

**MINUTES**  
**REGULAR PLANNING COMMISSION MEETING**  
**City Hall Council Chambers**  
**September 26, 2012**  
**5:30 P.M.**

**COMMISSIONERS:**

A. Javier Huerta, Chairman  
Govind Nadkarni, Vice Chairman  
Mark Adame  
Fred Braselton\*\*  
Marco Castillo\*\*\*  
Gabriel Guerra  
Chris Hamilton  
Mike Lippincott\*\*\*\*  
Philip Ramirez

**\*\*Arrived at 5:38 p.m.**

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

**\*\*\*\*Arrived at 5:38 p.m.**

**STAFF:**

Mark Van Vleck, P.E., Interim Director,  
Development Services  
Sylvia Carrillo, Assistant Director,  
Development  
Services  
Pete Anaya, P.E., Planning Director  
Robert Payne, AICP, Senior Planner  
Miguel S. Saldaña, AICP, Senior  
Planner  
Annika Gunning, Project Manager  
Marcie Downing, Assistant City  
Attorney  
Jamie Pyle, P.E., Engineering  
Services  
Linda Williams, Recording Secretary

**I. CALL TO ORDER**

The meeting was called to order by Chairman Huerta at 5:33 p.m. and a quorum was declared.

**IV. PUBLIC HEARING AGENDA ITEMS – Discussion and Possible Action on the**

**Following Items:**

**B. Amendment to the Unified Development Code (UDC) (cont.)**

Mr. Payne continued that for protection of the Navy's mission and continued development of future plans through the Joint Land Use Study (JLUS), it was a high priority and has become very important to proceed with creating the two new zoning districts proposed for use under airport flight zones or next to refineries or any other area that poses a potential hazard to its adjacent uses. Mr. Payne stated the proposed Commercial and Industrial Compatible Districts would not permit any residential uses or uses that congregate large groups of people.

Mr. Payne provided a brief summary of the two districts:

- The intensity of both districts (commercial and industrial) were controlled by floor area ratio similar to the Navy AICUZ guidelines;

- Height structure limited to two stories;
- Many of the uses in the two districts were not shown as permitted uses in the Navy guidelines and the use list should be considered a compromise between what the Navy would like and what was normally allowed in the two districts; and
- The variety of uses allowed in the two districts were not unique since Staff used the City of San Antonio's use list included in their Airport Overlay District as a model.

Mr. Payne continued that as an alternative, adoption of the Navy Use Guidelines was also considered as other cities have adopted their guidelines. Mr. Payne added that in those areas where the guidelines were adopted verbatim, they were rural areas and not urban. After Mr. Payne's presentation, the floor was opened for comments by commissioners.

Commissioner Braselton asked how the map shown in the handout related to what was being proposed at tonight's meeting and Mr. Payne stated that the proposed districts were potential choices for those areas that were not developed. Commissioner Braselton asked Mr. Payne if he was referring to "retro-zoning" and Mr. Payne replied no. Mr. Payne continued that in proposing the zoning districts, it would indicate to the Navy that the City was doing something to curtail the potential threat of disaster.

Vice Chairman Nadkarni asked Mr. Payne what would be done between tonight's meeting and before the amendment was adopted and what restrictions would be in place until the amendment was adopted.

Commissioner Castillo stated the next step would be if the zoning was put in place and someone petitioned the City for a zoning change before the Planning Commission take action on this item, he felt the commission should have a legal briefing on this before the City adopts this amendment. Commissioner Castillo continued that this would add "tools" to better handle any issues or concerns that may result of this amendment. Commissioner Castillo stated he would like to request that the City sponsors these zoning applications that may come in.

Mark Van Vleck, Interim Director, Development Services, stated that based on the commissioners' comments and questions, legal staff will be requested to provide a legal brief to present at a future meeting.

Commissioner Hamilton asked if the proposed zoning districts were based on Navy guidelines and regulations and Mr. Payne stated the Navy's guidelines were much more restrictive than what Staff was proposing.

Commission Hamilton asked if implementing the proposed zoning districts would be enough to keep the Navy Base from leaving the area and Mr. Payne

stated there were no guarantees, but by implementing the zoning districts would show the Navy that the City was going in the right direction.

After all comments and discussion concluded by commissioners, the public hearing was opened.

Jason Luby, 9847 Daisy Drive, addressed the commission. Mr. Luby stated he addressed the commission at the September 12<sup>th</sup> meeting. Mr. Luby continued he was very concerned with the proposed zoning districts and the impact it would have on the land owners. Mr. Luby restated that he has a contract pending on the sale of his property and the passage of these zoning districts would hinder development. Mr. Luby continued that the proposed zoning districts would not impact a BRAC decision and what was needed was for the citizens to work more closely with the elected officials in trying to keep the bases open. Mr. Luby stated he felt the Navy was using the threat of possible base closure as a tool of threat to get the zoning districts passed. After Mr. Luby's comments, the public hearing was closed.

After a brief discussion by commissioners, Chairman Huerta called for a motion. Motion to **approve** a proposed amendment to the Corpus Christi Unified Development Code by amending Section 1.11.2 Definitions, 1.11.3 Defined Terms and adding Section 4.8 Compatible Districts and other appropriate sections was made by Commissioner Ramirez and seconded by Commissioner Hamilton.

After the motion was on the floor, Vice Chairman Nadkarni asked for clarification as to whether the approval was for the amendment to the Unified Development Code only and not placing any areas to be included and Mr. Payne stated the approval was for the amendment to the UDC. Motion passed.