



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

Planning Commission

Wednesday, February 19, 2020

5:30 PM

Council Chambers

I. Call to Order, Roll Call

Chairman Crull called the meeting to order and a quorum was established with Vice Chairman Baugh absent.

II. Opening Statement: Staff read the opening statement.

III. PUBLIC COMMENT: None.

IV. Approval of Absences: None.

V. Approval of Minutes

1. [20-0254](#) Regular Meeting Minutes of February 5, 2020

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

VI. Consent Public Hearing: (Items A, B & C) - Discussion and Possible Action

Chairman Crull asked Staff to present the Consent Agenda, items VI.A, VI.B and VI.C. Andrew Dimas, Development Services, read the Consent Agenda items into the record. New Plat items "3, 4, 5, 6, 7 & 8" satisfy all requirements of the UDC and State Law; the Technical Review Committee recommends approval. Staff recommends approval for Time Extension items "9 & 10". Staff recommends approval for New Zoning item "11" as stated in Staff's report. Staff also recommends approval for Master Plan item "12" as stated in Staff's report/memo.

After Staff's presentation, Chairman Crull opened the floor for Commissioner comments/questions. Chairman Crull inquired about item "3" regarding the number of exits. He also asked if there were any possible Urban Transportation Plan amendments/realignments for item "6". Commissioner Schroeder inquired about item "11" regarding the maps included in the presentation. Staff acknowledged the maps for this presentation would be corrected for the future City Council presentation.

After Commissioner questions concluded, Chairman Crull opened the public hearing. With no one coming forward, the public hearing was closed. A motion was made by Commissioner Dibble to approve items "3, 5, 7, 10, 11 & 12" as presented. The motion was seconded by Commissioner York and the motion

passed. A motion was made by Commissioner Schroeder to approve items "4, 6, 8 & 9" as presented. The motion was seconded by Commissioner Zarghouni and the motion passed with Commissioner York abstaining.

A. Plats

New Plats

3. [20-0252](#) **19PL1100**
STONEGATE UNIT 2 OCL (PRELIMINARY - 37.914 ACRES)
Located west of FM 1889 and south of Masters Street.
4. [20-0249](#) **19PL1090**
WOOLDRIDGE CREEK UNIT 14 (FINAL - 5.03 ACRES)
Located west of Airline Road and north of Wooldridge Road.
5. [20-0250](#) **20PL1006**
LAGUNA ACRES, BLOCK 1, LOT 13B (FINAL REPLAT - 0.1033 ACRES)
Located south of Horne Road and east of Teresa Street.
6. [20-0263](#) **20PL1007**
COTTAGES BY THE BAY (PRELIMINARY - 37.65 ACRES)
Located west of Flour Bluff Drive between Glenoak Drive and Purdue Road.
7. [20-0251](#) **19PL1114**
PORTAIRS ADDITION, BLOCK 8, LOT 14R (REPLAT - 1.69 ACRES)
Located north of Gollihar Road and east of Ayers Street.
8. [20-0253](#) **19PL1083**
RIVERBEND SUBDIVISION (PRELIMINARY - 46.20 ACRES)
Located east of Fred's Folly and south of Yorktown Boulevard.

Time Extensions

9. [20-0255](#) **19PL1053**
RANCHO VISTA SUBDIVISION, UNIT 19 (FINAL - 4.04 ACRES)
Located South of Repcon Drive between Fort Griffen and Cattlemen Drive.
10. [20-0256](#) **19PL1075**
BAY VIEW ADDITION, BLOCK 11, LOT 19R (FINAL REPLAT - 0.34 ACRES)
Located south Craig Street and east Seventh Street.

B. New Zoning

11. [20-0257](#) **Public Hearing - Rezoning Property at or near 7797 Yorktown Boulevard**

Case No. 0220-03 - MPM Development, LP: Ordinance rezoning property at or near 7797 Yorktown Boulevard (located along the east side of Peterson Drive, south of Yorktown Boulevard, and west of Starry Road), from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District.

C. Master Plan

12. [20-0265](#) Ordinance Amending the City's Water Master Plan, South of Oso Creek, Specifically the Alignment of the 16-inch Grid Main on County Road 33 to facilitate Looping of the Waterline During Development of the King's Landing Subdivision.

VII. Public Hearing: (Item D) - Discussion and Possible Action**D. New Zoning**

13. 20-0258 **Public Hearing - Rezoning Property at or near 5506 Cain Drive**

Case No. 0220-04 - Nazari Mohammad Rezaei: Ordinance rezoning property at or near 5506 Cain Drive (located along the north side of Cain Drive, west of South Staples Street, and east of Burton Lane), from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District.

