



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

Planning Commission

Wednesday, November 2, 2022

5:30 PM

Council Chambers

The Planning Commission shall be responsible to and act as an advisory body to City Council; shall review and make recommendations to City Council regarding the adoption/implementation of a comprehensive plan; regarding all proposals to adopt/amend land development regulations for the purpose of establishing consistency with the comprehensive plan; regarding zoning or requests for zoning changes in a manner to insure consistency with the adopted comprehensive plan; regarding the City's annual capital budget and any capital improvement bond program. The Planning Commission also exercises control (approving body) over platting/subdividing land within the cooperate limits and the extraterritorial jurisdiction of the City in a manner to insure the consistency of all plats with the adopted comprehensive plan.

I. Call to Order, Roll Call

The meeting was called to order by Chairman Zarghouni at 5:30 p.m. A quorum was present with Commissioner Munoz absent.

II. PUBLIC COMMENT: NONE

III. Approval of Absences: Commissioner Mandel

Motion was made by Commissioner York to approve the absences list above and it was seconded by Vice Chairman Miller. The motion passed.

IV. Approval of Minutes

1. [22-1815](#) Regular Meeting Minutes of October 19, 2022

A motion was made by Vice Chairman Miller to approve the minutes listed above and it was seconded by Commissioner Salazar-Garza. The motion passed

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

Mark Orozco, Development Services, read the Consent agenda into the record new plat items "2 through 10". The plats satisfy all requirements of the Unified Development Code (UDC)/State Law, and the Technical Review Committee (TRC) staff recommends approval. After Staff's presentation the public hearing was open, there being none the public hearing was closed. Commissioner York made a motion to approve the Consent Agenda items "2 through 10" as presented by staff and was seconded by Commissioner Motaghi. The motion passed.

A. Plats

2. [22-1817](#) 22PL1155
McNORTON SUBDIVISION NO.3, BLOCK 10, LOT 2C (FINAL REPLAT - 0.210 ACRES)
Located north of Caroline Road and east of Blanco Road.

3. [22-1869](#) 22PL1051
THE VILLAGE AT TIMBERGATE UNIT 1, BLOCK 1, LOT 8R (REPLAT - 1.577 ACRES)
Located southwest of Staples Street and Timbergate Drive.

4. [22-1876](#) 22PL1107
NUECES RIVER IRRIGATION PARK (PRELIMINARY PLAT - 16.17 ACRES)
Located west of Hwy. 77 and south of County Road 52

5. [22-1877](#) 22PL1152
BUTLER ADDITION LOTS 1A THRU 1D (FINAL PLAT - 9.5 ACRES)
Located north of Yorktown Blvd and east of Cimarron Blvd.

6. [22-1887](#) 22PL1162
PAUL STRUM TRACT BLOCK 2 LOT 7 (REPLAT - 1.79 ACRES)
Located north of Baldwin Blvd. and east of Westchester Dr.

Plats with Variance (Waiver)

7. [22-1767](#) 22PL1142
MATA ADDITION BLOCK 1 LOT1A (REPLAT - 0.37 ACRE)
Located east of Sharpsburg Rd. and south of Figeroa St.

8. [22-1872](#) **22PL1142 - SIDEWALK**
MATA ADDITION BLOCK 1 LOT 1A (REPLAT - 0.37 ACRE)
Located east of Sharpsburg Rd. and south of Figeroa St

9. [22-1867](#) 22PL1145
LAGUNA VISTA SHORES, BLOCK 18, LOT 21R (REPLAT - 0.230 ACRES)
Located west of Laguna Shores Road and north of Seaside Drive.

10. [22-1868](#) **22PL1145 - SIDEWALK**

LAGUNA VISTA SHORES, BLOCK 18, LOT 21R (REPLAT - 0.230 ACRES)
 Located west of Laguna Shores Road and north of Seaside Drive.

