



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes

### Planning Commission

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Wednesday, March 21, 2018

5:30 PM

Council Chambers

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

Chairman Villarreal called the meeting to order and a quorum was established with Commissioner Williams absent. Mr. Keith Selman, Assistant City Manager, introduced the new Director of Development Services, Nina Nixon-Mendez, to the Commission.

#### II. Approval of Minutes

1. [18-0354](#) Regular Meeting Minutes of March 07, 2018

A motion to approve item "1" was made by Commissioner Baugh and seconded by Commissioner Crull. The motion passed.

#### III. Public Hearing Agenda Items

##### A. Plats

##### New Plats

Greg Collins, Development Services, read items "2, 3, 4, 5, 6, 7, 8, 9, 10 & 11" into the record as shown below. Mr. Collins stated the plats satisfy all requirements of the Unified Development Code (UDC) and State Law; the Technical Review Committee (TRC) recommends approval.

After Staff's presentation, Chairman Villarreal opened the public hearing. With no one coming forward, the public hearing was closed. A motion to approve items "2, 3, 4, 5, 6, 7, 8, 10 & 11" was made by Commissioner Baugh and seconded by Commissioner Hovda. The motion passed. A motion to approve item "9" was made Commissioner Crull and seconded by Commissioner Hovda. The motion passed with Commissioner Baugh abstaining.

2. [18-0355](#) 18PL1003  
LA PALMERA MALL, BLOCK 1, LOTS 3A & 3B (REPLAT - 4.86 ACRES)  
Located south of McArdle Road and east of Holmes Drive.
3. [18-0356](#) 18PL1005  
GARDENDALE, BLOCK 6, LOT 14R (REPLAT - 1.36 ACRES)  
Located west of South Staples Street and north of Cain Drive.

4. [18-0357](#) 18PL1008  
W. B. RAY HEIGHTS, BLOCK 2, LOT 1 (FINAL - 0.66 ACRES)  
Located west of Carroll Lane and south of South Staples Street.
5. [18-0358](#) 18PL1017  
VISTA HERMOSA PHASE IV, BLOCK 12, LOTS 1 & 2 (FINAL - 2.00 ACRES)  
Located west of Kostoryz Road and north of Holly Road.
6. [18-0359](#) 18PL1007  
PADRE ISLAND - CORPUS CHRISTI, SECTION 2, BLOCK 76, LOTS 12A & 14A (REPLAT - 0.67 ACRES)  
Located south of Park Road 22 (SPID) and west of Aquarius Street.
7. [18-0360](#) 17PL1139  
FLOUR BLUFF ESTATES NO. 2, BLOCK 4, LOT 1A & 1B (REPLAT - 0.378 ACRE)  
Located east of Military Drive and south of Webb Street.
8. [18-0361](#) 18PL1013  
CHELSEA, BLOCK 1, LOT 1 (FINAL - 13.81 ACRES)  
Located north of Wooldridge Road and east of Rodd Field Road.
9. [18-0362](#) 18PL1018  
THIRTY SEVEN INDUSTRIAL PARK, BLOCK 1, LOTS 7A & 7B (REPLAT - 2.36 ACRES)  
Located north of Leopard Street and east of Southern Minerals Road.
10. [18-0363](#) 18PL1021  
NAVIGATION INDUSTRIAL PARK SECTION 2, BLOCK 6, LOT 8A (REPLAT - 2.29 ACRES)  
Located east of Navigation Boulevard and South of Baldwin Boulevard.
11. [18-0364](#) **18PL1000**  
COOPERDALE ADDITION, BLOCK A, LOT 1R (REPLAT - 2.86 ACRES)  
Located north of Carroll Lane and east of South Staples Street.

#### Time Extension

12. [18-0366](#) **0117006-NP005 (17PL1000)**  
ALEXA ADDITION, BLOCK 1, LOT 1 (FINAL - 2.829 ACRES)  
Located north of Ocean Drive and west of Airline Road.

Mr. Collins read item "12" into the record as shown above. He informed the Commission the plat was originally approved on April 05, 2017. The applicant is requesting a six month time extension and this is the second request. The applicant is requesting a six month time extension to complete an additional flood plain analysis/FEMA approvals, required by the City and the developer's lender, prior to obtaining permit approval and beginning construction of public improvements. Mr. Collins stated the applicant changed consultants and a proposed floodplain map revision was submitted to FEMA on February 28, 2018. The plat time extension request has been evaluated by TRC and Staff recommends approval.

After Staff's presentation, Chairman Villarreal opened the public hearing. With no one coming forward, the public hearing was closed. A motion to approve item "12" was made by Commissioner Dibble and seconded by Commissioner Schroeder. The motion passed.

