

MINUTES
REGULAR PLANNING COMMISSION MEETING
City Hall Council Chambers
February 27, 2013
5:30 P.M.

COMMISSIONERS:

Govind Nadkarni, Chairman
Philip Ramirez, Vice Chairman*
Mark Adame
Fred Braselton
Marco Castillo**
Gabriel Guerra***
Chris Hamilton
Mike Lippincott****
Curtis Rock

**Absent*

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

****Arrived at 5:42 p.m.*

*****Arrived at 5:33 p.m.*

STAFF:

Mark Van Vleck, P.E., Director,
Development Services
Miguel Saldaña, AICP, Senior Planner
Pete Anaya, P.E., Director, Planning &
Environmental Services
Lisa Wargo, Senior Planner, Planning &
Environmental Services
Shelly Shelton, Project Manager
Annika Gunning, Project Manager
Elizabeth Hundley, Assistant City
Attorney
Linda Williams, Recording Secretary

I. CALL TO ORDER

The meeting was called to order by Chairman Nadkarni at 5:30 p.m. and a quorum was declared.

II. APPROVAL OF ABSENCES

There were no absences.

III. APPROVAL OF MINUTES

1. February 13, 2013 Meeting

Motion to **approve** the February 13, 2013 minutes as distributed was made by Commissioner Adame and seconded by Commissioner Castillo. Motion passed with Vice Chairman Ramirez absent.

IV. PUBLIC HEARING ITEMS – DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING ITEMS:

PLATS

Continued Plats

Shelly Shelton, Development Services, read Continued Plat Item"2" into record as shown below. Ms. Shelton stated the applicant's representative submitted a letter of request to table action on the plat until the **March 13, 2013** meeting.

2 0113006-NP003 (13-21000001)

Airport Industrial Subdivision, Block 13, Lots 3 & 4 (Final – 3.969 Acres)
Located east of Heinsohn Road and south of State Highway 44.

IV. PUBLIC HEARING ITEMS – DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING ITEMS:

PLATS

Continued Plats – Item 2 (cont.)

The public hearing was opened with no one coming forward and the public hearing was closed. Chairman Nadkarni called for a motion. Motion to **approve** tabling action on Continued Plat Item "2" to the **March 13, 2013** meeting was made by Commissioner Braselton and seconded by Commissioner Adame. Motion passed with Vice Chairman Ramirez absent.

Ms. Shelton read Continued Plats Item "3" into record as shown below. Ms. Shelton stated the plat satisfied all requirements of the Unified Development Code (UDC) and State Law and the Technical Review Committee (TRC) recommended approval.

- 3 0113009-NP005 (13-21000003)**
Mt. Vernon Shopping Center, Block 1, Lots 1A, 1B, 1C & 1D (Final – 19.298
Acres)
Located east of South Staples Street and south of McArdle Road.

The public hearing was opened with no one coming forward and the public hearing was closed. Chairman Nadkarni called for a motion. Motion to **approve** Continued Plats Item "3" was made by Commissioner Rock and seconded by Commissioner Hamilton. Motion passed with Vice Chairman Ramirez absent.

New Plats

Ms. Shelton read New Plats Item "4" into record as shown below. Ms. Shelton stated the plat satisfied all requirements of the UDC and State Law and the Technical Review Committee recommended approval.

- 4 0213016-NP011 (13-21000003)**
Barcelona Estates Units 5 & 6 (Preliminary – 15.96 Acres)
Located south of Persimmon Street and east of Choctaw Drive.

The public hearing was opened with no one coming forward and the public hearing was closed. Chairman Nadkarni called for a motion. Motion to **approve** New Plats Item "4" was made by Commissioner Adame and seconded by Commissioner Hamilton. Motion passed with Vice Chairman Ramirez absent.

Ms. Shelton read New Plats Item "5" into record as shown below. Ms. Shelton stated the plat satisfied all requirements of the UDC and State Law and the Technical Review Committee recommended approval.

- 5 0213014-P005 (13-22000005)**
Oso Bay Park, Block 1, Lot 1 (Final – 25.2965 Acres)
Located north of Wooldridge Road, east of the future Oso Parkway and south of Holly Road.

The public hearing was opened. Ms. Christine Cox, 2422 Mystic Star, addressed the commission. Ms. Cox stated she wanted information regarding what the park and the planned development of the land would look like and how it would affect their subdivision. Chairman Nadkarni stated Staff is always available to answer any questions regarding the proposed project. After a brief discussion, the public hearing was closed.

IV. PUBLIC HEARING ITEMS – DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING ITEMS:

PLATS

New Plats – Item 5 (cont.)

