



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
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## Meeting Minutes

### Planning Commission

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Wednesday, August 23, 2017

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 Dibble absent.

#### II. Approval of Minutes

1. [17-1070](#) Regular Meeting Minutes of August 09, 2017

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

#### III. Public Hearing Agenda Items - Discussion and Possible Action

##### A. Plats

##### New Plats

Ratna Pottumuthu, Development Services, read items "2, 3, 4 & 5" into record as shown below. Ms. Pottumuthu 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 item "2, 3, 4 & 5" was made by Commissioner Lippincott and seconded by Commissioner Baugh. The motion passed.

2. [17-1071](#) **17PL1051**  
GRAHAM ESTATES (PRELIMINARY - 20.00 ACRES)  
Located west of Waldron Road and south of Graham Road.

3. [17-1072](#) **17PL1030**  
ROYAL OAK SUBDIVISION (PRELIMINARY - 42.4 ACRES)  
Located south of Leopard Street and west of Rand Morgan Road (FM 2292).

4. [17-1073](#)                      **17PL1042**  
THE VILLAS PUD (FINAL REPLAT - 2.35 ACRES)  
Located on the northeast side of Granada Drive and west of Leeward Drive.
5. [17-1074](#)                      **17PL1063**  
OSO GEORGE VILLAGE UNIT 2 (FINAL - 47.58 ACRES)  
Located north of Yorktown Boulevard and west of Roscher Road.

**Wastewater Construction Waiver and Lot/Acreage Fee Exemption**

6. [17-1075](#)                      **17PL1063**  
OSO GEORGE VILLAGE UNIT 2 (FINAL - 47.58 ACRES)  
Located north of Yorktown Boulevard and west of Roscher Road.  
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.

Ms. Pottumuthu read item "6" into record as shown above. She presented an aerial overview of the subject location along with the Wastewater Collection System Master Plan - Laguna Madre Service Area 3 Map. The subject property will provide on-site sewage facilities in conformance with the regulatory agency (City-County Health Department). Currently the area does not have wastewater services within a reasonable distance and staff does not anticipate availability of service within the 15 year term. Staff recommends approval of the wastewater infrastructure waiver and wastewater lot/acreage fee exemption request.

Commissioner Crull suggested for Staff to research the cost to build the lift station, including force mains, since a master plan for this area exists. A motion was made by Commissioner Crull to table item "6" to the next regularly scheduled meeting of September 06, 2017 in order for Staff to provide the research data. Commissioner Hovda seconded and the motion passed.

**B. Zoning**

**New Zoning**

7. [17-1077](#)                      **Case No. 0617-04 - Gulfway Shopping Center:** A change of zoning from the "FR" Farm Rural District to the "RS 4.5" Single-Family 4.5 District. The property to be rezoned is described as being 27.20 acres out of Lot 5, Section 24 and Lots 21 and 28, Section 25, Flour Bluff and

Encinal Farm and Garden Tracts, located on the south side of Yorktown Boulevard, east of Rodd Field Road, and west of Starry Road.

Laura Sheldon, Development Services, read item “7” into record as shown above. She presented several aerial views of the subject property. She informed the Commission that zero public notices were returned in favor or in opposition. The proposed rezoning is compatible with the Future Land Use Map, PlanCC, and the Southside Area Development Plan (ADP). The proposed rezoning is also compatible with neighboring properties. Surrounding properties have been rezoned with a pattern towards residential development; this is a continuation of an established subdivision. Staff recommends approval of the requested change of zoning.

After Staff’s presentation, Chairman Villarreal opened the public hearing. With no one coming forward, the public hearing was closed. A motion to approve Staff’s recommendation for item “7” was made by Commissioner Baugh and seconded by Commissioner Hovda. The motion passed.

8. [17-1078](#)

**Case No. 0817-01 - Plains Capital Bank:** A change of zoning from the “IL” Light Industrial District to the “CG-1” General Commercial District. The property to be rezoned is described as Wooldridge Creek Center, Block 4, Lot 1D, located on the west side of Patton Street, south of Holly Road, and north of Wooldridge Road.

Andrew Dimas, Development Services, read item “8” into record as shown above. He presented several aerial views of the subject property along with a site plan. He stated the purpose of the rezoning request is for an alternative high school. The current multi-tenant building is occupied by a gym, a warehouse, and the proposed alternative high school (the previous occupant of the tenant space was a physician’s office). Southwest Key Programs provides alternative education through a contract with Nueces County; the program’s maximum occupancy will be 32 students. 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 pattern for the area along with UDC requirements. Staff recommends approval of the requested change of zoning as it is compatible with the Future Land Use Map, PlanCC and the Southside Area Development Plan (ADP).

After Staff’s presentation, Chairman Villarreal opened the public hearing. Jose Gracia, owner of Sunnyside Pediatrics at 5817 Patton Street, addressed the Commission. Mr. Gracia asked questions regarding the parking requirements and the vicinity of bar uses with respect to a pediatric office.

With no one else coming forward, the public hearing was closed. A motion to approve Staff’s recommendation for item “8” was made by Vice Chairman Lippincott and seconded by Commissioner Crull. The motion passed with Commissioner Hastings abstaining.

C. Text Amendment

9. [17-0780](#)

Amending Article 8, Section 8.1, subsection 8.1.6.A entitled “Acceptance

of Improvements" of the UDC by changing the duration of the materials and workmanship warranty for all private and public infrastructure improvements from one to two years from the date of final (100%) acceptance.

