



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes Planning Commission

Wednesday, July 22, 2020

6:00 PM

Council Chambers

I. Call to Order, Roll Call

Chairman Crull called the meeting to order and a quorum was established with no absences.

II. Opening Statement

III. PUBLIC COMMENT: None.

IV. Approval of Absences

June 24, 2020 : Chairman Crull and Commissioner Williams

July 8, 2020: Chairman Crull & Commissioners Williams, Hovda and York

A motion to approve the absence listed above was made by Vice Chairman Baugh and the motion was seconded by Commissioner Williams. The motion passed.

V. Approval of Minutes

1. [20-0767](#) Regular Meeting of June 24, 2020

2. [20-0847](#) Regular Minutes of July 8, 2020

A motion to approve items "1 & 2" was made by Vice Chairman Baugh and the motion was seconded by Commissioner Zarghouni. The motion passed.

VI. Public Hearing: Budget Presentation - Discussion and Possible Action

3. [20-0772](#) Proposed FY2020-2021 Capital Improvement Program (CIP) Budget presentation by Office of Management and Budget

Kamil Taras, Capital Improvement Program Manager, presented item "3" for the record. He began by stating the budget has been amended since it was last sent to the Commission on July 15, 2020. During Monday's "Type A" meeting, the board members amended the budget and capital project plan which caused the need for an amendment to the Proposed FY2020-2021 Capital Budget. That amendment details the changes and proposes the new

FY2020-2021 Budget total of \$259,915,560, down from \$267,832,560. Line items amended were the Boat Haul Out/Office/Retail Facility (decreased), New Cooper's Alley Boaters Facility (increased), Water Garden Fountain (removed) and the New McGee Breakwater (added).

Mr. Taras continued with the rest of the presentation and explained that the planning guide provides project scopes, cost and schedules for planned and anticipated projects over the next ten years. The Planning Commission will be making a recommendation for Fiscal Year (FY) 2021 (year one) which is a fully funded work plan based on available financial capacity and greatest prioritized needs. Short-range program facilitates fiscal and needs-based planning for Years 2 and three; Long-range forecast consists of projects considered important but not funded (Years 4 – 10). Mr. Taras presented a graph to illustrate available resources distributed over major spending areas for FY 2021 and also a list of Funding Sources versus Funding Uses. He continued the presentation by detailing program highlights for each department and their funding sources.

After Staff's presentation, Chairman Crull opened the floor for Commissioner comments/questions. Commissioner Hovda had a question regarding the removal of the Water Garden Fountain, the Cole Park pier/skate park and the study for the North Beach canal project. Commissioner Williams asked about the desalinization plant. Commissioner Schroeder inquired about marina projects and how the budget is conceived. He felt that the design/construction of current marina facilities were done inadequately for the type of elements they are exposed to and deteriorate much faster. After Commissioner comments concluded, Chairman Crull opened the public hearing. With no one coming forward, the public hearing was closed. A motion was made by Vice Chairman Baugh to approved item "3" as amended and Commissioner York seconded. The motion passed.

VII. Consent Public Hearing (Items A & B): Discussion and Possible Action

Chairman Crull asked Staff to present the Consent Agenda, items VII.A and VII.B. Andrew Dimas, Development Services, read the Consent Agenda items into the record. New Plat items "4, 5 & 6" satisfy all requirements of the UDC and State Law; the Technical Review Committee recommends approval. Staff also recommends approval for New Zoning items "7, 8 & 9" as stated in Staff's report. After Staff's presentation, Chairman Crull opened the floor for Commissioner comments/questions. Chairman Crull and Commissioners Schroeder and York asked questions pertaining to item "9". After Commissioner questions concluded, Chairman Crull opened the public hearing.

Mr. Dimas read into record the following written comments submitted by using the PUBLIC COMMENT/INPUT FORM located on the City Secretary's webpage. Oppositions received for item "8": Charles and Debbie Patrick at 9726 Compton Road; Fred T. Allen at 9725 Compton Road; Margaret Barnech at 9714 Compton Road. They cited flooding and traffic issues, deed restrictions, a possible decrease in property values and that the proposed development is not consistent with the rest of the neighborhood in which homes are on one and two acre lots. Also, two attempts were made to call Mr. Richard Bell (10014 Compton Road), per his request, and did not get a response. Mr. Bell is opposed to the rezoning request and also cites that the proposed development

is not consistent with the rest of the neighborhood.

