



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
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Meeting Minutes

Planning Commission

Wednesday, April 6, 2016

5:30 PM

Council Chambers

I. Call to Order, Roll Call

Absent - Vice Chairman Eric Villarreal

II. Approval of Minutes

1. [16-0385](#) Regular Meeting of March 23, 2016

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

III. Public Hearing Agenda Items

A. Plats

New Plats

Renissa Garza Montalvo, Development Services, read items "2, 3, 4 and 6" into record as shown below. Ms. Garza Montalvo stated these plats satisfy all requirements of the Unified Development Code (UDC) and State Law; the Technical Review Committee (TRC) recommends approval.

After City Staff's presentation, Chairman Ramirez opened the floor for public comment. With no one coming forward, the public hearing was closed. A motion was made by Commissioner Lippincott and seconded by Commissioner Baugh to approve items "2, 3, 4 and 6".

2. [16-0354](#) **0316024-P012 (16-22000010)** Don Patricio, Block H, Lot 1R (Replat - 0.658 Acres) Located west of Waldron Road and south of Don Patricio Road.

The Plat was approved.

3. [16-0355](#) **0116012-P006 (16-21000004)** Brennan Addition, Block 4, Lot 6A, 7A & 8A (Final - 0.33 Acre) Located west of SH 358 and north of Lipan Street.

The Plat was approved.

4. [16-0374](#) **0316021-NP010 (16-21000008)**

SOUTH AIRES SUBDIVISION NO. 1, BLOCK 1, LOT 11 (REPLAT - 0.72 ACRES)

Located east of Ayers Street (SH 286) and north of Etring Avenue.

The Plat was approved.

5. [16-0378](#)

0913113-NP074 (13-20000015)

SBC RESORT PHASE 1 (PRELIMINARY - 252.39 ACRES)

Property is located west of South Padre Island Drive (PR 22) east of Whitecap Boulevard.

Ms. Garza Montalvo read item "5" into record as shown above. She informed the Commission that the plat was originally approved on September 13, 2014. This is the applicant's first request for a 24 month time extension. They need additional time to work out details pertaining to the implementation of the overall development for the project and Staff recommends approval.

After City Staff's presentation, Chairman Ramirez opened the floor for public comment. With no one coming forward, the public hearing was closed. A motion was made by Commissioner Baugh and seconded by Commissioner Crull to approve item "5". Motion passed.

6. [16-0383](#)

0316023-NP012 (16-21000010)

SARATOGA HEIGHTS, BLOCK 1, LOT 1A (FINAL - 2.1963 ACRES)

Located south of Saratoga Boulevard and east of Patti Drive.

The Plat was approved.

B. Zoning

New Zoning

7. [16-0332](#)

Case No. 0316-02 - Alex Azali: A change of zoning from the "RM-1" Multifamily 1 District to the "RM-2" Multifamily 2 District. The property to be rezoned is described as being a 13.814 acre tract of land out of a portion of Lots 13 and 14, Section 27, Flour Bluff and Encinal Farm and Garden Tracts, located along the north side of Wooldridge Road between Bevo Drive and Gold Star Drive.

Ms. Dolores Wood, Development Services, read item "7" into record as shown above. She presented several aerial views of the subject property. The property is vacant and the applicant proposes to construct a 360-unit multifamily project. Ms. Wood informed the Commission that 108 public notices were mailed inside the notification area and two public notices were mailed outside the notification area; three notices were returned in opposition. Staff recommends denial of the change of zoning from the "RM-1" Multifamily 1 District to the "RM-2" Multifamily 2 District and, in lieu thereof, approval of the change of zoning to the "RM-1/SP" Multifamily 1 District with a Special Permit.

After City Staff's presentation, Chairman Ramirez opened the floor for public comment. With no one coming forward, the public hearing was closed. A motion was made by Commissioner Crull and seconded by Commissioner Lippincott to approve item "7" per Staff's recommendation with the caveat that balconies are not permissible when facing any existing residential property. Motion passed with Commissioner Baugh voting no.

8. [16-0379](#)

Case No. 0316-04 - NP Homes, LLC: A change of zoning from the "FR" Farm Rural and the "IH" Heavy Industrial Districts to the "RS-6" Single Family 6 (Tract 1) and the "FR" Farm Rural (Tract 2) Districts. The property to be rezoned is described as being a 23.054 acre tract out of a portion of a 25.998 acre Parcel 2 described by deed, Document No. 2004017839, Official Records of Nueces County, Texas (Tract 1), and a 5.174 acre tract of land, a portion of an 85.022 acre tract of land described as Parcel 1 in deed, Document No. 2004017839, Official Records of Nueces County, Texas (Tract 2), located on the east side of Rand Morgan Road between McNorton Street and Goodnight Loving Trail.