VI. Public Hearing (Items B & C): Discussion and Possible Action

B. Plat with Variance (Waiver)

11. [22-1870](#) **22PL1154 - CONSTRUCTION** One-Way Cycle Track along Oso Pkwy and **SIDEWALK** One-Way Cycle Track along Yorktown Blvd.
PRELIMINARY PLAT OF OSO CREEK CORNER PHASE 1 (PRELIMINARY - 103.299 ACRES)
 Located north of south of Yorktown Boulevard and between Starry Road and Oso Creek.

Mr. Dimas presented item "11" for the record as shown above. The waiver request is for the construction of approximately 2,500' Oso Parkway One-Way Cycle Track (both ways) running through the property and the construction of 1,800' of Yorktown Boulevard One-Way Cycle Track (both ways) running along the north side of the lot. Factors in Support of the waiver request:

1. Bike lanes on other Oso Parkway have never been constructed and to do so here would be bring no added connectivity but cause one section of Oso to have a bike path that leads to no other bike lane.
2. Yorktown Blvd until the Mud bridge is going under the city bond program were essentially this sidewalk and bike lane would be constructed; if we construct this improvement, it will not match what the city eventually installs either causing a remove and replace or a section of this improvement not looking the same as the city constructed portions.
3. The location of the proposed project is not an intensely pedestrian area and is more vehicular oriented.

Factors weighing against the waiver request

1. UDC Section 3.8.3.C.2 states that the preliminary plat is consistent with the Comprehensive Plan, Utility Master Plans, and any other adopted plans. This includes the Bicycle Mobility Plan.
2. The One-Way Cycle Tracks are clearly defined on the Bicycle Mobility Plan. Not building these tracks will remove the connectivity of bicycle network along three quarters of a mile on Oso Parkway. The proposed Oso Parkway Phase 1 which includes the One-Way Cycle Track (both sides) begins in Azalli Estates Unit 3 and extends south to Yorktown and Oso Creek Corner Phase 2.
3. There is sufficient right-of-way to include the One-Way Cycle Track (both sides) in the P-1 Parkway Collector, which is 80 feet in width. This facility will link to Yorktown's planned One-Way Cycle Tracks funded through a capital improvement project.
4. Building these tracks will promote future pedestrian and bicycle traffic as the area develops. A neighborhood and the new CCISD school are proposed developments on the Oso Creek Corner lot. These uses would generate pedestrian and bicycle traffic.

5. This project could qualify for city participation funds UDC 8.4.1.C.

Staff recommends disapproval of the waiver request for the construction of the Oso Parkway One-way cycle track (both sides) and approval of the waiver request for the construction of the Yorktown Boulevard One-way cycle track (both sides) because these improvements are part of the City Bond Program.

After staff's presentation the floor was opened for Commissioner comments/questions. Commissioner York asked staff if Oso Parkway is a P-1 collector, typically for that the street section requires 8 feet of sidewalk on one side which is supposed to be the side where the creek is at, and 4 feet on the other, has that street section been updated or does that conflict with the bicycle mobility plan. Staff answered there is an ongoing discussion with the new Infrastructure Design Criteria Manual, it has not been updated but this is based on the mobility plan and discussion with traffic engineering as the plat has been reviewed. Commissioner York asked if the applicant is looking to construct the entire cycle track or to do what was done previous which was 8 feet on onside and four on other. Mr. Dimas said when you apply for a waiver, you're asking for all or nothing, in this case there was a discussion of a potential alternate that came up in late conversation with the applicant and the applicant is here and will state his case. Vice Chairman Miller asked staff to flip to slide number 4 of the presentation showing all the cycle tracks that are on both sides offer off road multi use trail and bike boulevards on this map. He asked what is currently built there. He thought that nothing they are talking about all the way back too Rodd Field is constructed or is in place. Staff answered, correct most of what you see on the screen has not been constructed, but there are some small areas that have been constructed that cross through Veterans Memorial High School, and connect to Yorktown through the Del Mar South Campus. Discussion continued about the texture that is used to divide between the cycle track and the sidewalk.

