



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes

### Planning Commission

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Wednesday, April 4, 2018

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 absent.

#### II. Approval of Minutes

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

1. [18-0412](#) Regular Meeting Minutes of March 21, 2018

#### III. Public Hearing (Items 2 - 6) - Discussion and Possible Action

##### A. Plats

##### Construction Waiver/Lot & Acreage Fee Exemption Request

*Greg Collins, Development Services, stated that item "3" in the agenda, Construction Waiver/Lot & Acreage Fee Exemption Request for C.R. Garcia Subdivision, would be considered first as item "2", and the C.R. Garcia Subdivision, Block 1, Lot 4, Final Plat, would be considered afterwards, as item 3.*

2. [18-0413](#) **17PL1119**  
C.R. GARCIA SUBDIVISION, BLOCK 1, LOT 4 (FINAL - 1.615 ACRES)  
Located south of Leopard Street and east of Rand Morgan Road.  
Request for a waiver of wastewater infrastructure construction per Section 8.2.7.A of the Unified Development Code (UDC) and an exemption from the Wasterwater Lot/Acreage fees in the accordance with Section 8.5.2.G of the UDC.

Mr. Collins read item "2" (formerly item "3") into the record as shown above. The property is currently zoned "RE" Residential Estate and the owner is proposing to develop a single family home. Mr. Collins presented a map of the preliminary, wastewater main layout showing an existing wastewater manhole located on Rand Morgan Road approximately 210 linear feet (LF) south of the subject property. He pointed out the proposed 8" PVC wastewater line, requiring 384 LF, beginning with a new manhole south of the subject property and ending at a new manhole north of the subject property. The applicant is requesting a waiver of the infrastructure construction described above and is proposing an on-site sewage facility (septic) with a cost estimate of \$6,800.00.

The applicant has also provided a cost estimate for the required infrastructure construction to connect to the sanitary sewer and it is estimated at \$40,832.00. Staff has reviewed the request and found that the request does not meet the requirements for a waiver of wastewater infrastructure construction per Section 8.2.7.B and an exemption from the wastewater lot/acreage fees per Section 8.5.2.G of the UDC.

After Staff's presentation, the floor was opened for comments/discussion by Commissioners. Commissioner Crull asked why two manholes are needed. Mr. Collins stated the existing manhole is in a right-of-way owned by the State. Commissioner Lippincott asked if the City's right-of-way can be used to construct a private line (force main) from the owner's property. Mr. Collins stated that has been done in the past but in this case, the southern manhole is sufficiently deep for the wastewater line to flow by gravity. Bill Green, Assistant Director of Development Services, stated that coordination with the Texas Department of Transportation could be done, and a manhole could be placed, at sufficient depth, in the northwest corner of the subject property so that wastewater service could be provided in that area. Commissioner Crull asked if the applicant is eligible for a reimbursement from the trust fund. Staff and Commissioners discussed the possibility of reimbursement from the wastewater infrastructure trust funds.

After comments/discussion concluded, Chairman Villarreal opened the public hearing. The owner, Carlos Garcia, addressed the Commission and stated he understood that he is within the 1,000 feet requirement. He also mentioned that the property adjacent to his property was platted in 2015 and asked why they were not required at that time to construct the wastewater infrastructure. He said he cannot afford the amount of \$40,832.00 to construct the wastewater infrastructure. He also stated he is paying interest on the loan to build his house and is waiting for this process to be completed in order to do so.

With no one else coming forward, the public hearing was closed. Chairman Villarreal inquired about the adjacent lot that Mr. Garcia mentioned. Mr. Collins confirmed the adjacent lot went through the platting process. Commissioner Hovda stated it was done around 2015. Mr. Collins stated one possibility was that Staff assessment at that time was that there would not likely be any development in the near future. It was also not known whether they applied for a waiver/exemption request.

A motion to deny the request for waiver of wastewater infrastructure construction and an exemption from the wastewater lot/acreage fees for item "2" was made by Commissioner Crull and seconded by Vice Chairman Lippincott. The motion passed.

### New Plats

3. [18-0311](#)

**17PL1119**

C.R. GARCIA SUBDIVISION, BLOCK 1, LOT 4 (FINAL - 1.615 ACRES)

Located south of Leopard Street and east of Rand Morgan Road.

4. [18-0414](#)**17PL10125****RIVER EDGE VILLAGE (FORMERLY OCEAN VIEW GEORGE) (FINAL - 47.00 ACRES)**

Located west of CR 33 and north of FM 43.

Mr. Collins read items "3 & 4" into record as shown above. Mr. Collins stated the plats satisfy all requirements of the Unified Development Code (UDC) and State Law; the Technical Review Committee recommends approval.

