



Corpus Christi

1201 Leopard Street
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Meeting Minutes

Planning Commission

Wednesday, May 17, 2017

5:30 PM

Council Chambers

I. Call to Order, Roll Call

Chairman Villarreal called the meeting to order and a quorum was established with no absences.

II. Approval of Minutes

1. [17-0621](#) Regular Meeting Minutes of May 03, 2017

A motion to approve item "1" was made by Commissioner Dibble 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" 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 items "2 & 3" was made Commissioner Baugh and seconded by Commissioner Dibble. The motion passed.

2. [17-0622](#) **16PL1029** JOHNSON-GRINNAGE ADDITION, BLOCK 1, LOTS 1, 2 & 3 (PRELIMINARY - 1.18 ACRES)

Located west of South Staples Street and north of Morgan Avenue.

3. [17-0623](#) **17PL1016** STEPS TERMINAL, BLOCK 1, LOTS 1 & 2 (PRELIMINARY - 189.15 ACRES)

Located west of Manning Road and north of SH 44.

Time Extensions

4. [17-0624](#) **0916116-NP073 (16-21000043)**
LEXINGTON CENTER UNIT 2, BLOCK 1, LOT 1 (FINAL - 2.27 ACRES)
Located between SH 286 and Ayers Street and north of Holly Road.
Ms. Pottumuthu read item "4" into record as shown above. She informed the Commission the plat was originally approved on October 19, 2016. This is the first time extension request for the project and the applicant is requesting a six month time extension. The owner and the City are actively working on finalizing a deferment agreement for the required public improvements associated with the plat of the subject property.
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 "4" was made by Commissioner Baugh and seconded by Commissioner Crull. The motion passed.
5. [17-0625](#) **0715091-P020 (15-22000025)**
OLIVER'S ESTATE UNIT 1 (FINAL - 8.510 ACRES)
Located south of Yorktown Boulevard and east of Northwind Drive.
Ms. Pottumuthu read item "5" into record as shown above. She informed the Commission the plat was originally approved on on March 23, 2016. This is the second extension request for the project. The applicant is requesting a six month time extension because of the design issues involved with the public improvements. The public improvements were approved on April 07, 2017 and the bids are being requested for construction. The plat extension will allow the public improvements to be built per the approved plans and record the final plat.
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 "5" was made by Commissioner Crull and seconded by Vice Chairman Lippincott. The motion passed.

B. ZoningContinued Zoning

6. [17-0501](#) **Case No. 0317-07 - Mohammed Motaghi:** A change of zoning from the "RS-6/SP" Single-Family 6 District with a Special Permit to the "CN-1" Neighborhood Commercial District. The property to be rezoned is described as a 7.05 acre tract of land out of the replat of the Edwin E. Connor Tract, as recorded in Volume 40, Page 95, of the map records of Nueces County, Texas, located along the east side of Weber Road, south of Gollihar Road, and north of McArdle Road.
Andrew Dimas, Development Services, read item "6" into record as shown above. He stated the case was originally brought to the Planning Commission

at the April 19, 2017 meeting and was tabled for the purposes of creating language for a Special Permit. The subject property is the site of the former Physicians & Surgeons Hospital. The adjacent single-family homes to the north and south are buffered by at least 40 foot wide drive aisles surrounding the former hospital building and a six foot masonry wall in good condition. An adjacent portion of the property is a former sanitary landfill which the applicant is not developing at this time. Mr. Dimas informed the Commission that zero public notices were returned in favor of the change of zoning request and two notices were returned in opposition. He also informed the Commission that one of the notices returned in opposition was retracted due to confusion about which property was being rezoned. Staff recommends denial of the requested change of zoning, and in lieu thereof, approval of the "RS-6/SP" Neighborhood Commercial District with a Special Permit (SP) with the following conditions:

1. **Uses:** The only uses allowed on the Property other than uses permitted in the base zoning districts are retail, professional offices, restaurants, and ninety-one (91) multifamily units.
2. **Building:** No expansion of the building shall be allowed for the purposes of multifamily uses.
3. **Lighting:** All security lighting must be shielded and directed away from abutting 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.
4. **Buffer Area:** The buffer area is defined as the area between the existing building and the single-family residences with a masonry wall to the north and south of the property. The existing separation between the building and six (6) foot masonry wall shall be maintained. No expansion of the building into this area shall be allowed. The property owner shall maintain and keep the existing six (6) foot masonry wall in good condition. No parking shall be allowed in the buffer area.
5. **Dumpsters:** Dumpsters shall not be located in the buffer area as described in Condition #4.
6. **Signage:** All existing signs along Weber Road will be allowed to remain. No additional signage for the purposes of advertisement shall be allowed.
7. **Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, and Building and Fire Code Requirements.
8. **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, the floor was opened for comments/discussion by Commissioners. The questions consisted of parking and lighting requirements and clarification regarding overnight accommodations.