**Construction Waiver/Lot & Fee Exemption Request**

13. [17-1333](#)

17PL1067

**STEPS TERMINAL, BLOCK 1, LOT 1 (FINAL - 189.15 ACRES)**

Located west of Manning Road and north of SH 44. Request for a waiver of wastewater infrastructure construction per Section 8.2.7.A of the Unified Development Code (UDC) and an exemption from the Wasterwater Lot/Acreage fees in the accordance with Section 8.5.2.G of the UDC.

Mr. Collins read item "13" into the record as shown above and presented several aerial views of the subject site. The request was previously presented to the Planning Commission on January 24, 2018 in which an alternate option was suggested to construct wastewater infrastructure along Bark Street, connecting to the nearest manhole (1,600 linear feet). An additional cost estimate was requested and a revised cost estimate has been submitted by Munoz Engineering for the Commission's consideration. The revised cost estimate for the wastewater main construction is estimated at \$933,458.61. The wastewater infrastructure construction, if required by Planning Commission, will require a Wastewater Master Plan amendment. Currently, there is no wastewater services within a reasonable distance from the subject property. Staff analysis of the request is that it meets the requirements for waiver of wastewater infrastructure construction per Section 8.2.7.A and an exemption from the Wastewater Lot/Acreage fees per Section 8.5.2.G of the UDC.

After the presentation, Staff responded to Commissioners questions. After comments/discussion by Commissioners concluded, Chairman Villarreal opened the public hearing. With no one coming forward, the public hearing was closed. A motion was made by Commissioner Baugh to approve the request for item "13" and it was seconded by Vice Chairman Lippincott. The motion passed.

B. **Zoning**

14. [18-0368](#)

**Public Hearing - Rezoning Property at or near 6665 Lipas Boulevard**

**Case No. 0218-01 - Dorsal Development, LLC:**

Ordinance rezoning property at or near 6665 Lipes Boulevard (south side of Lipes Boulevard, east of Cimarron Boulevard and west of Bronx Avenue) from the "FR" Farm Rural District to the "RM-1" Multifamily 1 District.

Andrew Dimas, Development Services, read item "14" into record as shown above. He presented several aerial views of the subject property along with the Existing and Future Land Use maps. He stated the purpose of the rezoning request is to allow for the construction of a multifamily apartment complex. He informed the Commission that zero public notices were returned in favor or opposition of the change of zoning request. He also went over the zoning patterns for the surrounding area along with UDC requirements for the change of zoning request. Staff recommends approval of the requested change of zoning.

After the presentation, Staff responded to Commissioners questions. After comments/discussion by Commissioners concluded, Chairman Villarreal opened the public hearing. Al Mostaghasi, with Al Development, addressed the Commission and submitted his public notice of opposition. He is the property owner to the east of the subject property. With his submission, opposition within the notice area is updated at 35% which makes the case controversial and will require a three quarter majority vote of approval by City Council. With no one else coming forward the public hearing was closed. A motion to approve Staff's recommendation for item "14" was made by Commissioner Baugh and seconded by Commissioner Schroeder. The motion passed.

**C. Master Plan****15. [18-0367](#) Wastewater Master Plan Amendment for the London Area**

For the record, Chairman Villarreal left the meeting after item "14".

Annika Yankee, Development Services, along with Gabriel Hinojosa from the Utilities Department, presented item "15" as shown above. The London Area Wastewater Master Plan's (Master Plan) lift station service area is located outside of the city limits in approximately the northwest corner of State Highway (SH) 286 and Farm-to-Market (FM) 43 and approximately 3,400 feet west of County Road (CR) 33 and the London Independent School District property. The purpose of this item is to amend the adopted Master Plan by increasing the diameters of the gravity lines to support more intense development.

Ms. Yankee presented a map of the current Master Plan detailing the locations of the two proposed 15-inch diameter gravity main lines. The current Master Plan assumes low density residential development to occur with limited consideration for medium and high density residential uses or commercial development. Staff believes anticipated land uses will require greater capacity in the sanitary sewer system than what the current Master Plan is designed to

handle. Therefore, Staff recommends approval of the following proposed amendments to increase the gravity main lines listed below:

- Increase west gravity line from 15-inch diameter to 18-inch diameter.
- Increase east gravity line from 15-inch to 21-inch diameter and reduce its length to approximately 100 feet.
- Increase the north-south gravity line that ties into lift station from 15-inch diameter to 24-inch diameter.

Staff also recommends approval of the following proposed amendments:

- Correct the boundaries of the lift station service area to include the J.C. Elliott Transfer Station property south of the Oso Creek.
- Delineate the east and west sub-basin boundaries to better represent the properties/land uses that will be served by each gravity line.
- Relocate the lift station approximately one-quarter mile south closer to the junction of the 30-foot deep gravity lines to reduce construction costs.