Ms. Pottumuthu read item "9" into record as shown above. She gave the Commission some background information to illustrate where the proposed amendment is today along with the current process. On August 17, 2017, the Building Code Board of Appeals recommended approval of a 2-year warranty with a maintenance bond.

Ms. Pottumuthu then presented the research data the Commission requested. For clarity, she defined Pavement Condition Index (PCI) which is a numerical index between 0 and 100 and is used to indicate the general condition of the pavement. Staff reviewed 32 projects containing 172 public streets constructed between 2015-2016 with a range between 49-100 PCI. The following data was collected: 156 out of 172 streets have a PCI between 85-100 (good condition), 12 out of 172 streets have a PCI between 71-84 (seal coat recommended) and 4 out of 172 streets have a PCI between 56-70 (overlay recommended). There were 32 Project Warranty inspections between 2015 - 2016. The City performed utility/street repairs on 5 streets out of the 172 public streets between 2015 - 2016. Ms. Pottumuthu also went over other municipalites and their current policies including the city of Houston, San Antonio and Gavleston.

Staff recommends revising the amendment from a one year to a two year warranty but also gave the following alternative considerations: Revise the current 1-year warranty to include a maintenance bond or revise to a 2-year warranty to include a maintenance bond. Ms. Pottumuthu also gave the definition of a "maintenance bond".

After Staff's presentation, comments and discussion took place amongst Commissioners regarding processes, maintenance bonds and inspections. After comments/discussion took place, Chairman Villarreal opened the public hearing. Bart Braselton at 5337 Yorktown addressed the Commission and expressed his opposition. He said he was not made aware of the Building Code Board of Appeals meeting that took place on August 17, 2017. He would have attended had he known. He stated that in his extensive career as a home builder he has never been called back on a warranty issue for a street so he does not understand what has caused the initiation of the proposed amendment. He does not see a problem and feels that the PCI is not a good indicator of warranty issues. He feels that proper inspection processes are the solution instead of the proposed amendment.

With no one else coming forward, the public hearing was closed. Further discussion took place amongst Commissioners regarding the research data and the alternate considerations given. A motion was made by Commissioner Crull to retain the 1-year warranty period. Commissioner Hovda seconded and all were in favor by roll call vote. The motion passed.

A motion was made by Vice Chariman Llppincott to amend Commissioner Crull's motion to add the alternate consideration of a 1-year maintenance bond with a range of 50 - 100% value of the contract. Commissioner Crull seconded

and all were in favor by roll call vote. The motion passed.

#### **D. Presentations**

##### **10. [17-0933](#) Downtown Area Development Plan**

Keren Costanzo, Planning and Environmental/Strategic Initiatives, presented item "10" as shown above. She updated the Commission on changes that have taken place since this item was last presented on July 26, 2017; revealed the poll results of the active survey. She informed the Commission that City Council requested Staff do additional work on the North Beach Redevelopment Initiative. With that direction, Staff decided to remove the appendix for the North Beach ADP and North Beach Plan 2011. Staff will bring back the North Beach ADP/North Beach Plan 2011 to the Commission at a later date for recommendation.

Ms. Costanzo explained the Vision Themes are part of the survey and approximately 64% of respondents either "somewhat agree" or "strongly agree" that they capture the community's vision for Downtown. With regard to the Downtown ADP Initiatives, 66% of respondents either "somewhat agree" or "strongly agree" that they represent the direction needed for Downtown. The Infrastructure initiative poll results revealed that 64% of respondents either "somewhat agree" or "strongly agree" that it captures the needs in the Downtown area. The survey also included a poll for the District Identities. She stated 58% either "somewhat agree" or "strongly agree" that they reflect the unique character of the downtown neighborhoods. Based on Design Guidelines, the poll revealed that 81% of respondents either "somewhat agree" or "strongly agree" that the City should adopt design guidelines for Downtown streets in the TIRZ #3 District.

Ms. Costanzo stated the next step for the Plan is City Council action sometime in September after receiving the Commission's recommendation. Commissioner Hovda recommended that the section for the Bayshore Neighborhood be renamed "Bayshore Neighborhood/The Water's Edge". Commissioner Hovda stated that much effort has been given to market The Water's Edge neighborhood for future events and festivals. Commissioner Williams praised Staff's hard work that has been put into the draft plan. Commissioner Schroeder had a comment on Design Guidelines with regard to a plan for vegetation. After discussion by Commissioners ended, Chairman Villarreal opened the public hearing.

Judy Telge, 3554 Santa Fe Street, with Bay Area Smart Growth, addressed the Commission. She is agreeable with the Plan's direction and praised the Planning Department's efforts with regard to outreach/inclusion given for community input.

With no one else coming forward, the public hearing was closed. Commissioner Hovda made a motion to approve the draft plan for item "10" and Commissioner Baugh seconded. The motion passed.

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

Bill Green Interim Director of Development Services, informed the Commission on the Stakeholder Meeting No. 3, for the proposed Annexation Policy, to be

held on September 15, 2017 on the 6th Floor Conference Room, City Hall at 9:30 a.m.

Commissiner Crull suggested that Zoning Case No.0717-01 be scheduled for the next regulary scheduled Planning Commission meeting on September 06, 2017.

**V. Items to be Scheduled**

None.

**VI. Adjournment**

There being no further business to discuss, Chairman Villarreal adjourned the meeting at 7:00 p.m.