For item "8", Mr. Dimas informed the Commission that of the 16 public notices mailed to property owners within the 200-ft notification area, 9 notices were returned in opposition and zero were returned in favor. Totalling 64% of the land within the 200-ft notification area in opposition. Once this case is forwarded to City Council for action, it will need a super-majority vote to pass.

Representing the owner, Diane Cibrian addressed the Commission in support of item "8". She reiterated that City Council made no action or vote for the "RS-15" district designation. She stated this will be a beautification project and it will be a gated community with homes to be valued upwards of \$450,000. She mentioned that deed restrictions were not involved in the sale of the subject property. She also confirmed that stacking (parking) requirements will be done in accordance with the code; the subject property is not in a flash/flood zone. She informed the Commission that the community will include a drainage easement which will improve drainage issues in the whole area.

With no one else coming forward, Chairman Crull closed the public hearing. A motion was made by Commissioner York to approve items "4, 5, 6, 7 & 8" as presented and seconded by Commissioner Hovda. The motion passed. A motion was made by Commissioner Hovda to approve item "9" as presented and seconded by Commissioner Schroeder. The motion passed with Vice Chairman Baugh abstaining.

A. New Plats

4. [20-0850](#) 20PL1047
STONEGATE UNIT 2 OCL (FINAL - 39.772 ACRES)
Located west of FM 1889 and south of Masters Street.
5. [20-0852](#) 20PL1052
PARK PID UNIT 1, BLOCK 1, LOTS 12A & 12B (REPLAT - 2.84 ACRES)
Located south of Bates Street and east of North Padre Island Drive.
6. [20-0853](#) 20PL2028
BALDWIN PARK, BLOCK A, LOT 1AR (FINAL - 1.25 ACRES)
Located east of Crosstown Expressway (SH 286) and south of Baldwin Boulevard.

B. Zoning**Tabled Zoning****7. [20-0770](#) Public Hearing - Rezoning Property at or near 501 Heinsohn Road**

Case No. 0620-02 - One Rail Group, LLC: Ordinance rezoning property at or near 501 Heinsohn Road (located on the west side of Heinsohn Road, south of State Highway 44 (Agnes Street), and west of State Highway 358 (North Padre Island Drive)), from the “FR” Farm Rural District and “IL” Light Industrial District to the “IL” Light Industrial District.

New Zoning**8. [20-0857](#) Public Hearing - Rezoning Property at or near 10001 Compton Road**

Case No. 0720-02 - MVR Construction Company: Ordinance rezoning property at or near 10001 Compton Road (located along the south side of Compton Road, east of Flour Bluff Drive, and west of Waldron Road), from the “RE” Residential Estate District to the “RS-15” Single-Family 15 District.

9. Public Hearing - Rezoning Property at or near 2713 Segrest Street

Case No. 0720-03 - Ruben Bonilla, Jr.: Ordinance rezoning property at or near 2713 Segrest Street (located along the south side of Segrest Street, east of South Port Avenue, and north of Baldwin Boulevard), from the “IL” Light Industrial District to the “CN-1” Neighborhood Commercial District.

VIII. Public Hearing (Items C & D): Discussion and Possible Action**C. New Plat with Variance (Waiver)**

**10. [20-0849](#) 19PL1131
GRANGE PARK UNIT 3 (FINAL - 20.01 ACRES)
Located north of Yorktown Boulevard and east of Rodd Field Road.**

11. [20-0851](#)**19PL1131 - SIDEWALK WAIVER****GRANGE PARK UNIT 3 (FINAL - 20.01 ACRES)**

Located north of Yorktown Boulevard and east of Rodd Field Road.
Request for a Plat Waiver of the Sidewalk Construction Requirements in Section 8.1.4 and 8.2.2 of the Unified Development Code.

For the record, Mr. Dimas presented items “10 & 11”. For location purposes, he presented an aerial view of the subject property. The applicant is requesting a waiver from sidewalk construction along the frontage of Yorktown Boulevard. Mr. Dimas cited the following factors against the waiver and in support of requiring sidewalk construction:

1. The property is zoned “CN-1” Neighborhood Commercial District and “RS-6” Single-Family 6 District from which a sidewalk network can be started. The property is less than 0.25 mile from properties to the east that have already been rezoned for single-family residential developments.
2. Future development could occur between the subject property and Rodd Field Road to the west. Therefore, connecting the subject property to an existing sidewalk network.
3. The subject property is located within 0.38 miles of the intersection of the commercial node of Rodd Field Road and Yorktown Boulevard. This commercial node also connects to the new Del Mar College southside campus.
4. The subject property is approximately 2-miles to the east of Bill Witt Park. According to the Federal Transit Administration, a 3-mile distance is a standard bike shed. A bike shed is defined as the reasonable distance a person will travel via bicycle. Therefore, a sidewalk will provide a viable connection as part of a standard bike shed from the subject property to Bill Witt Park.

