



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

Planning Commission

Wednesday, August 24, 2016

5:30 PM

Council Chambers

I. **Call to Order, Roll Call**

II. **Approval of Minutes**

1. [16-0928](#)

Special Meeting of August 03, 2016

2. [16-0991](#)

Regular Meeting of August 10, 2016

Motion to approve items "1 and 2", was made by Commissioner Lippincott and seconded by Commissioner Baugh. The motion passed.

III. **Public Hearing Agenda Items**

A. **Plats**

New Plats

Renissa Garza Montalvo, Development Services, read items "3, 4, 5, 6 7 and 8" into record as shown below. Ms. Garza Montalvo stated the plats satisfy all requirements of the Unified Development Code (UDC) and State Law; the Technical Review Committee recommends approval.

After Staff's presentation, Chairman Ramirez opened the public hearing. With no one coming forward, the public hearing was closed. A motion to approve items "3, 4, 5, 6, 7 and 8" was made Vice Chairman Villarreal and seconded by Commissioner Crull. The motion passed.

3. [16-0989](#)

0716085-P035 (16-22000033)

FLOUR BLUFF ESTATES NO. 2, BLK 2, LOTS 24A, 24B & 24C
(REPLAT - 0.568 ACRES)

Located north of South Padre Island Drive (SH 358) and west of Naval Air Station Drive.

4. [16-0992](#)

0616064-P029 (16-22000027)

WESTVIEW TERRACE UNIT 2 (FINAL - 6.01 ACRES)

Located south of Leopard Street and east of Starlite Lane.

5. [16-0993](#) **0616066-NP038 (16-20000003)**
RIVER PLACE SUBDIVISION, BLK 1, LOTS 1, 2, 3 & 4
(PRELIMINARY - 7.04 ACRES)
Located west of Violet Road and north of Up River Road.
6. [16-0995](#) **0616076-NP043 (16-20000005)**
JECS ACRES, BLOCK 1, LOTS 1 & 2 (PRELIMINARY - 6.539
ACRES)
Located west of Clarkwood Road and north of SH 44.
7. [16-0996](#) **0516044-NP022 (16-21000019)**
WILKEY ADDITION UNIT 2, LOTS H5A AND H5B (REPLAT- 2.79
ACRES)
Located west of Airline Road and north of Williams Drive.
8. [16-1008](#) **0716088-NP053 (16-21000037)**
BARCLAY GROVE, BLOCK 2, LOTS 11R, 13, 14, & 15 (FINAL - 9.25
ACRES)
Located east of South Staples Street (FM 2444) and north of Corsica Road.

Time Extensions

9. [16-0997](#) **1215159-P039 (15-22000045)**
INCARNATE WORD SUBDIVISION, BLOCK 2, LOT 1 (FINAL - 5.00
ACRES)
Located west of South Staples (FM 2444) and south of Lipes Boulevard.

Ms. Garza Montalvo read item "9" into record as shown above. She informed the Commission the plat was originally approved on March 09, 2016. The applicant is requesting a six month time extension as the buyer is attempting to obtain his building permit prior to closing the sale on the property. It is their first time extension request. As a reminder, Ms. Garza Montalvo stated Staff will no longer be providing a recommendation on plat extensions and it will now be for the Commission's consideration.

After Staff's presentation, Chairman Ramirez opened the public hearing. With no one coming forward, the public hearing was closed. A motion to approve item "9" was made by Commissioner Lippincott and seconded by Commissioner Dibble. The motion passed.

10. [16-0998](#)**0715091-P020 (15-22000025)****OLIVER'S ESTATE UNIT 1 (FINAL - 8.510 ACRES)**

Located south of Yorktown Boulevard and east of Northwind Drive.

Ms. Garza Montalvo read item "10" into record as shown above. She stated the plat was originally approved on March 23, 2016. The applicant is requesting a six month time extension as the plan drawings are currently under design/revision. This is the first time extension request for this project.

After Staff's presentation, Chairman Ramirez opened the public hearing. With no one coming forward, the public hearing was closed. A motion to approve item "10" was made by Commissioner Crull and seconded by Commissioner Hastings. The motion passed

B. **Zoning****New Zoning**11. [16-0999](#)

Case No. 0816-01 - Maria G. Lopez: A change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District. The property to be rezoned is described as a 0.037 acre tract of land, being the remainder of Lot 2, Block 6, of the San Diego Addition Unit 1, located on the east side of Niagara Street between Guadalupe Street and Nogales Street.

