



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes Planning Commission

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Wednesday, November 15, 2017

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 and Vice Chairman Lippincott absent.

### II. Approval of Minutes

1. [17-1436](#) Regular Meeting Minutes of November 01, 2017

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

- III. [17-1405](#) Discussion and Possible Action Regarding the 2018 Planning Commission Meeting Draft Calendar

Commissioner Crull made a motion to approve the 2018 Planning Commission meeting calendar and Commissioner Hovda seconded. The motion passed.

### IV. Public Hearing Agenda Items - Discussion and Possible Action

#### A. Plats

##### New Plats

Ratna Pottumuthu, Development Services, read items "2, 3, 4, & 5" into the record as shown below. Ms. Pottumuthu 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 "2, 3, 4, & 5" was made Commissioner Baugh and seconded by Commissioner Williams. The motion passed.

2. [17-1437](#) **17PL1040**  
MAHAN ACRES, BLK 2, LOT 15A (REPLAT - 1.285 ACRES)  
Located north of McArdle Road and east of Kostoryz Road.

3. [17-1438](#)      **17PL1118**  
LAMAR PARK SUBDIVISION SEC. NO. 7, BLK 19, LOT 23R (FINAL - 0.288 ACRES)  
Located north of Carmel Parkway and east of S. Alameda Street.
4. [17-1439](#)      **17PL1110**  
STARLITE ESTATES UNIT 1 (FINAL - 15.437 ACRES)  
Located south of Yorktown Boulevard and east of Fred's Folly Road.
5. [17-1440](#)      **17PL1104**  
SOUTH WATER BEACH ADDITION, BLOCK 5, LOT 6 (REPLAT - 1.78 ACRES)  
Located north of Park Avenue and west of Shoreline Boulevard.

#### Time Extension

6. [17-1441](#)      **0716093-P038 (16-22000036)**  
SHORELINE VISTA, BLOCK 10, LOT 1A (FINAL - 0.292 ACRES)  
Located west of Flour Bluff Drive and north Antoinette Drive.

Ms. Pottumuthu read item "6" into record as shown above. She informed the Commission the plat was originally approved on October 19, 2016. The applicant is requesting a six month time extension. This is the second extension request for the plat. An easement closure associated with this plat is going through the City process and is currently awaiting scheduling for City Council approval. The plat will be recorded as soon as the closure process is complete.

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 "6" was made by Commissioner Baugh and seconded by Commissioner Crull. The motion passed.

#### B. Zoning

#### Continued Zoning

7. [17-0930](#)      **Case No. 0717-01 - Alrich Enterprises Inc., D/B/A Richard Sanchez Motors and Ben L. Herndon, Jr.:** A change of zoning from the "ON" Neighborhood Office District and the "CN-1" Neighborhood Commercial District to the "CG-2" General Commercial District. The property to be rezoned is described as Koolside, Block 6, Lots 24 and 25, less portion to right-of-way and Lot 26, located at the intersection of Airline Road and Gollihar Road, north of McArdle Road and south of South Alameda Street.

Andrew Dimas, Development Services, read item “7” into record as shown above. He stated the case was originally presented at the July 26, 2017 Planning Commission meeting and tabled from the September 06, 2017 and November 01, 2017 Planning Commission meetings. He presented several aerial views of the subject property. The purpose of the rezoning request is to allow for the continued operation of a vehicle sales establishment. He informed the Commission that one public notice was returned in favor and one notice was returned in opposition. He also went over the zoning patterns for the surrounding area and UDC requirements for the proposed rezoning request. Staff recommends denial of the change of zoning from the “ON” Neighborhood Office District and the “CN-1” Neighborhood Commercial District to the “CG-2” General Commercial District and, in lieu thereof, approval of the “CN-1” 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 “Vehicle Sales” as described per the Unified Development Code (UDC). No on-site repair work of any type may be performed.
2. Auto Sales: The auto sales use is limited to no more than twenty-five (25) vehicles for sale at one time.
3. 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.
4. Speakers: Outside paging, speakers, telephone bells, or similar devices are prohibited.
5. Screening Fence: A standard screening fence with a height of not less than six (6) feet must be located and/or maintained along any property line shared with a residential use. The fence must be installed before a certificate of occupancy is issued.
6. Hours of Operation: The automobiles sales use may only operate between the hours of 8:00 a.m. and 8:00 p.m.
7. Landscaping: Landscaping must be provided in accordance with the vehicular use area requirements of the UDC. All landscape material must be kept in a healthy and growing condition at all times. All landscape material must be installed before a certificate of occupancy is issued.
8. Signage: No signs are to be installed on Dorothy Street except for the purposes of emergency or directional information.
9. Loading/Unloading/Parking: No loading or unloading of vehicles is allowed on a public street and must occur on-site. No parking is allowed at any time on Dorothy Street.
10. Access: Access to or from Dorothy Street is prohibited.
11. Dumpster Screening: Any dumpster located on the Property shall be effectively screened from view by means of a screening fence or landscaping.
12. Other Requirements: The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, and Building and Fire Code Requirements.
13. 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, questions and comments took place amongst Commissioners regarding the submitted site plan, hours of operation with respect to holidays, customer parking versus employee parking, obtaining a certificate of occupancy and landscaping.