Chairman Nadkarni called for a motion. Motion to **approve** New Plats Item "5" was made by Commissioner Rock and seconded by Commissioner Adame. Motion passed with Vice Chairman Ramirez absent.

Chairman Nadkarni requested the record reflect that he **abstained** from the discussion and action taken on New Plats Item "6." Commissioner Adame was requested to chair Item "6."

Ms. Shelton read New Plats Item "6" into record as shown below. Ms. Shelton stated the applicant's representative submitted a letter of request to table action on the plat until the **March 13, 2013** meeting.

- 6** **0213017-NP012 (13-21000004)**
Moore Plaza, Block1, Lots 24 & 25 (Final – 11.459 Acres)
Located south of South Padre Island Drive (SH 358) and west of Blanche D
Moore Drive.

The public hearing was opened with no one coming forward and the public hearing was closed. Commissioner Adame called for a motion. Motion to **approve tabling action** on New Plats Item "6" to the **March 13, 2013** meeting was made by Commissioner Rock and seconded by Commissioner Hamilton. Motion passed with Chairman Nadkarni abstaining and Vice Chairman Ramirez absent.

Ms. Shelton read New Plats Item "7" into record as shown below. Ms. Shelton stated the plat satisfied all requirements of the UDC and State Law and the Technical Review Committee recommended approval.

- 7** **0213018-NP013 (13-21000005)**
Padre Island-Corpus Christi Island Fairway Estates, Lots 27C & 27D (Final – 198.47 Acres)
Located west of South Padre Island Drive (PR 22) east of Whitecap Boulevard.

The public hearing was opened with no one coming forward and the public hearing was closed. Chairman Nadkarni called for a motion. Motion to **approve** New Plats Item "7" was made by Commissioner Braselton and seconded by Commissioner Castillo. Motion passed with Vice Chairman Ramirez absent.

Ms. Shelton read New Plats Item "8" into record as shown below. Ms. Shelton stated the plat satisfied all requirements of the UDC and State Law and the Technical Review Committee recommended approval.

- 8** **0213019-NP014 (13-21000006)**
Lantana Industrial Area, Block 10, Lot 10 & Block 11, Lots 28A & 29 (Final – 4.405 Acres)
Located west of Lantana Street and north of Lexington Boulevard.

IV. PUBLIC HEARING AGEND ITEMS – DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING ITEMS:

New Plats – Item 8 (cont.)

The public hearing was opened with no one coming forward and the public hearing was closed. Chairman Nadkarni called for a motion. Motion to **approve** New Plats Item “8” was made by Commissioner Adame and seconded by Commissioner Lippincott. Motion passed with Vice Chairman Ramirez absent.

Ms. Shelton read New Plats Item “9” into record as shown below. Ms. Shelton stated the applicant’s representative submitted a letter of request to table action on the plat until the **March 13, 2013** meeting.

- 9 0213021-NP015 (13-21000007)**
Palms of Leopard (Final – 8.212 Acres)
Located south of Leopard Street and east of Palm Drive.

The public hearing was opened with no one coming forward and the public hearing was closed. Chairman Nadkarni called for a motion. Motion to **approve tabling action** on New Plats Item “9” until the **March 13, 2013** meeting was made by Commissioner Castillo and seconded by Commissioner Guerra. Motion passed with Vice Chairman Ramirez absent

Time Extension

Ms. Shelton read Time Extension Item “10” into record as shown below. Ms. Shelton stated this was the first request for a six-month time extension for Item “10” and Staff recommended approval of the request.

- 10 0812086-P031 (12-22000030)**
Incarcate Word Subdivision, Lot 1 (Final – 15.00 Acres)
Located west of South Staples Street (FM 2444) and south of Lipes Boulevard.

The public hearing was opened. Peggy Sumner, 211 Santa Barbara, Representative for the applicant, addressed the commission. Mr. Sumner stated the time extension was requested to allow additional time for the necessary contracts to be signed so that work can begin on the project. After a brief discussion, the public hearing was closed.

Chairman Nadkarni called for a motion. Motion to **approve** a six-month time extension for Time Extension Item “10” was made by Commissioner Hamilton and seconded by Commissioner Guerra. Motion passed with Vice Chairman Ramirez absent.

ZONING

Continued Zoning

Annika Gunning, Development Services, read Continued Zoning Item “11” into record as shown below. Ms. Gunning stated the zoning case was tabled at the December 5 and 19, 2012 meetings and the applicant’s representative submitted a letter of request to table action on the zoning case until the **March 27, 2013** meeting.

IV. PUBLIC HEARING AGENDA ITEMS – DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING ITEMS:

ZONING

Continued Zoning - Item 11 (cont.)

