



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

Planning Commission

Wednesday, October 2, 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

Chairman Crull called the meeting to order and a quorum was established with no absences.

II. Opening Statement

III. **PUBLIC COMMENT:** The members of the public are invited to speak on any agenda item and/or any other items that pertain to the Planning Commission. If you choose to speak during this public comment period regarding an item on the agenda, you may do so. You will not be allowed to speak again, however, when the Planning Commission is considering the item. Citizen comments are limited to three minutes.

IV. Approval of Absences: Commissioner Schroeder

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

V. Approval of Minutes

1. [19-1356](#) Regular Meeting Minutes of September 18, 2019

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

VI. Consent Public Hearing: (Items A, B, C & D) - Discussion and Possible Action

Chairman Crull asked Staff to present the Consent Agenda, items V.A, V.B, V.C and V.D. Mark Orozco, Development Services, read Consent Agenda, items V.A, V.B, V.C and V.D into the record. For New Plat item "2", 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 items "3 & 4" satisfy 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 recommends approval for Variance items "6 & 8", as stated in Staff's report, along with accompanying new plat items "7 & 9" which satisfy all requirements of the UDC. Staff recommends approval for New Zoning item "10" as stated in Staff's report. Staff also recommends approval for Master Plan amendment items "11 & 12".

After Staff's presentation, Chairman Crull opened the floor for Commissioner comments/questions. Chairman Crull asked a question regarding Master Plan amendment item "12". He felt that the note on slide number six should be eliminated: "Area to remain on septic to be removed from the Master Plan". He said that properties should not be removed from the Master Plan. Gabriel Hinojosa, Development Services, stated that the note will be eliminated.

After Commissioner comments concluded, Chairman Crull opened the public hearing for the Consent items. With no one coming forward, the public hearing was closed. A motion was made by Vice Chairman Baugh to approve items "2, 3, 5, 6, 7, 8, 9, 10, 11 & 12" as presented, with the correction to item "12". The motion was seconded by Commissioner York and the motion passed. A motion to approve item "4" as presented was made by Vice Chairman Baugh and seconded by Commissioner Schroeder. The motion passed with Commissioner York abstaining.

A. Plats

New Plats

- 2. [19-1358](#) **19PL1081 - CONDITIONAL**
W.R. GRIFFIN BLUEBONNET, LOT 1C (FINAL - 0.26 ACRES)
 Located south of Up River Road and east of McGee Lane.

- 3. [19-1357](#) 19PL1063
CALLEN SOUTH UNIT 1 (FINAL - 23.145 ACRES)
 Located east of I.H. 69/US Hwy 77 and north of CR 48.

- 4. [19-1362](#) 19PL1095
LA CONCHA ESTATES UNIT 3, BLOCK 4, LOTS 1A AND 1B (REPLAT - 0.425 ACRES)
 Located east of State Highway 361 and west of La Concha Boulevard.

Time Extensions

- 5. [19-1371](#) 19PL1007
STARLIGHT ESTATES UNIT 4 (FINAL - 10.95 ACRES)
 Located east of Fred's Folly Drive and south of Yorktown Boulevard.

B. New Plats with Variances (Waivers)

- 6. [19-1364](#) **19PL1082 - SIDEWALK WAIVER**
RODD VILLAGE BLOCK 9, LOT 9R (REPLAT - 1.10 ACRES)
 Located south of Schnauzer Street and west of Rodd Field Road.
 Request for a Plat Waiver of Sidewalk Construction Requirement in
 Section 8.1.4 and Section 8.2.2 of the UDC.

- 7. [19-1359](#) 19PL1082
RODD VILLAGE BLOCK 9, LOT 9R (REPLAT - 1.10 ACRES)
 Located south of Schnauzer Street and west of Rodd Field Road.

- 8. [19-1363](#) **19PL1086 - SIDEWALK WAIVER**
MIKULENCAK ACREAGE, BLK 1, LOT 1 (FINAL - 5.21 ACRES)
 Located north of Up River Rd and east of Rehfeld Rd
 Request for a Plat Waiver of Sidewalk Construction Requirement in
 Section 8.1.4 and Section 8.2.2 of the UDC.