Annika Yankee, Development Services, read item "11" into record as shown above. Ms. Yankee presented several aerial views of the subject property. The applicant is proposing to develop a fast food establishment. She informed the Commission that zero public notices were returned in favor or in opposition. Staff feels that the property is compatible with the present zoning and conforming uses of nearby property; does not have a negative impact upon the surrounding neighborhood. The Future Land Use Map designates the property for single-family uses, but Staff does not think single-family is appropriate here. Staff recommends approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District.

After Staff's presentation concluded, Chairman Ramirez opened the public hearing. With no one coming forward, the public hearing was closed. A motion to approve item "11" was made by Commissioner Baugh and seconded by Commissioner Hovda. The motion passed.

12. [16-1000](#)

Case No. 0816-02 - Christus Spohn Health System Corporation: A change of zoning from the "RM-3" Multifamily 3 District, "ON" Office District, "CR-1" Resort Commercial District, "CG-2" General Commercial District and "CG-2/SP" General Commercial District with a Special Permit for a Helipad to the "CI" Intensive Commercial District. The property to be rezoned is described as being a 22.46-acre tract of land encompassing Blocks I, IX, X, and XI, Ocean View Subdivision, Lot 4, Block IIA, Ocean View Addition, and Blocks A and B, Bay Front

Terrace Addition, and portions of abutting rights-of-way on Ocean Drive, Ayers Street, Santa Fe Street, Second Street, Third Street, Elizabeth Street, and Morgan Avenue, located between Ocean Drive and Santa Fe Street and between Morgan Avenue and Ayers Street.

Ms. Yankee read item "12" into record as shown above. Ms. Yankee presented several aerial views of the subject property. She stated the purpose of the rezoning request is to bring existing building encroachments into compliance with zoning setbacks and to simplify the zoning into a single zoning district on the Christus Spohn Hospital Campus. Ms. Yankee noted that the Special Permit for the helipad is no longer needed according to the zoning ordinance. Staff recommends denial of the change of zoning request because there are uses which the "CI" Intensive Commercial District allows that are not appropriate for Ocean Drive and can impact the surrounding neighborhood. In lieu of the requested zoning, Staff recommends approval of:

Tract 1: "CR-1/SP" Resort Commercial District with a Special Permit allowing a 10-foot minimum setback on Ayers Street, Elizabeth Street and Third Street.

Tract 2: "CG-2/SP" General Commercial District with a Special Permit allowing a 10-foot minimum setback on Ayers Street, Elizabeth Street and Third Street.

After Staff's presentation, Chairman Ramirez opened the public hearing. Representing the applicant, Chip Urban at 2725 Swantner Drive, addressed the Commission. Mr. Urban requested to table the case for the next regularly scheduled Planning Commission date of September 7, 2016. He stated they would like additional time to research the details of the proposed special permits.

Dorothy Spann at 502 Del Mar Boulevard, addressed the Commission. Ms. Spann wanted more information regarding how many helicopters the helipad accomodates and if the property would store fuel; where the lithotripsy unit is located. She stated she appreciated the 10-foot setback recommended by Staff.

President of Christus Spohn Hospital - Shoreline, Kelly Elkins, addressed the Commission to answer Ms. Spann's questions. She stated that the helipad will accomodate two helicopters and there will be no storage of fuel on site. The lithotripsy mobile unit remains on-site, inside the hospital.

With no one else coming forward, Chairman Ramirez closed the public hearing. A motion was made by Commissioner Baugh to table item "12" to the next regularly scheduled Planning Commission meeting of September 7, 2016. Commissioner Crull seconded and the motion passed.

13. [16-1001](#)

Case No. 0816-03 - Rangeland Products Terminal, LLC: A change of zoning from the "IL" Light Industrial District to the "IL/SP" Light Industrial District with a Special Permit for a Heavy Industrial Use consisting of above ground storage tanks containing wholesale storage of fuels and lubricants. The subject property is located at 8110 and 8520 Agnes Street (State Highway 44) between Agnes and Alpine Streets and between Chickery Street (unimproved) and Manning Road (County Road 53). The property to be rezoned is described as being a