Mr. Collins clarified the plat version for item "3" for consideration does not have the Nueces County signature block since the wastewater waiver/exemption was denied. The plat moving forward requires connection to City services.

Discussion took place regarding public improvement plans for item "2" (fire hydrant). Mr. Collins referred to the Technical Review Committee's comments, Engineering Comment #4. He stated that prior to recordation, the City requires proof of satisfaction of the fire requirements.

After Staff's presentation, the public hearing was opened. The owner for plat item "3", Carlos Garcia, addressed the Commission and stated that his property is within the hose distance for the fire hydrant.

With no one else coming forward, the public hearing was closed. For item "3", a motion was made by Vice Chairman Lippincott to approve the plat with City wastewater connections subject to City Council denial of the wastewater exemption request. The motion was seconded by Commissioner Baugh. The motion passed.

A motion to approve item "4" was made by Vice Chairman Lippincott and seconded by Commissioner Baugh. The motion passed.

B. **Zoning**5. [18-0415](#)**Public Hearing - Rezoning Property at or near 3902 Cimarron Boulevard****Case No. 0318-01 - Estate of Margaret J. Pasztor:**

Ordinance rezoning property at or near 3902 Cimarron Boulevard (east side of Cimarron Boulevard, south of Lipes Boulevard, and north of Yorktown Boulevard) from the "FR" Farm Rural District to the "RM-2" Multifamily 2 District.

Andrew Dimas, Development Services, read item "5" into the record as shown above. He presented several aerial views of the subject property along with the Existing and Future Land Use maps. He stated the purpose of the rezoning request is to allow for the construction of a multifamily apartment complex. He informed the Commission that zero public notices were returned in opposition of the change of zoning request and one returned in favor (three notices from outside the 200 feet notification radius were returned in opposition).

Mr. Dimas went over the zoning patterns for the surrounding area. Recent rezonings have occurred to the north in 2015 to the "CN-1" Neighborhood Commercial District and to the "RM-2" Multifamily 2 District. To the east, a zoning case was recently heard by the Planning Commission on March 21, 2018 for a potential change to the "RM-1" Multifamily 1 District for a potential apartment complex with a maximum density of 235 dwelling units. He gave details of the submitted site plan proposing 288 units and 570 parking spaces. The "RM-2" district allows 30 dwelling units per acre by right. The proposed 288 apartment is compatible with the density requirements of the "RM-2" district. Based on recent zoning changes and existing commercial zoning along Cimarron Boulevard (A1 Arterial Street), a trend towards commercial development is occurring. He also noted that Cimarron Boulevard can service 15,000 to 24,000 average daily trips (ADT); the latest count of ADT, as of 2016, is 12,500.

Mr. Dimas listed the UDC requirements for the change of zoning request. Due to the adjacency of a master channel, no buffer yard would be required to the north or east. To the south is a vacant 10 acre tract zoned "FR" Farm Rural District which will act as a buffer yard; whomever develops the tract will be responsible for installing the potential buffer yard. Staff recommends approval of the requested change of zoning.

After the presentation, Staff responded to Commissioners questions regarding further details for average daily trips, points of ingress/egress, signal lights and traffic circulation. Mr. Dimas stated that comments from the Traffic Engineering Department were taken into consideration as well.

After comments/discussion concluded, Chairman Villarreal opened the public hearing. Representing the applicant, John Bell at 13750 Primavera Drive, addressed the Commission in support of the rezoning request.

Dr. Bronson at 6506 Miranda Drive, addressed the Commission. She felt that there is no need for another apartment complex in the area and gave her opposition to the rezoning request. She stated the placement of the proposed apartment complex will impact the enrollment of the nearby schools (Kolda Elementary, Kaffie Middle School and Veteran's Memorial High School). She stated her children attend Kaffie Middle School and it is currently exceeding capacity. She stated there are five apartment complexes within a two mile radius of the proposed site and many of them have immediate leasing available; the apartments across the street from Veteran's Memorial High School is not at 100% occupancy. She also said the existing subdivisions (Heritage Crossing/Rancho Vista) nearby are not fully developed and will further impact enrollment for the schools.

Gilbert Flores at 6502 Miranda Drive addressed the Commission and gave his opposition to the rezoning request. He cited increased noise/traffic, safety and loss of privacy as concerns.

James Aleman at 6538 Miranda Drive and President of the Homeowner's Association (HOA) for Cimmaron Lake, addressed the Commission. He gave his statement of opposition on behalf of the HOA for Cimmaron Lake. He felt that the south side is congested and does not need additional apartment development. He cited traffic concerns for Lipes Boulevard and Cimmaron

Boulevard and the overcrowding of schools.

