



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

Planning Commission

Wednesday, March 6, 2019

5:30 PM

Council Chambers

I. Call to Order, Roll Call

Chairman Villarreal called the meeting to order at 5:30 p.m. and a quorum was established with Commissioner Hovda absent.

II. Opening Statement

III. Approval of Absences: Commissioner Ezell

A motion was made by Commissioner Baugh and seconded by Vice Chairman Crull to approve the absence listed above. The motion passed.

IV. Approval of Minutes

1. [19-0350](#) Regular Meeting Minutes of February 20, 2019

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

V. Consent Public Hearing: (Items A through D) - Discussion and Possible Action

Chairman Villarreal asked Commissioners if they would like any Consent items pulled to be heard separately. Commissioner Crull stated he did not want to remove any items from the Consent Public Hearing but had questions on items "8 & 9".

Chairman Villarreal asked Staff to present the Consent Agenda, items V. A. through D., numbered 2 through 10. Greg Collins, Development Services, read Consent Public Hearing items "2 through 10" into the record as shown below. Mr. Collins stated Staff recommends approval for Waiver item "2". New Plat items "3, 4, 5, 6 & 7", upon satisfaction of the remaining conditions and comments in the Plat Review Comments document, will satisfy all requirements of the Unified Development Code (UDC) and State Law; the Technical Review Committee recommends conditional approval. Staff also recommends approval for Urban Transportation Plan Amendment items "8 & 9" and Wastewater Master Plan Amendment item "10" as stated in Staff's report.

After Staff's presentation, Chairman Villarreal opened the public hearing. Gilbert and Erika Cuellar at 6733 Sandra Lane addressed the Commission for plat item "3" and wanted to know the purpose of the plat and if the plat will

affect their property. With no one else coming forward, the public hearing was closed. A motion to approve Staff's recommendation for items "2 through 10" was made Commissioner Schroeder and seconded by Commissioner Baugh. The motion passed.

A. Plat with Variance (Waiver)

2. [19-0352](#) **18PL1122 - SIDEWALK WAIVER**
BASS SUBDIVISION, BLK 7, LOTS 2R-1 AND 2R-2 (REPLAT - 0.50 ACRES)
Located east of Airline Road and north of Saratoga Boulevard.
Request for a Plat Waiver of Sidewalk Construction Requirement in Section 8.1.4 and Section 8.2.2 of the UDC.
3. [19-0351](#) **18PL1122**
BASS SUBDIVISION, BLK 7, LOTS 2R-1 AND 2R-2 (REPLAT - 0.50 ACRES)
Located east of Airline Road and north of Saratoga Boulevard.

B. New Plats Without Variances (Waiver)

4. [19-0361](#) **18PL1138**
TULOSO RESERVE (PRELIMINARY - 21.56 ACRES)
Located south of Leopard Street and east of Rand Morgan Road.
5. [19-0360](#) **18PL1110**
MEDICAL CENTER SUBDIVISION, BLOCK 3, LOTS 1 & 2 (REPLAT - 20.16 ACRES)
Located west of 19th Street and north of Morgan Avenue.
6. [19-0362](#) **18PL1123**
PADRE HARBOR UNIT 2 (FINAL - 25.24 ACRES)
Located south of Hwy 361 and east of South Padre Island Drive (Park Road 22).
7. [19-0363](#) **18PL1124**
PADRE HARBOR UNIT 3 (FINAL - 60.9 ACRES)
Located south of Hwy 361 and east of South Padre Island Drive (Park Road 22).

C. Comprehensive Plan

8. [19-0145](#) Urban Transportation Plan Amendment - Removal of Oso Parkway & Brezina Road Between SH 286 and the Future Extension of Yorktown Boulevard.
9. [19-0356](#) Urban Transportation Plan Amendment - Addition of Regional Parkway between Park Road 22 and State Highway 286.

D. Master Plan

10. [19-0355](#) Wastewater Collection System Master Plan Amendment for OSO W.R.P. Service Area Sub Basin SPA 30 for Azali Estates.

