



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

Planning Commission

Wednesday, April 18, 2018

5:30 PM

Council Chambers

I. Call to Order

Vice Chairman Lippincott called the meeting to order and a quorum was established with Chairman Villarreal absent and Commissioners Hovda and Dibble absent.

II. Approval of Minutes

1. [18-0489](#) Regular Meeting of April 4, 2018

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

III. Public Hearing (Items 2 - 6) - Discussion and Possible Action

A. Plats

New Plats

Greg Collins, Development Services, read items "2, 3, & 4" into the record as shown below. Mr. Collins stated the plats satisfy all requirements of the Unified Development Code (UDC) and State Law; the Technical Review Committee recommends approval.

After the presentation, Staff responded to Commissioner's questions then Vice Chairman Lippincott opened the public hearing. With no one coming forward, the public hearing was closed. A motion to approve items "2, 3 & 4" was made Commissioner Crull and seconded by Commissioner Baugh. The motion passed.

2. [18-0490](#) 18PL1014
ROYAL OAK UNIT 2 (FINAL - 21.82 ACRES)
Located south of Leopard Street and west of Rand Morgan Road (FM 2922).
3. [18-0491](#) 18PL1016
VILLAGE AT HENDERSON APARTMENTS SUBDIVISION, BLK 2, LOT 2 (FINAL - 6.43 ACRES)
Located south of Lipes Boulevard and west of South Staples Street.

4. [18-0492](#) 17PL1087
RANCHO VISTA SUBDIVISION UNIT 16 (FINAL - 8.14 ACRES)
Located south of Yorktown Boulevard and east of Rodd Field Road.

B. Zoning

New Zoning

5. [18-0493](#) Public Hearing - Rezoning Property at or near 6502 Agnes Street

Case No. 0318.02 - Hooten Family Trust A:

Ordinance rezoning property at or near 6502 Agnes Street (located on the north side of Agnes Street (State Highway 44), west of Hopkins Road, and east of Bronco Road) from the "IL" Light Industrial District to the "IL/SP" Light Industrial District with a Special Permit.

Andrew Dimas, Development Services, read item "5" into the record as shown above. He presented several aerial views of the subject property along with the Existing and Future Land Use maps. He stated the request is for the purpose of a transshipment facility for the movement of petroleum products. He informed the Commission that zero public notices were returned in favor or in opposition of the change of zoning request. Mr. Dimas went over the zoning patterns for the surrounding area along with the UDC requirements for the change of zoning request. He presented a site plan detailing the location of the storage tanks and the configuration of the rail line.

Mr. Dimas presented another aerial map of the subject property to explain the Air Installation Compatibility Use Zone (AICUZ) and to identify a portion of the property that is classified as a "Clear Zone". The Corpus Christi International Airport (CCIA) and the Navy have expressed that the Clear Zone should be free of any structures that could interfere with aircraft. Also, the proposed railroad tracks within the Clear Zone can only be used for transit of rail cars. The rail cars cannot be parked in the Clear Zone. Additionally, the remainder of the property not within the Clear Zone is categorized as an Accident Potential Zone (APZ-1). Staff recommends approval of the requested change of zoning with the following Special Permit Conditions:

1. Uses: The only uses authorized by this Special Permit other than uses permitted by right in the base zoning district is the wholesale storage and transfer of petroleum based products. The aboveground fuel storage tanks are identified and limited based on the attached site plan. The tanks shall be no larger than 48 feet in height and 162 feet in diameter. No spherical tanks are permitted.

2. Fire Department Approval: Development of the Property, including the storage of fuels and blending agents, 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 and will need to file an Airspace Study (Form 7460) 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 to determine any potential impacts to Corpus Christi International Airport.

5. **Corpus Christi International Airport Hazards:**

a. **Height:** The Maximum height of structures shall comply with the City's 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. Additionally, any parked train cars or engines must be parked far enough to the north of the Approach Light System so that the light plane is not impacted by the cars or engines.

c. **Rail Cars:** Rail lines are located in the Clear Zone and per Department of Defense Instruction 4165.57 (AICUZ) SLUCM No. 41 are prohibited in the clear zone. A rail line parallel to Agnes Street (State Highway 44) is transitory in nature and rail cars shall not park on the rail line in the vicinity of the Corpus Christi International Airport.

d. **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. The proposed access road is located in the Clear Zone. Transitory movement is allowed, however vehicles cannot park in the clear zone.

