



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes City Council

Tuesday, March 4, 2014

5:00 PM

Council Chambers

SPECIAL COUNCIL MEETING

Public Notice - - THE USE OF CELLULAR PHONES AND SOUND ACTIVATED PAGERS ARE PROHIBITED IN THE CITY COUNCIL CHAMBERS DURING MEETINGS OF THE CITY COUNCIL.

A. Mayor Nelda Martinez to call the meeting to order.

Mayor Martinez called the meeting to order.

B. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.

City Secretary Rebecca Huerta called the roll and stated that a quorum of the Council and required Charter Officers were present to conduct the meeting. City Secretary Huerta announced that Mayor Pro Tem Priscilla Leal has been granted a leave of absence per Motion No. 2014-016.

Charter Officers:

City Manager Ron Olson, Interim City Attorney Barney Knight, and City Secretary Rebecca Huerta.

Present: 6 - Council Member Kelley Allen, Council Member David Loeb, Mayor Nelda Martinez, Council Member Colleen McIntyre, Council Member Lillian Riojas, and Council Member Rudy Garza

Absent: 3 - Council Member Priscilla Leal, Council Member Mark Scott, and Council Member Chad Magill

C. EXPLANATION OF COUNCIL ACTION:

D. REGULAR AGENDA:

1. Emergency Ordinance - Rezoning from the "RS-6" Single-Family 6 District and the "CN-2" Neighborhood Commercial District to the "CG-2" General Commercial District, on property located at 5429-5505 Cain Drive, 5633 South Staples Street and 5502-5506 Holly Road.

Case 1113-02 Old Lipan Limited: A rezoning from the "RS-6" Single-Family 6 District and the "CN-2" Neighborhood Commercial District to the "CG-2" General Commercial District, resulting in a change to the Future Land Use Plan from low-density residential uses

to commercial uses. The property to be rezoned is described as Lots 4, 5B, 6, 7A, 13, and the west half of Lot 5, Block 10, Gardendale Subdivision, located on Holly Road and Cain Drive, approximately 400 feet west of South Staples Street.

Staff Recommendation: Denial of the rezoning to the "CG-2" General Commercial District and denial of a Special Permit to allow a mini-storage facility.

Planning Commission Recommendation (January 29, 2014): Denial of the "CG-2" General Commercial District and denial of a Special Permit for a mini-storage facility as a result of a split vote.

Ordinance

Ordinance amending the Unified Development Code ("UDC"), upon application by Old Lipan Limited ("Owner"), by changing the UDC Zoning Map in reference to Lots 4, 5B, 6, 7A, 13, and the west half of Lot 5, Block 10, Gardendale Subdivision, by granting a Special Permit for a mini-storage facility; amending the Comprehensive Plan to account for any deviations; providing for a repealer clause and publication; and declaring an emergency.

Mayor Martinez referred to Item 1. Mayor Martinez announced that she would be abstaining on this item and asked Council Member McIntyre to preside over the meeting. Annika Gunning with Development Services stated that the purpose of this item is to consider a request from Old Lipan Limited to rezone the subject property from the "RS-6" Single-Family 6 District and "CN-2" Neighborhood Commercial District to the "CG-2" General Commercial District in the Gardendale Subdivision. Ms. Gunning reported that this zoning change was tabled last week to allow the developer to receive feedback from the neighborhood and the meeting took place on Saturday. Ms. Gunning added that the neighbors do remain opposed to the mini-storage use and any possible Special Permit. Ms. Gunning said that if the Council would like to consider a Special Permit, an alternative ordinance with development conditions has been presented by staff with the neighbors input incorporated. Ms. Gunning stated that the Council has three options to consider: 1) approve the "CG-2" General Commercial District as requested by the applicant; 2) to deny the General Commercial District; or 3) approve the Special Permit for the mini-storage use subject to the development conditions. Ms. Gunning added that approving any of the options would require a favorable vote by all of the Council members present.

Council Member McIntyre called for comments from the public. Bill Durrill, developer, stated that he met with the neighborhood and he believes that the group came to a favorable agreement. Mr. Durrill said he has agreed to meet with the residents again to show the renderings and construction plans for the project in a good faith effort. Rudy Medina, Delores Silguero, Lorenzo Gomez, and Tiburcio Soto spoke in opposition to the zoning change. Council members spoke regarding the following topics: the reason Council Members requested the meeting between the developer and the neighborhood prior to the vote; the freeze on taxes for 65 years or older; the types of business allowed in the General Commercial District and traffic flow.

Council Member Loeb made a motion to amend the ordinance and grant the Special Permit to include the residents' amendments, seconded by Council Member Garza. The foregoing motion was passed and approved with the following vote: Allen, Garza, Loeb, McIntyre, and Riojas, voting "Aye"; Martinez abstained; Leal, Magill and Scott were absent. This Ordinance was passed on emergency as amended and approved with the following vote:

Aye: 5 - Council Member Allen, Council Member Loeb, Council Member McIntyre, Council Member Riojas and Council Member Garza

Absent: 3 - Council Member Leal, Council Member Scott and Council Member Magill

Abstained: 1 - Mayor Martinez

Enactment No: 030109

E. ADJOURNMENT

The meeting was adjourned at 5:30 p.m.