



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes - Final

Planning Commission

Wednesday, May 31, 2023

5:30 PM

Council Chambers

I. Call to Order, Roll Call

Chairman Zarghouni called the meeting to order at 5:30 pm and a quorum was established to conduct the meeting.

II. PUBLIC COMMENT: None.

III. Approval of Absences: Chairman Zarghouni and Commissioner Mandel

A motion was made by Vice Chairman Miller to approve the absences and seconded by Commissioner York. The Vote: All Aye. The motion passed.

IV. Approval of Minutes:

1. [23-0917](#) Regular Planning Commission Meeting Minutes May 17, 2023

A motion was made by Commissioner Motaghi to approve the minutes listed above and seconded by Commissioner Salazar-Garza. The Vote: All Aye. The motion passed.

V. Consent Public Hearing: Discussion and Possible Action (Items A and B)

A. Plats

Mark Orozco, Development Services, read Consent Agenda items 2, 3, and 4 into the record as shown below; plat items 2, 3, and 4. The plats satisfy all requirements of the Unified Development Code (UDC)/State Law, and the Technical Review Committee (TRC) staff recommends approval.

After Staff's presentation, Chairman Zarghouni opened the Public Hearing.

Hearing no Public Comments, Chairman Zarghouni closed the Public Hearing.

A motion was made by Commissioner York to approve the Consent Items 2, 3, and 4 as presented by staff and seconded by Vice Chairman Miller. The Vote: All Aye. The motion passed.

2. [23-0901](#) 23PL1047 VISTA HERMOSA PHASE IV, BLOCK 12, LOT 4C & 4D (REPLAT-2.61

ACRES)

Located north of Holly Rd. and west of Kostohryz Rd.

3. [23-0914](#) 23PL1049
FIRE STATION NO. 3, BLOCK. 1, LOT 1 (REPLAT-1.23 ACRES)
Located south of Morgan Ave. and east of Brownlee Blvd.

B. Time Extension

4. [23-0916](#) 22PL1035-1st Request
RANCHO VISTA SUBDIVISION UNIT 25 (FINAL-20.29 ACRES)
Located east of Rodd Field Road and south of Yorktown Boulevard.

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

Andrew Dimas, Development Services, presented items 5 and 6.

Item 5: Zoning Case No. 0523-01, Rezoning for a property located at or near 6302 Old Brownsville Road:

- Inconsistent with Plan CC regarding future land use and avoidance of incompatible land uses.
- Inconsistent with the Future Land Use Map.
- Inconsistent with the ADP which states to minimize incompatible land uses, protect the airport from such incompatible uses, and prohibit residential uses within 1.5 miles at the ends of the existing runway.
- Inconsistent with the 2013 Joint Land Use Study (JLUS).
- Subject property is located within the CZ and APZ-1 of the AICUZ/Safety Subzones Corpus Christi International Airport.
- Navy and CCIA concur with staff's recommendation of denial.

STAFF RECOMMENDATION: Denial of the rezoning from the "FR" Farm Rural District to the "R-MH" Manufactured Home District.

Vice Chairman Miller asked what the difference is between the recommendation of denial for this development vs. the recommendation of approval for the Braselton development where they were allowed to cluster their density in certain areas and still maintain the density in other areas.

Mr. Dimas explained the Braselton development-Saratoga Ridge. By dropping the density down, this played out to two units per acre. It's required that we either cluster all the units to one corner so the pilot has a chance to steer out of the way, or we disperse them to two units per acre; so the pilot is threading between homes and the probability of

hitting a house drastically drops. APZ-2 has less restrictive land use requirements under the AICUZ world; this is not a true AICUZ, but a safety subzone; we are playing with the same principle so we're treating it as if it is. APZ-2 is less restrictive and allows residential land use at an extreme load density. In this case we are under a clear zone, which is typically absolutely no mans land and APZ-1 which has much more restrictive land use requirements compared to APZ-2. APZ-1 allows zero residency, being closer to the angle of ascension and descension.

Vice Chairman Miller stated a vast majority of the subject property in this case is outside of the clear zone or APZ-1. Has the discussion occurred with the applicant about clustering his development away from those two zones if possible.

Mr. Dimas stated yes, we could table this to look at a Tract 1 and a Tract 2. Look at the zoning surrounding the area outside of the safety subzone as Tract 1 and Tract 2 to be inside the safety subzone; using different densities and what would be allowed. This is not an impossible task. We almost can't say yes to anything under AICUZ or a safety subzone. Deliberation is required. This has been communicated to the applicant.

