



# City of Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes Planning Commission

---

Wednesday, August 7, 2019

5:30 PM

Council Chambers

---

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact Gilbert Garza, at 361-826-8454 or GilbertGa@cctexas.com, no later than 48 hours prior to this meeting so that appropriate arrangements can be made.

### I. Call to Order, Roll Call

Vice Chairman Crull called the meeting to order at 5:30 p.m. and a quorum was established with no absences.

### II. Opening Statement

### III. Discussion and Possible Action Regarding the Election of Officers: Chairman & Vice Chairman

A motion was made by Commissioner Hovda nominating Vice Chairman Crull as Chairman and the motion was seconded by Commissioner Baugh. The motion was passed.

A motion was made by Commissioner Hovda nominating Commissioner Baugh as Vice Chairman and the motion was seconded by Commissioner Dibble. The motion passed.

### IV. Approval of Absences: Chairman Villarreal and Commissioners Williams and Zarghouni

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

### V. Approval of Minutes

#### 1. [19-1072](#) Regular Meeting Minutes of July 24, 2019

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

**VI. Discussion and Possible Action Regarding the Appointment of a Planning Commission Representative to the Advisory Committee for the Westside Area Development Plan Update.**

Commissioner Hovda volunteered to serve as the committee representative and Commissioner Schroeder volunteered to serve as the alternate representative. A motion was made by Commissioner Hovda and seconded by Commissioner Dibble to approve the committee representatives. The motion passed.

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

Chairman Crull informed the Commission that items "3 & 7" would be pulled from the Consent agenda and heard separately. Chairman Crull asked Staff to present the Consent Agenda, items VII.A & VII.B, except for items "3 & 7". Greg Collins, Development Services, read New Plat item "2" into the record as shown below. He stated that upon satisfaction of the remaining conditions/comments in the Plat Review Comments document, the plat will satisfy all requirements of the UDC and State Law; the Technical Review Committee recommends conditional approval. New plat item "4", satisfies all requirements of the UDC and State Law; the Technical Review Committee recommends approval. Time Extension item "5" satisfies all requirements of the UDC and Staff recommends approval. Staff also recommends approval of the UDC text amendments for item "6" as stated in Staff's agenda memo.

After Staff's presentation, Chairman Crull 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, 4, 5 & 6" was made by Vice Chairman Baugh and seconded by Commissioner Williams. The motion passed.

**A. New Plats**

**2. [19-1075](#)**

**19PL1060 - CONDITIONAL**

**WOODSIDE SUBDIVISION (FINAL - 9.10 ACRES)**

Located north of Leopard Street and east of McKinzie Road.

**3. [19-1076](#)**

**19PL1053 - CONDITIONAL**

**ANNAVILLE BAPTIST CHURCH, BLOCK 1, LOTS 1 AND 2 (REPLAT - 4.24 ACRES)**

Located south of Leopard Street and west of Violet Road.

Mr. Collins read New Plat item "3" into the record as shown above. He stated that upon satisfaction of the remaining conditions/comments in the Plat Review Comments document, the plat will satisfy all requirements of the UDC and State Law; the Technical Review Committee recommends conditional approval. After Staff's presentation, Chairman Crull opened the public hearing. With no one coming forward, the public hearing was closed. A motion to approve Staff's recommendation as presented for item "3" was made by Vice

Chairman Baugh and seconded by Commissioner Hovda. The motion passed with Commissioner York abstaining.

4. [19-1073](#)      **19PL1029**  
CREEKWAY SUBDIVISION, BLOCK 3, LOTS 2, 3, 4, 5, 6, 7, & 8  
(REPLAT - 0.89 ACRES)  
Located south of Cedar Pass and east of Everhart Road.

### Time Extension

5. [19-1079](#)      **18PL1069**  
SANDY CREEK UNIT 5 (FINAL - 8.451 ACRES)  
Located south of Holly Road and east of Rodd Field Road.

### **B. Text Amendments**

6. [19-1081](#)      Ordinance amending the Unified Development Code regarding Industrialized Housing, Landmark Designations, Zoning Board of Adjustment Board Rules, and Building Material Requirements (State House Bill Mandates).
7. [19-1082](#)      Ordinance amending the Unified Development Code regarding side yard setbacks, definitions, sidewalks, administrative adjustments, and the following land uses: Car Washes, Vehicle Sales and Services, Aggregate Storage, Crematoriums, Above Ground Fuel Storage Tanks, Townhomes, and Accessory Buildings.

The Commission decided to forego the full presentation for item "7" as shown above and went straight to Commissioner comments/questions. Commissioner Dibble's points of concern were for Sections 13, 14 and 15 of the proposed ordinances regarding sidewalks and sidewalk waivers. He asked what the appeal process would be for a developer when their waiver request is denied. He felt that the language in the ordinance is too ambiguous which can lead to broad interpretation. He would like these sections pulled from the proposed ordinance to be incorporated with the broader UDC evaluation being done by the consultants.

