City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
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Meeting Minutes

Planning Commission

Wednesday, February 7, 2018 | **5:30 PM** | **Council Chambers**

I. Call to Order, Roll Call

Chairman Villarreal called the meeting to order and a quorum was established with Commissioner Ezell absent.

II. Approval of Minutes

1. 18-0187 Regular Meeting of January 24, 2018

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

III. Public Hearing Agenda Items

A. Plats

New Plats

Greg Collins, Development Services, read items "2, 3, 4 & 5" 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 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" was made Commissioner Baugh and seconded by Commissioner Crull. The motion passed.

2. 18-0188 **17PL1155**
BESSAR PARK, BLOCK 2, LOT 11A (REPLAT - 0.386 ACRES)
Located south of Louisiana Parkway and east of Santa Fe Street.

3. 18-0189 **17PL1151**
LAMAR PARK SUBDIVISION- SECTION 7, BLOCK 21, LOT 4R (REPLAT - 0.35 ACRES)
Located west of Santa Fe Street and north of Robert Drive.

4. 18-0190 **17PL1126**
LUXURY ESTATES PUD (REPLAT - 2.697 ACRES)
Located south of Wooldridge Road and west of Cimarron Boulevard.

5. 18-0191 **17PL1148**
RODD PLACE UNIT 3, BLK 2, LOTS 1 & 2 (FINAL - 8.52 ACRES)
Located north of Holly Road and east of Rodd Field Road.

B. Zoning

New Zoning

6. 18-0192 **Case No. 0218-02 - Puerto Los Caballeros, LLC:** A change of zoning from the "FR" Farm Rural District to the "CG-2" General Commercial District. The property to be rezoned is described as Being 39.750 Acre Tract, situated in the Mariano Lopez de Herrera Grant, Abstract No. 606, Nueces County, Texas, Located on the south side of Northwest Boulevard, east of County Road 73, and west of County Road 1889.

Andrew Dimas, Development Services, read item "6" 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 for a barbeque restaurant and possibly a craft beer pub (as stated on the submitted application). 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 the UDC requirements such as buffer yard requirements. Staff recommends approval of the requested change of zoning.

After the presentation, Staff responded to Commissioner questions then Chairman Villarreal opened the public hearing. Roy George at 5252 County Road 73, addressed the Commission. Mr. George cited noise as being his main concern since there has been some speculation amongst the nearby community regarding the possible development of a music venue on the subject property.

Amy Gibson, County Road 73 (no street number given), addressed the Commission and felt that the proposed development is not viable because many businesses in the area have a high failure rate. She also cited aesthetics and noise as concerns along with safety issues since traffic/accidents have increased on FM 624. She said that flooding also occurs.

Ron Helberg at 5296 Wagon Trail, addressed the Commission and questioned the public notification process. He said he was not one of the property owners to receive a public notice and discovered the change of zoning request by the posted sign on the property. He also cited noise, traffic and infrastructure as

concerns.

Rene Helberg at 5296 Wagon Trail, addressed the Commission and felt that the entire property (39 acres) should not be rezoned to the "CG-2" General Commercial District. She felt that development/planning in Corpus Christi and Calallen needs much improvement. She also cited noise, traffic and infrastructure as concerns.

Ryan Lohan at 4218 Rapids Drive, addressed the Commission in support of the change of zoning request and stated he is an employee of the property owner. He mentioned he is sympathetic to the community's concern regarding noise but assured that there are no intentions to develop apartments or a music venue/ampitheater. He also said that drainage should not be an issue since there is a large, box culvert under FM 624 from the property.

With no one else coming forward, the public hearing was closed. Chairman Villarreal asked Mr. Dimas to explain how the public notice process is achieved. He also asked Mr. Dimas to elaborate on how the classification of General Commercial zoning districts are determined, the differences between "CG-1" and "CG-2" General Commercial Districts and their allowed uses. Mr. Dimas stated that the zoning classification required for a large outdoor venue is "Industrial" and explained the City's noise ordinances.