- 9. [19-1360](#) 19PL1086
MIKULENCAK ACREAGE BLOCK 1, LOT 1 (FINAL - 5.21 ACRES)
 Located north of Up River Road and east of Rehfeld Road.

C. New Zoning

- 10. [19-1367](#) **Public Hearing - Rezoning Property at or near 7564 Brooke Road**

Case No. 1019-05 - Southside Ventures III, LP:
 Ordinance rezoning property at or near 7564 Brooke Road (located
 along the west side of Oso Parkway, south of Mansions Drive, and west
 of Rodd Field Road) from the "RS-TH" Townhouse District to the "RS-4.5"
 Single-Family 4.5 District.

D. Master Plans

11. [19-1374](#) Wastewater Collection System Master Plan Amendment for OSO W.R.P. Service Area Sub Basin SPA 30 for Airline Crossing Unit 3.

12. [19-1381](#) Wastewater Collection System Master Plan Amendment for Allison W.W.T.P Service Area for Calallen South.

VII. Public Hearing: (Items E, F & G) - Discussion and Possible Action

E. New Plat With Variance (Waiver)

13. [19-1365](#) **19PL1087 - SIDEWALK WAIVER**
PADRE ISLAND-CORPUS CHRISTI SECTION E, BLOCK 1, LOT 3R
(REPLAT - 0.638 ACRE)
 Located east 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.

14. [19-1361](#) 19PL1087
PADRE ISLAND-CORPUS CHRISTI SECTION E, BLK 1, LOT 3R (REPLAT -
0.638 ACRE)
 Located east of Aruba Drive and west of Leeward Drive.

Mr. Hinojosa read items “13 & 14” into the record as shown above. For location purposes, Mr. Hinojosa displayed a vicinity map of the subject property along with a zoning map detailing adjacent properties. He mentioned that adjacent to the subject property, there is a Planned Unit Development (PUD) that has an internal sidewalk network that connects Aruba Drive and Leeward Drive. He also presented the plat which illustrates that the length of the proposed sidewalk construction is approximately 100-feet. He continued with the factors and arguments supporting the waiver request. 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.

Additional factors in support of the waiver are:

2. The property is not located along an existing or foreseeably planned Regional Transportation Authority service route.

3. The Comprehensive Plan will not be substantially affected.

4. The Bicycle Mobility Plan does not show any routes through this property.

5. Aruba Drive is not on the Urban Transportation Plan (UTP).

6. 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. Adjoining Aruba PUD has internal sidewalk network for 52 Single-family homes, which could potentially connect to sidewalk network.
4. There is a CCRTA transit service route bus stop within walking distance to the property, on Leeward Drive, about 805 feet (0.15 mi.) away to the northeast.
5. The property is 0.29 miles from beach public access.
6. Aruba Drive is a 60-foot wide right-of-way.
7. 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 of Section 3.8.3.D, Staff recommends denial of the waiver. 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 Chairman Crull opened the floor for Commissioner comments/questions. Chairman Crull asked if the sidewalk in the adjacent PUD is a public sidewalk. It was determined that the PUD is private and Chairman Crull said that connectivity to Leeward Drive could be negated if a gate were to be constructed. Commissioner York stated that an option of "cash in lieu of construction" would be helpful in this case. Nina Nixon-Mendez, Assistant Director of Development Services, recalled that this option was included in proposed amendments brought to the Planning Commission. But the Planning Commission did not act on this portion and instead directed Staff that it be brought forward with the UDC update to allow for consultant input. She said it is a good strategy and can be forwarded for reconsideration.