Nina Nixon-Mendez, Director of Development Services, responded to Commissioner Dibble's comments. She stated the reason they are bringing forth these ordinances is because the Planning Commission directed Staff to stream-line the waiver process. Staff drafted specific exceptions that would allow administrative approval of waivers without Planning Commission consideration. She stated that a stakeholder meeting was held on July 31, 2019 in which feedback was obtained and incorporated into the proposed ordinance. She stated Staff can certainly pull these sections out for further evaluation and move forward with the remainder of the ordinances.

After Commissioner comments/questions concluded, Chairman Crull opened the public hearing. Judy Teldge at 3554 Sant Fe Street, addressed the Commission. She wanted the Commission to keep in mind that stakeholders, relative to any amendment process, also includes the “user”. She is an involved Corpus Christi citizen who works with people with disabilities and senior citizens who utilize sidewalks not just for exercise such as bicycling.

Murf Hudson with Urban Engineering addressed the Commission. He asked the Commission to consider pulling these sections to give stakeholders another opportunity to meet with Staff and come to a consensus regarding the language before it is adopted. He felt that some of the language is in direct conflict with City ordinance and it has not been fully vetted by stakeholders. He stated that he does not agree with Section 8.2.2.D regarding rural street standards. He also takes issue with Section 8.2.2.G Cash in lieu of Construction of Sidewalk.

Bart Braselton with Braselton Development at 5337 Yorktown Boulevard, addressed the Commission on behalf of the Coastal Bend Home Builders Association (CBHBA) and the UDC Task Force in which he serves as Chairman. He mentioned the stakeholder meetings that were held for the UDC evaluation with the consultants and said the CBHBA provided detailed comments for amendments during those meetings. He said they provided good ideas and spent a great amount of time on the comments. He reiterated Mr. Hudson’s comments and would like the Commission to consider pulling these sections from consideration. He felt that these sections are lengthy and have not been simplified.

With no one else coming forward, the public hearing was closed. A motion was made by Commissioner Schroeder to approve item “7” except for the language in Sections 13, 14 and 15 to be handled by the consultants for future text amendments. The motion was seconded by Commissioner Hovda and the motion passed.

## **VIII. Public Hearing: (Items C, D & E) - Discussion and Possible Action**

### **C. Urban Transportation Plan Amendment**

8. [19-1097](#) Amendment to the City’s Urban Transportation Plan to remove the future extension of Carroll Lane on the south/east side of the Kostoryz/Carroll Ditch between Wickersham Drive and Kostoryz Road.

Annika Yankee, Planning Department, presented item “8” for the record as shown above. Corpus Christi Independent School District (CCISD) is proposing a new high school at the northeast corner of Saratoga Boulevard and Kostoryz Road and is requesting this amendment to the City’s UTP. For purposes of analysis, staff reviewed a subject area of one-square mile between Holly Road on the north, Saratoga Boulevard on the south, Weber Road on the east, and Kostoryz Road on the west. These streets are the “arterial” streets on the perimeter of the area. The transportation plan attempts to create a grid of streets to serve local traffic within this one square-mile area by placing smaller “collector” streets between the larger “arterial” streets. Ms. Yankee pointed

out that the Strategic Plan for Active Mobility calls for an off-road bike trail along the Kostoryz/Carroll Ditch (not included in the subject amendment).

Ms. Yankee informed the Commission that CCISD provided a Traffic Impact Analysis to support their request. The Traffic Impact Analysis finds no significant impact to traffic if Carroll Lane between Wickersham Drive and Kostoryz Road is not constructed. The Traffic Impact Analysis also points out that eliminating the intersection of Carroll Lane with Kostoryz Road provides more justification for a traffic signal north of the ditch at the intersection of Masterson Drive/Carroll Lane and Kostoryz Road, which is an intersection that would serve Galvan Elementary School. Staff recommends approval of the proposed transportation plan amendments for the following reasons:

The proposed amendments:

- Maintain an adequate and efficient street network for proposed land uses.
- Do not eliminate the potential for an off-road multi-use trail along the Kostoryz/Carroll Ditch in accordance with the Strategic Plan for Active Mobility: Phase 1 Bicycle Mobility.

The Transportation Advisory Commission also recommends approval of the proposed amendment with the condition to keep bike or non-vehicular access to the school.