- 11 Case No. 1212-01 (12-1000039) – Minerva V. Muro:** A proposed change of zoning from the “RS-6” Single-Family 6 District to the “ON” Office District, resulting in a change of future land use from medium density residential to professional office.
Property described as Nemece, Block 2, Lot 5, located on the southwest corner of Nemece Street and Dodd Drive.

Ms. Gunning stated Mr. Atnip, Representative for the applicant, wanted to table the case until after final City Council action was taken on the text amendment regarding specific uses allowed under “Special Permits.” Ms. Gunning stated the first reading on the text amendment passed and the second reading is scheduled for March 19, 2013.

The public hearing was opened with no coming forward and the public hearing was closed. Chairman Nadkarni called for a motion. Motion to **approve** tabling action on Continued Zoning Item “11” until the **March 27, 2013** meeting was made by Commissioner Hamilton and seconded by Commissioner Guerra. Motion passed.

New Zoning

Ms. Gunning read New Zoning Item “12” into record as shown below. Ms. Gunning stated the subject property is located in the Southside Area Development Plan and is planned for low density residential uses. The requested zoning is consistent with the Future Land Use Plan and would be an extension to the Greenfields by the Bay Subdivision located west of the subject property. Several aerial views of the subject property were shown.

- 12 Case No. 0213-03 (13-1000004) – N.P. Homes, LLC:** A change of zoning from the “FR” Farm Rural District to the “RS-6” Single-Family 6 District, not resulting in a change of future land use.
Property described as Lot 1, Block 20, Rodd East, located along the south side of Wooldridge Road and approximately 510 feet east of Quebec Drive.

Ms. Gunning stated the purpose of the zoning change is to allow construction of a residential subdivision consisting of 41 lots. Sixty-three (63) notices were mailed to property owners within the notification area and three were mailed to owners outside the notification area. Ms. Gunning continued two notices were received in opposition and Staff recommended approval of the zoning request. After Staff’s presentation, the floor was opened for discussion and comments by commissioners. Commissioner Castillo asked if there were specific reasons the two property owners were opposed to the zoning change and Ms. Gunning stated one owner was concerned about potential drainage issues and the other owner did not want development located behind his home.

The public hearing was opened. Gary Kelly, 7329 Montreal Circle, addressed the commission. Mr. Kelly stated his lot was located on the cul-de-sac and his property drains off onto the back of his property. Mr. Kelly stated work has already begun and construction is underway before the rezoning was approved. Mr. Kelly continued his major concern is with the increased drainage issues and possible flooding. Mr. Kelly voiced concern that if the drainage issues are not handled properly, the homeowners will ultimately bear the expense.

IV. PUBLIC HEARING AGENDA ITEMS – DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING ITEMS:

ZONING

New Zoning – Item 12 (cont.)

Commissioner Hamilton asked if the developers were building the streets and Mr. Saldaña stated yes. Mr. Saldaña continued the developers were constructing them at their own risk with the intent that the project would be at 75 percent completion so the final plat can be recorded. After all discussion and comments concluded, the public hearing was closed.

Chairman Nadkarni called for a motion. Motion to **approve** a change of zoning from the "FR" Farm Rural District to the "RS-6" Single-Family 6 District was made by Commissioner Braselton and seconded by Commissioner Hamilton. Motion passed with Vice Chairman Ramirez absent.

Ms. Gunning read New Zoning Item "13" into record as shown below. Ms. Gunning stated the subject property was located in the South Central Area Development Plan and is planned for commercial uses. The requested change of zoning to "CI" Intensive Commercial District is consistent with the adopted Future Land Use Plan. Several aerial views of the subject property were shown.

- 13 Case No. 0213-04 (13-1000005) – TR Inscore, LLC:** A change of zoning from the "CR-1" Resort Commercial District to the "CI" Intensive Commercial District, not resulting in a change of future land use.
Property described as being a 0.50-acre tract of land out of Block 4, South Water Beach Addition, located on the west side of South Shoreline Boulevard between Broadway Court and Born Street.

Ms. Gunning stated the purpose of the zoning change is to allow construction of an apartment complex with no required setbacks. Ms. Gunning provided a summary of the applicant's development plan which proposed the acreage being rezoned to be extended along Shoreline Boulevard from Born Street to Broadway Court. The proposed 160-unit apartment complex will use the decreased setbacks allowed in the "CI" Intensive Commercial District. Ms. Gunning continued that if the rezoning is approved, the property will have to be re-platted to reduce the yard requirement since the existing plat shows 20 feet along South Shoreline Boulevard.

