



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes

### Planning Commission

---

Wednesday, August 24, 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 and a quorum was established with Commissioner Mandel absent.

#### II. PUBLIC COMMENT: NONE

#### III. Approval of Absences: Commissioners York and Gonzalez

A motion was made by Commissioner Schroeder to approve the absences listed above and it was seconded by Commissioner Munoz. The motion passed.

#### IV. Approval of Minutes

##### 1. [22-1454](#) Joint Public Hearing Meeting Minutes of August 9, 2022

A motion was made by Vice Chairman Miller to approve the minutes from the joint public hearing with the following revision that the City Attorney advised staff that tabling is considered a denial. It was seconded by Commissioner Salazar-Garza. The motion passed.

##### 2. [22-1460](#) Regular Meeting Minutes of August 10, 2022

A motion was made by Commissioner Munoz to approve the minutes listed above and it was seconded by Commissioner Motaghi. 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 "3 through 8" satisfy all requirements of the Unified Development Code (UDC)/State Law and the Technical Review Committee (TRC) recommends approval. After Staff's presentation, the public hearing was opened. There being none, the public hearing was closed. A motion was made by Commissioner York to approve the Consent Agenda items and it was seconded by Vice Chairman Miller. The motion passed.

**A. New Plats**

3. [22-1438](#) 22PL1121  
GARDENDALE SUBDIVISION, BLK 6, LOTS 12AR & 12BR (REPLAT- 0.909 ACRES)  
Located west of S Staples Street and north of Cain Drive.
4. [22-1455](#) 22PL1110  
FLOUR BLUFF ESTATES NO. 2, BLK 8, LOTS 7A-7C (REPLAT - 0.341 ACRES)  
Located east of Waldron Road and south of Webb Street.

**Plats with a Variance (Waiver)**

5. [22-1439](#) 22PL1068  
HART ADDITION, BLOCK A, LOT 1R (REPLAT- 0.92 ACRES)  
Located north of Up River Road and East of Hart Road.
6. [22-1441](#) **22PL1068 - SIDEWALK**  
HART ADDITION, BLOCK A, LOT 1R (REPLAT- 0.92 ACRES)  
Located north of Up River Road and East of Hart Road.
7. [22-1440](#) 22PL1113  
NUECES GARDENS NO. 2, LOTS 64B & 64C (REPLAT - 2.32 ACRE)  
Located south of the intersection of Starlite Lane and Stacy Lane.
8. [22-1456](#) **22PL1113 - SIDEWALK**  
NUECES GARDENS NO. 2, LOTS 64B & 64C (REPLAT - 2.32 ACRE)  
Located south of the intersection of Starlite Lane and Stacy Lane.

**VI. Public Hearing (Item B): Discussion and Possible Action****B. New Zoning****9. [22-1458](#) Public Hearing - Rezoning Property at 2054 Tuloso Road**

Case No. 0822-03 Flint Hills Resources Corpus Christi LLC: Ordinance rezoning property at or near 2054 Tuloso Road, located along the west side of Tuloso Road, and north of Leopard Street, from the "RS-6" Single-Family 6 District and "ON" Neighborhood Office District to the "CG-2" General Commercial District.

Mr. Dimas presented item "9" for the record as shown above. The proposed use is a 15,830 square foot convenience store with fuel sales. The site will include passenger and commercial truck parking (approximately 70 spaces). He informed the Commission that of the 37 public notices mailed, zero were returned in favor and zero notices were returned in opposition. After analysis, Staff notes the following:

- The proposed rezoning is inconsistent with the Future Land Use Map and many broader elements of the Comprehensive Plan.
- The proposed use is incompatible with the adjacent uses such as single-family residential.
- The appropriate zoning for the scale of the proposed use is an industrial district.
- Industrial uses are typically located near major transportation routes such as highways; however, the property is adjacent to the north, east, and southeast of residential developments.
- The reconstruction of Tuloso Road, completed as a part of the City's Bond 2012 program, widened Tuloso Road to three lanes. However, the widening to three lanes did not extend to the subject property. The widening decreases to two lanes the entire length of the subject property on Tuloso Road.
- Other sites more suitable for the proposed development are located along Interstate Highway 37.
- The Port/Airport/Violet ADP recommends placing low-intensity activities next to single family uses.