Commissioner Lippincott suggested that the property be divided into two different zoning districts ("split zoning"). He felt that the portion of the property along Northwest Boulevard is only suitable for commercial development. Mr. Dimas further explained that the property is not platted and the platting process will identify how all utilities can be completed. There was further discussion how Northwest Boulevard is owned by the State (not under the purview of Corpus Christi) and how the adjacent neighbors north of the property are not within city limits.

After all comments/discussion concluded, Chairman Villarreal called for a motion. A motion to approve Staff's recommendation for item "6" was made by Commissioner Crull and seconded by Commissioner Baugh. The motion passed.

IV. Director's Report

Bill Green, Interim Director of Development Services, updated the Commission on the following items:

- North Beach Redevelopment Initiative: Open House to be held on February 15, 2018 at 221 South Hotel Place;

- The Proposed Annexation Policy will be presented at the City Council meeting of February 13, 2018;

- Zoning Case No. 1117-01 (GMG Partners, LP) will be scheduled for the Planning Commission meeting of February 21, 2018;

-The Construction Waiver/Lot & Acreage Fee Exemption request for Case No. 17PL1067 (STEPS Terminal) will be scheduled for a Planning Commission meeting as soon as Staff has reviewed the revised cost estimate and can

deem it ready for Planning Commission consideration.

V. Items to be Scheduled

None.

VI. Adjournment of Planning Commission Meeting

There being no further Planning Commission business to discuss, Chairman Villarreal adjourned the meeting at 6:23 p.m.

VII. Convene Beach Dune Committee Meeting (Planning Commission)

Chairman Villarreal called the meeting to order and a quorum was established with Commissioner Ezell absent.

C. Beachfront Construction Certificate

7. 18-0193 **Case No. BCC1117-01 - Jim Charnquist**: A request for a large-scale Beachfront Construction Certificate to construct a walkway and staircase on the property described as Lake Padre South, Block 3, Lot 1, located at the end of Whitecap Boulevard, and to be constructed upon and parallel to the existing seawall.

Andrew Dimas, Development Services, read item "7" into record as shown above. He presented several aerial views/photographs of the subject property along with a construction site detail. He stated the purpose of the request is for the construction of a concrete walkway and a wooden staircase. The proposed wooden staircase will be constructed upon/parallel to the existing seawall and terminate approximately four feet onto the public beach. All Beachfront Construction Certificates (BCC) must be forwarded to the Texas General Land Office (GLO) for their review of any potential loss of impact to public beach access. Mr. Dimas went over the comments received by the GLO which are not requirements, but the City always strives to adhere to their comments. It was noted that the project is exempt from a Dune Protection Permit since no dunes are impacted. Staff recommends approval of the Beachfront Construction Certificate.

After Staff's presentation, the floor was opened for comments/discussion by Commissioners. Discussion took place regarding shared access and an existing staircase owned by the Island House condos which is approximately 50 feet away from the subject property; a proposed ADA (American with Disabilities Act) ramp which is notated as a reference on one of the presentation slides. Commissioner Schroeder and Commissioner Crull raised concerns regarding the ADA ramp and equal accessiblity compliance.

After comments/discussion by Commissioners concluded, Chairman Villarreal opened the public hearing. Representing the applicant, Steven Skorbarcyck, Urban Engineering, at 2725 Swantner Drive, addressed the Commission to address their questions/concerns. In regards to the ADA access, he informed the Commission that he has spoken to a Registered Accessibility Specialist and they stated ADA access is not required but the staircase must meet Texas Department of Licensing & Regulation requirements; gates are not allowed on

the staircase because you cannot inhibit a pedestrian from getting on, crossing or going along the seawall. He also mentioned the applicant attempted to work on a shared access agreement for the existing staircase with Island House condominiums and could not come to an agreement.

With no one else coming forward, the public hearing was closed and Chairman Villarreal called for a motion. A motion to approve Staff's recommendation for item "7" was made by Vice Chairman Lippincott and seconded by Commissioner Hovda. The motion passed with Commissioner Crull voting "no".

VIII. Adjournment

There being no further business to discuss, Chairman Villarreal adjourned the Beach Dune Committee meeting at 6:40 p.m.