



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes Planning Commission

Wednesday, June 12, 2019

5:30 PM

Council Chambers

I. Call to Order, Roll Call

Chairman Villarreal called the meeting to order at 5:30 p.m. and a quorum was established with Commissioners Williams and Dibble absent.

II. Opening Statement

III. Approval of Absences: Chairman Villarreal

A motion was made by Commissioner Baugh and seconded by Vice Chairman Crull to approve the absence listed above. The motion passed.

IV. Approval of Minutes

1. [19-0833](#) Regular Meeting Minutes of May 29, 2019

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

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

Chairman Villarreal asked Staff to present the Consent Agenda, items V.A & V.B, numbered 2 through 4. Greg Collins, Development Services, read items "2 through 4" into the record as shown below. New plat items "2 & 3", satisfy all requirements of the UDC and State Law; the Technical Review Committee recommend approval. Staff also recommends approval for New Zoning item "4" as stated in Staff's report and materials.

After Staff's presentation, Chairman Villarreal opened the floor for Commissioner comments/questions. Commissioner Schroeder asked questions regarding item "4" for clarification purposes. After Commissioner comments/questions concluded, Chairman Villarreal opened the public hearing for the Consent items. With no one coming forward, the public hearing was closed. A motion to approve Staff's recommendation as presented for items "2 through 4" was made by Commissioner Baugh and seconded by Commissioner Hovda. The motion passed.

A. New Plats

2. [19-0829](#) **19PL1023**
AIRLINE ROAD SCHOOL OF SCIENCE & TECHNOLOGY BLK 1, LOT 1 (FINAL - 7.417 ACRES)
Located east of Airline Road and south of Wooldridge Road.

3. [19-0831](#) **19PL1050**
STEELE'S ADDITION, BLOCK 12, LOT 7R (REPLAT - 0.1435 ACRE)
Located south of Coleman Avenue and west of Harmon Street.

B. New Zoning

4. [19-0834](#) **Public Hearing - Rezoning Property at or near 5101 Saratoga Boulevard**

Case No. 0619-01 - Mt. Olive Lutheran Church
Ordinance rezoning property at or near 5101 Saratoga Boulevard (located along the south side of Saratoga Boulevard (State Highway 357), east of Long Meadow Drive, and west of South Staples Street) from the "RS-6" Single-Family 6 District to the "ON" Neighborhood Office District.

VI. Public Hearing: (Item C) - Discussion and Possible Action

C. New Plat with Variance (Waiver)

5. [19-0835](#) **19PL1032 - SIDEWALK WAIVER**
ARUBA TWO CONDOMINIUMS, BLOCK 1, LOT 1 (REPLAT - 0.79 ACRES)
Located north of Aruba Drive and west of Leeward Drive.
Request for a Plat Waiver of Sidewalk Construction Requirement in Section 8.1.4 and Section 8.2.2 of the UDC.

Mr. Collins presented item "5" for the record as shown above. For location purposes, he presented an aerial view of the subject property along with a vicinity map showing commercial and residential uses in the area. The purpose of the plat is to develop condominiums. Mr. Collins continued the presentation by citing the following factors in support of the waiver request and against the waiver request:

Factors in Support of the Waiver - The applicant states that they do not believe sidewalk should be required because:

1. None of the developed properties within this portion of Padre Island have sidewalks.

2. The area is not located on any transit stops or transportation plan.
3. Waiver of sidewalk will not be detrimental to the public health, safety, or general welfare, and adjacent property will not be restricted or rendered unfeasible.
4. The Comprehensive Plan will not be substantially affected.
5. The Bicycle Mobility Plan does not show any routes through this property.

Additional factors in support of the waiver are:

6. Aruba Drive is not on the Urban Transportation Plan (UTP).
7. Aruba Drive is not on the City's ADA Master Plan.

Factors weighing against the waiver and in support of requiring sidewalk:

1. The area is within a residential tourist /commercial node, zoned RM-AT / IO, and CR-1 / IO and CR-2 / IO, with high density potential.
2. There is existing sidewalk along St. Augustine Drive about 1,240 feet (0.24 mi) away, within walking distance of the property.
3. There is a CCRTA transit service route stop within walking distance to the property, on Leeward Drive, about 805 feet (0.15 mi.) away to the northeast.
4. The property is 0.29 miles from beach public access.
5. Aruba Drive is a 60-foot wide, right-of-way.
6. The Comprehensive Plan, Plan CC, states the community's vision for Transportation and Mobility and calls for connected networks of good streets and sidewalks and safe bicycle routes.