Additionally, a Traffic Impact Analysis (TIA) was required with this rezoning application and has been submitted as Attachment B (Executive Summary – Page 1, Conclusion and Recommendations – Page 20)

- The conclusions submitted as a part of the TIA propose the following mitigations: Tuloso Road & Access A – Construct a southbound right-turn deceleration lane with a total of 190 feet including a 50-foot taper. Tuloso Road & Access B – Construct a northbound left-turn deceleration lane with a total of 260 feet including a 50-foot taper.

- Tuloso Road, a two-lane arterial, is not designed to accommodate the load and volume of truck traffic associated with the proposed use. 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 from the "RS-6" Single-Family 6 District and "ON" Neighborhood Office District to the "CG-2" General Commercial District.

After Staff's presentation, the floor was opened for Commissioner comments/questions. Discussion took place regarding the traffic mitigation, improvements to the roads and zoning. After discussion concluded, the public hearing was opened. Representing the sellers Richard Dupris addressed the Commission in support of the request. He said the surrounding properties have been bought out, but they are still zoned residential, and he is not going to address the heavy truck traffic. He stated that the property used to be Tuloso Elementary, so he is sure there was a bunch of traffic on a daily basis. He stated that the road has been sufficiently improved since the school has shut down. He also mentions that this is the first piece of property Flint Hills has decided to sell off for commercial use in over 30 years.

Melissa Schultz (507 E. Main St., Yorktown, TX) she represents operations for the Texan stores. She also brought ownership and a traffic engineer if the commission has any specific questions they would like to ask. They are here to listen and answer questions about the development and property and their intentions for it. They are interested in the property because they have looked at what is surrounding the property and the availability of what exists in the area. Their traffic engineer helped them understand the location and in the past school buses traveled that road and they don't see any issues with heavy trucks turning on that road. If they have the opportunity, they are really looking forward to developing because it will offer the community jobs. This is a well-lit safe environment that would be coming to the surrounding area and there is nothing like it close to the neighborhoods so it would bring value to the area.

Chris Lira (37 Inwood Manor San Antonio, TX) represents Kimley-Horn and is the co-author of the traffic impact analysis that was done for this development. He wants to provide clarification for the presentation that began for this segment. As a part of the TIA the recommended mitigations are exactly as shown in that section, there is a recommended south bound right turn lane as well a north bound left turn lane into the development. The way intersections are analyzed for whether they are operating correctly is a term called level of service; its essentially a way to anticipate how long someone would be waiting to make a maneuver, how many seconds of delay one person would experience waiting at stop sign. That's how the TIA is analyzed for operational success of an intersection, there is no need to do any mitigation at the intersection of IH 37 and Tuloso. There is nothing in the report that details a need to construct turn lanes or signalized at this stage. Brian Deglosh stated (507 E. Main St., Yorktown, TX) they would love to be located on the corner but it has high pressure lines making it impossible to develop on that area. Also TxDOT would probably not permit a driveway.

Discussion continued with Commissioner York inquiring about if there is a street fee that could be used for improvement on the road if damage would occur due to the heavy truck traffic. Mr. Dimas said he does not want to speak on how traffic applies the fee that is collected. Commissioner Schroeder stated that the property owner needs to change the zoning on the surrounding properties that they own because they are zoned residential, and the commission has an obligation to look at what the surrounding properties are zoned. Leaving the surrounding properties RS-6 is the problem, and until the owner changes the surrounding properties, he does not agree with the rezoning. Commissioner Salazar-Garza stated that the street it is a two-lane road with all the traffic and vehicles entering. She asked if the streets can expand. She has seen another convenience store that is on a two-lane road which has been there for a long time. There's another store that is newly built and it is near an area zoned RS-6 and an intermediate school with very heavy traffic, and she believes it is workable. Chairman Zarghouni stated he wants to echo what Commissioner Schroeder said that based on the purview of the board. The primary concern is if the zoning is compatible with the zoning of the adjacent properties.

A motion to deny item "9" as presented by Staff was made by Commissioner Schroeder and it was seconded by Vice Chairman Miller. The motion passed

## **VII. Director's Report**

Nina Nixon-Mendez, Assistant Director, introduced Gina Trotter as the point of contact for Planning Commission.

## **VIII. Future Agenda Items**

Planning Commission would like to see more visuals, zoomed out enough imagines when it comes to maps with sidewalk waivers and trainings to help with decision making.

## **IX. Adjournment**

There being no further business to discuss, the meeting adjourned at 6:36 p.m.