



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

Planning Commission

Wednesday, June 27, 2018

5:30 PM

Council Chambers

I. Call to Order

Chairman Villarreal called the meeting to order and a quorum was established with Commissioner Williams and Baugh absent.

II. Approval of Minutes

1. [18-0764](#) Regular Meeting Minutes of June 13, 2018

A motion to approve item "1" was made by Vice Chairman Lippincott and seconded by Commissioner Hovda. The motion passed.

III. Public Hearing (Items A- D) - Discussion and Possible Action

A. Plats

New Plat with a Waiver (Plat Variance)

Greg Collins, Development Services, informed the Commission that he will first present item "3" for the Commission's consideration before item "2".

3. [18-0787](#) **18PL1022**
STARLIGHT ESTATES Unit 3 (FINAL - 14.84 ACRES)
Located east of Fred's Folly and south of Yorktown Boulevard.
Request for a Waiver from Platting Requirement UDC Section 8.2.1.D.2 and Table 8.2.1.E

Mr. Collins read item "3" into record as shown above. The applicant is requesting a waiver from the platting requirement of external street connectivity, under UDC Section 8.2.1.D.2, and Table 8.2.1.E, requiring three external access points to the City's existing or future roadway network, for subdivisions of 161 or more buildable lots. The owner is developing a residential subdivision in two phases, and plans to develop a total of 250 lots. Phase I, in progress, consists of Units 1 and 2 (109 lots total), already approved by Planning Commission, and Unit 3 (63 lots), to be considered by Planning Commission after consideration of this plat waiver request. Phase 2 would consist of the remaining 78 lots, for a total of 250 lots. The applicant requests that two access points be deemed sufficient for the platting of Unit 3. The upcoming platting of Unit 3 triggers the requirement of having one more external access point. The total number of lots for Unit 3 will reach 172 lots

which exceeds by 12 lots the 160 lot maximum for a subdivision having only two Subdivision External Access Points.

Mr. Collins presented an aerial view of the subject property along with the previously approved preliminary plat (October 4th, 2017) detailing the locations of the three access points. Currently, Units 1 and 2 of the subdivision (109 lots total) have two access points. The first access point is Krypton Drive (formerly known as Mustafar Drive) in Unit 1 that runs north and exits onto Yorktown Boulevard. In Unit 2, the second access point is Stampede Drive which runs west and exits the subdivision and enters the neighboring subdivision, Rancho Vista Unit 15 to the west. The third access point that is planned to be built is the extension of Ranch View Drive (in Unit 2), that would travel north, exit the subdivision, and enter the future Riverbend Subdivision, and continue north and exit onto Yorktown Boulevard.

Mr. Collins continued that the waiver may be approved, approved with conditions or denied after consideration of the following factors:

1. Not detrimental to public health, safety, or general welfare, or be injurious to other property in area, or to the City;
2. The conditions that create the need for the waiver shall not generally apply to other property in the vicinity;
3. Application of the provision will render subdivision of land unfeasible; or
4. The granting of the waiver would not substantially conflict with the Comprehensive Plan and the purposes of the UDC.

Staff recommends approval of waiver, allowing Unit 3 to proceed, with two access points: Krypton Dr. onto Yorktown Blvd, and Stampede Dr. onto Fred's Folly Dr., with condition: No further platting of Starlight Estates beyond Unit 3 shall occur until the area encompassing planned Riverbend Subdivision is platted, and Ranch View Drive is constructed, providing 3rd access point. After Staff's presentation, Chairman Villarreal opened the public hearing. With no one coming forward, the public hearing was closed. Discussion took place amongst Commissioners regarding street configurations/connectivity between Starlight Estates and the planned Riverbend Subdivision. Commissioner Crull felt that there is a disconnect between the proposed subdivisions and suggested that the condition in Staff's recommendation be amended to specifically omit Ranch View Drive and to include that a third point of connectivity be secured between Starlight Estates and Riverbend Subdivision. A motion was made by Commissioner Dibble to approve Staff's recommendation for item "3" with the caveat that the condition be amended per Commissioner Crull's suggestion above. The motion was seconded by Commissioner Crull and the motion passed.

2. [18-0783](#)

18PL1022

STARLIGHT ESTATES Unit 3 (FINAL - 14.84 ACRES)

Located east of Fred's Folly Drive and south of Yorktown Boulevard.

Mr. Collins read item "2" into the record as shown above. Mr. Collins stated the plat satisfies all requirements of the Unified Development Code (UDC) and State Law; the Technical Review Committee recommends approval.

After Staff's presentation, Chairman Villarreal opened the public hearing. With no one coming forward, the public hearing was closed. A motion to approve items "2" was made Commissioner and seconded by Commissioner Crull. The

motion passed.