After discussion concluded, the public hearing was opened. Moses Mostaghani (MPM Homes and MPM Development 8017 Bar Le Doc) stated he developed all the Oso Parkways in Corpus over the last 20 years and as Andrew stated if you look at the Oso Parkways between Everhart to Staples all have a 4-foot sidewalk on one side and 8 foot and through Kings Crossing as well. Through a small segment of about 500 feet of Queens Crossing there is also a 4-foot sidewalk and an 8-foot sidewalk, all of Rancho Vista and Starlight which is the connectivity point to the south outside to the rest of this property has a preliminary plat approved with a 4-foot sidewalk and an 8 foot sidewalk, Oso parkways where the big bird is, also a 4-foot sidewalk and a 8 foot sidewalk. This would be the first OSO parkway that has a 10-foot sidewalk on one side and a 10-foot sidewalk on the other. It has never been constructed here in Corpus, the idea came from one staff member in traffic, and they feel that this was forced upon them, and it does not make any sense. Connecting a 4-foot sidewalk connect to a 10-foot sidewalk and then an 8-foot connect to a 10-foot sidewalk in this particular area of town because of one staff member. The city has not updated the cross section, it is in the process of being updated but until that passes and becomes an ordinance the City should not require them to do so until it is official. He stated the waiver request is asking for two 5-foot sidewalks on both

sides of the site, but they would like to change that request to a 4-foot sidewalk on the commercial/apartment side of the site and an 8-foot sidewalk on the school side and Oso Parkway side to give more mobility to the kids. Nina Nixon-Mendez stated in UDC Table 8.2.1 sidewalk is 5 and 8 feet is the typical not 4-feet and that what is the cross section. The applicant stated they do not mind doing the 5-foot sidewalk another situation he is dealing with the IDM was updated in March, somehow shows a 5-foot sidewalk and the UDC shows a 4-foot sidewalk. He feels there is a City issue with two documents that do not match. Every Oso Parkway in Corpus right now has a 4-foot sidewalk and any neighborhood with any land developer does in Corpus right is a 4-foot sidewalk. Commissioner York asked the applicant if he is proposing a sixty-foot right of way in lieu of the eighty-foot. The applicant stated yes. Nina Nixon-Mendez told the commissioners that the written request was, to put in the 5-foot sidewalk but not the bike lane, staff did not know about the waiver request for the right of way, referring to exhibit B in their report. There being no one else wanting to speak the public hearing was closed. Discussion continued with questions for staff, Commissioner York asked staff regarding the right of way there is a sidewalk waiver in front of them and the applicant is asking to reduce the right of way can that be part of this same request or does need to be a separate request. Staff answered, it needs to be an independent request. A Motion was made by Commissioner York to approve the waiver of the Yorktown cycle trails as recommended by staff and a approve a waiver on the Oso Parkway in lieu of the bike lanes a 5-foot sidewalk on one side and an 8-foot sidewalk on the other and was seconded by Vice Chairman Miller. The motion passed.

C. New Zoning

12. [22-1874](#) **Public Hearing - Rezoning Property at or near 2626 Rodd Field Road.**

Case No.1022-01 Sun George Contracting and Development Company:
Ordinance rezoning a property at or near 2626 Rodd Field Road, located along the east side of Rodd Field Road, south of Wooldridge Road, and north of Saratoga Boulevard (SH-357), from the "FR" Farm Rural District to the "CG-2" General Commercial District.

