

Meeting Minutes - Final

Planning Commission

- Wednesday, May 14, 2025	5:30 PM	Council Chambers
Weanesday, may 14, 2020	0.001 m	Council Chambers

I. Call to Order, Roll Call

Vice Chairman Salazar-Garza called the meeting to order at 5:30 pm. A quorum was present to conduct the meeting with Commissioner Mandel and Chairman York absent.

II. The Planning Commission will recess to convene the Beach Dune Committee meeting. After the adjournment of the Beach Dune Committee, the Planning Commission meeting will resume.

III. Convene Beach Dune Committee (Planning Commission)

At 5:31pm Vice Chairman Salazar-Garza called recess of Planning Commission meeting to convene the Beach Dune Committee meeting.

IV. Call to Order, Roll Call

Vice Chairman Salazar-Garza called the meeting to order. A quorum was present to conduct the meeting with Commissioner Mandel and Chairman York absent.

V. PUBLIC COMMENT: NONE

VI. Approval of Absences: Commissioner Munoz

Commissioner Hedrick made a motion to approve the absence of Commissioner Munoz. Commissioner Teichelman seconded. Vote: All Aye. Motion passes.

VII. Approval of Beach Dune Committee Minutes: 4.30.2025 DRAFT Meeting Minutes

Commissioner Miller made a motion to approve the April 30, 2025, meeting minutes. Commissioner Hedrick seconded. Vote: All Aye. Motion passes.

1. <u>25-0706</u> Beach Dune Committee Meeting Minutes DRAFT 4.30.2025

Attachments: 4-30-25 Beach Dune Committee Minutes

VIII. Consent Public Hearing Discussion and Possible Action (Item A)

A. Public Hearing-Beach Front Construction Certificate for a property located at or near 6961 State Highway 361

Vice Chairman Salazar-Garza opened consent public hearing for Item A. Elena Buentello, Development Services, read into record Item A.

Item A meets approval from Nueces County because it's seaward of the dune protection and it comes before you today because it's seaward of the beachfront construction line. It also comes before you today because it's seaward of the erosion area line and 200 feet of the vegetation line.

In determining whether to issue or deny the proposed BCC, staff reviewed and considered the following:

1. Compliance with all aspects of the City's beach access and erosion response regulations

2. Impacts on access to public beaches, off-beach parking, or the size of the public beach due to erosion

3. Impacts on the natural drainage patterns of the site and adjacent property

4. Whether all practicable alternatives to the proposed activity, proposed site, or proposed methods of construction have been considered

5. Any material change between the County No Dune Permit Required Determination and this application

Staff recommends approval.

Vice Chairman Salazar-Garza asked if any commissioners had any questions for staff. None. She opened for public comment. There being none, Vice Chairman Salazar-Garza closed the public hearing.

Commissioner Miller made a motion to approve item A as presented by staff. Commissioner Hedrick seconded. Vote: All Aye. Motion passes.

 <u>25-0726</u> Case No. BD8646, Infra Tech Ventures, LLC. Request for a Beachfront Construction Certificate (Large-Scale) for proposed mitigation activities on a property located at or near 6961 State Highway 361 and described as 11.82 acres out of Mustang Island Sec 2, Block 1, Lot 52. (Staff recommends approval).

 Attachments:
 BD8646 BCC Report - Infratech Mustang Island Attachments V2

 BD8646 PC Presentation - Infratech Mustang Island

IX. Director's Report:NONE

X. Future Agenda Items:NONE

XI. Adjournment of Beach Dune Committee

Adjournment of Beach Dune Committee Meeting at 5:37 pm.

XII. Reconvene Planning Commission Meeting

Reconvened Planning Commission Meeting at 5:37pm

XIII. PUBLIC COMMENT: NONE

XIV. Approval of Absences: Commissioner Munoz

Commissioner Hedrick made a motion to approve the absence of Commissioner Munoz. Commissioner Teichelman seconded. Vote: All Aye. Motion passes.

XV. Approval of Minutes-4.30.2025 DRAFT Meeting Minutes

Commissioner Miller made a motion to approve the April 30, 2025, meeting minutes. Commissioner Budd seconded. Vote: All Aye. Motion passes.

3. <u>25-0705</u> Planning Commission Meeting Minutes DRAFT 4.30.2025

Attachments: 4-30-25 PC Meeting Minutes Draft

XVI. Consent Public Hearing: Discussion and Possible Action

Vice Chairman Salazar-Garza opened consent public hearing for items 4,5,6,7, and 8.

Andrew Dimas, Development Services, read into record items 4,5, and 6. He also read into record item number 7 and 8, which are time extensions. Items 4,5,6,7, and 8 satisfy the requirements of the Unified Development Code (UDC)/State Law, and the Technical Review Committee. Staff recommends approval.

Vice Chairman Salazar-Garza asked if any commissioners had any questions for staff. Commissioner Hedricks asked why item #5 had to be a PUD. Andrew Dimas stated the PUD gives flexibility when the subdivision begins making alterations regarding setbacks, rights of way, and etc.