6. **Landscaping and Screening:** The Owner shall install and maintain landscaping of the Property along Agnes Street (State Highway 44) and along Hopkins 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. 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. The proposed landscaping cannot use any plants that will be wildlife attractants. Advisory Circular 150/5200-33B states that wildlife attractants must be at least 10,000 feet from the airport perimeter.

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

9. **Time Limit:** In accordance with the UDC, this Special Permit shall be

deemed to have expired within twelve (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, the floor was opened for comments/discussion by Commissioners. Further discussion took place regarding the location of the storage tanks/rail road. Commissioner Crull raised concerns regarding CCIA runway lights an easement near the subject property. He also pointed out designated streets on the Future Land Use map/Urban Transportation Plan (UTP) that run through the subject property which were not addressed on the site plan. Mr. Dimas stated the applicant was aware of the need for a UTP amendment, and that to his knowledge a UTP amendment process was starting, to remove or adjust these future road alignments and that the Commission would have an opportunity to review and voice concerns in the future. Mr. Crull also noted there is a drainage ditch along the east side of the airport, and a structure that goes underneath both S.H. 44 and Agnes Street, and there is a Stormwater Master Plan here, and a drainage-right-of-way would need to be provided at the platting stage. Mr. Crull asked whether adoption of the Special Permit would affect enforcement of drainage and other platting requirements, and whether the applicant was aware of these platting requirements. Mr. Dimas stated that condition #8 in the Special Permit, compliance with all other codes, is a "catch-all" provision, requiring the applicant to abide by other applicable city requirements, including the platting requirements in Article 8 of the UDC. He also stated that to his knowledge, the applicant was aware of the platting requirements, and the Commission would have the opportunity to review and comment on these issues at the platting stage of the development.

After comments/discussion concluded, Vice Chairman Lippincott opened the public hearing. Representing the applicant, attorney John Bell, addressed the Commission to make clarifications regarding Commissioner's concerns. He redefined the property lines of the subject site. He confirmed that the applicant is in the process of the UTP amendment to address the proposed streets that cross through the property. He stated that a drainage easement does not exist on the property and any drainage issues will be addressed during the platting phase. He recited Special Condition #6, Landscaping: "The Owner shall install and maintain landscaping of the property along Agnes Street (State Highway 44) and along Hopkins Road." He stated the subject property does not have frontage along Agnes Street. He clarified that the frontage along Agnes Street currently has a fence that is maintained by the City and requests that Special Condition #6 be revised. He also asked that Special Condition "5c" be revised to prohibit only "rail cars" and not "rail lines" in the Clear Zone. Mr. Dimas stated that he will make the requested adjustments to Special Conditions "5c" & "6".

With no one else coming forward, the public hearing was closed. A motion to approve Staff's recommendation for item "5", along with the revised Special Conditions for "5c" & "6", was made by Commissioner Crull and seconded by Commissioner Schroeder. The motion passed.

C. Master Plan

6. [18-0497](#) Ordinance amending the Urban Transportation Plan map of Mobility CC, a transportation element of the Comprehensive Plan of the City of Corpus Christi, by deleting two proposed (C1) Collector streets located north of FM 624 between Calallen High School and County Road 69 and the existing River Canyon Drive (C1) Collector; amending related elements of the Comprehensive Plan of the City.

Laura Sheldon, Development Services, along with Raymond Chong with Traffic Engineering, presented item "6" as shown above. The purpose of this item is to change the City's Urban Transportation Plan map by deleting two planned streets to accommodate a proposed development for Calallen Independent School District (ISD). Calallen ISD is proposing to construct an elementary school and has submitted a preliminary plat. The current UTP map shows two proposed C1 collectors within the boundary of the plat: Riverside Dr. (From Northwest Blvd to proposed River Canyon Dr.) & River Canyon Dr. (From County Road 69 to existing River Canyon Dr.). She stated Calallen ISD has proposed vehicular access through Hazel Bazemore Road for the purpose of student "drop-off" by parents and the bus unloading area will be located on an existing driveway to the west of the school. She explained the current obstacles which hinder the construction of the two planned C1 collector streets. She presented a side by side comparison of two maps, the current plan and the proposed change, showing the location of the streets. City Staff and the Transportation Advisory Commission recommend approval of the UTP map amendment as presented.