Mr. Dimas presented item "12" for the record as shown above, Case No.1022-01 Sun George Contracting and Development Company is requesting the "FR" Farm Rural District to "CG-2" General Commercial District. The location is on the east side of Rodd Field Road, north of Saratoga Boulevard (SH-357), and south of Wooldridge Road. Looking at the property you have to the north low-density residential, vacant, and commercial, to the south CG-2" General Commercial, and "RS-TF" Two-Family, to the east you have the drainage corridor, and low-density residential and to the west commercial, and medium-density residential. Of the 36 notices mailed out we received zero in favor and zero opposition. Staff reviewed the subject property's background information and the applicant's purpose for the rezoning request and conducted research into the property's land development history to include platting, zoning, existing surrounding land uses, and potential code violations. Staff compared the proposed zoning's consistency with the applicable elements of the comprehensive plan. As a result

of the above analysis staff notes the following: The proposed rezoning is inconsistent with the Future Land Use Map (FLUM) and would require an amendment to the FLUM. The Future Land Use Map designates a Medium-Density Residential use for the subject property, and while the city's comprehensive plan also encourages the placement of such use near an arterial, the proposed development is also beneficial with the adjacent neighborhoods and proposed mobility trails and tracks. The development pattern since the early 1980s has been of a commercial nature. There are a few "CG-2" zoned lots along the corridor and the proposed development is appropriate.

- The Southside Area Development Plan and the Comprehensive Plan both encourage interconnected developments.
- Pedestrian and bicyclist access are also recommended for general commercial areas.
- The applicant's proposal is compatible with the adjacent uses and character and will not adversely affect the neighborhood. This rezoning is an opportunity to enhance the character envisioned.
- The site meets the minimum development standards for the proposed zoning district, however: The "CG-2" General Commercial District is a zoning district typically found at major intersections as part of nodal development. Therefore, it is not applicable mid-block. The "CG-2" General Commercial District allows more intense commercial uses such as Mini-Storage, Bars, and Night Clubs. In contrast, the "CN-1" District does not allow such uses and has no restriction on the size of restaurant uses or retail development.

After evaluation of case materials provided and subsequent staff analysis including land development, surrounding uses and zoning, transportation and circulation, utilities, Comprehensive Plan consistency, and considering public input, staff has concluded that the adjacent uses would be better served by the "CN-1" Neighborhood Commercial District which is more consistent with the Rodd Field Road corridor. Staff Recommendation is Denial of the change of zoning from the "FR" Farm \Rural District to the "CG-2" General Commercial District in lieu of the "CN-1" Neighborhood Commercial District. Commissioner York asked staff if the CN-1 in lieu of presented to the applicant, staffed answered yes, the applicant was notified. Commissioner York also asked what is the allowed within the CG-2 compared to the CN-1 district. Mr. Dimas answered the most common difference with the CN-1 is retail uses, office uses and restaurants those are allowed without restrictions, with the standard setbacks and height requirements. The CG-2 district is next level intensity above that neighborhood commercial level. That is where you have bars, nightclubs, car dealerships, mini storages, etc., you can have uses that have that level of intensity, that you typically don't want next to neighborhoods. Chairman Zarghouni asked staff why they did not support the CG-2 that the applicant is requesting. Staff answered there has been a lot of concern with a 5-story building that was built with neighbors complaining that it was hovering over their backyards, and they just want to avoid that. After Staff's presentation the public hearing was opened there being none the public hearing was closed. The public hearing was opened. Thomas Tiffin with Munoz Engineering representee for the applicant, said they would prefer the CG-2, but they are ok with the CN-1 and they understand staff's reasons. The public hearing

was closed. A motion was made by Vice Chairman Miller to deny the CG-2 requested zoning change in lieu of the CN-1 district and was seconded by Commissioner Salazar-Garza. The motion passed.

13. [22-1873](#) **Public Hearing - Rezoning Property at or near 10902 Interstate 37**

Case No. 0922-04 Arriba Development: Ordinance rezoning property at or near 10902 Interstate Highway 37, located along the north side of Interstate 37, west of Sessions Road from the "RS-6" Single-Family 6 District to the "RM-1" and "RM-2" Multifamily Districts.