There being no further questions/comments, Chairman Villarreal opened the public hearing. Representing the applicant, Michael Gunning at 738 Crestview, addressed the Commission and gave a summary of the project. He stated the applicant is willing to accept the conditions of the Special Permit if the Planning Commission approves Staff recommendation but prefers the requested change of zoning to the "CN-1" Neighborhood Commercial District.

With no one else coming forward the public hearing was closed. A motion to approve Staff's recommendation for item "6" was made by Commissioner Crull and seconded by Commissioner Dibble. The motion passed

New Zoning

7. [17-0626](#)

Case No. 0517-01 - Yarborough Ranches, LP: A change of zoning from the "CG-2" General Commercial District and "RM-3" Multifamily 3 District to the "IL" Light Industrial District and "CG-2" General Commercial District. The property to be rezoned is described as 402 N. Padres Island Drive, Tract 1 being a 22.47-acre tract of land out of J.C. Russell Farm Blocks, Block 4, Lots 1 and 2, as shown on a map recorded in Volume 28, Pages 58-59, Map Records of Nueces County, Texas, and Tract 2 being a 3.10-acre tract out of J.C. Russell Farm Blocks, Block 4, Lot 2, as shown on a map recorded in Volume 28, Pages 58-59, Map Records of Nueces County, Texas, located on the west side of Flato Road between Bates Road and Bear Lane.

Laura Sheldon, Development Services, read item "7" into record as shown above. She presented several aerial views of the subject property. She stated the purpose of the rezoning request is to allow for the construction of office space in the General Commercial District and a light industrial park in the Light Industrial District. Ms. Sheldon stated that from the frontage of Flato Road there is a 215-foot commercial to industrial transition that protects the abutting use of West Oso High School. She informed the Commission that zero public notices were returned in favor of the change of zoning request and zero notices were returned in opposition. Staff recommends approval of the requested change of zoning.

After Staff's presentation, Chairman Villarreal opened the public hearing. Representing the developer, Craig Thompson with Hanson Professional Services, addressed the Commission and stated that there are no current plans to have an entrance on Flato Road. With no one else coming forward the public hearing was closed. A motion to approve Staff's recommendation for item "7" was made by Vice Chairman Lippincott and seconded by Commissioner Baugh. The motion passed.

8. [17-0627](#)

Case No. 0517-02 - IDV, NPID, LLC: A change of zoning from the "RM-3" Multifamily 3 District to the "CG-2" General Commercial District. The property to be rezoned is described as 901 Flato Road, a 2.84-acre tract of land out of J.C. Russell Farm Blocks, Block 4, Lot 2, as shown on a map recorded in Volume 28, Pages 58-59, Map Records of Nueces County, Texas, located on the west side of Flato Road between Bates Road and Bear Lane.

Ms. Sheldon read item "8" into record as shown above. She informed the Commission that this case is related to the previous zoning item "7" which is located to the south of the property. She stated the purpose of the rezoning request is to allow for the construction of offices in the General Commercial District. She informed the Commission that zero public notices were returned in favor of the change of zoning request and zero notices were returned in opposition. 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 "8" was made by Commissioner Dibble and seconded by Commissioner Hastings. The motion passed.

9. [17-0628](#)

Case No. 0517-03 - Magellan Terminal Holdings, LP: A change of zoning from the "CG-1" General Commercial District to the "IH" Heavy Industrial District. The property to be rezoned is described as Webb Tract Port View 101.58 acres, located along the west side of Poth Lane, south of Tribble Lane, and north of Interstate 37.

