zoning to the "RE" Residential Estate District is not consistent with the Future Land Use Plan.

IV. PUBLIC HEARING AGENDA ITEMS – Discussion and Possible Action

B. ZONING

New Zoning – Item "4" (cont.)

4. **Case No. 0715-01 – Guadalupe Leon & Maria Del Carmen Leon:** A change of zoning from the "FR" Farm Rural District to the "RE" Residential Estate District.
Property is described as being a 1.23 acre tract of land being out of Lots 22 and 23, Section 20, Flour Bluff Encinal Farm and Garden Tracts, located along the east side of Airline Road between Brooke Road and Wall Street.

Ms. Alford presented several aerial views of the property and stated the purpose of the change of zoning is to allow platting and connection to public water and sewer utilities to an existing residence. Ms. Alford stated five (5) notices were mailed to owners within the notification area, seven (7) to owners outside the notification area and no notices were returned in favor or opposition. Ms. Alford continued Staff recommends approval of the change of zoning from the "FR" Farm Rural District to the "RE" Residential Estate District. After Staff's presentation concluded, Chairman Ramirez opened the floor for comments and discussion by commissioners. There being none, the public hearing was opened with no one coming forward and the public hearing was closed.

Chairman Ramirez called for a motion. Motion to **approve** the change of zoning from the "FR" Farm Rural District to the "RE" Residential Estate District was made by Commissioner Lippincott and seconded by Vice Chairman Villarreal. Motion passed with Commissioners Chupe, Crull and Hovda absent.

Annika Gunning, Development Services, read New Zoning Item "5" into record as shown below. Ms. Gunning stated the subject property was located within the boundaries of the Southside Area Development Plan and is planned for commercial uses. Ms. Gunning continued the requested change of zoning to the "IL" Light Industrial District is not consistent with the Future Land Use Plan.

5. **Case No. 0715-02 – Andrea Trevino & Jesus Trevino, dba Southside Paint and Body, LLC and Liliot, LLC:** A change of zoning from the "CG-2" General Commercial District and "CG-2/SP" General Commercial District with a Special Permit to the "IL" Light Industrial District, resulting in a change to the Future Land Use Plan from commercial to light industrial uses.
Property is described as being Lots 8, 11 and 12, Block 7, Saratoga Weber Plaza, located along the north side of Acushnet Drive between Jefferson Road and Weber Road (FM 43).

Ms. Gunning presented several aerial views of the property and stated the applicant is requesting a change of zoning for the expansion of an existing heavy vehicle service use. The applicant proposes to rezone three lots to the "IL" Light Industrial District to allow expansion of an existing automobile paint and body business. The applicant purchased the immediately adjacent vacant lot and a site previously developed and operated as an automotive repair facility. Ms. Gunning stated the applicant intends to convert the automotive repair facility into a new paint shop consisting of two new paint booths and an area for storage of parts. Ms. Gunning continued the applicant does not have a development plan for the middle lot, but has indicated the intent to develop it as future needs warrant expansion.

Ms. Gunning stated the applicant was granted a Special Permit on September 15, 2008 that authorized him to operate a heavy vehicle service use on one of the subject lots. A change of zoning is needed to expand the use onto the two adjacent lots.

IV. PUBLIC HEARING AGENDA ITEMS – Discussion and Possible Action

B. ZONING

New Zoning – Item "5" (cont.)

Ms. Gunning stated seven (7) notices were mailed to owners within the notification area, five (5) notices were mailed to owners outside the notification area and no notices were returned in favor or opposition. Ms. Gunning continued Staff recommends denial of the change of zoning from the "CG-2" General Commercial District and "CG-2/SP" General Commercial District with a Special Permit to the "IL" Light Industrial District. Ms. Gunning stated Staff based its recommendation on that the change of zoning to the "IL" Light Industrial District may not be compatible with the existing conforming residential development across Acushnet Drive and may alter the character of the area that is currently commercial and medium density residential. Ms. Gunning continued the change of zoning may possibly have a negative impact on existing development. After Staff's presentation concluded, the floor was opened for comments and discussion by commissioners.

Chairman Ramirez stated he understood Staff's position, but in reviewing the overall picture of the area, it seems that the applicant really does not have a lot of options since he can't incorporate the property in the middle into the existing Special Permit. Commissioner Braselton stated that in looking at the Future Land Use map, there is "IL" Light Industrial use to the west. After further discussion by commissioners concluded, the public hearing was opened.