Annika Yankee, Development Services, read item "8" into record as shown above. She presented several aerial views of the subject property. The request for rezoning is to allow for single-family subdivision with a "FR" Farm Rural buffer area. Ms. Yankee informed the Commission that zero public notices were returned neither in favor or opposition. Additionally, Ms. Yankee informed the Commission of pertinent elements of the Comprehensive Plan. She stated that each neighborhood of the City shall be protected and/or improved to be a desirable and attractive residential environment (Corpus Christi Policy Statements, Residential Policy Statement a.), and incompatible industrial and commercial uses should not abut residential areas. When these uses must abut residential areas, steps shall be taken to minimize conflicts. Staff felt that the proposed six acre buffer proposed by the applicant may be sufficient to protect the proposed residential subdivision from the negative impacts of the abutting "IH" Heavy Industrial zoned property. It is Staff's opinion that the applicant has made a significant effort to address Comprehensive Plan land use issues by proposing the "FR" Farm Rural District as a protective buffer to the neighborhood. Therefore, a change to the Future Land Use map is warranted. Staff recommend approval of the change of zoning request.

After Staff's presentation, Chairman Ramirez opened the floor for public comment. Representing the owner, John Kendall at 5866 S.Staples Street, addressed the Commission. He assured the Commission that the buffer zone will be maintained/mowed; he is not aware of any issues reported by the Phase I, Environmental Tests.

Representing NP Homes, Chris Montalvo at 345 Bermuda Place, addressed the Commission. Mr. Montalvo presented a report showing there were no contaminants found after remediation.

With no one else coming forward, Chairman Ramirez closed the public hearing. A motion was made by Commissioner Lippincott and seconded by Commissioner Braselton to approve item "8". Motion passed.

9. [16-0380](#)

Case No. 0316-05 - TG 110 Samuel Place, LP: A change of zoning

from the "RS-TF/SP" Two Family District with a Special Permit to the "RM-1" Multi-family District. The property to be rezoned is described as Carrollton Annex 3, Block C, located on the west side of Carroll Lane between Copus Street and Houston Street.

Ms. Wood read item "9" into record as shown above. She presented several aerial views of the subject property. The existing use was approved via a Special Permit in 1980. The specific use permitted under the Special Permit was for a Senior Citizens Apartment/Hotel. The applicant is proposing to reconstruct 60 existing, affordable multifamily units to make them more modern and efficient. The intent is to demolish seven existing buildings and reconstruct six buildings. Ms. Wood informed the Commission that 61 public notices were mailed inside the notification area and 12 notices were mailed outside the notification area; one notice was returned in opposition and one notice was returned as undecided. Staff recommends approval of the change of zoning request.

After Staff's presentation, Chairman Ramirez opened the public hearing. Representing the applicant, Sara Eichelberger at 4315 Carroll Lane, addressed the Commission and expressed her support of the request.

With no one else coming forward, Chairman Ramirez closed the public hearing. A motion was made by Commissioner Hovda and seconded by Commissioner Lippincott to approve item "9". Motion passed.

10. [16-0381](#)

Case No. 0316-06 - Yun W. Hwang: A change of zoning from the "RM-3" Multi-family 3 District to the "RS-TH/PUD" Townhouse District with a Planned Unit Overlay. The property to be rezoned is described as being Lot One-B (1-B), Block One (1), Padre Island No. 1, together with that portion of Estrada Drive (now closed), adjacent to said Lot One-B (1-B), Block One (1), Padre Island No. 1, located on the north side of Ambrosia Street between Scallop Street and Indigo Street.

Ms. Wood read item "10" into record as shown above. She presented several aerial views of the subject property. The applicant proposes to develop four adjoining, two-story townhome units with short-term rentals as an allowed use. Ms. Wood informed the Commission that 26 public notices were mailed inside the notification area and five notices were mailed outside the notification area; one notice was returned in opposition and two notices were returned in favor. Staff recommended approval of the change of zoning request.