Waiver (Plat Variance)

4. [18-0766](#)

18PL1015

GARDENDALE ADDITION NO. 3, BLOCK 11, LOT 15R (REPLAT - 1.69 ACRES)

Located north of Williams Street and west of South Staples Street. Waiver from the platting requirement in UDC 8.1.11.B.3, to allow recordation of the plat and installation of a fire hydrant at the building permit/site development stage of development.

Mr. Collins read item "4" into record as shown above. The applicant is requesting a waiver from the platting requirement that certain public improvements be installed prior to recordation of the plat, specifically the requirement under UDC 8.1.11.B.3 that fire hydrants be installed prior to recordation. The applicant requests that the plat be allowed to be recorded first, and that installation of the fire hydrant occur at the site development / building permit stage of development. He presented an aerial map to show the location of the subject property along with the plat that was approved by Planning Commission on June 13, 2018. He presented another aerial map showing the distance between the proposed fire hydrant and the closest existing fire hydrant on Staples Street (309.08 feet). Development Services Engineering required that, prior to recordation, a fire hydrant be installed on the water line running along Williams Drive, to satisfy the 300-foot spacing requirement along street frontage.

Mr. Collins added that Staff does not have legal authority to administratively grant the request and it must go through a formal plat waiver process mandated under the UDC section 3.8.3.D. He continued that the waiver may be approved, approved with conditions or denied after consideration of the following factors:

1. Not detrimental to public health, safety, or general welfare, or be injurious to other property in area, or to the City;
2. The conditions that create the need for the waiver shall not generally apply to other property in the vicinity;
3. Application of the provision will render subdivision of land unfeasible; or
4. The granting of the waiver would not substantially conflict with the Comprehensive Plan and the purposes of the UDC

Staff recommends approval of the waiver to allow recordation of the plat, prior to installation of the required fire hydrant along Williams Drive. The fire hydrant shall be installed at the site development stage of building construction. Fire hydrant and any other public improvements must be installed and accepted by City Engineer and City Staff prior to issuance of a Certificate of Occupancy.

After Staff's presentation, Chairman Villarreal opened the public hearing. With no one coming forward, the public hearing was closed. A motion to approve

item "4" was made Commissioner Dibble and seconded by Commissioner Schroeder. The motion passed.

New Plats

Mr. Collins read items "5, 6 & 7" 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 Staff's presentation, the floor was opened for discussion/questions by Commissioners. Commissioner Crull asked what the zoning district is for item "5". Mr. Collins stated the zoning district for item "5" is "RS-TF" and clarified that for this zoning district, lots are not distinguished by width but by site area. The minimum site area requirement for "RS-TF" is 50 feet. The site area for item "5" is 80 feet. Commissioner Crull also asked if the proposed zoning district ("CG-2") for item "6" is consistent with the current zoning designation and Mr. Collins answered with a confirmation. Commissioner Schroeder asked a question regarding the number of access points and the number of lots for item "6". Mr. Collins stated Staff has met/discussed those issues with the land developer/owner. During those discussions, it was agreed that the development can be executed in phases and construction to provide adequate access points will be met at the Final plat phase.

After discussion/questions concluded, Chairman Villarreal opened the public hearing. With no one coming forward, the public hearing was closed. A motion to approve items "5, 6 & 7" was made Commissioner Ezell and seconded by Commissioner Crull. The motion passed.

5. [18-0767](#) **18PL1033**
PADRE ISLAND - CORPUS CHRISTI SECTION 4, BLOCK 219, LOTS 4A & 4B (REPLAT - 0.19 ACRES)
Located south of Whitecap Boulevard and west of Palmira Avenue.
6. [18-0768](#) **17PL1142**
AZALI ESTATES (PRELIMINARY - 85.446 ACRES)
Located east of Yorktown Boulevard and west of Cayo Del Oso.
7. [18-0769](#) **18PL1047**
HUNTINGTON PARK UNIT 2 (PRELIMINARY - 14.99 ACRES)
Located south of Saratoga Boulevard and west of South Staples Street (FM 2444).

Time Extension

8. [18-0770](#) **14-20000004**
REYTEC INDUSTRIAL PARK (PRELIMINARY - 39.13 ACRES)
Located east of South Navigation Boulevard and north of Bates Drive.

Mr. Collins read item "8" into record as shown above. He informed the Commission the plat was originally approved on June 18, 2014. The applicant is requesting a twenty-four month extension and this is the second request. The applicant states that public improvements for this project have taken longer than anticipated and were approved in February of this year. They are in the process of obtaining signatures for the off-site easements associated with the Final Plat of Unit 1.

Mr. Collins informed the Commission that item "8" is associated with zoning case no.1117-01, GMG Partners, LP, and the applicant is currently working on site issues in order to move forward for City Council consideration. Staff along with the TRC has reviewed the extension request and felt that enough progress has been made to grant a second extension. After Staff's presentation, Chairman Villarreal opened the public hearing. With no one coming forward, the public hearing was closed. A motion to approve item "8" was made by Commissioner Schroeder and seconded by Commissioner Dibble. The motion passed.