Andrew Dimas read item "9" into record as shown above. he stated the purpose of the rezoning request is to allow for wholesale storage tanks for petroleum products. The storage tanks on-site have existed in their current size and configuration since at least 1985. Based on aerial photos, storage tanks have existed on-site since at least 1956. The area within where the Subject Property is located was annexed in 1995 and zoned "CG-1" General Commercial District (Formerly B-3). The "CG-1" District was granted due to the adjacency of the single-family homes of Country Club Place. The properties that constitute the single-family home to the south were annexed in 1954. The purpose of the "CG-1" District was to create a zoning buffer/transition area and prevent the expansion of above ground tanks due to the threat of potential ground contamination and its effects on the adjacent residences. At the time, it was mentioned that the tanks would be removed over time. However, operations have not ceased and the adjacent single-family homes no longer exist. According to the Texas Railroad Commission, there are existing pipelines that convey pressurized liquid combustibles that border and cross through the Subject Property. Pipelines also cross the adjacent properties to the south. There are remaining adjacent properties to the south that retain the "RS-6" Single-Family 6 District. These properties consist of former single-family homes that have slowly vacated the area over time since the early 1990s. Today, no single-family homes remain. Additionally, as mentioned above, there are pressurized pipelines that cross through these properties, therefore no single-family homes will return. However, due to the "RS-6" District properties, buffer yards will be required. The Subject Property has an existing berm of earth/concrete of approximately 12-15 feet in height. The berm will be extended if and when additional fuel storage tanks are located on-site.

Mr. Dimas informed the Commission that zero public notices were returned in favor of the change of zoning request and zero notices were returned in opposition. 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 "9" was made by Commissioner Crull and seconded by Commissioner Dibble. The motion passed with Commissioner Baugh abstaining.

10. [17-0629](#) **Case No. 0517-04 - MPM Development, LP:** A change of zoning from the "RS-6" Single-Family 6 District to the "RS-4.5" Single-Family 4.5 District. The property to be rezoned is described as Roberts Tract 2.064 acres out of Lots 3, 6, 11, 14 and 15 also known as Tract 1F, Roberts Tract 31.119 acres out of Lots 3, 6, and 11, and Roberts Tract 6.517 acres out of Lots 3, 6, 11, and 14, located along the west side of Rand Morgan Road, south of Leopard Street, and north of Oregon Trail.

Andrew Dimas read item "10" into record as shown above. He presented several aerial views of the subject property. He stated the subject property is proposed to be subdivided into 167 lots for single-family homes. He informed the Commission that one public notice was returned in favor of the change of zoning request and zero notices were returned in opposition. 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 "10" was made by Commissioner Crull and seconded by Commissioner Baugh. The motion passed

C. Amendment to the Comprehensive Plan

11. [17-0507](#) An Amendment to the Urban Transportation Plan deleting Bronx Drive located between Master Channel 31 Ditch and Yorktown Boulevard
- The Commission was informed that it was requested to table item "11". A motion was made by Vice Chairman Lippincott to table item "11" to the June 14, 2017, Planning Commission meeting. The motion was seconded by Commissioner Crull and the motion passed.

D. Unified Development Code Text Amendment

12. [17-0637](#) Section 8.1.6 Acceptance of Improvements

Julio Dimas, Interim Director of Development Services, presented item "12". He informed the Commission that during the April 27, 2017 City Council Workshop on New Residential Street Construction, City Council gave a motion of direction to change the Public Improvements warranty period from one year to two years from the date of acceptance. The reason behind the change was to provide the City with longer assurance that if a new street fails, the developer would handle repairs as needed. City Council is also concerned with heavy equipment/trucks being used on brand new streets when the process of plats and residential development is being done in phases. Additionally, the proposed amendment would bring forth changes limiting plat extension requests. The topic of discussion also involved increasing design standards and whether the amendment would place an undue burden on developers.

After Staff's presentation, Chairman Villarreal opened the public hearing. With no one coming forward, the public hearing was closed. For item "12", a motion was made by Commissioner Crull for a recommendation of approval to City Council. Commissioner Baugh seconded and a roll call vote took place. The motion passed with Commissioner Dibble voting "no".

IV. Presentation**13. [17-0633](#) Proposed Annexation Policy**

The Commission was informed that it was requested to table item "13". A motion was made by Commissioner Baugh to table item "13" to the May 31, 2017, Planning Commission Workshop. The motion was seconded by Vice Chairman Lippincott and the motion passed.

V. Director's Report

Julio Dimas made an announcement for another stakeholder meeting regarding the Proposed Annexation Policy for June 1, 2017 at 9:30 a.m.

VI. Items to be Scheduled

None.

VII. Adjournment

There being no further business to discuss, Chairman Villarreal adjourned the meeting at 6:55 p.m.