



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes

### Planning Commission

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Wednesday, April 20, 2016

5:30 PM

Council Chambers

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#### I. Call to Order, Roll Call

Absent - Vice Chairman Villarreal

#### II. Approval of Minutes

##### 1. [16-0451](#) Regular Meeting of April 06, 2016

Chairman Ramirez read item "1" into record as shown above. He then opened the floor for comments regarding the meeting minutes from April 06, 2016.

Rich Milby at 4412 High Ridge Drive addressed the Commission. Mr. Milby expressed his views regarding Plan CC and the first element in Agenda 21. He is in opposition of Plan CC and encourages the Commission to thoroughly examine Plan CC and reconsider its adoption.

Shirley Thorton at 1917 Woodcrest Drive addressed the Commission. She stated that she has examined and compared the 1987 Comprehensive Plan, Plan CC 2035 and Plan CC 2036 to see what has been eliminated/retained. She feels the plan from 1987 is good but much of the older content needs to be removed; Plan CC 2035 has very little substance.

Harley Moody at 14329 Caribe Street addressed the Commission regarding Plan CC and expressed his views on the issue of climate change. He feels that the issue of climate change is not man made.

Robert Sweezy at 201 North Nineteenth Street addressed the Commission regarding Plan CC. He feels that agriculture needs to be represented more in the Plan; he asked that the farming community be allowed to provide input in the planning process regarding issues such as water quality, runoff, etc.

John Tamez addressed the Commission regarding Plan CC. He feels that the 2035 plan is being presented as more of a Master Plan but it falls short of what he believes the City needs to accomplish in a Master Plan.

James McHorsch at 3825 Lynda Lee Drive addressed the Commission regarding Plan CC. He is in opposition to Plan CC and feels it will lead to more government regulations.

Laura Beleu at 10730 Atlanta Street addressed the Commission regarding Plan CC. She is in opposition to Plan CC and feels that it will lead to future problems if adopted. She also believes that it will affect constitutional rights.

Debra Williams at 25 Rock Creek Drive addressed the Commission regarding Plan CC and she is in opposition to this plan. She too feels that it will take away constitutional rights.

Heather Garcia at 6417 Coral Gables Drive addressed the Commission regarding Plan CC. Ms. Garcia feels that one of the main goals that Plan CC strives for is the quality of life. She feels the City needs to be more open to change and progress, which may be difficult for residents to accept. But, in order for the City to be more progressive and grow, these types of changes need to occur.

Susan Gugenhiem (no address provided) addressed the Commission regarding Plan CC. She is in opposition of the plan and feels that it infringes on property rights. Ms. Gugenhiem also stated that the bike lanes are not safe and buses stop too infrequently. Her only option is to drive.

A motion to approved item "1" was made by Commissioner Lippincott and seconded by Commissioner Crull. Motion passed.

### III. Public Hearing Agenda Items

#### A. Plats

##### **New Plats**

Renissa Garza Montalvo, Development Services, read items "2, 3, 4 and 5" into record as shown below. Ms. Garza Montalvo stated these plats satisfy all requirements of the Unified Development Code (UDC) and State Law; The Technical Review Committee (TRC) recommends approval.

After City Staff's presentation, Chairman Ramirez opened the floor for public comment. With no one coming forward, the public hearing was closed. A motion to approve items "2, 3, 4 and 5" was made by Commissioner Baugh and seconded by Commissioner Lippincott. Motion passed.

2. [16-0440](#)      **0316025-NP013 (16-21000011)**  
FLOUR BLUFF ESTATES, BLOCK C, LOT 19R (REPLAT - 0.397 ACRES)  
Located north of Lake Side Drive and west of Naval Air Station Drive.
3. [16-0441](#)      **0316031-NP018 (16-21000016)**  
BLUFF PORTION, BLOCK 1, LOT 5R (REPLAT- .698 ACRES)  
The subject property is located between North Upper Broadway and North Carancahua Street and south of Lipan Street.
4. [16-0442](#)      **0316022-NP011 (16-21000009)**  
BOOTY AND ALLEN'S ADDITION, BLOCK 3, LOT 11A (REPLAT - 0.58 ACRES)  
Located east of South Staples Street and north of Booty Street.

5. [16-0448](#)      **0316032-NP019 (16-21000017)**  
PADRE ISLAND NO. 1, BLOCK 14, LOT 16 (REPLAT - 1.725)  
Located west of South Padre Island Drive (Park Road 22) and north of Merida Drive.

