



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

Planning Commission

Wednesday, May 29, 2019

5:30 PM

Council Chambers

I. Call to Order, Roll Call

Vice Chairman Crull called the meeting to order at 5:30 p.m. and a quorum was established with Chairman Villarreal absent.

II. Opening Statement

III. Approval of Absences: Commissioners Dibble and Hovda

A motion was made by Commissioner Baugh and seconded by Commissioner Zarghouni to approve the absence listed above. The motion passed.

IV. Approval of Minutes

1. [19-0751](#) Regular Meeting Minutes of May 15, 2019

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

V. Consent Public Hearing: (Items A & B) - Discussion and Possible Action

Vice Chairman Crull asked Staff to present the Consent Agenda, items V.A & V.B, numbered 2 through 7. Osei Amo-Menseh, Development Services, read items "2 through 7" into the record as shown below. Staff recommends approval for Variance item "2". New Plat items "3, 6 & 7", satisfy all requirements of the UDC and State Law; the Technical Review Committee recommend approval. New Plat items "4 & 5", upon satisfaction of the remaining conditions/comments in the Plat Review Comments document, will satisfy all requirements of the UDC and State Law; the Technical Review Committee recommends conditional approval.

After Staff's presentation, Vice Chairman Crull opened the public hearing for the Consent items. With no one coming forward, the public hearing was closed. A motion to approve Staff's recommendation as presented for items "2 through 7" was made Commissioner Baugh and seconded by Commissioner Zarghouni. The motion passed.

A. New Plat with Variance (Waiver)

2. [19-0756](#) **19PL1045 - SIDEWALK & STREET CONSTRUCTION WAIVER**
BLUFF ESTATES, LOT 12D (FINAL - 0.146 ACRES)
Located west of Wray Lane and south of Jarvis Street.
Request for a Plat Waiver of Sidewalk Construction Requirement in
Section 8.1.4.A and Section 8.2.2.A of the UDC.

3. [19-0755](#) **19PL1045**
BLUFF ESTATES, LOT 12D (FINAL - 0.146 ACRE)
Located west of Wray Lane and south of Jarvis Street.

B. New Plats

4. [19-0753](#) **19PL1016 - CONDITIONAL**
INDUSTRIAL TECHNOLOGY PARK UNIT 3, LOT 1 & 2 (PRELIMINARY -
15.12 ACRES)
Located north of Old Brownsville Road and west of South Padre Island
Drive.

5. [19-0758](#) **19PL1026 - CONDITIONAL**
CALLICOATTE ESTATES UNIT 5 (PRELIMINARY - 24.62 ACRES)
Located south of Leopard Street and east of Callicoate Road.

6. [19-0752](#) **19PL1148**
THE ESPLANADE UNIT 1, BLOCK 2, LOTS 9 & 10 (REPLAT - 2.11
ACRES)
Located east of South Staples Street and south of The Esplanade Drive.

7. [19-0754](#) 19PL1001
CALLEN SOUTH (PRELIMINARY - 117.29 ACRES)
Located north of CR 48 and east of IH 69 (US 77).

VI. Public Hearing: (Item C) - Discussion and Possible Action**C. Variance (Waiver)**8. [19-0757](#)**18PL1142 - SIDEWALK WAIVER****THE ESPLANADE UNIT 1, BLOCK 1, LOTS 2A & 2B (REPLAT - 1.63 ACRES)**

Located south of Wooldridge Road and east of South Staples Street. Request for a Plat Waiver of Sidewalk Construction Requirement in Section 8.1.4 and Section 8.2.2 of the UDC.