After the discussion, Chairman Villarreal opened the public hearing. Representing the owner of the subject property, Patrick Beam at 710 Mesquite Street, addressed the Commission to answer questions. He clarified that the site plan does not show an additional four parking spaces next to the ADA parking space. The 35 spaces notated on the site plan are for inventory only and there will be no off-site parking.

With no one else coming forward, the public hearing was closed. A motion was made by Commissioner Schroeder to recommend denial of the change of zoning as requested by the applicant and approval of Staff's recommendation for item "7". The motion was seconded by Commissioner Ezell. The motion passed.

### **New Zoning**

8. [17-1442](#) **Case No. 1117-01 - GMG Partners, LP:** A Special Permit Time Extension Request for an additional three years. The property to be rezoned is described as being a 32.10 acre tract out of Lot 1, Block 10, J.C. Russell Farm Blocks, located on the east side of South Navigation Boulevard, north of Bear Lane, and south of Agnes Street (State Highway 44).

Mr. Dimas informed the Commission that item "8" has been temporarily withdrawn so that Staff can work on ordinance issues associated with the case. Public notices will be resent when a specified date has been established. No action was taken on this item.

9. [17-1443](#) **Case No. 1017-01 - Yiu, Inc.:** A change of zoning from the "RMH" Manufactured Home District and "IL" Light Industrial District to the "RV" Recreational Vehicle Park District. The property to be rezoned is described as Being a 15.8695-acre tract of land out of Assessors Map 148 Tract M, Survey 402 ABS 988, located on the east side of South Clarkwood Road approximately 1,880 feet south of State Highway 44.

Beverly Lang, Development Services, read item "9" into record as shown above. She presented several aerial views of the subject property along with the Existing and Future Land Use maps. She stated the purpose of the rezoning request is to allow for the construction of a 172-pad recreational vehicle park. Ms. Lang went over the zoning pattern for the surrounding area and UDC requirements. She informed the Commission that one public notice was returned in opposition of the change of zoning request and zero notices were returned in favor. Opposition within the notice area is at 29.28% which makes the case controversial; will require a three quarter majority vote of approval by City Council. Staff recommends approval of the requested change of zoning.

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 "9" was made by Commissioner Baugh and seconded by Commissioner Hovda. The motion passed

10. [17-1444](#)

**Case No. 1117-02 - Lydia Rios:** A change of zoning from the "RS-6" Single-Family 6 District to the "RS-6/SP" Single-Family 6 District with a Special Permit. The property to be rezoned is described as Rodd Place #2, Block 4, Lot 18, located at the southwest corner of Convair Drive and Silver Sands Drive, east of Rodd Field Road, and north of Holly Road.