The applicant states that they do not believe sidewalk should be required because:

1. No current sidewalk network exists along Yorktown Boulevard. The nearest sidewalk is part of the Rodd Field Road bond project 0.38 miles to the west of the subject property.
2. The property is not located along an existing or foreseeably planned CCRTA fixed route service.
3. Waiver of sidewalk will not be detrimental to the public health, safety, or general welfare, and adjacent property will not be restricted or rendered unfeasible.
4. The Comprehensive Plan will not be substantially affected.

Regarding sidewalk plat waivers, the UDC does state, under Section 8.2.2.B.1-4, that a waiver may be granted, in accordance with the waiver procedure in Section 3.8.3.D., but only if certain conditions exist. None of the enumerated conditions in UDC 8.2.2.B.1-4 for a sidewalk waiver exist on this subject property. Weighing the factors of Section 3.8.3.D, Staff recommends

denial of the waiver. Planning Commission may choose to follow or decline Staff's recommendation, and Planning Commission may approve, approve with conditions or deny the waiver request.

After Staff's presentation, Chairman Crull opened the floor for Commissioner comments/questions. Discussion took place regarding the City's future Bond projects and if this area is likely to be improved. The option of "cash in lieu of construction" was also brought up by Chairman Crull and Commissioner York. After Commissioner questions concluded, Chairman Crull opened the public hearing. For the record, Mr. Dimas stated that no written public comment forms were submitted for this item and Chairman Crull closed the public hearing.

Further discussion took place and Commissioner York expressed how he has a hard time favoring sidewalk construction in this area because there is no connectivity and the constructed sidewalk may get removed once improvements are made to the street. Commissioner Schroeder agreed with Commissioner York but felt that these types of cases create a dilemma when UDC requirements are not followed. Nina Nixon Mendez, Assistant Director, stated Staff can, once again, take a further look into bringing forth sidewalk amendments such as "cash in lieu of construction" and will also take it to the Development Services Technical Advisory Group for consideration. Commissioner Hovda added that not having sidewalks in this area is a disservice to attaining the goal of walkable/sustainable communities; having a sidewalk in this area will set a pattern. Commissioner Hovda made a motion to approve Staff's recommendation for item "11" and it was seconded by Commissioner Schroeder. A roll call vote took place and the motion passed with Chairman Crull and Commissioners Dibble and York voting no. A motion was made by Vice Chairman Baugh and seconded by Commissioner Zarghouni to approve item "10". The motion passed.

D. Zoning

Tabled Zoning

12. [20-0771](#)

Public Hearing - Rezoning Property at or near 0 Farm to Market Road 43

Case No. 0720-01 - Bobak Mostaghasi: Ordinance rezoning property at or near 0 farm to Market Road 43 (located at the northwest corner of the intersection of Farm to Market Road 43 (Weber Road) and State Highway 286 (Crosstown Expressway), from the "FR" Farm Rural District to the "CG-2" General Commercial District and the "CN-1" Neighborhood Commercial District.

Mr. Dimas read item "12" into the record as shown above. The purpose of the rezoning request is to allow for the construction of a large-scale commercial development. As part of the annexation process, the property will be zoned "FR" Farm Rural District. For location purposes, he presented several aerial views of the subject property along with the Existing and Future Land Use

maps. Mr. Dimas went over the history of zoning patterns in the area. Mr. Dimas also went over UDC requirements for the rezoning (buffer yard/setbacks) as well as available municipal facilities. He informed the Commission that zero public notices were returned in favor or in opposition of the change of zoning request. Based on Staff analysis, Staff recommends approval of the "CG-2" district but denial of the "CN-1" district and, in lieu thereof, approval of the "ON" Neighborhood Office District. Adequate buffering should be considered along the shared property line between the residential and commercial developments. The appropriate buffering consists of using the "ON" district in lieu of the "CN-1" district. While the "ON" district offers the same amount of density of multifamily units, the "ON" district prohibits retail/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 homes, medical facilities and other professional office uses will be needed.