After Staff's presentation, the floor was opened for comments/discussion by Commissioners. Commissioner Crull asked if there was a change in gallons per capita, per day or the densities per unit with regard to multifamily. Mr. Hinojosa stated the changes were taken into account and the calculations justify the proposed increase in line sizes. Mr. Crull also asked if there are plans for an amendment to extend the western boundary of the subject area. Commissioner Schroeder felt the alignment of the area is arbitrarily being executed and asked if there are current policies on how the City makes a decision to provide services to these areas or if it is done on a case by case basis. Dan McGinn, Director of Planning & Environmental/Strategic Initiatives, joined the discussion to give background information on how the alignment has evolved.

After all comments/discussion concluded, Vice Chairman Lippincott opened the public hearing. Judy Teldge, 3554 Santa Fe Street, representing the Bay Area Smart Growth Initiative, addressed the Commission and expressed how she does not agree with the City's approach of "piece-meal" planning.

With no one else coming forward, the public hearing was closed and Vice Chairman Lippincott called for a motion. A motion to recommend approval for item "15" was made by Commissioner Crull and seconded by Commissioner Dibble. The motion passed with Commissioner Schroeder voting no.

#### **D. Presentation**

##### **16. [17-0633](#)**

#### **Resolution adopting City of Corpus Christi Annexation Guidelines**

Keren Costanzo, Senior City Planner, along with Mr. McGinn, presented item "16" to brief the Commission on key highlights to date. This item was originally presented to the Commission at a workshop on May 31, 2017 and at the December 13, 2017, Planning Commission meeting. Ms. Costanzo explained the new State legislation, S.B.6, Nueces County (Corpus Christi) is categorized as "Tier 1" which is classified as a population of 500,000.

Ms. Costanzo went over the process to date which began with a City Council Workshop on March 30, 2017, in which Staff was directed to work with

stakeholders to develop annexation guidelines that will work for the Corpus Christi community. Staff held a series of three stakeholder meetings between May and November of 2017. Numerous meetings with smaller groups of stakeholders and regional partner agencies were also held during this period. Staff briefed City Council on the process of developing annexation guidelines during a workshop on July 6, 2017, as well as during the City Council meeting of February 13, 2018. During the February 13, 2018 briefing, Council directed staff to bring this item back for action.

Ms. Costanzo stated that the intent of the Annexation Guidelines are to provide guidance regarding what criteria the City will consider when deliberating annexation action. The City does not have an Annexation "plan" in place that specifies what, where or when to annex. During the briefing to City Council on February 13, 2018, they directed Staff to return with an action for consideration that combines the following options:

**Option 1:**

Move forward with Council direction to Staff to prepare an application document detailing required information to be provided for annexation actions.

**Option 2:**

Move forward with Council direction to Staff to prepare a policy or guideline document detailing requested information to be provided for annexation actions.

Staff recommends approval of the Annexation Guidelines. After Staff's presentation, the floor was opened for comments/discussion by Commissioners. Commissioner Crull had the following changes/suggestions to the draft of the Annexation Guidelines/Application:

- For page 1, "Background", he suggested to delete the remainder of the second sentence: "such as police protection, fire protection and garbage collection."
- For page 4, "1.a.9" (requirements when receiving petitions for annexation), he suggested to change "And proof of ownership." to "And proof of ownership or owner consent."
- For page 5, "1 a & b", he suggested the Fiscal Impact Analysis details to indicate two stages of 10 years into the future and ultimate build-out.
- For the draft Annexation Application, he suggested to add a line item to provide a preliminary water/wastewater layout.

Commissioner Dibble expressed his opposition to the Annexation Guidelines and felt there are current procedures/plans in place that facilitate annexation. Commissioner Hovda is in favor of having a guiding document rather than an ordinance or plan that is enforceable.

After all comments/discussion concluded, Vice Chairman Lippincott opened the public hearing. Judy Teldge, 3554 Santa Fe Street, representing the Bay Area Smart Growth Initiative, addressed the Commission and expressed her support for the Annexation Guidelines.

Bill Brown at 5830 McArdle Road, Suite 201, addressed the Commission and expressed his support for the Annexation Guidelines.

With no one else coming forward, the public hearing was closed and Vice Chairman Lippincott called for a motion. A motion to recommend approval of item "16" was made by Commissioner Schroeder and seconded by Commissioner Hovda. A roll call vote took place with Commissioner Dibble and Vice Chairman Lippincott voting no. The motion passed.

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

Nina Nixon-Mendez, Director of Development Services, updated the Commission on City Council action items which occurred on March 20, 2018. The rezoning for Case 0118-01 was approved. She also mentioned a letter received via email from Richard Throop with the Corpus Christi Association of Realtors regarding a proposed Unified Development Code amendment (Section 3.3.5) that was presented at the February 21, 2018, Planning Commission meeting.

#### **V. Items to be Scheduled**

None.

#### **VI. Adjournment**

There being no further business to discuss, Vice Chairman Lippincott adjourned the meeting at 6:55 p.m.