Mr. Dimas read item "10" into record as shown above. He presented several aerial views of the subject property. The applicant is requesting a rezoning from the "RS-6" Single-Family 6 District to the "RS-6/SP" Single-Family 6 District with a Special Permit to allow for the operation of a Bed and Breakfast home. Her business consists of three bedrooms for short term rental capabilities. At least four bedrooms are identified though the AirBnB platform as available for reservation/booking. Mr. Dimas went over the UDC requirements for a Bed and Breakfast from Section 5.2.8. Parking requirements include two cars per room and the parking area must be screened. The existing driveway is used for customer parking and must be completely screened from the neighboring properties. Today, only a portion of the property is screened from the neighboring property to the south. The applicant meets all other UDC requirements except for the screening and parking accommodations.

He informed the Commission that seven public notices were returned in opposition of the change of zoning request and zero notices were returned in favor. Opposition within the notice area is at 20.83% which makes the case controversial; will require a three quarter majority approval vote by City Council. Staff recommends approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RS-6/SP" Single-Family 6 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 "Bed and Breakfast Home" as defined by the Unified Development Code (UDC).
2. Bed and Breakfast Home: The Bed and Breakfast home shall adhere to all provisions of Section 5.2.8 of the Unified Development Code (UDC).
3. Other Requirements: The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, Building, and Fire Code Requirements.
4. Time Limit: In accordance with the UDC, this Special Permit shall be deemed to have expired within twelve (12) months of this ordinance if the allowed use is discontinued for more than six consecutive months.

After Staff's presentation, comments and questions took place amongst Commissioners regarding parking requirements. After the discussion, Chairman Villarreal opened the public hearing.

The owner of the subject property, Lydia Rios at 7469 Convair, addressed the Commission in support of her case. She feels that she has not done anything to

harm her neighborhood and should be allowed to continue running the Bed and Breakfast out of her home. She feels that her patrons contribute to the City's economy. She informed the Commission that AirBnB performs their own screening process prior to sending her requests; requires government identification along with a social security number. She has the ultimate discretion when choosing renters. She has never had a horrible experience while operating her Bed and Breakfast and her patrons have often been very professional/educated people from all parts of the world. She has strict rules patrons must follow in her home and she does not allow children under the age of 12. Ms. Rios added that she also has the option to lease her entire home to a large family with out needing a special permit to do so. She informed the Commission that her peak rental season is during the summer months but it is not often that she is at full occupancy. She also stated that three cars is the maximum number of vehicles she has had at her home and feels that it does not create a burdensome situation. The following citizens addressed the Commission and expressed their opposition to the change of zoning request:

Hugh Stovall at 7405 Convair Drive  
Norm Taylor at 7425 Conviar Drive  
Thomas Hand at 7470 Convair Drive  
Jackie Sasana at 2010 Silver Sands  
George and Alice Sherman at 7465 Convair Drive  
Crystal Madrigal at 7409 Convair Drive  
Abel and Lily Rodriguez 7421 Convair Drive

The citizens below expressed the following reason for their opposition:

- Safety concerns for children with the congestion of parking/traffic since there is a park and a school bus loading/unloading zone nearby.
- Safety concerns for children with regards to strangers being introduced to the neighborhood with out a more thorough background check.
- Increase in property taxes.
- The possible negative marketability a home can experience if it were to be listed for sale.

The majority of the opposed citizens stated they have lived there for many years and feel the charactor of the neighborhood is compromised with the Bed and Breakfast use. They stated they enjoy living in their quiet/established neighbohood and would like it to remain as such. They also expressed how upset they were when she blatantly attempted to deceive the neighborhood by hiding signs behind shrubs which notify the public of the rezoning request (pictures were provided).

There being no one else coming forward, Chairman Villarreal closed the public hearing. Further discussion amongst the Commissioners followed and Commissioner Hovda expressed the immediate need to adopt an ordinance for Short Term Rentals (less than thirty day rentals) since Corpus Christi does not have one. She said that having an ordinance in place would help the City be more prepared and mitigate many of the concerns previously expressed.

A motion was made by Commissioner Schroeder to approve item "10" with the additional conditions of limiting one parking space per rental room with a maximum of three rental rooms. The motion was seconded by Commissioner

Hovda. A roll call vote took place with Commissioners Williams and Crull voting no. The motion passed.

**V. Director's Report**

None.

**VI. Items to be Scheduled**

None.

**VII. Adjournment**

There being no further business to discuss, Chairman Villarreal adjourned the meeting at 7:20 p.m.