



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

Planning Commission

Wednesday, September 7, 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 Schroeder absent.

II. PUBLIC COMMENT: NONE

III. Approval of Absences: Commissioner Mandel

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

IV. Approval of Minutes

1. [22-1507](#) Regular Meeting Minutes of August 24,2022

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

V. Consent Public Hearing: Discussion and Possible Action

Mark Orozco, Development Services, read the Consent agenda into the record. New Plat items "2 through 8" satisfy all requirements of the Unified Development Code (UDC)/State Law and the Technical Review Committee (TRC) recommends approval. Nina Nixon-Mendez read the Consent agenda's New Zoning items "9 through 10" in for the record. Staff recommends approval. After Staff's presentation, Commissioner Munoz asked staff about the length of the time extension. Staff responded one year. The public hearing was opened James Danglade (3241 Bimini) addressed the commission. He asked for the approval of Bayside Acres, Blk 1, Lot 2R and the sidewalk waiver. This will allow him to sale the two properties in exchange for the old Bar-B-Que

restaurant across from the new Police Station, so he can rebuild the Laguna Reef restaurant and start selling seafood to the community. The public hearing was closed. A motion was made by Commissioner Munoz to approve the Consent Agenda items "2 through 10" and it was seconded by Commissioner Salazar-Garza. The motion passed.

A. Plats

2. [22-1509](#) 22PL1064
AGAPE ADDITION UNIT 1 (OCL PRELIMINARY PLAT - 11.472 ACRES)
Located north of FM43 on CR-33
3. [22-1510](#) 22PL1093
Industrial Technology Park Unit 2 (Final Replat)
Located south Bear Lane and west of Junior Beck Drive.

Plats with a Variance (Waiver)

4. [22-1496](#) 22PL1120
BAYSIDE ACRES, BLOCK 1, LOT 2R (FINAL REPLAT - 0.210 ACRES)
Located west of Sweet Bay Drive and south of Yorktown Boulevard.
5. [22-1504](#) **22PL1120 - SIDEWALK**
BAYSIDE ACRES, BLOCK 1, LOT 2R (FINAL REPLAT - 0.210 ACRES)
Located west of Sweet Bay Drive and south of Yorktown Boulevard.

Time Extensions

6. [22-1506](#) **21PL1170 - 1st REQUEST**
CRESTMONT UNIT 12 (FINAL - 33.120 ACRES)
Located east of Ayers Street and north Saratoga Boulevard.
7. [22-1491](#) **22PL1026 - 1st REQUEST**
FLOUR BLUFF, ENCINAL FARM & GARDEN TRACTS, BLK 21, LOT 14-C & 15-B (REPLAT - 19.32)
Located North of Yorktown Boulevard and East of Cimarron Boulevard.
8. [22-1492](#) **21PL1065 - 2nd REQUEST**
RANCHO VISTA SUBDIVISION UNIT 23 (FINAL - 13.81 ACRES)
Located south of Adler Drive between Rancho Vista Boulevard and Cattlemen Drive.

B. New Zoning**9. [22-1542](#) Public Hearing - Rezoning Property at or near 7017 Ayers Street**

Case No. 0922-01 Ryan Thurman: Ordinance rezoning property at or near 7017 Ayers Street, located along the west side of Ayers Street, south of Greenwood Drive, and east of the Crosstown Expressway (TX-286 N), from the "FR" Farm Rural District to the "IL" Light Industrial District.

10. [22-1543](#) Public Hearing - Rezoning Property at or near 1230 McBride Lane

Case No. 0922-02 HEP Javelina Company LLC: Ordinance rezoning property at or near 1230 McBride, located along the east side of McBride Lane, north of Interstate 37 and south of Up River, from the "IL" Light Industrial District to the "IH" Heavy Industrial District.

VI. Public Hearing: Discussion and Possible Action**C. New Zoning****11. [22-1544](#) Public Hearing - Rezoning Property at or near 14446 Northwest Boulevard**

Case No. 0922-03 Douglas N. and Joye Posey: Ordinance rezoning property at or near 14446 Northwest Boulevard, located along the northside of Northwest Boulevard, south of Riverwood Drive, and west of River Hill Drive.

Elena Buentello presented item "11" for the record as shown above. The purpose of the request is to bring the land use and zoning together in an appropriate zoning classification. The request will allow for the Unified Development Code required buffer zones. The clinic does not and will not board animals overnight. She informed the Commission that of the 9 public notices mailed out inside the 200' buffer and 6 public notices mailed outside the 200' buffer, 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.
- However, the proposed rezoning is consistent with many broader elements of the

Comprehensive Plan.