Mr. Dimas read item "13" into the record as shown above. The purpose of the rezoning request is to allow for the construction of a single-story office building with a single-story warehouse. For location purposes, he presented several aerial views of the subject property along with the Existing and Future Land Use maps. The subject property is currently vacant. To the north and west is a single-family home subdivision (Gardendale). To the south is a mini-storage business and to the east is a professional office park.

Mr. Dimas went over the history of zoning patterns in the area. The subject property is located within the boundaries of the Southside Area Development Plan which specifically addresses limiting further commercial expansion into the Gardendale subdivision. More specifically, to preserve and protect the residential nature of the Gardendale Neighborhood from Curtis Clark south to Cain Drive and from Everhart Road east to Staples Street; limit intrusion of new commercial or expansion of existing commercial development, along the

western and eastern edges of the neighborhood, parallel to Everhart Road and Staples Street.

Mr. Dimas also went over UDC requirements for the rezoning (buffer yard/setbacks) as well as available municipal facilities. He informed the Commission that of the 13 public notices that were mailed, zero notices were returned in opposition of the change of zoning request and zero notices were returned in favor. Based on Staff analysis, Staff recommends denial of the change of zoning request. After Staff's presentation, Chairman Crull opened the floor for Commissioner comments/questions. Discussion took place regarding setback restrictions. The subject property is not located at a major intersection and only has access to a "Local" street. Additionally, traffic generated by the use will route through a residential neighborhood. Commissioner Schroeder asked Staff if the option of a Special Permit was discussed with the applicant. Mr. Dimas stated that a Special Permit was not discussed. After Commissioner questions concluded, Chairman Crull opened the public hearing.

The applicant, Mr. Ron Brister addressed the Commission. He stated the office building is intended for his place of business, a small, land surveying company which does not have much customer traffic as day to day business is mostly done electronically. He is currently in contract to purchase the property and the sale is contingent upon the rezoning case. He mentioned the adjacent businesses that also encroach into the neighborhood. He provided the Commission a preliminary layout of the lot and the proposed building in relation to those adjacent businesses. He clarified that the "warehouse" will be used as a garage to house the company's survey trucks/equipment. He emphasized the subject property has been vacant for 13 years. He told the Commission the adjacent lot will not be developed as a residential use because a tennis court was recently built; the nearest residence is 230 feet away from the subject property. Chairman Crull asked if Mr. Brister would be amenable to a Special Permit and he said he would entertain the option. Staff informed the Commission they tried to reach out to the owner, Mr. Nazari, on several occasions but contact was never made. It is highly encouraged that the owner be involved and agree to Special Permit conditions.

With no one else coming forward, the public hearing was closed. A motion was made by Commissioner Dibble to table item "13" to the March 4, 2020 Planning Commission meeting so that Staff, the applicant and the owner can discuss the conditions of a Special Permit. The motion was seconded by Commissioner Hovda and the motion passed.

14. 20-0259

Public Hearing - Rezoning Property at or near 113 Porto Villageo Drive

Case No. 0220-02 - J3PV Investment, LP: Ordinance rezoning property at or near 113 Villageo Drive (located along the east side of State Highway 361, north of Beach Comber Drive, and south of Mustang Island Estates Drive), from the "RM-AT" Multifamily AT District to the "RS-4.5/PUD" Single-Family 4.5 District with a Planned Unit Development.

Mr. Dimas read item “14” into the record as shown above. For location purposes, he presented several aerial views of the subject property along with the Existing and Future Land Use maps. The purpose of the rezoning request is to allow for the construction of single-family residences. The subject property currently consists of vacant platted properties. The proposed development will consist of 24, single family residences as a reconfiguration of a portion of the existing subdivision (Porto Villageo). Amenities provided to the development include decks, porches, fencing, landscaping, utilities, swimming pools, gazebos, etc. Within the existing Porto Villageo subdivision are approximately nine, single-family homes. The proposed rezoning to a PUD will allow flexibility to the development standards set by the UDC.

Mr. Dimas went over the history of zoning patterns and then presented a table comparing the proposed PUD development standards and UDC standards for the “RS-4.5” District and the proposed PUD. He noted all necessary deviations from the UDC being requested by the applicant including lot width, lot area, front setback, rear/side yard, building separation, building height and sidewalks. He displayed site plans of the PUD concept and noted that it would include “head-in” parking. He also went over the available municipal facilities. He informed the Commission that of the 35 public notices that were mailed, two notices were returned in opposition of the change of zoning request and one notice was returned in favor (received by the Porto Villageo HOA). Based on Staff analysis, Staff recommends approval of the change of zoning from the “RM-AT” Multifamily AT District to the “RS-4.5/PUD” Single-Family 4.5 District with a PUD with the following conditions:

1. Planned Unit Development Guidelines and Master Site Plan: The Owners shall develop the Property in accordance with Porto Villageo Planned Unit Development (PUD) Guidelines and Master Site Plan.
2. Other Requirements: The PUD conditions listed herein do not preclude compliance with other applicable UDC, Building, and Fire Code Requirements.
3. Time Limit: This Planned Unit Development (PUD) shall be compliant with Section 3.5.9. of the Unified Development Code (UDC).