B. **Zoning**

**New Zoning**

6. [16-0443](#)      **Case No. 0416-01 - Mandel Holdings, LLC:** A change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District on Tract 1 and to the "RS-TH" Townhouse District on Tract 2. The property to be rezoned is described as being 2.414 acres (Tract 1) and 4.097 acres (Tract 2) out of Lots 17 and 18, Section 20, Flour Bluff and Encinal Farm and Garden Tracts located along the east side of Cimarron Boulevard between Brockhampton Street and Megan Circle.

Annika Yankee, Development Services, read item "6" into record as shown above and presented several aerial views of the property. The applicant is proposing to build a neighborhood retail strip center (Tract 1) along Cimarron Boulevard with a 36 unit townhouse development (Tract 2) located behind the strip center. The proposed rezoning concept is following the guidance in the Comprehensive Plan by proposing a buffer use (medium density townhouses) between uses of higher intensity like the proposed commercial strip and future low density residential uses to the west. The rezoning, while not consistent with the Future Land Use map, it is consistent with policies in the Comprehensive Plan concerning in-fill development, commercial uses to serve neighborhood needs, etc. Ms. Yankee informed the Commission that two public notices were returned in opposition. Staff recommends approval of the change of zoning request.

After Staff's presentation, Chairman Ramirez opened the public hearing. Mariane Robert at 6334 Megan Circle addressed the Commission. Ms Robert expressed her concern regarding the amount of notices that were mailed to property owners. She brought along a petition signed by 35 homeowners in the area who oppose the change of zoning request as well. She feels that the amount of traffic will be increased as well as an increase of crime. She would like to see it remain zoned for single-family development.

Rene Castillo at 6322 Megan Circle addressed the Commission and stated he is not inside the public notification area. Mr. Castillo is in opposition of the change of zoning request and his main concern is traffic safety. The traffic has increased due to Veteran's Memorial High School and it has been very difficult when trying to exit from their neighborhood onto Cimarron Boulevard because Megan Circle only has one exit. Mr. Castillo presented his own diagram to the Commissioners detailing the inconvenience he has experienced when trying to make a left turn onto Cimarron Boulevard.

Representing the applicant, architect Terry Orf addressed the Commission and gave some background as to how this request was reached. He stated that their first intention was for a Planned Unit Development but decided Staff's recommendation for the change of zoning request was more suitable. He feels that the current proposal is community driven and the townhomes will be constructed on more of a high end spectrum. There are no intentions to construct a convenience store.

David Olds at 6321 Megan Circle addressed the Commission. Mr. Olds is also very concerned about the potential increase in traffic. He feels that the area would be better served as single-family development because there is a shortage of affordable housing.

Due to the high concern of the increase of traffic on Cimarron Boulevard, further discussion took place between Staff and Commissioners regarding traffic safety measures and to get clarification on how many more trips would occur if the change of zoning request was granted.

With no one else coming forward, Chairman Ramirez closed the public hearing. Commissioner Braselton made a motion to approve item "6" with none of the other Commissioners seconding the motion.

Commissioner Crull made a motion to deny the "CN-1" Neighborhood Commercial District on Tract 1 and, in lieu thereof, approve "RS-TH" for both Tract 1 and Tract 2, seconded by Commissioner Williams. Upon further discussion, both Commissioners Crull and Williams rescinded their motions.

Commissioner Crull made a motion to deny the change of zoning to the "CN-1" Neighborhood Commercial District on Tract 1 and deny the change of zoning to the "RS-TH" Townhouse District on Tract 2. Upon further discussion, Commissioner Crull withdrew his motion.

Terry Orf requested to table the item for six months to allow time to meet with the owner/applicant and review the site plan.

Commissioner Crull made a motion to table item "6" for six months to allow more time for Staff and the applicant to work out other zoning configuration options; public notices will be sent again. Commissioner Williams seconded, motion passed with Commissioner Braselton voting "no".

7. [16-0444](#)

**Case No. 0416-02 - The Salvation Army:** A change of zoning from the "RS-6" Single-Family 6 District to the "CG-1/SP" General Commercial District with a Special Permit for a social service use. The property to be rezoned is described as being a 2.42 acre tract of land, being all of Lots 1-16, Block 6 and a 15 foot wide alley, Bay View No. 3, located between Hancock Avenue and Buford Avenue and between 16th Street and 15th Street.

