



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes Planning Commission

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Wednesday, August 8, 2018

5:30 PM

Council Chambers

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### I. Call to Order, Roll Call

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

### II. Discussion and Possible Action Regarding the Election of Officers: Chairman & Vice Chairman

A motion was made by Commissioner Crull to elect Eric Villarreal as Chairman of the Planning Commission. The motion was seconded by Commissioner Hovda and the motion passed.

A motion was made by Commissioner Hovda to elect Carl Crull as Vice Chairman of the Planning Commission. The motion was seconded by Commissioner Baugh and the motion passed.

### III. Approval of Absences: Commissioners Dibble, Schroeder & Ezell

A motion to excuse the absences at the regularly scheduled Planning Commission meeting on July 25, 2018, for Commissioners Dibble, Schroeder and Ezell was made by Vice Chairman Crull and Commissioner Hovda. The motion passed.

### IV. Approval of Minutes

#### 1. [18-0937](#) Regular Meeting Minutes of July 25, 2018

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

### V. Public Hearing (Items A & B) - Discussion and Possible Action

#### A. Plats

#### Plat Waivers (Plat Variance)

#### 2. [18-0960](#)

**18PL1043**

KENLEY ESTATES (FINAL - 13.636 ACRES)

Located east of Flour Bluff Drive between Grand Canal Drive and Glenoak Drive.

Request for a Waiver of the Wastewater Infrastructure Construction Requirement in Section 8.2.7.A of the Unified Development Code (UDC), and an Exemption from Wastewater Lot/Acreage Fees in Accordance with Section 8.5.2.G of the UDC.

Greg Collins, Senior City Planner, read item "2" into the record as shown above. He presented several aerial views of the subject property along with a preliminary wastewater main layout. Currently, there is no wastewater service within a reasonable distance from the subject property. The closest wastewater manhole of sufficient depth is approximately 2,362 feet away. This is in the Laguna Madre Wastewater Collection System Master Plan (Adopted 2006). There is a closer manhole, that is approximately 815 feet away. However, it is only about 6.8 feet in depth, providing insufficient slope for wastewater to flow by gravity in a collection line extension from that manhole, to the subdivision.

Mr. Collins explained that when any subdivision is planned that is "not reasonably accessible" to a public wastewater facility of sufficient capacity as determined by adopted City wastewater standards," such subdivision is eligible for a waiver from this requirement to construct or extend access to such a wastewater system (UDC Section 8.2.7.B.1.a-c.). "Reasonably accessible" means (i) Master Plan facilities are in the service area and such facilities; and (ii) collection lines of adequate capacity are within 1,000 feet of the subdivision (UDC Section 8.2.7.B.1.d.(i)-(ii)). He also went over the factors for granting a plat waiver (UDC Section 3.8.3.D).

Mr. Collins presented a construction cost estimate which was provided by Hanson Professional Services, on behalf of LOWM, Inc., property owner. Mr. Collins further explained the cost estimate difference between the sewer connection (Option A) and a septic system (Option B). The estimated cost for Option A is \$622,000 at \$31,100 per lot and the cost estimate for Option B, per lot, is \$6,000 to \$8,000. The applicant is proposing the option of an individual aerobic (septic) system.

For the applicant's request of an exemption from Wastewater lot/acreage fees, City Council, with the advice of Planning Commission, may exempt a tract of land from the fees, provided the area is not likely to be served with wastewater services within the next 15 years (Section 8.5.2.G). Staff finds there are no plans or capital improvement projects at this time to provide wastewater services to this area within the next 15 years. Staff assessment is that the request meets the requirements for waiver of wastewater infrastructure construction per Section 8.2.7.A, and an exemption from the wastewater lot/acreage fees per Section 8.5.2.G of the UDC.