Vice Chairman Miller wanted to make sure the applicant understood all the options.

Commissioner Garza stated she saw manufactured homes that were very nice across the street. The majority of the land is OK to develop. Commissioner Garza asked for another view of the runway paths.

Mr. Dimas explained the runway paths and stated we have to consider the future planning process; i.e., the Master Plan.

Commissioner Mandel asked if the navy or the airport provided any flight path patterns like they do when training is done on the weekends.

Mr. Dimas stated Mr. Ben Polak is available in the audience to answer any questions about flight patterns.

Chairman Zarghouni opened the Public Hearing.

Tyler Miller, Deputy Airport Director, approached the Commissioners and stated: "I want to speak a little bit on development from our perspective. That third runway is on our Master Plan. That Master Plan is getting updated in the next 12-15 months. We do have aggressive plans for growth inside the terminal and with air service. Our community as a whole is pursuing enhanced air service, but our partnerships with the Naval Air Station will expand beyond commercial air operation, general aviation, corporate aviation, and military aviation, etc. Right now, we don't have a need for that runway in the next 5-10 years but there will be a need for that runway for future growth; as our projections continue to play out. Those projections actually do marry up with FAA forecasts that are created independent from us entirely; they show eventually that demand will be there for the third

runway. That Master Plan goes out for a 25-year horizon; we will get a new time horizon over the next 12-15 months. This doesn't happen on a time scale; it happens on an activity scale. As we reach X amount of operations of aircraft or Y amount estimation of passengers, that's when that development trigger point happens. It's very hard for us to say when that third runway would be needed. Mr. Miller thanked the Planning Commission and staff for all their assistance in the imaginary surfaces and zones. This matches with FAA Part 77 and Grant 21 Assurance document for federal funds; which requires them to manage the land around the airport. The system is working and ensuring that they are following the grant assurances for federal funds."

Vice Chairman Miller asked about the Braselton hearing.

Mr. Miller stated they were out of town but should have had representation during the meeting. They are aware of the Braselton hearings and have been communicating with staff.

Vice Chairman Miller asked what is their opinion of the Braselton Development.

Mr. Miller stated the density rearrangement is really important in what the pilot decision making process looks like and what the use of the land may be; mobile homes, single family, multi-unit or commercial; that plays into whether or not the airport supports a recommendation to the Planning Commission.

Vice Chairman Miller asked if they see a potential compromise similar to that particular case.

Mr. Miller stated he thinks there is definitely room for compromise the way the lines intersect. Every case is unique, they don't have hard decision-making policies they stick to and rely on the Planning Department to assist in those decisions. The key is the fact that it is multiple units and the density associated with that; if they were moved outside that line, they would be amendable to something.

Ben Polak, Community Planning Liaison Officer for the Naval Air Station, approached Commissioners to speak.

Commissioner Mandel asked about the training flight patterns; if there is an overlay.

Mr. Polak stated the overlays are based off of the patterns that they run. Naval aviators do multiple touch and go's which simulates carrier practice approach. All of the flight profiles that happen in international are going to be the same. With Braselton, it was something they are able to work out. APZ-2 does allow for less dense housing; APZ-1 and clear zone do not. They are not covered by the Ordinance MCAOD, so they fall back to where they were; they can recommend against the case. There is a possibility of working something out if that is presented.

Commissioner Mandel asked if the training patterns intersect with the property.

Mr. Polak stated yes, they do.

Commissioner Munoz asked if the Navy has long term plans to use the airport for flight training.

Mr. Polak stated yes, yes they do. They use international, Aransas, and TP McCampbell. They utilize as many as they possibly can.

Mr. Clifford Thomas Hendricks approached the Commission and stated he is on the family farm in question south of the property line to the 95 acres. Mr. Hendricks is opposed to the zoning change petition by WinnCo. Building a major manufactured home district will devalue his home and property and cause more flooding to the entire area. Mr. Hendricks was told in 2010 by the city that there would be no residential development inside the crash zone; along with the noise. The zoning will exacerbate the slow flow of water; and will cause more flooding. His land was devalued 33% from the Mary Rhodes pipeline. Mr. Hendricks talked to the state, the county, and the city to no avail. No one wants to live near a mobile home park.