For the record, Chairman Ramirez and Commissioner Baugh abstained from voting for item "7" and left the room.

Dolores Wood, Development Services, read item "7" into record as shown above. Ms. Wood presented several aerial views of the property. Specifically, the proposed Social Service Use will be a transitional housing facility that

includes residences for families and veterans, a family service center with playground, a veterans work therapy program, and other care and training services. Ms. Wood informed the Commission that 28 public notices were mailed inside the notification area and seven notices were mailed outside the notification area; two public notices were received in opposition. Staff recommends denial of the "CG-1/SP" General Commercial District with a Special Permit and, in lieu thereof, approval of the "RS-6/SP" Single-Family 6 District with a Special Permit subject to conditions.

After Staff's presentation, Commissioner Lippincott opened the public hearing. Representing the applicant, Major Terry Ray at 6746 Central Park Drive, addressed the Commission. Major Ray explained to the Commission that the facility will be private apartments to help keep families together that have been displaced. The Center of Hope offers programs that will help families to eventually transition into their own home. Center of Hope is not a "rent-a-bed" facility. Major Ray added that the facility will have a commercial kitchen to be used only by the residents and will not be used to service transients. The apartments do not contain a kitchen since the facility has a communal dining area. It was also mentioned that the facility holds a no discrimination policy on gender/sexual orientation. The only stipulation the facility must follow due to funders' requirements, is proof of marriage. Couples have to be married and have children to reside in the apartments since the facility is specifically for families.

With no one else coming forward, Commissioner Lippincott closed the public hearing. A motion to approve item "7" was made by Commissioner Hovda and seconded by Commissioner Crull. Motion passed.

8. [16-0445](#)

**Case No. 0416-03 - Magellan Terminals Holdings, LP:** A change of zoning from the "RS-6" Single-Family 6 District, "ON" Office District and "RM-1" Multifamily 1 District to the "IL" Light Industrial District. The property to be rezoned is described as being Lots 22-26, 34-42 and 55-56, Country Club Place, located on the north side of Interstate Highway 37 between Tribble Lane and Poth Lane.

Ms. Wood read item "8" into record as shown above and presented several aerial views of the property. The subject property is vacant and the purpose of the request is to allow light industrial uses. Ms. Wood informed the Commission that 16 public notices were mailed inside the notification area and five public notices were mailed outside the notification area; zero notices were returned in opposition. The proposed rezoning deviates from the Comprehensive Plan Future Land Use Map, however, based on existing development, lack of redevelopment of the subject property and ownership patterns in the immediate vicinity, a change to the Future Land Use Map is warranted. The subject property is located in an abandoned single-family subdivision in a heavy industrial area of the City adjacent to Refinery Row. It is Staff's opinion the abandoned neighborhood should be rezoned and redeveloped to provide uses needed to support industry, meanwhile also establishing compatibility with existing uses. Staff recommends approval of the change of zoning request.

After Staff's presentation, Commissioner Lippincott opened the public hearing. Representing the applicant, Murray Bass with Bass and Welsh Engineering, addressed the Commission. He informed the Commission that they have

submitted a plat to combine the lots and intend for warehouse facilities on part of the property.

With no one else coming forward, Commissioner Lippincott closed the public hearing. A motion was made by Commissioner Crull to approve item "8" and seconded by Commissioner Braselton. Motion passed.

### Tabled Zoning

9. [16-0381](#)

**Case No. 0316-06 - Yun W. Hwang:** A change of zoning from the "RM-3" Multi-family 3 District to the "RS-TH/PUD" Townhouse District with a Planned Unit Overlay. The property to be rezoned is described as being Lot One-B (1-B), Block One (1), Padre Island No. 1, together with that portion of Estrada Drive (now closed), adjacent to said Lot One-B (1-B), Block One (1), Padre Island No. 1, located on the north side of Ambrosia Street between Scallop Street and Indigo Street.