After Commissioner comments concluded, Chairman Crull opened the public hearing. Representing the applicant, Dan Urban with Mustang Engineering and Survey addressed the Commission. He said the owner had a similar development in the area which did not require sidewalks. He said the sidewalk construction requirement will cause delays in the project. He mentioned that the cash in lieu of construction option would be beneficial and reiterated the existence of the private sidewalk in the Aruba PUD. With no one else coming forward the public hearing was closed. A motion was made by Vice Chairman Baugh to approve the waiver request for item "13" along with the accompanying new plat item "14". The motion was seconded by Commissioner York and the motion passed with Commissioner Schroeder voting "no".

F. Tabled Planned Unit Development

15. [19-1249](#) Public Hearing - Rezoning Property at or near 6810 Bison Drive

Case No. 0819-01 - MPM Development, LP:

Ordinance rezoning property at or near 6810 Bison Drive (located southwest of Bill Witt City Park to the Northeast, and Northeast of Bison Drive) from the “RS-4.5” Single-Family Residential to the “RS-4.5/PUD” Single-Family Residential and a Planned Unit Development Overlay.

**16. [19-1246](#) **19PL1076 - CONDITIONAL
CROSSWINDS ESTATE UNIT 2 (FINAL 5.77 ACRES)****

Located south of Yorktown Boulevard and east of Cimarron Boulevard.

Andrew Dimas, Development Services, read items “15 &16” into the record as shown above. He informed the Commission that this case was originally presented at the September 4, 2019 Planning Commission meeting. For location purposes, he presented several aerial views of the subject property along with the Existing and Future Land Use maps. He informed the Commission that of the 35 public notices that were mailed, zero notices were returned in favor of the change of zoning request and 15 notices were returned in opposition.

Mr. Dimas went over the history of zoning patterns; existing land uses for the surrounding area, UDC requirements for the rezoning as well as available municipal facilities. He presented a table comparing the proposed PUD development standards with the UDC standards for the “RS-4.5” District which noted the deviations being requested by the applicant. The applicant is requesting, based on an updated subdivision design, a front yard setback of 16.5 feet on both sides of Airking Drive. The increased front yard setback from the original submittal will accommodate larger personal vehicles and work to prevent any overhang onto the paved section of the right-of-way or any sidewalk areas. Airking Drive will serve as interior vehicular access that will be provided by a reduced public right-of-way of 40 feet while maintaining a 28 feet paved street width. Pedestrian access will be provided by a 5-foot sidewalk on the south side of Airking Drive. Also, a new 60-foot right-of-way (Bill Witt Drive) will allow a connection from Bill Witt Park to Bison Drive. Bill Witt Drive will have an 8-foot tied sidewalk to allow for the continuation of the hike and bike trail. Staff recommends approval of the change of zoning with the following conditions and correction:

1. Planned Unit Development Guidelines and Master Site Plan: The Owners shall develop the Property in accordance with Crosswind Estates Unit 2 Planned Unit Development (PUD) Guidelines and Master Site Plan. The development of the property is to consist of 36 single-family residences (Staff report stated “34 single-family residences”).

2. Other Requirements: The PUD conditions listed herein do not preclude compliance with other applicable UDC and Building and Fire Code

Requirements.

3. Time Limit: This Planned Unit Development (PUD) shall be compliant with Section 3.5.9. of the Unified Development Code (UDC).

Mr. Dimas noted another correction to the plat regarding the total for the diagram measurements for the "Typical Street/Linear Park Section for Bill Witt Drive". The total measurement should be 9-feet from the edge of the right-of-way and the edge of ditch owned by the City. The applicant is aware of the correction that is needed and will make the adjustment before it will be presented at City Council.

After Staff's presentation Chairman Crull opened the floor for Commissioner comments/questions. Commissioner Miller felt that the setback dimensions are still too tight for vehicles such as trucks/suburbans (overhang issue). After discussion concluded, Chairman Crull opened the public hearing. The applicant, Moses Mostaghassi with MPM Homes addressed the Commission. To help alleviate the overhang issue, a 5-foot sidewalk will be constructed on only one side of Airking Drive instead of a 4-foot sidewalk on each side. Commissioner Schroeder commended Mr. Mostaghassi for working to achieve the intent of PUD developments to build better, affordable neighborhoods. But he suggested that other amenities be offered such as landscaping to make up for the loss of sidewalk construction. Mr. Mostaghassi agreed with Commissioner Schroeder and added that with the new design, the addition of Bill Witt Drive will benefit the neighborhood by allowing better traffic flow in a congested area; the proximity to Bill Witt Park (nature trail). Commissioner Hovda also commended Staff along with insight from the Parks & Recreation Department for working with the applicant to achieve the best plan for the challenging piece of property.