189.1490-acre tract of land, situated in the C.C. & S.F.R.R. Survey No. 313, Abstract 817, J.R. Ward Survey No. 316, Abstract 1005, Charles Land Patent No. 245, Survey No. 404, Abstract 975 and Abstract 976, and being a portion of Lots 1, 2, 11 & 12 of the H.B. Sheppard Farm Lots, and being a portion of the same tract of land known as a Share 6, a called 97.60 acres as conveyed to H.W. Isensee in Volume 317, Page 248 Deed Records of Nueces County, Texas, being the same tract of land as conveyed to Norma Lee Stockseth in Document No. #2011026126 O.P.R.N.C.T. and also being a portion of the same tract of land known as Share 7 conveyed to Nellie Isensee Fisher in Volume 317, Page 248 Deed Records of Nueces County, Texas, being the same tract of land conveyed to Rafael Leal Cavazos in Document No. #2004056050 O.P.R.N.C.T.

Ms. Yankee read item "13" into record as shown above. She presented several aerial views of the subject property. The purpose of the rezoning request is to allow the construction of a tank farm for wholesale storage of fuels and lubricants and accessory uses including an office, employee parking and rail yard. The proposed use is classified as "petroleum, gasoline, and lubricating oil refining, and wholesale storage," which is a "heavy industrial" use and may be allowed by Special Permit in the "IL" Light Industrial District. The proposed development is directly underneath the flight path of a runway at Corpus Christi International Airport. Staff recommendation is approval of the change of zoning from the "IL" Light Industrial District to the "IL/SP" Light Industrial District with a Special Permit subject to the following conditions:

1. Allowed Uses:

The only use allowed on the Property other than those uses allowed by-right in the "IL" Light Industrial District is the wholesale storage of fuel and lubricants. The number of above ground fuel tanks on the site plan is illustrative and therefore, could include more or less above ground fuel tanks as desired by the applicant, provided that all other requirements are in compliance. Hemispheric pressurized tanks shall be prohibited on the Property.

2. Fire Department Approval:

Development of the Property, including the storage of fuels and lubricants, shall comply with all Fire Department requirements.

3. Storm Water Detention:

The Owner shall construct and maintain any necessary aboveground detention facilities in a manner that prevents water from standing for longer than 48 hours after the design storm and the drainage facilities shall remain completely dry between storms.

4. Federal Aviation Administration (FAA):

The Owner shall submit notice to the FAA prior to obtaining building permits for each structure or tank or to the temporary location of potential aviation hazards such as construction cranes on site.

5. Airport Hazards:

a. Height: The Maximum height of structures shall comply with the City's Airport Zoning Ordinance and the most current conical surfaces map of Corpus Christi International Airport.

b. Lighting: All lighting shall be shielded toward the site and shall not conflict with airport flight operations per the Corpus Christi Airport Zoning Regulations.

c. Other Airport Hazards: No use or activity shall create electrical interference with navigational signals or radio communication between airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.

6. Landscaping and Screening:

The Owner shall install and maintain landscaping in the southeast corner of the Property at the corner of Agnes Street and Manning Road. A landscape street yard shall be delineated by a triangle formed by a line tangent to the proposed railroad tracks and the street right-of-way lines of Agnes Street and Manning Road. Within this landscape street yard, the minimum required landscaped area shall be 15% of the total street yard and the street yard shall be landscaped with plant material approved by Corpus Christi International Airport and listed in the UDC to achieve a minimum of 0.02 points per square foot of total street yard area. Landscaping shall not be required along Manning Road, Alpine Street or the unimproved Chickery Street right-of-way, however, landscape screening of parking lots and truck loading facilities within 100 feet of any street right-of-way shall be required in accordance with UDC Section 7.3.11.

7. Land Use Compatibility in Accident Potential Zones:

The Owner shall not exceed a maximum Floor Area Ratio (FAR) of 0.28 in Accident Potential Zone (APZ) - 1 and 0.56 in APZ-2.

8. Time Limit:

This Special Permit shall be deemed to have expired within 12 months of this ordinance unless a complete building permit application has been submitted. In the case of a phased project, subsequent building permit applications shall be submitted within 18 months from the date of issuance of the Certificate of Occupancy or final approved inspections for the previous phase of the development. The Special Permit shall expire if the use is discontinued for more than six consecutive months.

After Staff's presentation, Chairman Ramirez opened the public hearing. Javier Cantu at 709 Chickery Street, addressed the Commission and has concerns regarding possible gas emissions from the proposed project. Mr. Cantu asked about Special Permit condition "6" with regards to Landscaping and Screening. He also has concerns regarding the potential for airplane crashes.