Vice Chairman Salazar-Garza opened for public comment. There being none, Vice Chairman Salazar-Garza closed the public

Commissioner Munoz made a motion to approve items listed in B and C. as presented by staff. Commissioner Budd seconded. Vote: All Aye. Motion passes.

B. <u>Plats</u>

4.

25-0694 PL8625 Flour Bluff Heights Block 4 Lot 14R (Final of 0.29 Acres) Located: South of Skipper Lane and west of Marzabacher Ave.

<u>Attachments:</u> <u>PL8625CoverTabFinal</u> PL8625ClosedCommentsReport

PL8625LatestPlat

5. <u>25-0707</u> PL8633 <u>Heritage Crossing Planned Unit Development</u> (Replat of 6.50 Acres) Located: South of Kleberg Ave, and east of Cimarron Blvd.

 Attachments:
 PL8633CoverTabHertiageCrossingPUD

 PL8633ClosedCommentReport
 PL8633HertiageCrossingPUDPlat

6. <u>25-0718</u> PL8542

Corpus Christi Holly Addition (Preliminary Plat of 1.14 acres)

Located: Southwest corner of Holly Road and Rodd Field Road

 Attachments:
 PL8542 Text Tab (002)

 Application No. PL8542 COMMENTS

 PL8542 Preliminary Plat

C. Plat Extension

 25-0693 22PL1146- 3rd Request for a 12 Month Extension.
 Bridges Mill Village Unit 3 (Final Plat of 12.906 Acres) Located: North of Saratoga Blvd. and east of Kostoryz, to the north of the high school

 Attachments:
 22PL1146CoverTxt12Monthextension

 22PL1146Approved plat 11-16-22
 22PL1146PlatextRequest3

 25-0696 22PL1091- 4th Request for a 12 Month Extension.
 Schanen Estates West Unit 13 (Final Plat of 10.006 Acres) Located: Norchester St and Glenway Dr.

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 Attachments:
 22PL1091Cover Txt Tab-Time Ext12month

 22PL1091RequestforTimeextension
 Schanen Estates Unit 13-Approved (1)

XVII. Public Hearing: Discussion and Possible Action

D. Plat with Variance (Waiver)

Bria Whitmire, Development Services, read into record item 9. Item 9 satisfies the requirements of the Unified Development Code (UDC)/State Law, and the Technical Review Committee.

UDC Sections 8.1.4 and 8.2.1 require construction of streets as part of the platting process.

8.2.1.F. Half Streets

Half streets shall be prohibited except when the Planning Commission may approve a plat containing half streets if it finds that it is essential to the reasonable development of the subdivision, lot, or lots in conformity with the other requirements of these regulations, that a half street is necessary for a reasonable and orderly street system, and that it will be practical to require the dedication of the other half when the adjoining property is platted.

Half streets and related infrastructure, including but not limited to, water, wastewater and storm water drainage infrastructure, shall contain a minimum of two travel lanes and be constructed in accordance with the construction standards contained in this Unified Development Code and the Urban Transportation Plan.

Section 3.8.3.D of the UDC provides factors to consider plat waivers, and states that the need for the waiver shall be demonstrated to the Planning Commission's satisfaction. The waiver may be approved, approved with conditions, or denied, after consideration of the following factors:

1. The granting of the waiver shall not be detrimental to the public health, safety or general welfare, or be injurious to other property in the area, or to the City in administering this Unified Code;

2. The conditions that create the need for the waiver shall not generally apply to other property in the vicinity;

3. Application of a provision of this Unified Development Code will render subdivision of land unfeasible; or

4. The granting of the waiver would not substantially conflict with the Comprehensive Plan and the purposes of the Unified Development Code.

Factors in support of waiver:

1. The deviation would allow half-street construction of County Road 43 which is currently a dirt road.

2. Proposed County Road 43 will meet the requirements described in UDC Section 8.2.1F, "Half Street."

3. The layout of the subdivision using this A2 Arterial street is essential to the reasonable development of the subdivision. Factors against waiver:

1. County Road 43 is an A2 Arterial street in the current Urban Transportation Plan (UTP).

2. Half streets may cause access issues for emergency vehicles and Solid Waste operations

Staff recommends approval of the waiver request for the half street construction of County Road 43.

Planning Commission may choose to follow or decline Staff's recommendation, and Planning Commission may approve, approve with conditions, or deny the waiver request.

