MINUTES
REGULAR PLANNING COMMISSION MEETING
CITY OF CORPUS CHRISTI
City Hall Council Chambers, 1201 Leopard Street
October 21, 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*

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

Absent

I. CALL TO ORDER

The meeting was called to order at 5:34 p.m. by Chairman Philip Ramirez and a quorum was declared.

II. ABSENCES

Eric Villarreal, Vice Chairman
Fred Braselton
Marsha Williams

III. APPROVAL OF MINUTES

1. September 23, 2015 Meeting

Motion to **approve** Item "1," the September 23, 2015 minutes, was made by Commissioner Crull and seconded by Commissioner Lippincott. Motion passed with Vice Chairman Villarreal and Commissioners Braselton and Williams absent.

IV. PUBLIC HEARING AGENDA ITEMS – Discussion and Possible Action

A. PLATS

New Plats

Julio Dimas, Development Services, read New Plats Items "2" through "10" and Items "12 and "13" into record as shown below. Mr. Dimas stated the plats satisfied all requirements of the Unified Development Code (UDC) and State Law and the Technical Review Committee recommends approval.

2. 0215022-NP016 (15-21000009)
STONEGATE, OCL (FINAL – 39.793 ACRES)
Located south of Northwest Boulevard (FM 624) and west of FM 1889.

3. 0414044-NP034 (14-21000006)
FBISD AQUATIC CENTER, BLOCK 1, LOT 1 (FINAL – 5.92 ACRES)
Located west of Waldron Road and south of Glenoak Drive.

New Plats (cont.)

4. **0615086-NP069 (15-23000036)**

NAVIGATION INDUSTRIAL PARK SECTION 2, BLOCK 5, LOT 22A (FINAL REPLAT – 1.73 ACRES)
Located west of North Omaha Drive and north of Terminal Street.

5. **0715099-N079 (15-21000029)**
SANTA FE ARMS ADDITION, BLOCK 1, LOT 1 (FINAL – 1.709 ACRES)
Located east of Santa Fe Street and north of Texan Trail.

6. **0715107-P022 (15-22000027)**
COUNTRY ESTATES UNIT NO. 2, LOT 22 (FINAL - .85 ACRE)
Located east of Up River Road and south of Hearne Road.

7. **0815110-P024 (15-22000029)**
LAUGHLIN SUBDIVISION, BLOCK 3, LOT 22R (FINAL – 0.50 ACRE)
Located east of Kostoryz Road and north of Houston Street.

8. **0815116-P028 (15-22000033)**
LOS ENCINOS SCHOOL TRACT, BLOCK 1, LOT 1 (FINAL – 19.85 ACRES)
Located south of Holly Road and east of Greenwood Drive.

9. **0815124-NP095 (15-21000035)**
STONY BROOK UNIT 4 (FINAL – 10.265 ACRES)
Located south of Yorktown Boulevard and west of South Staples Street (FM 2444).

10. **0915125-NP096 (15-21000036)**
LA COSTA BUSINESS PARK (FINAL – 11.33 ACRES)
Located east of South Staples Street and north of Wooldridge Road.

12. **0915128-NP099 (15-21000038)**
WOODLAWN SUBDIVISION, LOT 14R FINAL – 1.14 ACRES)
Located west of Old Robstown Road between Up River Road and Leopard Street.

13. **0915134-P033 (15-22000038)**
LAGUNA ACRES, BLOCK 3, LOT 12A (FINAL REPLAT – 0.207 ACRE)
Located west of Columbia Street and north of Bloomington Street.

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 Items "2" through "10 and Items "12" and 13" was made by Commissioner Chupe and seconded by Commissioner Hovda. Motion passed with Vice Chairman Villarreal and Commissioners Braselton and Williams absent

Chairman Ramirez requested the record reflect that he **abstained** from the discussion and action taken on New Plats Item "11" and Commissioner Lippincott chaired the meeting for New Plats Item "11."

IV. PUBLIC HEARING AGENDA ITEMS – Discussion and Possible Action

A. PLATS

New Plats (cont.)

Mr. Dimas read New Plats Item "11" into record as shown below. Mr. Dimas stated the plat satisfied all requirements of the Unified Development Code and State Law and the Technical Review Committee recommends approval.

11. 0915127-NP098 (15-21000037)
HOSPITAL TRACTS, LOTS 1C & 1D (FINAL REPLAT – 19.477 ACRES)
Located east of South Alameda Street and west of Fort Worth Street.

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. Commissioner Lippincott called for a motion. Motion to **approve** New Plats Item "11" was made by Commissioner Crull and seconded by Commissioner Baugh. Motion passed with Chairman Ramirez **abstaining** and Vice Chairman Villarreal and Commissioners Braselton and Williams absent.

Chairman Ramirez resumed chairing the remainder of the meeting.