Mr. Dimas presented item "13" for the record as shown above, Case No. 0922-04 Arriba Development an ordinance rezoning the property at or near 10902 Interstate Highway 37, located along the north side of Interstate 37, west of Sessions Road from the "RS-6" Single-Family 6 District to the "RM-1" and "RM-2" Multifamily Districts. Tract 1 would be – "RM-1" Multifamily Residential, allows 22 acres per dwelling unit (du/ac) and Tract 2 – "RM-2" Multifamily Residential, allows 30 acres per dwelling unit (du/ac). Located along the north side of Interstate Highway 37 and along the west side of Sessions Road. With every case they look at the surrounding land uses around the subject property, what are the character of the neighborhood and with that you will see single-family 6 district, the future land use indicates low density residential which is 3 units per acre or less, to the north you have a mobile home park that has been in existence since the 1960's when the area was annexed. To the south a vacant property that is zoned CN-1 and on both sides to the east and west low density residential zoned "RS-6". Of the 32 notices that we mailed out we received 3 in opposition which is roughly about 12.56% from individual property owners that surround the subject property and zero in favor. One of staff's major concerns is traffic. As you approach the intersection at IH 37 exit and the entrance ramp when you approach Violet Road, Sessions Road is at the very midpoint of that interchange. There is a concern of how an older road is that going to interact with traffic, especially when you create a demand like an apartment complex adding additionally traffic to a narrow road. It is approximately 300 feet from the exit ramp to Sessions Road and 92 feet from Sessions Road to the entrance ramp, that is not a lot of room to maneuver especially if there is traffic. Session Road itself is a 43' right of way today with 20' of pavement, currently has roadside ditches, no sidewalks, it has PCI core of 60. The last update to the road took place in 2002 the road that was constructed in 1966. Sessions Road on the Urban Transportation Plan is considered a C1 collector street which is 60' of right of way and 40' of pavement, so what exists today is half of what that pavement section should be. According to the UTP as of today the maximum capacity is three thousand average daily trips, starting this month there is a new IDM that will be coming out from engineering and that is upgrading to a maximum capacity of eight thousand ADT.

Staff reviewed the subject property's background information and the applicant's purpose for the rezoning request and conducted research into the property's land development

history to include platting, zoning, existing surrounding land uses, and potential code violations. Staff compared the proposed zoning's consistency with the applicable elements of the comprehensive plan. As a result of the above analysis staff notes the following:

The Future Land Use Map recommends low-density residential which is at or below 3 du/ac. The proposed rezoning to "RM-1" and "RM-2" Multifamily Districts is a high-density residential use. For Tract 1 (5.773 acres), the "RM-1" would allow for 13+ dwelling units per acre which is approximately 127 units. For Tract 2 (4.397 acres) "RM-2" would allow for 13+ dwelling units per acre which is approximately 132 units. Sessions Road is classified as a C1 Minor Residential Collector. C1 Collector Streets consist of a 60' ROW, 40' of pavement, and 2 lanes. Currently, Sessions Road only consists of 44' of ROW, 20' of pavement, and 2 lanes. The subject property is adjacent to residential uses on two sides. There is insufficient road infrastructure to support the traffic generated by the proposed development. The proposed development will generate an approximately 2,800 additional average daily trips to the existing 1,500 trips generated by the existing neighborhood. The maximum capacity of a C1 Collector Street is 3,000 average daily trips (ADT). The existing neighborhood and the proposed property at maximum build out will create 4,300 ADT and therefore Sessions Road will be at over 140% capacity. The site is not appropriate due to the incompatibility of surrounding uses. After evaluation of case materials provided and subsequent staff analysis including land development, surrounding uses and zoning, transportation and circulation, utilities, Comprehensive Plan consistency, and considering public input, staff recommends denial of the change of zoning. However, the staff is proposing an alternative recommendation for consideration. Staff Recommendation Denial of the rezoning from "RS-6" Single-Family 6 District to the "RM-1" and "RM-2" Multifamily Districts.