Rob Murray approached the Commission and stated he is one of the buyers. They have been trying to get land in Corpus Christi since 2020 and this is the first opportunity they thought would work based on the location within the city limits and the services provided. There is already a mobile home park across the street. There is a good demand for what they want to do. They do not want to build in a flight zone; 50 acres would build 250-350 units depending on the layout. There are pipe lines to consider. They offer amenities and discounts; charge rent; and all the homes are new. They have an HOA; owner finance the homes; and foreclose the home if required. It will be a good fit for expansion. If a compromise is offered, they are flexible.

Vice Chairman Miller stated he wanted to make sure Mr. Murray was aware of the options.

Mr. Murray said yes.

Vice Chairman Miller stated he cannot speak for the rest of the Commission, but as presented, he cannot support it. There may be mechanisms to amend but not without further discussion between the parties.

Mr. Murray said he will work with the city.

Alice Hoffman, York Engineering, 15805 Vincent, stated that zoning has nothing to do with drainage design. All of that will be worked out when plans are presented and approved. Mr. Murray is open and inclined to negotiate a special permit with staff regarding restrictive development in those flight patterns and flight zones. They will work

out specifics with staff prior to Council. They would like to ask for a motion for a Commissioner to approve an amended request, which will use a special permit to allow mobile homes within the subject property but restrict development within those flight zones and if not, that the item be tabled to the next session.

Chairman Zarghouni closed the Public Hearing.

Vice Chairman Miller asked can we do anything.

Mr. Dimas stated yes. It will come down to shrinking the area or looking at uses; maybe a Tract 1 and a Tract 2; if it is a less intense of a use, we do not have to re-notice so long as it is date certain.

Assistant Director Nixon-Mendez recommended a June 28 Commission date to table. It might involve metes and bounds changes which could take some time.

Commissioner Salazar-Garza made a motion to table Item No. 5 to June 28. Commissioner Motaghi seconded. The vote: All aye. Abstain: York. The motion passed.

Item 6: Zoning Case No. 0523-02, Rezoning for a property located at or near 1113 Comanche Street.

- The proposed rezoning promotes an entrepreneurial ecosystem that has proven successful and is expanding.
- The proposed rezoning values entrepreneurial innovation supporting two, separate business fronts.
- Promotes a mix of land use between lunch hour office and custom welding services.
- After evaluation of case material, staff recommends a Special Permit in conjunction with the base zoning district that will only allow the additional use of warehousing goods, welding, and a machine repair shop.
- Such rezoning will protect the base zoning uses and prohibit more intensive uses that would be allowed in the requested zoning district.

Staff Recommendation: Denial of the requested change of zoning in lieu thereof, approval of the "CI/SP" Intensive Commercial District with a Special Permit subject to conditions.

Special Permit Conditions:

1. Use: The only use allowed on the subject property other than uses permitted in the base zoning districts are warehousing of goods, welding, and a machine repair shop.
2. Screening Fence: A minimum of a seven-foot-tall screening fence is required to be constructed.
3. Lighting: All lighting shall be shielded, and pole lights shall be of the full cut-off type. All light fixtures within 50 feet of the property boundaries adjacent to residential zoning

districts shall be no greater than 15 feet in height.

4. Outdoor storage is prohibited.
5. Welding and machine repair shall be done entirely within an enclosed building.
6. Hours of Operation: The hours of operation shall be limited from 6:00 AM to 10:00 PM.
7. Signage: No pole-mounted signage is allowed along Waco Street.
8. Noise: Noise regulations shall be subject to Section 31-3 of the Municipal Code.
9. Other Requirements: The conditions listed herein do not preclude compliance with other applicable UDC and Building and Fire Code Requirements.
10. Time Limit: In accordance with the UDC, this Special Permit shall be deemed to have expired within 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.

Vice Chairman asked if the applicant owned the business.

Mr. Dimas responded, yes.

Vice Chairman Miller asked if there were any early assistance type meetings with the applicant to make sure there aren't any trip wires with him regarding Item No. 10.

Mr. Dimas stated yes they have had several meetings and the applicant is in the audience to reply.

Commissioner Hedrick asked if the business is sold, does the Special Permit go with the property.

Mr. Dimas stated so long as the use is maintained; if he sells the property, and a year later nothing is happening, technically the Special Permit can expire.