- The subject property has successfully been in use since the 1980s.
- While the applicant is requesting the "CG-2" General Commercial District, the requested zoning district is incompatible with the adjacent "RS-6" Single-Family District.
- To maintain compatibility with adjacent land uses, staff is recommending a special permit with the base zoning of "ON" Neighborhood Commercial with a Special Permit to allow veterinary 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 proposes denial of the "CG-2" Commercial District in lieu of "ON/SP" Neighborhood Office District with a Special Permit.

After Staff's presentation, the floor was opened for Commissioner comments/questions. Commissioner Salazar-Garza said she is curious about the surrounding areas to the east of the property. There is a house that is zoned RS-6; it is a home but operates as a law office. Commissioner Munoz ask staff if the applicant agrees with the special permit, staff said that the applicant is not completely in agreement and was present to state their case. Chairman Zarghoui said he was told there is an easement access in place from Northwest Blvd. and asked if the same owner owns the property in the front. Staff stated yes it was the same owner from Northwest Blvd. to Riverwood Road. Commissioner Motaghi asked for the hours of operations. Staff stated it was not specified in the special permit since the use is ongoing. Commissioner York asked staff to explain the type A buffer yard. Staff answered the Type A is five points, so one would need a six-foot wood fence. After discussion concluded, the public hearing was opened.

Murray Bass, Bass and Welsh Engineering (3054 S. Alameda), the engineer for the applicant, said the property was platted in 1975 and rezoned in 1983 but only 200 feet was rezoned because it was inside city limits, and unfortunately a good portion of the building was not because it is outside city limits. Their proposed request includes the area that was outside the city limits that would include the building, a minimal backyard and the fifteen-foot buffer that staff discussed, that is in the process of being replatted into a lot that will be configured like that. The zoning report shows the future land use is mixed; Mr. Bass is not fully aware on the definition of what is considered mixed, but in the block, they have a church, veterinary clinic, carwash and a restaurant, so he understands that to be mixed. He thought that after reviewing the staff analysis that staff was in favor of the rezoning, but then the recommendation was for denial and in lieu of granting the ON. They would have to be granted a special permit to be able to use the clinic for what they have been using the clinic for years already past. Eventually the property behind them will be replatted to match the surrounding zoning which is ON. Dr. Posy, the owner of the property, said they are asking for the property to be made whole as it was originally, and they are not asking for anything other than it to be CG-2. They function there without any issues from anyone. No one has never complained, and they had zero rebuttals for this meeting. They are just asking that the property be made whole rather a zoning special permit.

Discussion continued with Commissioner York inquiring about the existing buildings around them, Dr. Posey said there is a carwash to the west of them, a restaurant, and the clinic shares a parking lot with the church. Also, there is an attorney's office on Riverwood Road and then medical offices on River Hill Drive. Commissioner York asked staff if he could see the plat so he could understand where the property line is, and he asked the owner when they replat the property, will they be replating into two lots and if the lot that they want rezoned would mean the entire lot would be CG-2 in one single lot. Dr. Posey stated they have a proposed buyer for an L shape of the property also being platted, the portion that they are considering buying is small rectangle portion to include the two buildings. It would be a business purchase, the company would buy directly from Dr. Posey and the property would remain a veterinary clinic. Discussion continued with Commission York and Dr. Posey on why exactly Dr. Posey is wanting the property zoned CG-2. Dr. Posey stated he just wants to make the property whole as it originally was, so in case one day he decided to sell the property he will not have to come back and explain his case again. Vice Chairman Miller inquired if the plat being submitted will yield 3 lots from the one piece of property. Dr. Posey stated yes potentially but the plat being submitted is only two lots. Commissioner Gonzalez asked Dr. Posey about the size of the property. Dr. Posey answered maybe 80 to 100 feet give or take. Chairman Zarghouni had understood the applicant agreed with the special permit, but he was hearing that is not the case from the applicant. Staff determined today that the applicant was not in agreement, and that the applicant should come and state their reasons why they would like to rezone the property to CG-2.

A motion to approve the CG-2 zoning as requested by the applicant for item "11" made by Commissioner York and it was seconded by Commissioner Gonzalez. 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 6:11 p.m.