Mr. Amo-Menseh presented item "8" for the record as shown above. This plat was approved by Planning Commission on March 23, 2019. After approval of the plat by Planning Commission, the applicant was in the process of satisfying public improvement construction requirements to record the plat. One of the requirements in the Plat Review Comments document, Development Services Engineering Comment #5, states that "Sidewalk ramps along the existing sidewalk" are required. Mr. Amo-Menseh cited the UDC sections that require sidewalk construction as part of the platting process as well as the Non-Local Street Standards, Table 8.2.1.C, to illustrate that The Esplanade Drive functions as a C1 collector because it has a right-of-way width of 60 feet requiring a 5-foot sidewalk. The same traffic speed and safety concerns occurring for pedestrians along a C1 collector would also occur along The Esplanade Drive. He added that The Esplanade Drive is not on the ADA Master Plan. However, it connects to Staples Street, which is on the ADA Master Plan.

Mr. Amo-Menseh stated that Lot 2A (the western lot on Staples and The Esplanade Drive) is the location an existing bank building and parking lot. Lot 2B (the eastern lot) is vacant. He provided a street view of the western driveway leading to Lot 2A in the plat. For both the eastern and western driveways, there is a drop off and difference in grade between the sidewalk and the driveway, impeding accessible pedestrian traffic movement. As a result, four (4) curb ramps are required (two ramps for each driveway). He continued the presentation by citing the factors in support of the waiver and against the waiver.

The applicant asserts the following factors and arguments in support of the request for waiver from the sidewalk ramp construction requirement:

1. The slope of the existing driveway may exceed the ADA maximum of 2%, which may require the removal of 6 or 7 feet of driveway to correct the cross-slope problem.
2. Several additional feet of driveway and curb may have to be removed and regraded to create a smooth transition back into existing grade.
3. There is no new construction planned for Lot 2A.
4. UDC Article 8 is intended for new subdivisions, not plats.
5. UDC Section 8.2.2.A deals with the construction of new sidewalks where there are no existing sidewalks. Nowhere in that section does it address reconstructing existing sidewalks originally constructed in accordance with the prevailing standards at the time of construction, requiring an upgrade to

current standards.

Factors and arguments weighing against the waiver and in support of requiring sidewalk ramps include:

1. The prior plats that had created Lot 2, and its associated public improvements and sidewalk, were recorded on April 12, 1985 (Volume 50, Page 159) and November 21, 1985 (Volume 51, Page 123-124). The design and construction standards for subdivisions at that time did not reflect The Americans with Disabilities Act of 1990, enacted after these plats, and prior to this current replat.
2. City staff and the Technical Review Committee review new plats and replats based on current subdivision standards.
3. The applicant states that there may be construction in the future on Lot 2B.
4. The Comprehensive Plan’s vision for transportation and mobility calls for “connected networks of good streets and sidewalks and safe bicycle routes.”

Regarding sidewalk plat waivers, the UDC does state, under Section 8.2.2.B.1-4, that a waiver may be granted, in accordance with the waiver procedure in Section 3.8.3.D., but only if certain conditions exist. None of the enumerated conditions in UDC 8.2.2.B.1-4 for a sidewalk waiver exist on this subject property. Weighing the factors, Staff recommends denial of the waiver from the sidewalk curb ramp construction requirement. Planning Commission may choose to follow or decline Staff’s recommendation, and Planning Commission may approve, approve with conditions, or deny the waiver request. After Staff’s presentation, Vice Chairman Crull opened the floor for Commissioner comments/questions. Discussion took place regarding alternate resolutions to avoid the removal/reconstruction of the existing driveway and curb, and how to resolve the cross-slope problem. Bill Green, Assistant Director of Development Services, stated that upon review of the public improvements, Staff will work with the engineers to find an optimum solution to meet the requirements of the plat. After comments/questions concluded, Vice Chairman Crull opened the public hearing. With no one coming forward, the public hearing was closed. A motion was made by Commissioner Schroeder to approve Staff’s recommendation to deny the waiver request for item “8”. The motion was seconded by Commissioner Baugh. The motion passed with Vice Chairman Crull voting “no”.

VII. Director's Report

None.

VIII. Items to be Scheduled

None.

IX. Adjournment

There being no further business to discuss, Vice Chairman Crull adjourned the meeting at 5:56 p.m.