Ms. Wood read item "9" into record as shown above. This was a tabled item from the April 06, 2016, Planning Commission meeting. The applicant proposes to construct four, adjoining two-story townhome units. Ms. Wood presented the same report from the April 6th meeting but with one change which pertains to short term rentals. The applicant does not intend to lease/rent any of the units for a period of less than thirty days. The Planned Unit Development document will be amended to reflect the deletion of short term rentals as an allowed use. Ms. Wood also provided the Commission with answers to their questions from the previous meeting. She informed the Commission that the property's current zone has remained as such since as early as 1984. The previous zoning ordinance designation at that time was "A2", which is the equivalent to "RM-3" Multifamily in the UDC; the designation of "R2" is the equivalent of "RS-TF" Two Family in the UDC. Staff recommends approval of the change of zoning request with the previous conditions that were set forth, but with the modification of the PUD to remove the allowed use of short term rentals.

After Staff's presentation, Commissioner Lippincott opened the public hearing. Representing the applicant, Johnny Perales with Texas Geotech Engineering and Land Surveying, addressed the Commission. Mr. Perales presented a plan showing four, two-story units as an example of what could be built under the current zoning. The second story would be the living quarters and below would be used for parking. He also discussed yard requirements.

Philip Magasich at 14313 Scallop Street, addressed the Commission and provided a list of petitioners who also oppose the change of zoning request. Mr. Magasich discussed his concern regarding the large amount of impervious surface space. He stated for the record that he would prefer that the Commission consider a plan with only two units instead and keep it zoned as "RM-3" Multifamily.

Maureen Hurlow at 14313 Scallop Street, addressed the Commission. Ms. Hurlow shares the same sentiments as Mr. Magasich and would prefer a plan consisting of a duplex.

Taylor Mauch with Island Architects, Architect for the project, addressed the

Commission. Mr. Mauch feels that the project is viable and the proposed plan meets what is allowed for the acreage. He also feels the property owner's have a right to build a viable project on their property.

Speaking on the property owner's behalf, Elizabeth Quigley at 15425 Salt Cay Court, addressed the Commission. She also feels that the property owner's rights will be taken away if they are not allowed to build a viable project. She believes that traffic is not an issue.

With no one else coming forward, Commissioner Lippincott closed the public hearing. A motion was made by Commissioner Hovda to approve item "9" per Staff's recommendation along with the deletion of the last sentence in condition number one regarding short term rentals. Commissioner Braselton seconded and the motion passed with Commissioner Williams and Commissioner Lippincott voting no.

#### **C. Amendment**

[16-0452](#)

##### **An Amendment to the City of Corpus Christi Wastewater Collection System Master Plan: Greenwood W.W.T.P Service Area 5.**

Dan McGinn, Development Services, read item "C" into record as shown above and gave a brief background summary of the proposal. Interim Director McGinn explained that the area to be affected is near Old Brownsville Road and North Padre Island Drive. Staff is in support of the amendment and feel it will help accelerate development in the area. He informed the Commission that the applicant is Peterson Properties and Murf Hudson with Urban Engineering will be assisting with the presentation to help with the more technical questions the Commissioners may have.

Mr. Hudson at 2725 Swantner Avenue, addressed the Commission. Mr. Hudson presented a map showing Commissioners the location of two lift stations that are currently in an agricultural area, not accessible through any available roads and have no sanitary sewer delivery. Constructing a sanitary sewer line would be very expensive and problematic in the area. The proposed amendment will be locating two new lift stations at Old Brownsville Road and West Point Road. The plan is to begin construction on the lift station at Old Brownsville Road first. The amendment also proposes four lift stations instead of two. A cost comparison was provided between the proposed four lift stations and he feels there are no significant issues.

Commissioner Crull asked Mr. Hudson several questions about the amendment. After comments and questions by Commissioners concluded, Commissioner Lippincott called for a motion. A motion to recommend to City Council item "C" as presented by Staff was made by Commissioner Braselton and seconded by Commissioner Crull. Motion passed.

#### **IV. Director's Report**

Interim Director McGinn welcomed new Commissioner Frank Hastings. He also updated the Commission on City Council actions that took place on April 19, 2016.

Ms. Yankee informed the Commission that the set date to present Plan CC is May 18, 2016. The Department is actively advertising this date as well as a media release; announcements have been made on the projects Facebook and Twitter pages. The documents that are provided to the Commissioners will also be available on the Plan CC website so that the public can view them as well. On May 4, 2016, hard copies will be provided to the Commissioners.

**V. Items to be Scheduled**

None

**VI. Adjournment**

With no further business to discuss, Commissioner Lippincott adjourned the meeting at 8:15 p.m.