After Staff's presentation, Chairman Ramirez opened the public hearing. Phil Magasitch at 14313 Scallop Street, addressed the Commission. Mr. Magasitch inquired about the public notification procedures. He brought a list of neighbors who are against the change of zoning. He is also concerned about the short-term rental use and does not want the majority of the neighborhood to consist of short-term rentals.

George Gardner at 14321 Scallop Street, addressed the Commission. He feels that the neighborhood is already packed with other existing units next door to the property and the density will be increased even more so if the change of zoning is allowed. Mr. Gardner also feels that property values will decrease if this type of development continues on this street.

Daniel Mazoch at 14034 Ambrosia Street, addressed the Commission. He is not opposed to the change of zoning since the adjacent properties are similar to what is being proposed. He and his family own the townhouse unit to the left of the subject property and will be considering short-term rentals as well. Mr. Mazoch is concerned about the 18.26% open space that is proposed and believes that the street/sidewalk should be pervious as well.

Maureen Herlow at 14313 Scallop Street, addressed the Commission. Ms. Herlow is against the change of zoning request. She believes the neighborhood is already too dense and packed.

With no one else coming forward, Chairman Ramirez closed the public hearing. A motion was made by Commissioner Lippincott and seconded by Commissioner Williams to disapprove item "10". Motion did not pass with Commissioners Baugh, Braselton, Crull, Hovda and Chairman Ramirez voting no.

A motion was made by Commissioner Crull and seconded by Commissioner Hovda to table item "10" for the April 20, 2016 Planning Commission meeting to allow the applicant time to show what density is achievable under the existing zoning. Motion passed; Commissioner Crull requested a zoning history of the area.

C. Text Amendment

11. [16-0393](#) **Amending the Unified Development Code by revising subsection 1.11.1 "Defined Terms", subsection 4.2.5.B "Types of Yards", and subsection 5.3.2 "Specific Accessory Uses and Structures" as it relates to the construction of carports; providing for severance; providing for penalties; and providing for publication.**

Mr. Dan McGinn, Development Services, presented item "11". Mr. McGinn read the proposed definition of a carport. The amendment mainly focuses on carports that are located in the front yard set back. He informed the Commission that Staff worked with the Nueces County Appraisal District which filtered property records to determine the amount of carports in the City. It was determined that an estimated 9,000 carports exist in the City. A dispersion map of the City was displayed showing the locations of carports throughout the City. The report, however, was not able to specify the location of the carport on the property, whether it was located in the front, side or rear setbacks.

Historically, all types of structures have been restricted for construction in this front yard area. Most single family home subdivisions have been developed with a 20 foot front yard setback. This proposed change will allow citizens to either install these types of structures by right or provide a process in which they can obtain a Special Use Exception through the Zoning Board of Adjustment to construct a carport in the front yard. At this time staff is presenting three options with varying degrees for the Planning Commission to

consider that would allow a citizen to legally install a carport within the front yard setback.

Option One will include guiding principles, design compatibility, and standards to regulate carports through the Special Use Exception (SUE) process administered by the Zoning Board of Adjustment. Staff will be recommending to City Council to reduce the application/filing fees for these types of cases. The fee will possibly be reduced to either \$50.00 or \$100.00.

Option Two will include guiding principles and standards to regulate carports through the Special Use Exception (SUE) process administered by the Zoning Board of Adjustment. This ordinance is similar to Option One but will have limited control over the aesthetics of each structure.

Option Three will allow for the construction of carports within the front yard setback by right without any design standards or aesthetic controls.

After Staff's presentation, Chairman Ramirez opened the public hearing. Sandra Ramirez at 4317 Brentwood Drive, addressed the Commission. Ms. Ramirez expressed her grievances regarding the existing carports in her neighborhood. She stated that she would like to construct a carport in her front yard and comply with City standards.

With no one else coming forward, Chairman Ramirez closed the public hearing. A motion was made by Commissioner Crull and seconded by Commissioner Baugh to recommend to City Council Option two. Motion passed with Commissioners Lippincott and Braselton voting no.

IV. Director's Report

Mr. McGinn updated the Commission and stated that the appointment of the new Planning Commission member will be executed at the April 12, 2016, City Council meeting.

Ms. Yankee informed the Commission that she will be giving them documents to review for Plan CC by April 08, 2016, in order to be prepared for the April 20, 2016, Planning Commission meeting.

V. Items to be Scheduled

None

VI. Adjournment

There being no further business to discuss, Chairman Ramirez adjourned the meeting at 8:00 p.m.