Representing the applicant, Robert Singleton from Sugarland, Texas addressed the Commission. He stated that there will be no refining or processing of products at the site; the liquids will be only transported and contained.

Ms. Yankee assisted with clarifying on the site plan where screening would be placed; screening will consist of shrubs as a fence is not required for this site.

Ram Munoz at 1608 Brownlee Boulevard, Engineer of record for the project.

He informed the Commission that road improvements will take place on Manning Street and Alpine Street during Phase I of the project. Currently, road improvements to Chickery Street are not planned.

Robert Harold at 5449 Ocean Drive addressed the Commission and had questions concerning landscaping as well.

With no one else coming forward during public comment, Chairman Ramirez closed the public hearing. A motion to approve item "13" was made by Commissioner Crull and seconded by Commissioner Baugh. The motion passed.

14. [16-1002](#)

Case No. 0816-04 - MBA-Mi Mundo Daycare, LLC: A change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District. The property to be rezoned is described as Peary Place Annex "D", located on the west side of Paul Jones Avenue between Brittany Drive and Argonne Drive.

Ms. Yankee read item "14" into record as shown above. Ms. Yankee presented several aerial views of the subject property. She stated the purpose of the rezoning request is to allow a commercial daycare facility. She informed the Commission that zero public notices were returned in favor or opposition. The proposed rezoning to the "CN-1" Neighborhood Commercial District is consistent with the adopted Future Land Use Map and Staff recommends approval.

After Staff's presentation, Chairman Ramirez opened the public hearing. With no one coming forward, the public hearing was closed. A motion to approve item "14" was made by Commissioner Baugh and seconded by Commissioner Lippincott. The motion passed.

Continued Zoning

15. [16-0864](#)

Case No. 0716-06 - Corner Strong Limited: A change of zoning from the "CN-1" Neighborhood Commercial District and the "CG-2" General Commercial District to the "CG-2" General Commercial District. The subject property is described as being a 4.99-acre tract of land of which 4.52 acres is out of Lots 17, 18, 31 and 32, Section 11, Flour Bluff and Encinal Farm Garden Tracts and 0.47 acres is out of Lot 11, Block 2, Barclay Grove Unit 11, located on the east side of South Staples Street (FM 2444) between Corsica Road and Timbergate Drive.

Ms. Yankee read item "15" into record as shown above. She stated the case was continued because the width of the access drive on Corsica Road was increased, therefore, increasing the area of the original request. Public notices were mailed again stating the increased area of request. The purpose of the rezoning is to allow a mini-storage facility. Ms. Yankee noted that there is a subdivision under development immediately to the east of the subject property and a smaller subdivision under development immediately to the east of the proposed access drive. Staff recommendation is denial of the change of zoning from the "CN-1" Neighborhood Commercial District and the "CG-2"

General Commercial District to the "CG-2" General Commercial District, and in lieu thereof, approval of the "CN-1" Neighborhood Commercial District with a Special Permit.

Special Permit Conditions:

1. Use:

The only use allowed on the Property other than uses permitted in the base zoning districts is a mini-storage facility and related accessory uses.

2. Setbacks:

The storage of boats and campers, a permitted accessory use to mini-storage, and the location of dumpsters shall be limited to the west half of the Property.

3. Access:

Access shall be limited to the west portion of the property fronting Corsica Road.

4. Building Design:

Any buildings constructed within 260 feet of Corsica Road shall have a non-metal façade. Mini-storage buildings shall be prohibited from having doors/openings facing residential uses.

5. Screening Fence:

A minimum six-foot tall solid wood screening fence is required to be constructed, remain in place, and maintained between the mini-storage facility and the residential uses.

6. Buffer Yard:

A 15-foot wide buffer yard and 15 buffer yard points shall be required along the property boundaries adjacent to residential zoning districts. Trees and shrubs shall be planted, remain in place, and be maintained between the mini-storage facility and the residential uses. A continuous line of shrubs shall border the fence. A canopy or understory tree other than palm trees shall be planted every 50 feet on center within the buffer yard.

7. Lighting:

All lighting shall be shielded to direct light downward and pole lights shall be of the full cut-off type. Freestanding pole lights are prohibited within 50 feet of the property line of a residential use. No light source shall exceed the roof height of the buildings on site or 15 feet, whichever is more restrictive.