Ms. Gunning stated eight (8) notices were mailed to property owners within the notification area and two were mailed outside the area and Staff recommended approval of the requested zoning change. After Staff's presentation, the floor was opened for discussion and comments by commissioners. After a brief discussion, the public hearing was opened.

George Clower, 415 Starr Street, Representative for the buyer, addressed the commission. Mr. Clower stated he was at tonight's meeting to answer any questions commissioners might have regarding the project. There being no further discussion or comments, the public hearing was closed. Chairman Nadkarni called for a motion. Motion to **approve** a change of zoning from the "CR-1" Resort Commercial District to the "CI" Intensive Commercial District was made by Commissioner Hamilton and seconded by Commissioner Guerra. Motion passed with Vice Chairman Ramirez absent.

IV. PUBLIC HEARING AGENDA ITEMS – DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING ITEMS:

ZONING

Ordinance Amendment

- 14 Ordinance amending the South Central Area Development Plan, an Element of the Comprehensive Plan of the City of Corpus Christi, updating the goals and policies of the plan and providing new measureable strategies; updating the Future Land Use Map**

Lisa Wargo, Senior Planner, Planning and Environmental Services, addressed the commission. Ms. Wargo stated this item was presented at the previous meeting as a presentation. Ms. Wargo gave a brief recap of the updates to the plan.

Ms. Wargo stated it is the goal of City Staff and the stakeholders to provide policy statements and measurable strategies to implement and realize what the area could become within the next five to ten years. After Staff's presentation concluded, the floor was opened for comments and discussion by commissioners. Chairman Nadkarni requested Staff to remove Commissioner Gabriel Guerra as the Interim Vice Chairman and add Commissioner Philip Ramirez as Vice Chairman.

The public hearing was opened with no one coming forward and the public hearing was closed. Chairman Nadkarni called for a motion. Motion to **approve** the proposed amendments to the South Central Area Development Plan presented by Staff was made by Commissioner Rock and seconded by Commissioner Hamilton. Motion passed with Vice Chairman Ramirez absent.

Continued Text Amendment

- 15 Proposed Amendment to the Urban Transportation Plan by Removing the Proposed Extension of Williams Drive as a C-2 Collector with 65 feet of the Right-of-way, Two Lanes, a Center Turn Lane located between Ennis Joslin and Paul Jones**

Mr. Saldaña stated the applicant submitted in writing to withdraw his request to amend the Urban Transportation Plan and no commission action is required.

V. PRESENTATION ON AMENDING THE UNIFIED DEVELOPMENT CODE TO ADD THE REQUIREMENTS AND ENFORCEMENT OF MODEL SUBDIVISION RULES TO PLATS AND SUBDIVISIONS OF LANDS WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY

Mr. Saldaña gave a brief presentation on the proposed amendment. Mr. Saldaña stated the proposed amendment added requirements and enforcement of the Model Subdivision Rules for plats and subdivision of land within the Extraterritorial jurisdiction. Mr. Saldaña continued that the proposed amendment would also ensure that water and wastewater services are provided for those properties within the jurisdiction of Nueces County.

After Staff's presentation, the floor was opened for discussion and comments by commissioners. Commissioner Hamilton asked what size lots would be covered and Mr. Saldaña stated the lots can be up to 5,000 square feet, but the amendment applied to properties that were ten (10) acres or less. Mr. Saldaña stated this item would be brought back to the commission for action at the March 13, 2013 meeting.

VI. DIRECTOR'S REPORT

There were no items to report.

VII. ITEMS TO BE SCHEDULED ON THE NEXT AGENDA

Commissioner Hamilton asked if the process has been implemented that Staff was working on to expedite the platting process. Mr. Saldaña stated that the process has not been finalized, but steps have been taken which will help the process. Mr. Saldaña briefly discussed how the "minor plat" has been implemented for those plats combining lots and moving lot lines and property boundaries.

Mr. Saldaña stated Staff has been working with engineers in trying to get them to submit their construction plans at the same time as the plat. Mr. Saldaña continued that by the time the plat went the system, the public improvements would be at 75 percent completion; whereby the final plat can be recorded.

Commissioner Braselton stated that one of the problems that can be encountered with submitting plans at the front end would be the added cost of having them designed at the same time as the plat submittal. Commissioner Braselton continued that in all of the changes to the process, the cost has to also be considered. After further discussion, no action was taken.

VIII. ADJOURNMENT

There being no further business, motion to adjourn was made by Commissioner Hamilton and seconded by Commissioner Guerra. Motion passed with Vice Chairman Ramirez absent and the meeting adjourned at 6:15 p.m.



Mark E. Van Vleck, P.E., Director
Development Services Department
Secretary to Planning Commission



Date



Linda Williams
Development Services Department
Recording Secretary



Date