After Staff's presentation, the floor was opened for questions/discussion by Commissioners. Commissioner Williams felt that there are too many septic systems being installed in the City. Commissioner Hovda raised a concern regarding septic systems when flooding occurs and how it affects the City's water quality. Commissioner Baugh asked how and who reviews the provided cost estimate to ensure accuracy. Vice Chairman Crull felt that there is not enough information to make a recommendation. Discussion also took place regarding the eligibility of reimbursement from the Trust Fund.

After questions/discussion by Commissioners concluded, Chairman Villarreal opened the public hearing. Representing the owner, Craig Thompson with

Hanson Professional Services, addressed the Commission and gave some background information for the proposed project. He informed the Commission this plat is associated with a rezoning case (0118-03, Lowm, Inc.) that was recommended for approval by the Commission in January 2018. He expressed that the owner's decision to go through the rezoning process would not have happened if they believed the waiver request was not suitable. Mr. Thompson stated he underestimated the cost estimate he provided considering that the proposed 24" gravity line is located in the middle of Flour Bluff Drive. Due to the alignment, Flour Bluff Drive would need to be rebuilt once the line is constructed. He felt that the cost to extend the line is more than the cost of all the infrastructure needed for the proposed subdivision. He recalled to the Commission another development to the south of the subject property which was granted the same variance. He stated that due to the way in which the surrounding area has been developed, it is difficult to execute line connections. He conveyed his agreement with the Commission that septic is not the best option for wastewater but a precedence should not be established with this project. He mentioned that reimbursement from the Trust Fund is not a viable option. He assured the Commission that the design features of the septic systems to be utilized for the proposed project are safe.

With no one else coming forward, the public hearing was closed. Commissioner Hovda asked if the Staff Report for the rezoning case specifically stated that the proposed development would utilize septic systems and Staff confirmed. Commissioner Hovda felt that the Commission is accountable since they recommended approval of the rezoning with prior knowledge of the septic system. She emphasized that the lack of wastewater infrastructure in undeveloped areas is an issue that needs special attention. She said Plan CC needs to be implemented because wastewater infrastructure is important to the safety and development of the City. Commissioner Hovda made a motion to recommend approval for item "2" and it was seconded by Chairman Villarreal. A roll call vote took place and the motion passed with Commissioners Schroeder and Zarghouni voting "no".

3. [18-0939](#)

**18PL1043**

KENLEY ESTATES (FINAL - 13.636 ACRES)

Located east of Flour Bluff Drive between Grand Canal Drive and Glenoak Drive.

A request for a waiver of the plat requirement at UDC Section 8.2.1.G.3 that limits cul-de-sac length to 1,000 feet, where the cul-de-sac has an island.

Mr. Collins read item "3" into the record as shown above. He presented several aerial views of the subject property to show the location. Section 8.2.1.G of the UDC limits the length of a cul-de-sac to 800 feet, but provides that a cul-de-sac with an island may have a length of 1,000 feet. The applicant requests a waiver from the maximum of 1,000 feet, and has submitted a plat and exhibit showing a cul-de-sac street length of 1,143.4 feet.

Mr. Collins continued to explain the mitigating factors which support the waiver request. The proposed subdivision has stormwater drainage easements and planned detention ponds located on the first two lots (Lots 1 and 22) which are non-buildable lots and no traffic will be generated by these lots. The width of these lots is 110.55 feet. Subtracting off the width of the lots devoted to stormwater management, from the cul-de-sac street length of 1,143.4 feet,

results in an adjusted length of 1,033 feet, which is only 33 feet over the maximum length permitted. Mr. Collins stated that if the length of the street were to be shortened, it would still allow 4 cul-de-sac lots and 20 lots with no reduction in traffic. He also went over the factors for granting a plat waiver (UDC Section 3.8.3.D). Staff assessment is that the waiver from cul-de-sac length limit, with mitigating factors, satisfies the standards in UDC 3.8.3.D. The topography/drainage require front detention ponds, which eliminates two traffic-generating lots. Also, the land area constraints prevent construction of a looped street.