Commissioner Salazar-Garza stated it is important to follow the Special Permit, stick to the guidelines, make it look nice for the rest of the neighborhood.

Mr. Dimas stated with the merge of Development Services and Code Enforcement we will have boots on the ground to verify Special Permits are being followed, or if we should take it off the map.

Chairman Zarghouni asked what is permissible under CI Zoning.

Mr. Dimas stated it's the bridge between commercial and industrial. It allows small industrial items like contractor's yards, tile & carpet stores, offices, medical, retail, etc. to create a true corridor zoning district.

Chairman Zarghouni asked if the applicant was good with this issue.

Mr. Dimas stated, yes, the applicant is in the audience for questions.

Vice Chairman Miller stated cases like this, an older area of town, with light industrial, intense commercial, residential; it's all together and it is important for them as a body moving forward to look at all the different areas; they need to do their best to stick to the area development plan. As the nodes change over time, it's difficult to make the decisions now, to plan for the future.

Chairman Zarghouni opened the Public Hearing.

Diego Vasquez, 1113 Comanche, approached the Commission and stated he is trying to expand his business. He does a lot of work all over; not just BBQ pits. Mr. Vasquez does a lot of industrial work and would like to get better machinery, more secure building, and has cleaned up the area to grow.

Commissioner Salazar-Garza stated that Mr. Vasquez does more beyond the BBQ pits.

Mr. Vasquez stated he does those, and custom fabrication works.

Commissioner Salazar-Garza asked the applicant if he would need a lot of space for more machinery.

Mr. Vasquez stated he is the only employee. He does work outside the shop, but he is not bringing a whole industrial complex in.

Commissioner Salazar-Garza asked about the stacking of materials outside the building, some looking like a junkyard. Commissioner Salazar-Garza wants to make sure it will stay looking clean and neat.

Mr. Vasquez stated he throws out his trash, recycles metals, it will be fenced in and closed.

Chairman Zarghouni closed the Public Hearing.

Vice Chairman Miller moved to deny the request for IL and approve the proposed Intensive Commercial District (CI) Special Permit as presented by staff. Commissioner Salazar-Garza seconded. The Vote: All aye. Absent: Commissioner York. The motion passed.

5. [23-0923](#) **Public Hearing - Rezoning for a property located at or near 6302 Old Brownsville Road.**

Zoning Case No. 0523-01, WinnCo Investments (District 3). Ordinance rezoning property at or near 6302 Old Brownsville Road from the "FR" Farm Rural District to the "R-MH" Manufactured Home District; Providing for a penalty not to exceed \$2,000 and publication. (Staff recommends denial).

6. [23-0924](#) **Public Hearing - Rezoning for a property located at or near 1113 Comanche Street.**

Zoning Case No. 0523-02, Diego Vasquez (District 1). Ordinance rezoning property at or near 1113 Comanche Street from the "CI" Intensive Commercial District to the "IL" Light Industrial District; Providing for a penalty not to exceed \$2,000 and publication. (Staff recommends denial in lieu thereof, approval of the "CI/SP" Intensive Commercial District with a Special Permit.)

VII. Briefing: Basic Parliamentary Procedures: Recording Secretary Ruth Bocchino outlined parliamentary procedures.

VIII. Director's Report

Assistant Director Nina Nixon-Mendez stated we have received additional comments related to the UDC Draft and with those comments, we are postponing taking the draft to Council. We will reconvene the Technical Advisory Committee to review the draft one more time to provide any additional feedback and then provide an update to Planning Commission in August or September. After that, we will present to Council.

Vice Chairman Miller stated he has had a couple of citizens ask about the protocol for further discussion on other parts of the UDC.

Mrs. Nixon-Mendez stated to refer them to her. We still want to tackle Chapter 8 revisions and our consultants are helping with that.

Vice Chairman Miller stated we will have another briefing, and then the joint Council meeting, and the only reason it's triggering a joint meeting is because of the zoning implications.

Mrs. Nixon-Mendez said yes, and we are changing the actual name of the zoning districts and some of the associated uses. That requires the meeting.

Chairman Zarghouni asked about the impact fee.

Mrs. Nixon-Mendez said to call our office. The Committee is an open meeting. The public is invited and can contact our office for further details.

VIII. Future Agenda Items: None.

X. Adjournment

There being no further business to discuss, the meeting adjourned at 6:37 pm.