Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

Planning Commission

Wednesday, November 2, 2016 | **5:30 PM** | **Council Chambers**

I. Call to Order, Roll Call

A quorum was established with Commissioners Baugh and Hovda absent.

II. Approval of Minutes

1. 16-1293 **Regular Meeting of October 19, 2016**

Motion to approve item "1", was made by Vice Chairman Villarreal and seconded by Commissioner Dibble. The motion passed.

III. Public Hearing Agenda Items

A. Plats

New Plats

2. 16-1291 **0616072-P034 (16-22000032)**
THE HATCH TRACT, BLOCK 2, LOTS 3, 4 & 5 (FINAL REPLAT - 14.31 ACRES)
Located south of Up River Road and east of Granada Street.

Julio Dimas, Assistant Director of Development Services, read item "2" into record as shown above. Mr. Dimas stated the plat satisfies all requirements of the Unified Development Code (UDC) and State Law; the Technical Review Committee recommends approval.

After Staff's presentation, Chairman Ramirez opened the public hearing. With no one coming forward, the public hearing was closed. A motion to approve item "2" was made by Vice Chairman Villarreal and seconded by Commissioner Williams . The motion passed.

B. Zoning

New Zoning

3. 16-1294 **Case No. 1116-01 - Scott Electric, Co.:** A change of zoning from the "RS-6" Single-Family 6 District and "RS-6/SP" Single Family 6 District with a Special Permit to the "IL" Light Industrial District. The property proposed to be rezoned is described as being four lots composed of Shoreline Park, Block 8, consisting of Southeast 40' of Lot 9; Northwest 10' of Lot 9, all Lot 10, and Southeast 20' Lot 11; West 30' Lot 11 and East 10' of Lot 12; West 43.75' of Lot 12; located on Dempsey Street between Lexington Avenue and North Port Avenue.

Laura Sheldon, Development Services, read item "3" into record as shown above. Ms. Sheldon presented several aerial views of the subject property. She stated the purpose of the rezoning request is to allow construction of a storage building. She informed the Commission that of the 31 public notices mailed with in the notification area, only one was returned in opposition.

It is Staff's opinion that the proposed rezoning would negatively impact the surrounding residential properties and the request is inconsistent with the Future Land Use Plan's designation of the property as a Medium Density Single Family Residential use. An "IL" Light Industrial District would allow uses that are not compatible with the surrounding residential subdivision and could potentially increase traffic through residential areas on Dempsey Street and Lexington Avenue, which are local residential streets. A storage building does not decrease the residential desirability of this neighborhood. This is one of the findings required per Plan CC when deciding which commercial uses to allow within residential areas. The property was previously rezoned in 2008 for a "SP" with conditions that created compatibility. It is Staff's opinion that a Special Permit with conditions could continue to work in this situation.

Staff recommendation is denial of the change of zoning from the "RS-6" Single-Family 6 District and "RS-6/SP" Single-Family 6 District with a Special Permit to the "IL" Light Industrial District, and in lieu thereof, staff recommends extending the "RS-6/SP" Single-Family 6 District with a Special Permit to all four lots subject to the following six conditions:

1. Uses: The only uses authorized by this Special Permit other than uses permitted by right in the base zoning district is the outdoor storage of company and/or employee vehicles and a storage building for parts and material of air conditioners and electrical work.

2. Lighting: All security lighting must be shielded and directed away from adjacent 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.

3. Landscape Strip: A ten (10) foot wide visual landscape strip shall be installed and maintained running parallel to, in front of, and in the distance of the

required six (6) foot standard screening fence.

4. Screening Fence: A six (6) foot standard screening fence shall be installed and maintained to provide a visual barrier between the vehicular storage yard/building and the surrounding neighborhood.

5. Hours of Operation: The hours of operation shall be the same as the business hours of operation from 7:00 AM to 5:30 PM Monday through Friday.

6. 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 concluded, Chairman Ramirez opened the public hearing. Errol Summerland with the Citizens Alliance for Fairness and Progress addressed the Commission and is also representing the Hillcrest Residents Association. He stated that they are in agreement with Staff's recommendation and feel it respects the integrity of the neighborhood. He also mentioned that he has met with the applicant on the property and expressed that Scott Electric are good neighbors.

Representing the owner, Chris Flores at 762 Chase Drive, addressed the Commission and stated that they are amenable to the conditions of the special permit.

With no one else coming forward, Chairman Ramirez closed the public hearing. A motion to approve Staff's recommendation for item "3" was made by Commissioner Dibble and seconded by Commissioner Lippincott. The motion passed.