After Staff's presentation, the floor was opened for questions/discussion by Commissioners. Vice Chairman Crull asked if the plat was reviewed by the Fire Department and if a home owner's association will maintain the island. After questions concluded, Chairman Villarreal opened the public hearing. With no one coming forward the public hearing was closed. A motion was made by Vice Chairman Crull to recommend approval for item "3" and Commissioner Baugh seconded. The motion passed.

4. [18-0940](#)

**18PL1050**

TRAIL BLAZER ADDITION, BLOCK 1, LOT 5 (FINAL - 13.150 ACRES)

Located south of Yorktown and west of Waldron Road.

Request for a Waiver of the Wastewater Infrastructure Construction Requirement in Section 8.2.7.A of the Unified Development Code (UDC), and an Exemption from Wastewater Lot/Acreage Fees in Accordance with Section 8.5.2.G of the UDC; a request for a Waiver from Sidewalk Construction Requirements in Section 8.2.2.A and Section 8.2.2.B of the Unified Development Code (UDC).

Mr. Collins read item "4" into record as shown above. He presented several aerial views of the subject property along with a preliminary wastewater main layout. Currently, there is no wastewater service within a reasonable distance from the subject property and the applicant is proposing the option of an individual aerobic (septic) system. For this item, Mr. Collins restated the requirements of "not reasonably accessible" and "reasonably accessible". He also went over the factors for granting a plat waiver (UDC Section 3.8.3.D).

The closest wastewater manhole is approximately 2,163 feet away. The owner is proposing to replat one lot, around 13 acres, for one (1) single-family residential home. He also provided a slide for the WW Collection System Master Plan-Laguna Madre WWTP Service Area 4. Staff finds there are no plans or capital improvement projects at this time to provide wastewater services to this area within the next 15 years. Staff assessment is that the request meets the requirements for a waiver of wastewater infrastructure construction per Section 8.2.7.A, and an exemption from the wastewater lot/acreage fees per Section 8.5.2.G of the UDC.

The applicant is also requesting a waiver from sidewalk construction requirements (UDC Section 8.1.4 and 8.2.2.A). The UDC goes on to state, under Section 8.2.2.B, and B.1-B.4., that a waiver may be granted, in accordance with the waiver procedure in Section 3.8.3.D., but only if certain conditions exist. One of the conditions is "residential subdivisions in the Farm-Rural and Residential Estate zoning districts." (UDC Section 8.2.2.B.3). In this case, the

subject property is in fact zoned Residential Estate. Furthermore, there is no school, shopping center, or neighborhood amenity in the immediate vicinity. Staff finds that the request meets the requirements for a waiver of the sidewalk construction requirement.

After Staff's presentation, the floor was opened for questions/discussion by Commissioners. Ex-Officio, Ben Polak, raised a concern regarding the residential construction adjacent to "clear zones". Mr. Polak stated they continue to get noise complaints and it does not help with community relations with the Navy. Commissioner Schroeder felt that the City should continue to apply the lot/acreage fees considering the growth that is occurring on the south side and Flour Bluff. After questions/comments concluded, Chairman Villarreal opened the public hearing. With no one coming forward, the public hearing was closed. A motion was made by Vice Chairman Crull to recommend approval of (a) waiver of wastewater infrastructure construction requirement, (b) exemption from wastewater lot/acreage fees and (c) waiver of sidewalk construction requirement. The motion was seconded by Commissioner Baugh. The motion passed.

### **New Plats**

Mr. Collins read items "5, 6, 7 & 8" 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, Chairman Villarreal opened the public hearing. With no one coming forward, the public hearing was closed. A motion to approve items "5, 6, 7 & 8" was made Commissioner Baugh and seconded by Commissioner Ezell. The motion passed.

5.     [18-0941](#)                   **18PL1043**  
                                  KENLEY ESTATES (FINAL - 13.636 ACRES)  
                                  Located east of Flour Bluff Drive between Grand Canal Drive and Glenoak Drive.
  