With no one else coming forward the public hearing was closed. A motion was made by Commissioner York to approve Staff's recommendation as presented for item "15" along with the accompanying new plat item "16", including the noted corrections above. The motion was seconded by Commissioner Hovda and the motion passed with Commissioner Miller voting "no".

G. Planned Unit Development

17. [19-1368](#) **Public Hearing - Rezoning Property at or near 14901 Granada Drive**

Case No. 1019-02 - DMPI Beach Investments, LLC:

Ordinance rezoning property at or near 14901 Granada Drive (located along the south side of Granada Drive and west of Leeward Drive) from the "RM-AT/IO" Multifamily AT District with the Island Overlay to the "RM-AT/IO/PUD" Multifamily AT District with the Island Overlay and a Planned Unit Development.

Mr. Dimas read item "17" into the record as shown above. For location purposes, he presented several aerial views of the subject property along with the Existing and Future Land Use maps. The purpose of the request is to allow

for the construction of a 9-unit townhome development. He informed the Commission that of the 59 public notices that were mailed, two notices were returned in opposition of the change of zoning request and zero notices were returned in favor.

Mr. Dimas went over the history of zoning patterns; existing land uses for the surrounding area and UDC requirements for the rezoning as well as available municipal facilities. He presented a table comparing the proposed PUD development standards with the UDC standards for the "RM-AT" District which noted the deviations being requested by the applicant. Staff finds that the proposed deviations are acceptable with the addition of a comment to prohibit on-street parking other than the designates spaces. Staff recommends approval of the change of zoning with the following conditions:

1. **Planned Unit Development Guidelines and Master Site Plan:** The Owners shall develop the Property in accordance with Lake Padre Village Planned Unit Development (PUD) Guidelines and Master Site Plan. The development of the property is to consist of a 9-unit townhome development.
2. **Parking:** No on-street parking other than the designated spaces shall be allowed on the private right-of-way/access easement.
3. **Other Requirements:** The PUD conditions listed herein do not preclude compliance with other applicable UDC and Building and Fire Code Requirements.
4. **Time Limit:** This Planned Unit Development (PUD) shall be compliant with Section 3.5.9. of the Unified Development Code (UDC).

After Staff's presentation Chairman Crull opened the floor for Commissioner comments/questions. Commissioner Schroeder expressed concern for emergency vehicle access especially during the weekend when there may be no method of parking enforcement. It was noted that the International Fire Code requires that fire lanes/access be striped. Commissioner York had questions regarding easements and utilities. Mr. Dimas stated a plat or utility plan has not been submitted. He said the applicant was cautioned that if the submitted utility plan causes any adjustments in the building footprint then they will need to adjust the PUD. If the PUD is adjusted, it would need to be brought back to the Planning Commission for consideration.

After discussion concluded, Chairman Crull opened the public hearing. Representing the developer, Victor Gutierrez with LJA Engineering addressed the Commission. He said it is the intent to install utilities within Lot 10 (public access drive). A portion of Lot 10 will be dedicated as a public easement to access sanitary sewer and water utilities. With no one else coming forward the public hearing was closed. A motion was made by Vice Chairman Baugh to approve Staff's recommendation for item "17" as presented. The motion was seconded by Commissioner York and the motion passed.

VIII. Director's Report

None.

IX. Items to be Scheduled

None.

X. Adjournment of Planning Commission Meeting

There being no further business to discuss, Chairman Crull adjourned the meeting at 7:00 p.m.