Time Extension

Mr. Dimas read Time Extension Item "14" into record as shown below. Mr. Dimas stated Item "14" was originally approved on March 25, 2015. The applicant is requesting a six-month time extension to allow additional time to finalize a deferment agreement with the City for the required public infrastructure improvements. Mr. Dimas stated this is the first time extension request for this project and Staff recommends approval.

14. 0215020-NP014 (15-21000008)
FLINT HILLS TRACT, BLOCK 1, LOT 1 (FINAL – 11.906 ACRES)
Located south of Up River Road and west of Suntide Road.

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** Time Extension Item "14" for a six-month time extension was made by Commissioner Crull and seconded by Commissioner Chupe. Motion passed with Vice Chairman Villarreal and Commissioners Braselton and Williams absent.

Wastewater Lot/Acreage Fee Exemption

Mr. Dimas read Wastewater Lot/Acreage Fee Exemption Item "15" into record as shown below. Mr. Dimas stated this exemption request is associated with the Layton Manor, Block 1, Lot 4 final plat that was approved at the September 23, 2015 meeting.

0815113-P027 (15-22000032) (PLAT APPROVED AT THE 09/23/15 PC MEETING)
LAYTON MANOR, BLOCK 1, LOT 4 (FINAL – 5.027 ACRES)
Located north of Ramfield Road and west of Flour Bluff Drive.

15. Request for waiver of sanitary sewer infrastructure construction per Section 8.2.7.B.1.d.ii of the Unified Development Code (UDC) and an exemption from the Wastewater Lot/Acreage Fees in accordance with Section 8.5.2.G of the UDC.

IV. PUBLIC HEARING AGENDA ITEMS – Discussion and Possible Action

A. PLATS

Wastewater Lot/Acreage Fee Exemption – Item "15" (cont.)

Mr. Dimas stated LJA Engineering, Inc. submitted a letter of request, on behalf of the applicant, for a waiver of the sanitary sewer infrastructure construction per Section 8.2.7.B.1.d.ii of the Unified Development Code and an exemption from the wastewater lot/acreage fees. Mr. Dimas stated the nearest sanitary sewer line and manhole were located approximately one mile from the subject site. Mr. Dimas continued that at this time, Staff does not see availability of service to the area in the foreseeable future and recommends approval of the exemption request.

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** Wastewater Lot/Acreage Fee Exemption Request Item "15" was made by Commissioner Crull and seconded by Commissioner Lippincott. Motion passed with Vice Chairman Villarreal and Commissioners Braselton and Williams absent.

B. ZONING

New Zoning

Annika Gunning Yankee, Development Services, addressed the commission. Ms. Yankee read New Zoning Item "16" into record as shown below. Ms. Yankee stated the subject property was located within the boundaries of the Southside Area Development Plan and is planned for low density residential uses and the proposed change of zoning to the "RS-4.5" Single-Family 4.5 District is consistent with the adopted Future Land Use Map.

16. Case No. 1015-01 – Golden Real Estate and Construction Consulting Group, Inc.:
A change of zoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District, not resulting in a change to the Future Land Use Map.
Property is described as being a 12.00 acre tract of land deeded to Golden Real Estate and Construction Group, Inc., in Document File No. 2012038800, Official Public Records, Nueces County, Texas and being out of Lots 18, 19, 20, 29, 30 and 31, Section 11 of the Flour Bluff and Encinal Farm and Garden Tracts, located approximately 850 feet east of South Staples Street (FM 2444) between Corsica Road and Timbergate Drive.

Ms. Yankee presented several aerial views of the property and stated the purpose of the change of zoning is to allow construction of a single-family subdivision consisting of approximately sixty-two (62) lots with a minimum lot size of 4,500 square feet. Ms. Yankee continued platting of this subdivision will include extending Spanish Wood Drive to Timbergate Drive.

Ms. Yankee stated fifty-four (54) notices were mailed to owners within the notification area, five (5) notices were mailed outside the notification area and no notices were returned in favor or opposition. Ms. Yankee continued that Staff recommends approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District.

After Staff's presentation, Chairman Ramirez opened the floor for comments and discussion by commissioners. After a brief period of discussion and comments by commissioners, the public hearing was opened with no one coming forward and the public hearing was closed. Chairman Ramirez called for a motion. Motion to a**pprove** the change of zoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District was made by Commissioner Lippincott and seconded by Commissioner Baugh. Motion passed with Vice Chairman Villarreal and Commissioners Braselton and Williams absent.

IV. PUBLIC HEARING AGENDA ITEMS – Discussion and Possible Action

B. ZONING

New Zoning

Ms. Yankee read New Zoning Item "17" into record as shown below. Ms. Yankee stated the subject property was located within the boundaries of the London Area Development Plan and is planned for estate residential uses or 1-acre residential lots. Ms. Yankee continued the proposed change of zoning to the "RS-22" Single-Family 22 District is not consistent with the adopted Future Land Use Map, but it is consistent with the character and zoning of surrounding neighborhoods.