6.     [18-0942](#)                   **18PL1050**  
                                  TRAIL BLAZER ADDITION, BLOCK 1, LOT 5 (FINAL - 13.150 ACRES)  
                                  Located south of Yorktown and west of Waldron Road.
  
7.     [18-0943](#)                   **18PL1069**  
                                  SANDY CREEK UNIT 5 (FINAL - 8.451 ACRES)  
                                  Located south of Holly Road and east of Rodd Field Road.
  
8.     [18-0944](#)                   **18PL1056**  
                                  BRIGHTON VILLAGE UNIT 2, BLOCK 13, LOT 6 AND 7 (REPLAT - 1.28 ACRES)  
                                  Located south of Saratoga Boulevard and east of Cimarron Boulevard.

**Time Extension**9. [18-0945](#)**17PL1152****CARIBBEAN VILLAGE, BLOCK 1, LOT 1 (FINAL - 7.0 ACRES)**

Located east of Laguna Shores Road and south of Caribbean Drive.

Mr. Collins read item “9” into the record as shown above. He informed the Commission the the plat was originlally approved by the Commission on January 24, 2018. The applicant is requesting a six-month time extension and this is their first request. The applicant is currently working on a utility design for the project and additional time is needed so that the easements are correctly placed. 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 “9” was made by Commissioner Baugh and seconded by Vice Chairman Crull. The motion passed.

**B. New Zoning**10. [18-0947](#)**Public Hearing - Rezoning Property at or near 6001 Crosstown Expressway (SH 286)****Case No. 0818-01 - Joshua Kosarek:**

Ordinance rezoning property at or near 6001 Crosstown Expressway (State Highway 286) (located on the west side of the Crosstown Expressway, south of Holly Road, and north of Saratoga Boulevard (State Highway 357), from the “RS-6” Single-Family 6 District to the “CN-1” Neighborhood Commercial District.

Andrew Dimas, Development Services, read item “10” into the record as shown above. He stated the purpose of the rezoning request is to allow for the construction of a three story, medical office building. He presented an aerial view of the subject property along with the Existing and Future Land Use maps. He informed the Commission that zero public notices were returned in opposition of the change of zoning request and one notice was returned in favor. He also went over the zoning patterns for the surrounding area along with the UDC requirements (setbacks/buffer yards) for the change of zoning request. Staff recommends denial of the requested change of zoning, and in lieu thereof, approval of the “ON” Neighborhood Office District. While the “CN-1” District does not allow more intense commercial uses such as Mini-Storage, Bars, and Night Clubs. However, the “CN-1” District has no restriction on the size of restaurant uses or retail development. The “ON” District allows some limited retail/restaurants uses but they must be clearly secondary and accessory to the primary use of the medical office building. Staff has concluded that the adjacent neighborhood would be better protected by the “ON” Neighborhood Office District versus the “CN-1” Neighborhood Commercial District. The “ON” District would act as a buffer between future development of the medical campus to the south and the remaining single-family residences.

After Staff’s presentation, Chairman Villarreal opened the public hearing. Dr.

Ryan Thomas with South Texas Bone and Joint addressed the Commission. He stated that their business is growing and they are exceeding their current office space which calls the need for the proposed project. He added that parking is an issue at their current location as well. Dr. Thomas stated that they are amenable to Staff's recommendation. With no one else coming forward the public hearing was closed. A motion to approve Staff's recommendation for item "10" was made by Commissioner Baugh and seconded by Commissioner Hovda. The motion passed

11. [18-0948](#)

**Public Hearing - Rezoning Property at or near 4441 South Alameda Street**

**Case No. 0818-02 - Texas Star Investments, Inc:**

Ordinance rezoning property at or near 4441 South Alameda Street (located on the south side of South Alameda Street, east of Everhart Road, and west of Airline Road) from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District