B. Tabled Zoning

9. [18-0655](#)

Public Hearing - Rezoning Property at or near 6000 Yorktown Boulevard

Case No. 0218-03 - William B. Miller, Jr:

Ordinance rezoning property at or near 6000 Yorktown Boulevard (located on the north side of Yorktown Boulevard, east of Loire Boulevard, and west of Cimarron Boulevard), from the "RS-6" Single-Family 6 District to the "IL" Light Industrial District.

Andrew Dimas, Development Services, read item "9" into the record as shown above. He stated that this item was originally presented at the May 30, 2018, Planning Commission meeting and proceeded to briefly go over key points as a recap. He presented several aerial views of the subject property along with the Existing and Future Land Use maps. He informed the Commission that zero public notices were returned in favor and four notices were returned in opposition of the change of zoning request. He also went over the zoning patterns for the surrounding area along with the UDC requirements for the change of zoning request. He explained that the buffer yard and setback requirements are stringent because the subject property is adjacent to single-family residences. With those requirements in mind, Staff developed a compromise to preserve the use of the building and recommend the following:

For Tract 1: Approval of the change of zoning from the "RS-6" Single-Family 6 District to the "IL" Light Industrial District.

For Tract 2: Denial of the change of zoning from the "RS-6" Single-Family 6 District to the "IL" Light Industrial District, in lieu thereof approval of the "CN-1/SP" Neighborhood Commercial District with a Special Permit (SP) with the following conditions:

1. **Uses:** The only uses authorized by this Special Permit other than uses permitted by right in the base zoning district are as defined by the Unified Development Code (UDC) in Section 5.1.5.B "Warehouse and Freight Movement" except bus barn, coal and coke storage and sales, milk distributing station, the stockpiling of sand, gravel, or other aggregate materials, Section 5.1.4.H "Self-Service Storage", and Section 5.1.4.I "Vehicle Sales and Service" except auto rental, auto upholstery shop, bicycle and watercraft rental, boat and recreational vehicle sales, camper shell sales and service, manufactured home sales, repair and service of RVs, boats, and light and medium trucks, vehicles sales or leasing facilities, and vehicle service, heavy.

2. **Setback:** A setback at a minimum of 20 feet shall be maintained from any residential property. No buildings or storage shall be allowed within the setback. The existing screening fence shall be maintained in good condition.

3. **Outdoor Storage:** Any outdoor storage occurring within 50 feet of a property line shared with a residential use shall not exceed 20 feet in height.

4. **Dumpsters:** No dumpsters or refuse receptacles shall be located within 20 feet of any property line shared with a residential use.

5. **Landscaping:** If the use of outdoor storage or an addition to the existing building occurs, landscaping shall be installed in accordance with the requirements of the Unified Development Code (UDC) along Yorktown Boulevard.

6. **Lighting:** All lighting must be shielded and directed away from abutting residences and nearby streets. Cut-off shields are required for all lighting. No light projection is permitted beyond the property line.

7. **Noise:** Noise regulations shall be subject to Section 31-3 of the Municipal Code. Outside paging, speakers, telephone bells, or similar devices are prohibited.

8. **Hours of Operation:** The hours of operation shall be daily from 6:00 AM to 9:00 PM.

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

10. **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 or, a certificate of occupancy or UDC compliance has been issued. The Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

For clarity, Mr. Dimas also displayed a map showing which portions of the property are Tract 1 and Tract 2. The area of the existing building on the property is Tract 1 and Tract 2 is the remainder portion vacant land. The map also further detailed the lines for setback requirements (Conditions 3 & 4). He concluded the presentation by restating the uses in Condition 1 for Tract 2.

After Staff's presentation, the floor was opened for discussion/questions by

Commissioners. Discussion took place regarding the setback requirements on the eastern side of the property and Condition 10. Commissioner Crull felt that the time limit should be increased from 12 months to 24 months. Commissioners also commended Staff for their efforts on this case.

After discussion/questions concluded, Chairman Villarreal opened the public hearing. With no one coming forward, the public hearing was closed. A motion was made by Commissioner Crull to approve Staff's recommendation and to amend Condition 10 by increasing the time limit to 24 months. The motion was seconded by Vice Chairman Lippincott and the motion passed.

C. Ordinance

10. [18-0710](#) Small Cell Design Manual

Dan McGinn, Director of Planning and Environmental/Strategic Initiatives, presented item "10". He stated this item was originally presented at the June 13, 2018, Planning Commission meeting and proceeded to briefly go over key points as a recap. He explained that Section 284.107 of Senate Bill 1004 allows cities to adopt a Design Manual. The Corpus Christi Small Cell Design Manual includes rules/recommendations that help guide the City, and Network Providers, with Small Cell installation in special districts, installation with preferred locations within the City, as well as undergrounding requirements, removal/relocation, electrical supply and other aesthetic requirements.