Continued Zoning

4. 16-1248 **Case No. 1016-05 - City of Corpus Christi:** A change of zoning from the "RS-6" Single-Family District District to the "CG-2" General Commercial District. The property proposed to be rezoned is described as Mt. Vernon Subdivision Unit 3, 6.36 acres out of a 7.245 acre public park, located on the southeast corner of McArdle Road and Holmes Drive.

Mr. Dimas read item "4" into record as shown above. He presented several aerial views of the subject property. The subject property is vacant except for the Council for the Deaf Center parking lot, two Council for the Deaf Center buildings and a small park playground. South of the subject property is a residential subdivision with five single-family homes and a parking lot for La Palmera Mall. East of the subject property is a parking lot for La Palmera Mall and to the west across Holmes Drive is a residential subdivision.

Mount Vernon Park was approved in the 2014 City election as a park that could be sold. The City has received a contract from a potential buyer containing several conditions. The applicant (the Buyer) is requesting a rezoning to allow

continued use of the Council for the Deaf Center, for parking to serve the adjacent La Palmera Mall, and for business and commercial uses. The proposed rezoning is inconsistent with the adopted Plan CC Future Land Use Plan's designation of the property for High-Density Residential uses. The "CG-2" General Commercial District is designed for high intensity commercial uses that are not compatible with low density residential uses of the "RS-6" Single-Family District. Uses in the "CN-1" Neighborhood Commercial District are designed to be compatible and serve nearby neighborhood shopping needs. A portion of the subject property zoned with the "CN-1" District would help to mitigate any future negative affect from the more intensive "CG-2" General Commercial District. The Buyer has agreed to deed restrict the property from certain uses such as bars, taverns, pubs, nightclubs, discotheques and pool halls.

Mr. Dimas gave the following staff recommendation of dividing the subject property into two tracts:

Tract 1:
Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District except for that portion of the tract abutting Holmes Drive and extending to a depth of 50 feet measured from the Holmes Drive right-of-way line.

Tract 2:
Denial of the change of zoning from the "RS-6" Single-Family 6 District to the "CG-2" General Commercial District and in lieu thereof approval of the "CN-1" Neighborhood Commercial District for that portion of the property abutting Holmes Drive to a depth of 50 feet measured from the Homes Drive right-of-way line along with the following deed restrictions:

- Landscape Buffer Yard of 10 foot in width with one 2 ½" caliper tree for every 30 linear feet of buffer yard

- Building Height: Buildings along Holmes Drive shall utilize a building setback based on Section 4.2.8.C of the Unified Development Code, calculated as [(height to plate – 12') x 2], and such building setback shall be measured from the west property line/east ROW line along Holmes Drive.

- Driveways: No driveways onto Holmes Drive as long as the west side of Holmes Drive is occupied by residential uses.

- Uses: No bars, taverns, pubs, nightclubs, discotheques or pool halls are allowed on the subject property.

After Staff's presentation concluded, Chairman Ramirez opened the public hearing. Representing the applicant, John Bell at 1100 Wells Fargo Tower, addressed the Commission to clarify future development plans . He said a special permit would not have been adquate since they do not have any immediate development plans. He said that the applicant is amenble to the deed restrictions.

Celestina Ortiz at 5110 Mount Vernon Drive, addressed the Commission Ms. Ortiz had questions regarding the proposed 50 foot strip along Holmes Drive that is intended to protect the neighborhood from uses that are pemitted in the

"CG-2" General Commercial District. She mentioned that she would like signage to be restored to restrict the access of semi-trucks on Mount Vernon Drive and feels that speed humps would not be beneficial.

Leon Materanek at 4910 Andover, addressed the Commission. He is in oppostion to the rezoning request.

With no one else coming forward, Chariman Ramirez closed the public hearing. A motion to approve Staff's recommendation for item "4" was made by Commissioner Crull and seconded by Vice Chairman Villarreal. The motion passed.

C. 16-1295 Discussion and Possible Action on the 2017 Planning Commission Meeting Calendar

A motion was made by Commissioner Lippincott to cancel the regularly scheduled Planning Commission meeting of November 30, 2016. The motion was seconded by Commissioner Williams. The motion passed.

IV. Director's Report

Mr. Dimas did not have any new updates for the Commission but answered Commissioners questions regarding FEMA maps.

V. Items to be Scheduled

None.

VI. Adjournment

There being no further business to discuss, Chairman Ramirez adjourned the meeting at 6:17 p.m.