Regarding sidewalk plat waivers, the UDC does state, under Section 8.2.2.B.1-4, that a waiver may be granted, in accordance with the waiver procedure in Section 3.8.3.D., but only if certain conditions exist. None of the enumerated conditions in UDC 8.2.2.B.1-4 for a sidewalk waiver exist on this subject property. Weighing the factors, Staff recommends denial of the waiver from the sidewalk construction requirement. Planning Commission may choose to follow or decline Staff's recommendation, and Planning Commission may approve, approve with conditions, or deny the waiver request. After Staff's presentation, Vice Chairman Crull opened the floor for Commissioner comments/questions. Chairman Villarreal asked if there are any lots adjacent to the property that are not platted. Mr. Collins stated "no". Chairman Villarreal pointed out that it would be difficult for the subject property to connect to an existing "network" of sidewalks considering that the nearest sidewalk is at St. Augustine Drive. Although it is a fractured, sidewalk network, Staff felt that the parcels to the east of the subject property will be consolidated in a replat to accommodate a potential use in the near future. The development trend in the area is apartment style, condominiums. After Commissioner comments/questions concluded, Chairman Villarreal opened the public hearing.

Developer for the project, Alex Harris, addressed the Commission in support of the waiver request. He said the majority of Padre Island does not have sidewalk. He also mentioned that there are no sidewalks provided at a park located on Windward Drive. He believes that he should not be required to construct a sidewalk that does not connect to an existing sidewalk network. He also stated that there are no sidewalks at the above-mentioned transit service route stop. He said that he has done five previous developments on Padre Island in which he was never required to construct sidewalks.

Engineer of record for the project, Craig Thompson with Hanson Professional Services, addressed the Commission in support of the waiver request and reiterated the same sentiments as Mr. Harris. He felt that Aruba Drive does not function as a Collector street. He compared right-of-way widths to other streets in the area and felt that Aruba Drive has extra pavement available. He felt the City should find other options for which to utilize the pavement to comply with the Comprehensive Plan.

With no one else coming forward, Chairman Villarreal closed the public hearing and discussion continued amongst the Commissioners. Commissioner Schroeder felt that although the factors in support of the waiver request are valid, developers should do their part to make the area walkable which can prompt other developers to begin constructing sidewalks as well. He said developers should envision projects as advancing neighborhoods as a whole as opposed to whether other developers are required to construct sidewalks or not. He does not want to penalize developers, but sidewalk construction needs to start somewhere. He agreed that there are other alternatives the City can initiate to help comply with the Comprehensive Plan but the resources to do so would fall on City taxpayers. The Planning Commission has the responsibility to promote the vision of the Comprehensive Plan. Although these instances are a challenge, the development community along with the City need to work together to accomplish these goals. Commissioner Hovda reiterated Commissioner Schroeder's comments and stated having walkable communities is an important part of tourism for Padre Island. After discussion concluded, Vice Chairman Crull made a motion to approve the waiver request for item "5" and it was seconded by Commissioner Baugh. The motion passed.

6. [19-0830](#)

19PL1032

ARUBA TWO CONDOMINIUMS, BLOCK 1, LOT 1 (REPLAT - 0.79 ACRES)

Located north of Aruba Drive and west of Leeward Drive.

Greg Collins, Development Services, read item "6" into the record as shown above. New plat item "6" satisfies all requirements of the UDC and State Law; the Technical Review Committee recommends approval. After Staff's presentation, Chairman Villarreal opened the public hearing. Developer for the project, Alex Harris, addressed the Commission to comment on finding the resources that will help the Padre Island area and tourism. With no one else coming forward, the public hearing was closed. A motion to approve item "6" was made by Commissioner Baugh and seconded by Vice Chairman Crull. The motion passed.

VII. Director's Report

Nina Nixon-Mendez, Director of Development Services, informed the Commission on the term expirations for Commissioners Dibble and Baugh on July 31, 2019. They will need to inform the City Secretary's office if they would like to be considered for reappointment.

VIII. Items to be Scheduled

None.

IX. Adjournment

There being no further business to discuss, Chairman Villarreal adjourned the meeting at 6:05 p.m.