VI. Public Hearing: (Item E) - Discussion and Possible Action**E. New Zoning**

11. [19-0357](#) **Public Hearing - Rezoning Property at or near 5813 and 6001 Old Brownsville Road**

Case No. 0319-01 - Greer Evans and Halaj Trust:

Ordinance rezoning property at or near 5813 and 6001 Old Brownsville Road (located on the east side of Old Brownsville Road, north of Saratoga Boulevard (State Highway 357), and south of South Padre Island Drive (State Highway 368)) from the "FR" Farm Rural District and the "RS-6" Single-Family 6 District to the "IL" Light Industrial District.

Andrew Dimas, Development Services, read item "11" into the record as shown above. He presented several aerial views of the subject property along with the Existing and Future Land Use maps. The subject property is vacant, and the purpose of the request is to allow for the construction of a light industrial park. He informed the Commission that of the 15 public notices mailed, zero notices were returned in opposition of the change of zoning request and one was returned in favor. Mr. Dimas went over the history of zoning patterns for the surrounding area, UDC requirements (buffer yards/setbacks) and the allowed uses with the rezoning. He also listed the municipal facilities available to the subject property.

Mr. Dimas provided another map illustrating that the subject property is in one of the Navy's Air Installation Compatible Use Zone (AICUZ). The subject property is approximately 9,300 feet away from the end of runway 13. Roughly, the southern half of the subject property is located within Accident Potential Zone 2 (APZ-2) of the AICUZ map. Staff is recommending the use of the "IC" Industrial Compatible District which will limit the uses related to the congregating of people and also limit the size of buildings to a specific Floor Area Ratio (FAR). The compatible districts were created to prohibit uses that

congregate large groups of people, unscreened outdoor storage, or uses that create nuisance factors of dust, odor and noise associated with certain business and manufacturing uses. The "IC" District prohibits assembly, overnight accommodations, and fuel storage. The "IC" District also limits size of retail, office, and restaurants.

Based on the factors mentioned above, Staff recommends denial of the change of zoning request and, in lieu thereof, approval of the "IC" Industrial Compatible District. After Staff's presentation, Chairman Villarreal opened the public hearing. Representing the owner, Greer Evans, Austin, Texas, addressed the Commission. He expressed his objection to Staff's recommendation and felt that rezoning the entire property to the "IC" district is not suitable and would prefer the option to split the zoning in half. With no one else coming forward, the public hearing was closed. Discussion took place among the Commissioners regarding the option of splitting the property into two tracts. A motion was made by Vice Chairman Crull to recommend that the portion of property located within the APZ-2 of the AICUZ map be rezoned to the "IC" District (Tract 1) and the remainder of the property (Tract 2) be rezoned to the "IL" District. Commissioner Dibble seconded, and the motion passed.

VII. Briefings

12. [19-0354](#) Changes to Process for Staff Review of Plats

Mr. Collins presented item "12" for the record. To improve efficiency and workflow, Staff plans to implement changes to the process for Staff review of plats. Currently, Planning Commission meetings and Technical Review Committee (TRC) meetings occur on alternate weeks. Staff plans to change the dates of TRC meetings (and accordingly, the plat application deadline for submittal for the TRC meeting) so that TRC meetings and Planning Commission meetings occur on the same week. The rationale for this approach is that the culmination of work related to TRC review and Planning Commission preparation fall on the same week. By changing the TRC calendar, the work will be distributed evenly which will enhance Staff efficiency.

Another proposed change to the process is to allow plats to have two (2) revisions during the TRC review process. After the second revision, the plat is then scheduled for Planning Commission, with a recommendation of approval, conditional approval (or conditional denial), or denial. Conditions would be listed in the TRC Comments. After Planning Commission's meeting and conditional approval, an applicant would submit the revised plat satisfying those conditions, and the conditionally approved plat would then be administratively approved by Staff. Mr. Collins provided a flow chart of the revised process and a revised calendar. It was noted that this change was discussed with the Home Builders Association and are they are supportive of the new concept. No action was taken on this item.