After Staff's presentation, Chairman Crull opened the floor for Commissioner comments/questions. Chairman Crull asked if there is sufficient queuing for an on-site parent drop-off area. Commissioner Schroeder questioned the TIA's assertion that there is no significant impact. He also expressed concern for an increase in traffic volume due to future infill of multifamily development in the area. Discussion also took place regarding levels of service. After Commissioner comments/questions concluded, Chairman Crull opened the public hearing. Civil Engineer for the project, Chip Urban with Urban Engineering, addressed the Commission to answer Commissioner questions. He stated that they did not assist with the TIA but helped CCISD with the proposed amendment. He further explained that it would require minimal effort to make a right-turn exiting the campus onto Kostoryz Road coupled with another right-turn onto Masterson Drive to gain access to the neighborhoods north and northeast of the proposed site. With no one else coming forward, the public hearing was closed. A motion was made by Commissioner Dibble to approve Staff's recommendation as presented for item "8". The motion was seconded by Commissioner Baugh and the motion passed with Commissioner York abstaining.

**D. New Plat**

**9. [19-1077](#)**

**19PL1065 - CONDITIONAL**

**MARY CARROLL HIGH SCHOOL TRACT, BLOCK 1, LOT 1 (FINAL - 32.69 ACRES)**

Located east of Kostoryz Road and north of Saratoga Boulevard.

Mr. Collins read New Plat item "9" into the record as shown above. He stated that upon satisfaction of the remaining conditions/comments in the Plat Review Comments document, the plat will satisfy all requirements of the UDC and

State Law; the Technical Review Committee recommends conditional approval. After Staff's presentation, Chairman Crull opened the public hearing. With no one coming forward, the public hearing was closed. A motion to approve Staff's recommendation as presented for item "9" was made by Vice Chairman Baugh and seconded by Commissioner Zarghouni. The motion passed with Commissioner York abstaining.

## **E. Presentation**

### **10. [19-1080](#)**

#### City of Corpus Christi Public Improvement District (PID) Policy

Keren Costanzo, Planning Department, presented item "10" for the record as shown above. She informed the Commission that during the City Council meeting on May 14, 2019, Council directed staff to prepare a Public Improvement District (PID) policy for Council's consideration. The purpose of this PID policy is to outline the issues to be addressed before the City Council can support the establishment of a PID. This Policy outlines such things as petition requirements, qualified costs, financing criteria, information disclosures to property owners, and the determination of annual plans of services, budgets and assessments.

Ms. Costanzo proceeded to give background information and explained that PIDs are created by petition of a majority of property owners in the proposed district to finance enhanced amenities, services, and/or public improvements; PIDs must provide public benefit (improvements in a gated community would not qualify). PIDs are a special district authorized and governed by Texas local Government Code Chapter 372. The City or County can create a PID, but the City must authorize the creation of a PID within City limits or the Extra Territorial Jurisdiction (ETJ). Elected officials would serve as the governing body (review PID assessments and budget). The revenues would come from special assessments on properties in a district, either a fixed amount or a rate.

Ms. Costanzo presented a slide which demonstrated a flow chart of the PID process which may take 9 to 12 months from project introduction to project close. The process can be complicated as it involves expertise, resources and a variety of participants. She also compared ten other Texas cities which either use PIDs or have a PID policy and their components. She went into detail describing the components of the PID policy intended for Corpus Christi. Staff recommends approval of the resolution adopting the PID policy with the Bond Counsel recommendations.

After Staff's presentation, Chairman Crull opened the floor for Commissioner comments/questions. Chairman Crull asked questions regarding revenue bonds, bond rating and provisions for additional fees. Commissioner Dibble asked if any community outreach took place for stakeholder input. Staff stated an email was distributed to stakeholders on August 2, 2019 regarding today's public hearing in order to give an opportunity for feedback. Staff expressed that additional time for stakeholder input would have been ideal, but Staff was asked by City Council to produce a draft in an expedited time frame. Commissioner Dibble was disappointed that not enough time was given for community outreach and stated that he is uncomfortable with making a recommendation on this item without stakeholder input. Commissioner Schroeder asked what the difference is between a PID and the Tax Incremental Reinvestment Zone (TIRZ). He felt that the public has a hard time

understanding these types of policies when they are initiated and suggested they would be better communicated in laymen's terms which would help with utilization.

After Commissioner comments/questions concluded, Chairman Crull opened the public hearing. Bart Braselton with Braselton Development addressed the Commission and stated that the size of Corpus Christi needs to be considered relative to the size of the other cities that are utilizing PIDs; the complexity of the policy as it is written. He felt that the policy may get adopted but will never be used. He discussed how the issuance of bonds are rare in Corpus Christi and stated the policy needs more evaluation with respect to the market. Judy Teldge at 3554 Santa Fe Street addressed the Commission and asked how this tool for redevelopment can incorporate affordable housing (smaller development). With no one else coming forward, the public hearing was closed. A motion was made by Commissioner Hovda recommending that Staff be given more time to obtain community input before moving forward with the adoption of the PID policy. The motion was seconded by Commissioner Dibble and the motion passed.

**IX. Director's Report**

None.

**X. Items to be Scheduled**

None.

**XI. Adjournment**

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