Mr. Dimas read item "11" into the record as shown above. He stated the purpose of the rezoning request is to allow for the construction of an automated car wash. He presented several aerial views of the subject property along with the Existing and Future Land Use maps. He informed the Commission that one public notice was returned in favor of the change of zoning request and five notices were returned in opposition. He also went over the zoning patterns for the surrounding area along with the UDC requirements for the change of zoning request. He presented a proposed site plan of the property to explain that a 60-foot wide commercial property to the south with a telecommunication antenna will act as a buffer between the subject property and the single-family residential subdivision. This rezoning may have a negative impact upon the surrounding neighborhood regarding noise. This proposed automated car wash will have vacuums. However, the latest trends in car vacuums is typically a single underground unit that has multiple access points to parking stall stations for use versus the traditional individual vacuum unit at each use area. Staff recommends denial of the change of zoning from the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District and, 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 is "Car Wash, automated" as defined by the Unified Development Code (UDC). All vehicle service and repairs must be done within an enclosed building and must follow all federal, state, local regulations.
2. Setback/Screening: A setback at a minimum of 10 feet shall be maintained from the rear property line. A 6-foot solid screening fence shall be built along the rear property line.
3. Hours of Operation: The hours of operation shall be daily from 8:00 AM to 8:00 PM.
4. Dumpster Screening: Any dumpster located on the Property shall be effectively screened from view by means of a screening fence or landscaping.
5. Lighting: All security 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 near all public roadways and residential development.

6. Noise: Must not exceed sixty (60) dB at the property line where adjacent to residential properties.

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

8. 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, and the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

After Staff's presentation, Chairman Villarreal opened the public hearing. The applicant, Todd Morgan at 6229, addressed the Commission to answer Commissioner questions. The proposed car wash will have an attendant on-duty during the hours of operation and payment will be automated.

Nancy Peterson at 4418, addressed the Commission and asked questions about the buffer yard and raised a concern for noise. She stated she is in opposition. With no one else coming forward the public hearing was closed. A motion to approve Staff's recommendation for item "11" was made by Commissioner Ezell and seconded by Commissioner Zarghouni. The motion passed.

12. [18-0949](#)

**Public Hearing - Rezoning Property at or near 1804 Buford Avenue**

**Case No. 0818-03 - The Salvation Army:**

Ordinance rezoning property at or near 1804 Buford Avenue (located on the north side of Buford Street, east of Crosstown Expressway (State Highway 286), south of Agnes Street, and west of South Brownlee Boulevard) from the "RS-6" Single-Family 6 District to the "CG-1/SP" General Commercial District with a Special Permit.

Mr. Dimas read item "12" into the record as shown above. He stated the purpose of the rezoning request is to allow for a social service use and the construction of a transitional housing facility. A transitional housing facility is not explicitly defined or identified in the UDC and could be considered either a Social Service Use or Group Living Use. Until the UDC is amended through a public hearing process to determine the best category and zoning district for transitional housing facilities, Staff has conservatively determined that the use is best categorized as a Social Service Use. The UDC dictates that when a Social Service use is proposed, an application for a Special Permit is required with a qualifying base zoning of "CG-2" General Commercial District.

Mr. Dimas presented several aerial views of the subject property along with the Existing and Future Land Use maps. He informed the Commission that the original "RS-6/SP" Single-Family 6 District with a Special Permit was issued on May 30, 2016 (Ordinance #030862). It has been over two years since the approval and there has been no action on the Special Permit. Therefore, the Special Permit has expired. He updated the Commission that zero public notices were returned in favor of the change of zoning request and two notices were returned in opposition. He went over the zoning patterns for the surrounding area along with the UDC requirements for the change of zoning



request. He also presented a proposed site plan for the project. The original application for a Special Permit is exactly the same as this application and continues to be for a 35,000-square foot transitional housing facility. The property was previously zoned "RS-6" Single-Family 6 District. Staff recommended denial of the change of zoning to the "CG-1/SP" General Commercial District with a Special Permit on the original zoning case as the Future Land Use is for medium density residential uses. Therefore, staff has recommended keeping the base zoning district of "RS-6" Single-Family 6 District and utilizing the ability of the Special Permit subject to the following conditions:

1. **Uses:** The only uses authorized by this Special Permit other than uses permitted in the base zoning district is a Transitional Housing facility, a social service operated to assist families and veterans with their transition into permanent housing. The facility shall not exceed 220 beds. No soup kitchen or public feeding shall be allowed. For the purposes of this section, Transitional Housing is defined as a project that is designed to provide housing and appropriate supportive services to homeless persons to facilitate movement to independent living within 24 months, but the time limit could be longer.
2. **Intake Facilities:** Adequate waiting area inside the facility must be provided so that no perceived loitering or waiting outdoors occurs.
3. **Security:** The transitional housing facility located on the Property shall be monitored by facility staff at all times.
4. **Landscaping:** Landscape requirements for the Property shall be in compliance with standards for development as outlined in the UDC, except that the landscaping requirement of the street yards shall be met at 100% along 15th Street; 80% along Buford Avenue; 67% along Hancock Avenue; and 60% along 16th Street.
5. **Building Design:** The exterior façade of the building(s) may contain metal elements, however, metal elements shall not exceed 50% of a building's façade. The Owner shall incorporate windows and doors or other architectural enhancements on elevations that face the abutting residential development.
6. **Building Height:** The height of the building(s) shall not exceed 35 feet.
7. **Lighting:** Freestanding light poles on the Property shall not exceed 15 feet in height. The Owner shall comply with all other UDC lighting requirements.
8. **Parking:** Driveways shall be prohibited from being located on 15th Street.
9. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within 24 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 Villarreal opened the public hearing. With no one coming forward the public hearing was closed. A motion to approve Staff's recommendation for item "12" was made by Vice Chairman Crull and seconded by Commissioner Hovda. The motion passed with Commissioner Baugh abstaining.

## **VI. Director's Report**

Nina Nixon-Mendez, Director of Development Services, informed the Commission that Eddie Houlihan, Director of Management and Budget, will update the Commission on the proposed Capital Budget presentation schedule for Planning Commission recommendation and City Council consideration.

Renissa Garza-Montalvo, Assistant Director of Parks and Recreation, invited the Commission to an upcoming American Planning Association Workshop (Planning 101) on September 28, 2018 at 9 a.m. at City Hall.

**VII. Adjournment of Planning Commission Meeting**

There being no further business to discuss, Chairman Villarreal adjourned the meeting at 7:30 p.m.

**VIII. Convene Airport Zoning Commission Meeting (Planning Commission)**

**A. Call to Order, Roll Call**

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

**B. Approval of Absences: Commissioners Williams, Baugh & Hovda**

A motion to excuse the absences at the regularly scheduled AZC meeting on June 27, 2018, for Commissioners Williams, Baugh and Hovda was made by Vice Chairman Crull and seconded by Commissioner Ezell. The motion passed.

**C. Discussion and Possible Action Regarding the Election of Officers: Chairman & Vice Chairman**

A motion was made by Commissioner Crull to elect Eric Villarreal as Chairman of the Airport Zoning Commission. The motion was seconded by Commissioner Hovda and the motion passed.

A motion was made by Commissioner Hovda to elect Carl Crull as Vice Chairman of the Airport Zoning Commission. The motion was seconded by Commissioner Baugh and the motion passed.

**D. Approval of Airport Zoning Commission (AZC) Minutes**

**1. [18-0950](#) Regular AZC Meeting Minutes of June 27, 2018**

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

**E. Director's Report**

None.

**F. Adjournment of Airport Zoning Commission Meeting**

There being no further business to discuss, Chairman Villarreal adjourned the meeting at 7:35 p.m.