Alternative Recommendation Approval of the "RS-6/SP" Single-Family 6 District with a Special Permit for the entire 14 acres and subject to the following conditions.

1. Use: The only use allowed on the subject property other than uses permitted in the base zoning districts is a multifamily apartment complex with a density not to exceed 280 dwelling units over the entire 14 acres owned by the applicant creating a density of 20 units per acre.
2. Buffer Yard: A 10-foot-wide buffer yard and 10-buffer yard points shall be required along the property boundaries adjacent to single-family residential zoning districts or residential use.
3. Building Height: No multifamily or nonresidential structure shall be located nearer any property line adjacent to a single-family use or two-family use than a horizontal distance of twice the vertical height of the structure as illustrated below. The height shall be measured from the existing ground level to the plate.
4. Sessions Road: The applicant or subsequent owner will be responsible for the completion of Sessions Road to the "C1" Collector Street standard of 60 feet of right-of-way and a 40-foot pavement section. The reconstruction of Sessions Road to City standards of a rural street section and will include the following: paving of the street section, storm water management, and the dedicating of land. Completion and

acceptance by the City of Sessions Road are required prior to the issuance of any building permits.

5. Interstate 37: The applicant or subsequent owner will be responsible for the coordination with the Texas Department of Transportation (TXDOT) of traffic delineators along the outside lane of the Interstate 37 access road to prevent access to/from Sessions Road to Interstate 37 on/off the access road.

6. Other Requirements: The conditions listed herein do not preclude compliance with other applicable UDC and Building and Fire Code Requirements.

7. Time Limit: In accordance with the UDC, this Special Permit shall be deemed to have expired within 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. Note: The alternative recommendation will require the submittal of a new rezoning application for the larger area.

After staff's presentation the floor was opened for Commissioner comments/questions. Commissioner Motaghi asked staffed if the applicant was to keep the zoning the same how many dwellings could the applicant be able to have on the subject property. Staff answered for the portion 127 for what is requested at RM-1 and 131 for RM-2 so around 258 units. Discussion continued between the Commissioners and staff on how many units per acre the applicant can have with the current traffic count and road conditions. After discussion concluded the public hearing was opened. Murray Hudson represents the developer (104 Pine Valley, Portland, TX) they are wanting to develop apartments with 280 units on the 14 acres, they understand that they are not going to get the RM-1 and RM-2, and they are in agreement with the staff's recommendation to do the special permit. They are willing to improve the street and redo the profile, put down new base and hot mix, make the street an acceptable street so hopefully staff would help them make the development happen. Daryl Keech (1834 Julianna), Tara Millet (3929 Mots), Daniel Falcon (address un auditable), Fredda Martin (10829 Silverton Drive), Dennis Cooper (10821 Silverton Drive), Homer Mendoza (address un auditable) Karin Haze (10838 Silverton Drive), Judy Blackwell (10834 Grand Teton), Bill Tobbleson (10834 Silverton Drive) all spoke in opposition of the subject property. They are against the apartments being built. They fell it is very dangerous, the road is not big enough for all the traffic the apartments will bring. Vic Nazari (MVR Construction) is the applicant for the project. He stated, they are going to improve Sessions Road, whether it's an apartment complex, housing, or a hotel they are going to improve Sessions Road to make sure to address all the public's concerns to make it better for everyone. Andrea Tobbleson (10834 Silverton Drive) spoke in opposition of the subject property, and Art Molina (10826 Silverton Drive) also spoke in opposition. Additional concerns expressed by the opposition were drainage, a school bus stopping along Sessions Road, no sidewalks, and the road was hilly and had dips. The public hearing was closed, and discussion continued with question for staff. A motion was made by Commissioner York to table Case No 0922-04 Arriba Development to the November 16th meeting and was seconded by Commissioner Salazar-Garza. The motion passed.

VII. Director's Report : NONE

VIII. Future Agenda Items : NONE

IX. Adjournment

There being no further business to discuss, the meeting adjourned at 7:44 p.m