After Staff’s presentation, Chairman Crull opened the floor for Commissioner comments/questions. Discussion took place regarding the parking layout (“head-in” parking), possible vehicle sidewalk over-hang and side yard setbacks. Commissioner Shroeder commented on how the parking configuration as proposed would address the needs of the short term rental clientele. Chairman Crull was concerned about the width of the sidewalk being four feet instead of five feet. Concern was also expressed regarding how some units will be constructed on zero lot lines and may be situated closer than 10 feet apart. Mr. Dimas stated the Technical Review Committee suggested the developer engage in outreach efforts with the community prior to the meeting since the proposed project is a substantial change of character from the rest of the neighborhood. After Commissioner questions concluded, Chairman Crull opened the public hearing.

Representing the developer, Chip Urban with Urban Engineering, addressed the Commission. Mr. Urban stated that the number of lots increased from 17 to 24 lots. He added that, in the past, lots on a portion of the property were reduced from seven to five lots. He gave further information regarding zero lot lines and parking stall dimensions. He clarified that the houses would not be constructed with stilts. He further clarified that each of the Homeowner’s

Association within the subdivision will be contributing to the “master” HOA for the maintenance of common areas for the overall neighborhood. He mentioned he was not in attendance at the HOA meeting, held on February 5, 2020, to inform property owners of this project but understood there was positive feedback in general. The notice of the HOA meeting was sent to all members of the HOA/property owners. He said they are trying to find the best use for the property since it has remained undeveloped for some time.

Cindy Clark at 145 Porto Villageo Drive, addressed the Commission. She returned her public notification with opposition stating “This same developer has ignored/neglected the existing common areas of Porto Villageo (pool, bathrooms, storage rooms, fence and walkover to beach) which pose health/safety risks to residents, visitors and renters. They want to spend an inordinate amount of money on a new development with a separate HOA within our community.” She informed the Commission that she is one, of two, full-time residents in the subdivision and the remainder of the homes are rental properties. She felt the project will negatively affect home values with the proposed higher density. She said the condition of the neighborhood continues to deteriorate and it has not changed much since 2011 or after Hurricane Harvey.

Sharon Bostick at 6505 Villa Soria Drive addressed the Commission. She said that her home was a rental property before Hurricane Harvey. She stated she attended the HOA meeting that was held. She said that notification of the HOA meeting was not enough. She felt that the meeting did not serve it’s intended purpose and was more of a marketing ploy. She felt that the meeting did not specifically answer any of the property owner’s questions and they seemed unprepared. She said that aerial maps and plan renderings were presented at the meeting but did not give much detail. She was very concerned with the zero-lot line aspect and wanted more information on setbacks. She is not necessarily opposed to the proposed development but would like more answers.

Steve Goolsby, a resident of the Porto Villageo subdivision, addressed the Commission and inquired if deed restrictions were considered when making rezoning decisions. Laurie Miggins at 101 Porto Villageo addressed the Commission. She said she attended the HOA meeting that was held and is enthused to see new development in the neighborhood but would like to know how the homes will be constructed. She would prefer a less dense development. Elena Diaz at 6506 Villa Soria Drive addressed the Commission and expressed her opposition. She felt that the proposed project will negatively affect the neighborhood. She would also prefer a less dense development.

With no one else coming forward, the public hearing was closed, and the Commission discussed the case further. Commissioner Williams made a motion to table item “14” to the March 4, 2020 Planning Commission meeting so there could be additional outreach/discussion between the developer and property owners. Commissioner Hovda expressed how outreach is very important and was disappointed to hear that the HOA meeting that was held did not accomplish very much. Commissioner Miller asked for more feedback from the property owner’s being affected by the zero-lot line and he also wanted more information on the dimensions of the head-in parking. Commissioner Dibble expressed that he was opposed to tabling this item and felt the Commission

had enough information to decide tonight. Commissioner Schroeder felt that because this is a Planned Unit Development, it needs to be successfully accepted and he seconded the motion to table. With Commissioner York abstaining, a roll call vote took place and the motion passed with Chairman Crull and Commissioners Dibble and Zarghouni voting "No".

VIII. Director's Report

None.

IX. Items to be Scheduled

None.

X. Adjournment

There being no further business to discuss, Chairman Crull adjourned the meeting at 7:05 p.m.