8. Building Height:

Buildings, excluding the office, shall not exceed 15 feet where adjacent to a single-family residential use. Otherwise, the maximum building height shall be 35 feet. Boat and camper storage is limited to the west half of the Property and shall not be considered "adjacent" to single-family residential uses.

9. Hours of Operation:

The hours of operation for the public shall be limited from 7 AM to 10 PM Sunday through Thursday and from 7 AM to 11 PM on Friday and Saturday.

10. Signage:

Freestanding signage shall be limited to the west portion of the property

fronting on Corsica Road. Wall signs shall not be oriented toward the east.

11. 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.

After Staff's presentation, Chairman Ramirez opened the public hearing. Applicant, Blanche Fernandez at 2174 County Road 51, addressed the Commission to consider amending Special Permit condition "9", Hours of Operation. She stated she has researched other storage facilities in the area and their hours of operation begin at 6AM. In order to be competitive with other storage businesses in the area, she would like for their business to also start at 6AM instead of 7AM. She stated that the remainder of the conditions of the Special Permit are amenable.

With no one else coming forward during public comment, Chairman Ramirez closed the public hearing. A motion was made by Commissioner Crull to approve Staff's recommendation with an amendment to Special Permit condition "9" Hours of Operation, be changed to: The hours of operation for the public shall be limited from 6 AM to 10 PM Sunday through Thursday and from 6 AM to 11 PM on Friday and Saturday. The motion was seconded by Commissioner Baugh and the motion passed.

C. Urban Transportation Plan Amendments

16. [16-1003](#)

Amending the Urban Transportation Plan Map of Mobility CC, a transportation element of the Comprehensive Plan of the City of Corpus Christi, by deleting the extension of Oso Parkway north of Oso Creek between the extensions of Yorktown Boulevard (north of Weber Road) on the east and Greenwood Drive on the west while retaining the segment as a future hike and bike trail.

Ms. Yankee read item "16" into record as shown above. She presented several aerial views detailing the location. Ms. Yankee informed the Commission that the need for the deletion was first brought to their attention by a developer who is building a house on a five acre parcel of land which the parkway goes through. The parcel of land is impacted by a floodzone issues and it would not be practical to develop a road in a floodzone. Cabaniss Airfield is also located in this area which is on federal property. The north side of Oso Creek is not planned for residential development and it does not serve a purpose for a larger demand of traffic. Also, the construction of a four-way intersection at State Highway 286 is no longer possible. Development Services Staff, Traffic Engineering and the Transportation Advisory Commission recommend the deletion while retaining the segment as a future hike and bike trail.

With no one left in the audience, Chairman Ramirez opened/closed the public hearing. Commissioner Crull raised some concerns he has with deleting this segment and made a motion that it be retained in the Urban Transportation Plan. The motion failed due to lack of a second. To allow further research into Commissioner Crull's comments, Staff recommended tabling this item. A motion was made by Commissioner Williams to table item "16" to the next regularly scheduled Planning Commission meeting of September 7, 2016. The

motion was seconded by Commissioner Crull and the motion passed.

17. [16-1004](#)

Amending the Urban Transportation Plan Map of Mobility CC, a transportation element of the Comprehensive Plan of the City of Corpus Christi, by deleting Mustang Trail, a proposed C1 Collector, between McArdle Road and South Padre Island Drive.

Ms. Yankee read item "17" into record as shown above. She presented several aerial views detailing the location of Mustang Trail. At one point, Mustang Trail was supposed to intersect with South Padre Island Drive with an overpass which was never executed through the Urban Transportation Plan (UTP). She stated the alignment of Mustang Trail would go through already developed and platted properties. The alignment also runs through a City Park which is currently for sale for potential development. For these reasons, Staff is recommending the removal of Mustang Trail, C1 collector, between McArdle Road and South Padre Island Drive.

With no one left in the audience, Chairman Ramirez opened/closed the public hearing. A motion to approve item "17" was made by Commissioner Crull and seconded by Vice Chairman Villarreal. The motion passed.

VII. Director's Report

Dan McGinn, Interim Director of Development Services, updated the Commission on City Council action items which occurred on August 23, 2016.

VIII. Items to be Scheduled

None.

IX. Adjournment

There being no further business to discuss, Chairman Ramirez adjourned the meeting at 7:15 p.m.