Staff and the Texas Municipal League drafted a Small Cell Design Manual in June 2017 to prepare for the passage of Senate Bill 1004 and recommended that member cities adopt some or all the document. Planning Staff evaluated the draft Design Manual along with several other cities manuals and made some small modifications to fit the needs of Corpus Christi. Mr. McGinn further described the rules and regulation for the design manual which include the permitting process, installation/inspection, responsibilities of Network Providers and general provisions. Staff recommends approval.

After Staff's presentation, the floor was opened for discussion/questions by Commissioners. Commissioner Crull suggested to add a provision in the design manual for pole attachment agreements, trimming tree maintenance on private property should interference arise and windstorm loads. He also suggested to use section numbers rather than bullet points for better reference in the design manual. After discussion/questions concluded, Chairman Villarreal opened the public hearing. With no one coming forward, the public hearing was closed. A motion was made for item "10" by Commissioner Crull to approve Staff's recommendation with the caveat that Staff incorporate the suggestions made above. The motion was seconded by Vice Chairman Lippincott and the motion passed.

D. Presentation

11. [18-0772](#) Proposed Bond 2018 Program

Valerie Gray, Executive Director of Public Works, along with Jeff Edmonds, Director of Engineering Services, presented item "11". The purpose of this item is to hold a public hearing and obtain Planning Commission input on the

proposed Bond 2018 Program and a recommendation for City Council approval of the Program as per City Charter. The staff-recommended list of projects for a future bond election consists of seven Propositions. The first two Propositions (A & B), valued at \$52 Million and \$22 Million respectively, represents streets in the greatest need of reconstruction. The remaining five Propositions (C thru G), valued in the aggregate at \$22 Million, represent needed improvements to City facilities. She presented a slide for Proposition A which consists of 25 projects for a majority of arterial/collector street improvements and represent all of the five Council Districts. Proposition A does not have a property tax increase, budgets do not include utility costs and residential utility bills will have a \$2.00/month increase. Chairman Villarreal asked how the public will be made aware of the increase in their residential utility bill. Ms. Gray explained that an informational guide is currently being drafted to include educational literature on the Bond Program and once finalized it will be widely dispersed to the public as part of outreach efforts.

Ms. Gray listed 14 projects that compose Proposition B which are additional arterial/collector street improvements and represent all five Council Districts. Proposition B does have a property tax increase of \$ 0.01, budgets do not include utility costs and residential utility bills will see an \$ 0.82/month increase. Ms. Gray continued to list the remaining projects for Propositions C thru G which represent needed improvements to City facilities. Propositions C thru G will have a property tax increase of \$0.01 and not utility cost increase. She also went over a schedule of the following next steps to be taken:

June 2018 – Finalize Ballot & Informational Guide language

July 31, 2018 – City Council review of Final Draft Ordinance calling Election

August 14, 2018 – City Council action for approval of the Ordinance calling Election (one reading action item)

October 22, 2018 – First day of Early Voting

November 6, 2018 – Election Day

Ms. Gray concluded the presentation with the addition of an implementation schedule which was done as part of City Council feedback to improve the amount of time projects take. The chart shows the goal of implementing the Bond much sooner than in the past. After Staff's presentation, the floor was opened for discussion/questions by Commissioners. Discussion took place regarding the bond plan/process, how it's determined which projects will require tax increases, how the budget is allocated for streets and how streets are selected for inclusion in the program. Discussion also took place regarding the quality of work and warranty of the streets.

After discussion/questions concluded, Chairman Villarreal opened the public hearing. With no one coming forward, the public hearing was closed. A motion was made by Commissioner Schroeder to approve Staff's recommendation for item "11". The motion was seconded by Commissioner Ezell and the motion passed.

IV. Briefing

12. [18-0761](#)

Affordable Housing Policy

Nina Nixon-Mendez, Director of Development Services, informed the Commission that item "12" will be postponed to the July 11, 2018, Planning

Commission meeting. No action was taken.

V. Director's Report

Ms. Nixon-Mendez informed the Commission that in conjunction with the Affordable Housing Policy, Staff has drafted an ordinance that provides a program for a development fee reimbursement. The draft is currently available for viewing on our department's website in which you can also leave comments/feedback. The draft has also been emailed to stakeholder groups for their input. She updated the Commission on vacancies within the Landmark Commission and asked Commissioners to pass on that information to anyone who might be interested in fulfilling a position.

VI. Items to be Scheduled

None.

VII. Adjournment

There being no further business to discuss, Chairman Villarreal adjourned the meeting at 7:04 p.m.