After Staff's presentation, the floor was opened for comments/discussion by Commissioners. Commissioner Crull raised a concern for the proposed amendment due to possible future development in the area near River Canyon Drive and discussed alternative transportation options in the area. Further discussion took place regarding the location of buses and the possible overflow of traffic from the parent drop-off area.

After comments/discussion concluded, Vice Chairman Lippincott opened the public hearing. Engineer for the project, Murf Hudson with Urban Engineering at 2725 Swanter Drive, addressed the Commission and gave further details regarding the plans for the parent drop-off and bus arrangements. He stated there is a sufficient amount of vehicle stacking for the parent drop-off which will prevent overflow. He said there will be a private driveway connection between the parent drop-off and the bus drop-off. The connection will have a gate to prevent access between Hazel Bazemore Road and the high school and except for football games, when the gate would be open. He said this plan is much safer because it would direct football traffic to Hazel Bazemore Road, and to a controlled traffic signal, instead of directing traffic onto Northwest Boulevard. Mr. Hudson felt that future development would not generate an increased amount of traffic to justify a UTP C1 Collector classification. The City would have the authority, if the neighboring property around River Valley Drive and River Canyon Drive is ever platted, to request right-of-way to connect those two streets, or even to connect to Hazel Bazemore Road. He did not think the school district was opposed to a northern residential street connecting to Hazel Bazemore Road. They just did not want a public street dividing their

campus.

Mr. Chong added that he is also working with Mr. Hudson to produce a traffic study on how the proposed project impacts FM 624 from the City, County and State's standpoint. Site impact, parking and congestion will be addressed in that study.

With no one else coming forward, the public hearing was closed. Commissioner Crull asked whether they could make a condition for deletion of these roads from the UTP, to add a piece of road, about 200 feet of Rolling Ridge Drive (that would connect Cenizo Canyon Subdivision to River Canyon Subdivision), to provide more access for the River Canyon Subdivision.

Nina Nixon-Mendez, Development Services Director, stated that this was not on the agenda. Commissioner Crull asked Staff to get with Engineering Services to see about adding this to some program, to get it built. Ms. Nixon-Mendez said Staff would be interested in considering that option, that they would review that, and bring that amendment forward at a future meeting. They could not require formal action on that at this meeting, but they could look at that. A motion was made by Commissioner Crull to approve Staff recommendation for item "6" and Commissioner Baugh seconded. The motion passed.

D. Briefing on an Ordinance

7. [18-0496](#) Briefing on an ordinance establishing the Flood Hazard Mitigation Committee.

Yvette Dodd, Development Services, briefed the Commission on item "7" as shown above. She informed the Commission that the City participates in the Community Rating System (CRS) for the National Flood Insurance Program. The CRS program provides incentives in the form of Flood Insurance discounts for communities that go above and beyond the minimum flood plain management standards. Establishing a committee and developing plans is an opportunity to gain additional points to assist in maintaining/improving our current CRS points which provides additional discounts to flood insurance policies. The two plans the Committee will be responsible for are the Program for Public Information (PPI) and Flood Insurance Coverage Improvement (CPI) Plan. The PPI plan is an ongoing public information effort to design and transmit the messages that the community determines are most important to its flood safety and the protection of its floodplains' natural functions. The CPI is an ongoing public information effort designed to promote flood insurance and its importance as a preparedness effort. After the briefing, Staff responded to Commissioners questions regarding the appointment of members and their responsibilities. No action was taken.

IV. Director's Report

Nina Nixon-Mendez, Director of Development Services, updated the Commission on City Council action to table Zoning Case No. 1117-01 that was presented to them on April 17, 2018. She also informed the Commission on an

audit report that was considered and accepted by City Council regarding the Water/Wastewater trust funds. The audit report recommended Staff to revisit the language in the UDC related to the trust funds and Council has directed Staff to come back to report on a plan for updates to the UDC. She asked the Commission for their input related to the trust fund which will be incorporated into the report.

V. Items to be Scheduled

None.

VI. Adjournment

There being no further business to discuss, Vice Chairman Lippincott adjourned the meeting at 6:30 p.m.