13. [19-0353](#) Flood Hazard Prevention Code - Higher Standards

Yvette Dodd, Development Services, presented item "13" and informed the Commission that this item was originally presented at the July 11, 2018

meeting. It was also presented at City Council (seconding reading) on September 11, 2018 but was tabled for further information. City Council asked Staff to provide further outreach to the Builders Association for the potential of increasing freeboard requirements.

Ms. Dodd explained the City is a participant in the voluntary Community Rating System program (which provides points for going above and beyond the minimum standards. The points offer different class ratings which results in premium discounts for insurance that are in the Special Flood Hazard Areas. Adopting higher standards promotes public health/safety and general welfare by minimizing public/private losses due to flood conditions. The City is currently a Class 7 community and provides a 15% discount to Special Flood Hazard Areas flood insurance premiums. A Class 6 provides a 20% discount and a Class 5 provides a 25% discount to flood insurance premiums.

Ms. Dodd further explained the proposed higher standards for the Limit of Moderate Wave Action (LiMWA), freeboard and non-conversion agreement. The LiMWA is a newly created zone and municipalities have the option to adopt the LiMWA (not mandatory). LiMWA is an area directly behind a velocity zone and is anticipated to have a wave height of 1.5 feet to 3 feet. Development within this zone would have to meet velocity zone standards which would require the structure to be elevated with piers, pilings, or columns without the use of structural fill. Adopting the LiMWA is considered a higher standard and would provide an additional 500 CRS points. The number of properties impacted by LiMWA are 1,836 (13,142 acres). LiMWA was created to also help with erosion and scour.

Ms. Dodd stated the City is also proposing one foot of freeboard. For example, if the base flood elevation for your lot is 10' then the construction requirement will be 11'. In a 2018 Texas survey for higher standards that included freeboard, 333 communities participated and 86% have adopted freeboard ranging from one foot to four feet. In reviewing 518 elevation certificates for single-family structures constructed on the island from 2000 to current we found that:

- o 235 or 45% of the structures were constructed with 1' or greater of freeboard.
- o 274 or 54% of the structures had less than 1' of freeboard or were built at minimum compliance.
- o 9 structures were constructed below base flood elevation

Ms. Dodd continued with a slide which gave examples with the amount of incurred insurance savings if freeboarding was utilized and explained why freeboarding is important to the City. She mentioned that the cost of fill was discussed during outreach with the Builders Association. The average cost for 1' of fill on a 2,000 square foot single-family home is \$5,000. Elevating an additional 1' to 2' would be an average cost of \$7,500. This average is based upon the feedback from local builders. A 2,000 square foot slab-on grade home with 1' of elevation has an average foundation cost of \$13,000 (\$8,000 for foundation and \$5,000 for 1' of elevation). For split level foundations, a 2,000 square foot single-family home has an average foundation cost of \$10,000. A 2,000 square foot pier and beam, single-family home with decorative façade has an average foundation cost of \$10,000.

Ms. Dodd explained the last higher standard which is a Non-Conversion Agreement that is used when a community determines that areas below the first floor could convert to a non-conforming use. For example, a remodel of structure was executed after a Certificate of Occupancy was issued and without a permit. The agreement places the owner on notice that the structure must comply with Flood Plain Construction standards. The agreement is signed by owner when applying for a Certificate of Occupancy once structure has passed final inspections. The agreement states the owner will not convert or alter an approved structure. Enclosing the area would require a permit and can only be used for parking, access or storage. The agreement is filed with the recorded property deed. Ms. Dodd mentioned the amount of outreach that has been done to date and the feedback was favorable for the adoption of the higher standards.

After Staff's presentation, the floor was opened for questions/discussion by Commissioners. No action was taken on this item.

VIII. Director's Report

Nina Nixon-Mendez, Director of Development Services informed the Commission on an upcoming an open-door meeting for the public to voice their ideas Thursday, March 21 at 5:00 p.m. at the Lindale Senior Center, 3135 Swantner Street. Community planning consultants, Kendig Keast Collaborative will be on-hand to present a draft evaluation.

IX. Items to be Scheduled

None.

X. Adjournment

There being no further business to discuss, Chairman Villarreal adjourned the meeting at 6:40 p.m.