John Kendall, 5866 South Staples Street, addressed the commission. Mr. Kendall stated he was representing the applicant. Mr. Kendall stated the applicant began operating his business in 2008 at 3902 Acushnet. Mr. Kendall continued the applicant bought the adjacent lot to expand the building and decided that rather than go for another Special Permit, he would rezone all of the properties to the "IL" Light Industrial District. Mr. Kendall stated he hoped the commission would look at the bigger picture and approve the change of zoning as requested by the applicant.

Andrea Trevino, 3902 Acushnet Drive, addressed the commission. Ms. Trevino stated they have been in business for twelve (12) years and have worked very hard to make sure the business is successful. Ms. Trevino stated they were given the opportunity to purchase the parcels of land to expand their business. Ms. Trevino stated they currently have seventeen (17) employees and are excited about the possibility of being able to expand their business. Ms. Trevino stated she was requesting the commission to approve their request. After all comments and discussion concluded, the public hearing was closed.

Chairman Ramirez called for a motion. Motion to **deny** the change of zoning from the "CG-2" General Commercial District and "CG-2/SP" General Commercial District with a Special Permit to the "IL" Light Industrial District was made by Vice Chairman Villarreal and seconded by Commissioner Baugh. After the motion was on the floor, the floor was opened for further comments and discussion by commissioners. After all comments and discussion concluded, Chairman Ramirez called for a roll call vote. Motion **failed** with Vice Chairman Villarreal and Commissioner Baugh voting yes, Chairman Ramirez, Commissioners Braselton, Lippincott and Williams voting no and Commissioners Chupe, Crull and Hovda absent.

After further discussion, Chairman Ramirez called for a second roll call vote. Motion to **approve** the change of zoning from the "CG-2" General Commercial District and "CG-2/SP" General Commercial District with a Special Permit to the "IL" Light Industrial District was made by Commissioner Braselton and seconded by Commissioner Lippincott. Motion passed with Chairman Ramirez, Commissioners Braselton, Lippincott and Williams voting yes, Vice Chairman Villarreal and Commissioner Baugh voting no and Commissioners Chupe, Crull and Hovda absent.

IV. PUBLIC HEARING AGENDA ITEMS – Discussion and Possible Action

B. ZONING

New Zoning

Chairman Ramirez requested that the record reflect that Commissioner Braselton abstained from the discussion and action taken on New Zoning Item "6."

Ms. Wood read New Zoning Item "6" into record as shown below. Ms. Wood stated the subject property was located within the boundaries of the Southside Area Development Plan and is planned for low density residential uses. Ms. Wood continued the requested change of zoning to the "RS-4.5" Single-Family 4.5 District is consistent with the Future Land Use Plan.

6. **Case No. 0715-03 – Related Investors, Ltd.:** A change of zoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District.
Property is described as being a 66.96 acre tract of land out of Lots 1-4 and 14-16, Section 24, Flour Bluff Encinal Farm and Garden Tracts, located along the east side of Rodd Field Road approximately 480 feet south of Siberian Street.

Ms. Wood presented several aerial views of the subject property. Ms. Wood stated the purpose of the change of zoning is to allow for expansion of the existing Rancho Vista Subdivision by constructing approximately 288 additional single-family residential dwellings in multiple phases. Ms. Wood continued the property will have to be platted; which will include right-of-way dedication for Rodd Field Road, Oso Parkway and a future collector street. Ms. Wood stated thirty-six (36) notices were mailed to owners within the notification area, two (2) to owners outside the notification area and no notices were returned in favor or opposition. Ms. Wood stated Staff recommends approval of the requested change of zoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District.

After Staff's presentation concluded, the floor was opened for comments and discussion by commissioners. There being none, the public hearing was opened with no one coming forward and the public hearing was closed. Chairman Ramirez called for a motion. Motion to **approve** the change of zoning from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District was made by Vice Chairman Villarreal and seconded by Commissioner Lippincott. Motion passed with Commissioner Braselton **abstaining** and Commissioners Chupe, Crull and Hovda absent.

V. DIRECTOR'S REPORT

Mr. Grimsbo informed commissioners that the public hearing date for PlanCC is scheduled for the August 12, 2015 meeting. Copies of the plan were presented to commissioners in attendance.

VI. ITEMS TO BE SCHEDULED

None

VII. ADJOURNMENT

There being no further business, the meeting adjourned at 6:21 p.m.

7/23/15

Daniel M. Grimsbo, P.E., Director Date
Development Services Department
Secretary to Planning Commission

7/23/15

Linda Williams Date
Development Services Department
Recording Secretary