17. **Case No. 1015-02 – Edward Gonzalez:** A change of zoning from the "RE" Residential Estate District to the "RS-22" Single-Family 22 District, resulting in a change to the Future Land Use Map from estate residential uses to low density residential uses. Property is described as being Lot 21, Block 2, The Coves at Lago Vista Unit 3, located approximately 1,200 feet east of King Ranch Drive and 600 feet south of the corner of Oso Parkway and Green Jay Court.

Ms. Yankee presented several aerial views of the property and stated the applicant is requesting the change of zoning to the "RS-22" Single-Family District 22 with a minimum lot size of 0.5 acre. Ms. Yankee continued the applicant wants to plat the property into four (4) lots.

Ms. Yankee stated ten (10) notices were mailed to owners within the notification area, two (2) notices were mailed outside the notification area and one notice was returned in opposition. Ms. Yankee continued Staff feels the proposed change of zoning will not be a negative impact to the overall development and recommends approval of the change of zoning from the "RE" Residential Estate District to the "RS-22" Single-Family 22 District.

After Staff's presentation, the floor was opened for comments and discussion by commissioners. Chairman Ramirez asked Staff if it was known why the resident was opposed to the change of zoning and Ms. Yankee stated the applicant had concerns regarding access to his property. After a further comments and discussion by commissioners concluded, the public hearing was opened.

Ronnie Voss, 6838 Greenwood Drive: Mr. Voss stated the property adjoining to the northwest side of the applicant's property is the The Coves at Lago Vista Phases 1, 2, 3A and 3B; which were developed by his firm. Mr. Voss stated he opposed the change of zoning because he was unknowledgeable of what the applicant is proposing for the property. Mr. Voss continued he mailed five letters to the City stating his opposition. Mr. Voss stated when the Lago Vista Subdivision was initially developed, septic systems were not well accepted. Mr. Voss continued that a Special Permit was obtained for Unit 1 and Units 3A and 3B were developed under the same scenario. Mr. Voss continued that a 4,000 square foot house leaves very little room for a septic system to be installed. Mr. Voss stated that until the applicant provides more information as to what his intent for the property is, he will remain in opposition.

Victor Medina, 2460 Cricket Hollow: Mr. Medina stated he was the applicant's representative. Mr. Medina stated the applicant wanted to down-size from the one-acre tracts in order to sell and develop one-half acre lots. Mr. Medina continued that once the plat is approved, all requirements will be adhered. Mr. Medina continued the easement Mr. Voss referenced is a temporary easement and the condition of the road is due to the heavy truck traffic going to Mr. Shumate's property.

Michael Mendieta, 6118 King Trail: Mr. Mendieta stated he was the representative for Mr. Tom Shumate and wanted to go on record that Mr. Shumate is in opposition of the change of zoning. Mr. Mendieta stated Mr. Shumate acquired his property in 1986 and is not in agreement with the smaller lot sizes in the subdivision. Mr. Mendieta stated Mr. Shumate was very concerned about Mr. Gonzalez' development and hoped that the commission would strongly consider all of the facts in making its decision and not approve the change of zoning.

IV. PUBLIC HEARING AGENDA ITEMS – Discussion and Possible Action

B. ZONING

New Zoning – Item "17" (cont.)

After further discussion and comments, the public hearing was closed. Commissioner Crull asked Staff with both Mr. Voss and Mr. Shumate in opposition to the change of zoning, what will be the percentage of opposition and Ms. Yankee stated it would exceed 20 percent and a three-fourth majority of council members will be required for the zoning to pass.

Chairman Ramirez stated he was concerned that are several issues regarding the proposed change of zoning that have not been discussed with the neighbors. Chairman Ramirez continued he would hate for the case to be forwarded to City Council with the 20 percent rule of opposition that could result in the case not being approved. Chairman Ramirez stated his comment is based on the objections that were presented at tonight's meeting and he was hesitant to recommend action on the zoning request until some discussion takes place with the applicant and the neighbors. After further discussion and comments, Chairman Ramirez recommended the commission table action on the change of zoning request until the November 4, 2015 meeting to provide additional time for some of the concerns to be addressed.

Motion to **approve** tabling action on New Zoning Item "17" to the November 4, 2015 Planning Commission meeting was made by Commissioner Crull and seconded by Commissioner Lippincott. Motion passed with Vice Chairman Villarreal and Commissioners Braselton and Williams absent.

V. Director's Report

No report

VI. ITEMS TO BE SCHEDULED

None

VII. ADJOURNMENT

There being no further business, the meeting adjourned at 6:20 p.m.

28 OCT 15

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

Linda Williams 10/27/15

Linda Williams Date
Development Services Department
Recording Secretary