With no one else coming forward the public hearing was closed. Further discussion took place regarding the difference in the units per acre ratio with respect to the Future Land Use map. Staff stated the proposed rezoning to the "RM-2" District is generally consistent with the adopted Comprehensive Plan and warrants an amendment to the Future Land Use map. Discussion also took place regarding building height requirements in the UDC.

A motion to approve Staff's recommendation for item "5" was made by Vice Chairman Lippincott and seconded by Commissioner Hovda. The motion passed with Commissioner Williams voting "no".

## C. Presentation

### 6. [18-0417](#) Ordinance adopting the "Tax Increment Reinvestment Zone #3 Traffic and Planning Analysis" Specific Plan

Keren Costanzo, Senior City Planner, along with Mr. McGinn, presented item "6". Ms. Costanzo explained that the Tax Increment Reinvestment Zone (TIRZ) #3 incorporates the SEA District, Marina Arts District and the neighborhood surrounding Water's Edge Park (downtown). This project was initiated to develop an investment strategy for public funds that will support commercial activity within the downtown area. Ms. Costanzo stated that projects such as the Downtown Parking Action Plan and the Harbor Bridge relocation project created a need for a clear strategy and prioritization to guide public investments. This plan was designed with much opportunity for community feedback/input, and as a result, there were additions/adjustments made to the report. Ms. Costanzo began the presentation with the conversion of streets from one-way to two-way. She stated two-way conversion is not a new concept for Texas and gave examples from the cities of Dallas, San Antonio and Austin. She listed the benefits of the conversion which include a decrease of collisions/crime and an increase of business revenues and property values. She presented a map detailing the current conditions and then a map with the two-way conversion proposal. She also listed the proposed short-term, mid-term and long-term projects.

Ms. Costanzo went over the document adoption process. The TIRZ #3 and planning Analysis report was presented to the Downtown Management District Board of Directors on March 22, 2018, which passed a resolution recommending adoption of the report by City Council. The Corpus Christi Transportation Advisory Commission voted to recommend adoption of the plan on March 26, 2018. And the TIRZ #3 Board of Directors voted to adopt the document on March 27, 2018. It is tentatively scheduled for the City Council meeting of April 17, 2018. Ms. Costanzo added that the next step for Loading Zone Planning, led by the Marina Arts District, was identified as needing immediate attention and is an on-going process. Staff recommends adoption of the TIRZ #3 Traffic and Planning Analysis.

After Staff's presentation, the floor was opened for comments/discussion by Commissioners. Discussion took place regarding surplus property as a result of the Harbor Bridge project, and the use of diagonal versus parallel parking as a result of the conversion. Ms. Costanzo stated the implementation of the parking strategy is a continued recommendation in this plan. Commissioner Crull

suggested that Starr Street be converted to a two-way street. He asked if any traffic studies have been done to determine the volumes for Leopard Street and Lipan Street. He mentioned the signal light on Chaparral Street has already been programmed for two-way operations. Also, the plan does not reflect impacts to signal lights on Interstate 37.

After comments/discussion concluded, Chairman Villarreal opened the public hearing. Alyssa Barrera, Executive Director of the Downtown Management District, addressed the Commission in support of the plan. She stated that having the least amount of construction possible, and doing it incrementally, is a priority for stakeholders and downtown business owners. Although construction projects have a positive end goal, it can also have a negative effect on businesses. She felt those negative effects will be helped by executing the plan in phases; completing one project before starting another project.

With no one else coming forward, the public hearing was closed and discussion amongst the Commissioners continued. Commissioner Schroeder stated he had a chance to attend the open house meeting in March and appreciated the effort that Staff has put forth in making those meetings available. Commissioner Schroeder felt that the graphics used in the presentation do not give a true sense of what the plan can deliver to encourage more support for the plan. He would like to see graphics showing the before and after outcome of the Chaparral Street project. He felt that including detailed graphics can help the transition of the two-way conversion and prevent "wrong-way drivers". He also mentioned that the replanted trees on Chaparral Street seem to be struggling due to the incorrect materials used; more trees need to be planted downtown. He added a suggestion to close Upper Broadway and use Shoreline Boulevard as an example to create an opportunity for pleasing aesthetics and better traffic flow.

After all comments/discussion concluded, Chairman Villarreal called for a motion. Commissioner Hovda made a motion to approve Staff's recommendation for item "6" and Commissioner Crull seconded. The motion passed.

#### **IV. Director's Report**

Nina Nixon-Mendez, Director of Development Services, updated the Commission on future agenda items to be scheduled for Planning Commission. The Airport Zoning Commission presentation will be scheduled on May 2, 2018. For the meetings in May/June, UDC amendments will be presented, and amendments to the Urban Transportation Plan are anticipated.

#### **V. Items to be Scheduled**

None.

#### **VI. Adjournment**

There being no further business to discuss, Chairman Villarreal adjourned the meeting at 7:15 p.m.