After Staff's presentation, Chairman Crull opened the floor for Commissioner comments/questions. Commissioner Williams expressed that this change of zoning would allow too much commercial development (e.g. apartments) for acreage of the property. Discussion also took place regarding wastewater services/lift stations for the area. Commissioner Miller mentioned how County Road 33 will be impacted by traffic. Chairman Crull asked Staff if the applicant is amenable to Staff's recommendation. The applicant is seeking a change of zoning from their initial request. After Commissioner comments concluded, Chairman Crull opened the public hearing.

The applicant/owner, Bobak Mostaghassi, addressed the Commission in support of his request. Mr. Mostaghassi expressed how large-scale commercial development is highly needed in this area as residential development is expanding. His goal is to provide an elevated living style with mixed use development that is like The Domain in Austin or La Cantera in San Antonio. Apartments will be necessary and appropriate with this type of mixed-use development in which he felt that the City is lacking. He also discussed wastewater services regarding Master Plans/lift station upgrades. Requesting the "CN-1" district allows for more flexibility in a mixed-use development. He said that the option of a Special Permit is not suitable for his request because it would hinder their development plans as it is a 20-year plan. In support of item "12", Moses Mostaghassi also addressed the Commission and reiterated much of what the owner previously stated. With no one else coming forward, the public hearing was closed. A motion was made by Commissioner Dibble to approve the change of zoning requested by the applicant. The motion was seconded by Commissioner York. A roll call vote took place and the motion passed with Commissioner Williams voting no.

New Zoning

13. [20-0859](#)

Public Hearing - Rezoning Property at or near 1014 Admiral Drive

Case No. 0720-03 - Petra Dilley: Ordinance rezoning property at or near 1014 Admiral Drive (located along the west side of Admiral Drive, south of Melody Lane, and north of State Highway 358 (South Padre Island Drive), from the "RS-6" Single-Family 6 District to the "CG-1"

General Commercial District.

Mr. Dimas read item “13” into the record as shown above. The purpose of the rezoning request is to allow for the construction of a drive-thru car wash. For location purposes, he presented several aerial views of the subject property along with the Existing and Future Land Use maps. The subject property is currently vacant. Mr. Dimas went over the history of zoning patterns in the area. Mr. Dimas also went over UDC requirements for the rezoning (buffer yard/setbacks) as well as available municipal facilities. He informed the Commission that of the 27 public notices that were mailed, one notice was returned in favor of the change of zoning request and two notices were returned in opposition. Based on Staff analysis, Staff recommends denial of the change of zoning request and, in lieu thereof, approval of the “RS-6/SP” Single-Family 6 District with a Special Permit (SP) with the following conditions:

1. **Uses:** The only uses authorized by this Special Permit other than uses permitted by right in the base zoning district is “Car Wash, automated” as defined by the Unified Development Code (UDC).
2. **Setback/Screening:** A setback at a minimum of 10 feet shall be maintained from the northern property line shared with the single-family residence. An 8-foot solid screening fence shall be built along the northern property line shared with the single-family residence.
3. **Hours of Operation:** The hours of operation shall be daily from 7:00 AM to 9:00 PM.
4. **Dumpster Screening:** Any dumpster located on the Property shall be effectively screened from view by means of a screening fence or landscaping.
5. **Lighting:** All security lighting must be shielded and directed away from abutting residences and nearby streets. Cut-off shields are required for all lighting. No light projection is permitted beyond the property line near all public roadways and residential development.
6. **Noise:** Must not exceed sixty (60) dB at the property line where adjacent to residential properties.
7. **Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, Building, and Fire Code Requirements.
8. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within twelve (12) months of this ordinance, unless a complete building permit application has been submitted, and the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

After Staff’s presentation, Chairman Crull opened the public hearing. For the record, Mr. Dimas stated that no written public comment forms were submitted for this item and Chairman Crull closed the public hearing. A motion was made by Vice Chairman Baugh to approve Staff’s recommendation for item “13” and it was seconded by Commissioner Dibble. The motion passed with Commissioner York abstaining.

IX. Director's Report

Al Raymond, Director of Development Services, thanked Chairman Crull and Commissioners Williams and Hovda for their dedicated service over the years

as their terms have expired and this is their last meeting.

X. Items to be Scheduled: None.

XI. Adjournment

There being no further business to discuss, Chairman Crull adjourned the meeting at 8:15 p.m.