Vice Chairman Salazar-Garza asked if any commissioners had any questions for staff. Commissioner Miller states if this subdivision comes online, this road would be a primary means of access to the subdivision. Bria Whitmire confirms. Commissioner Miller states there is precedent that states the developer must construct the entire road rather than just the half street and possibly be reimbursed in the long-term future. And rew Dimas states that the half street is what the UDC requires and if that gets constructed it will meet the requirements of an aerial street. Commissioner Miller's main concern is what happens if the half street is built and the development of the west side of King's Lake does not get constructed as quickly as predicted, Andrew Dimas states some construction (Caspian & King's Lake) has halted due to the output the wastewater station is running on currently. Bria Whitmire stated there are bids out for CIP in order to get the lift station running at a higher capacity to keep up with the ongoing development. Andrew Dimas again stated the UDC did not a term for perimeter roads. The UDC only states the developer must build roads as construction develops and cannot wait till the project is done to complete the aerial street. This is way roads are to be constructed in the first phase of the project. Commissioner Cantu pointed out again the if the developer builds the whole street can they be reimbursed the cost. Andrew Dimas stated there are fees in lieu of construction under special circumstances but those fees sit in escrow until a bond project comes in which could possibly be up to 10 years from now due to a specific timeframe not being attached. Commissioner Hedrick asked if there was a TIA done. Bria Whitmire stated yes which Public Works had reviewed and was making possible amendments to. Commissioner Hedricks states that county road 22 is the only point of access for

emergency vehicles and that Fire would disapprove. Bria Whitmire stated since this is just a preliminary plat, Fire will still need to review and approve. Commissioner Hedricks stated if the prelim plat is approved and this sets a precedent for what is to come from for other developments.Vice Chairman Salazar-Garza states she is concerned that we have an upward of 500 new developments with improper infrastructure. Commissioner Hedricks states the first developer out there should be the one to undertake construction of the roads to provide access. Commissioner Salazar-Garza states is there an alternative that the developer could do. Bria Whitmire stated if they build full width of the road they would have to dedicate the full right of way. Commissioner Salazar-Garza states if there are any other questions for staff. Vice Chairman Salazar-Garza opened for public comment. There being none, Vice Chairman Salazar-Garza closed the public and asked for a potential motion if not further discussion. Commissioner Miller states he is conflicted due to safety being a key component when making decisions on matters like this. He stated it is not fair that the adjacent property owners are getting the benefit to the first developers out there. Commissioner Tiechelman asked if there had been another situation like this one where a half build has been rejected. Andrew Dimas stated not that he could recall in recent history. Commissioner Tiechelman states if the half build is rejected, this could potentially stop development and that is not a good thing. He wants to know if something can be put into place to prevent ongoing issues like this. Vice Chairman Salazar-Garza opens public comment again for Bo Wisehart-Consultant with Pape-Dawson Engineers. He states the developer is requesting half of an A2. He states the road is going to be a full aerial pavement section for the half street waiver request. He states this first step on the development and is aware the secondary access which will be honored as the development process along with fire code and administered with the PI plans. He states the half street waiver is only for the border of the development. States is what is required by the UDC and what has been done in the past. Commissioner Miller asked DSD staff if this waiver had to be submitted at this time. City Attorney Buck Brice stated they are typically submitted with the final plat. Bria Whitmire stated that once the CIP is placed into effect the design for both King's Lake and the adjoining property will start to fall into place. Commissioner Miller stated if PC denies the waiver, then the plat would have to be denied also. Bria Whitmire stated the half street waiver and the plat could be voted on differently since they were presented separately. Commissioner Cantu and Vice Chairman Salazar-Garza stated the additional information provide by Bo Wisehart-Consultant with Pape-Dawson Engineer was extremely helpful regarding the waiver. Vice Chairman Salazar-Garza asked if any Commissioners cared to make a motion and/or extend the discussion.

Commissioner Munoz made a motion to approve item 9. as presented by staff. Commissioner Budd seconded. Vote: Aye-Vice Chairman Salazar-Garza, Commissioners Miller, Munoz, Budd, Cantu, and Teichelman. Nay-Commissioner Hedrick. Motion passes.

9. <u>25-0724</u> PL8691-Half Street Construction of C.R. 43 along western frontage <u>King's Lake West Master (Preliminary Plat 186.40 Acres)</u> Located north of C.R. 22 and east of C.R. 43 and west of Oso Creek. <u>Attachments:</u> Kings Lake West Half Street Waiver Memo Kings Lake West Half Street Waiver PPT

E. <u>Plat</u>

10.25-0631PL8691King's Lake West Master (Preliminary Plat_of 186.40 Acres)Located north of C.R. 22 and east of C.R. 43 and west of Oso Creek.

<u>Attachments:</u> <u>PL8691CoverTabMasterPrelimPlat</u> <u>PL8691ClosedcommentReport</u> PL8691LatestPrelimPlat

Andrew Dimas, Development Services, read into record item 10. Item 10 satisfies the requirements of the Unified Development Code (UDC)/State Law, and the Technical Review Committee. Staff recommends approval.

Vice Chairman Salazar-Garza asked if any commissioners had any questions for staff.

Vice Chairman Salazar-Garza opened for public comment. There being none, Vice Chairman Salazar-Garza closed the public hearing.

Commissioner Miller made a motion to approve item 10. as presented by staff. Commissioner Munoz seconded. Vote: All Aye. Motion passes.

XVIII Director's Report

Andrew Dimas introduced Jessica Martinez as the new Recording Secretary for the Planning Commission.

XIX. Future Agenda Items

XX. Adjournment

Adjournment of Planning Commission Meeting at 6:36pm