



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

Planning Commission

Wednesday, October 16, 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 Commissioner Dibble absent.

II. Opening Statement

III. PUBLIC COMMENT: The public is invited to speak on any agenda item and any other items that pertain to the Planning Commission. Comments are limited to 3 minutes.

IV. Approval of Absences: None

V. Approval of Minutes

1. [19-1440](#) Regular Meeting of October 2, 2019

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

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

Chairman Crull asked Staff to present the Consent Agenda, items V.A, V.B and V.C. Michael Dice, Development Services, read Consent Agenda, items V.A and V.B into the record. For New Plat items "2 & 3", 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. Time Extension items "4, 5, 6 & 7" satisfy all requirements of the UDC and Staff recommends approval. Staff recommends approval for Variance items "8 & 9", as stated in Staff's report, along with accompanying new plat item "10" which satisfies all requirements of the UDC.

Andrew Dimas, Development Services, read Consent Agenda item V.C.12 into the record. Staff recommends approval for New Zoning item "12" as stated in

Staff's report. Chairman Crull stated that New Zoning items "11 & 13" will be pulled from the Consent Agenda and presented separately. After Staff's presentation, Chairman Crull opened the public hearing for the Consent items.

Randy West at 3040 Crest Colony Lane addressed the Commission for item "12" and had general questions regarding the proposed use. He stated he is not opposed to the change of zoning request and felt that a commercial use is the best use for the property. Sheila Weeks at 237 Valerie Street addressed the Commission for item "10" and stated that she is opposed. With no one coming forward, the public hearing was closed.

A motion was made by Vice Chairman Baugh to approve items "2, 3, 4, 5, 7, 8 & 12" as presented. The motion was seconded by Commissioner Hovda and the motion passed. A motion to approve item "6" as presented was made by Vice Chairman Baugh and seconded by Commissioner Hovda. The motion passed with Commissioner York abstaining. A motion to approve items "9 & 10" as presented was made by Commissioner Schroeder. The motion was seconded by Vice Chairman Baugh and the motion passed with Commissioner Zarghouni abstaining.

A. Plats

New Plats

2. [19-1441](#) **19PL1098 - CONDITIONAL**
KINGS LANDING (PRELIMINARY - 446.408 ACRES)
Located west of County Road 33 and east of Digger Lane.
3. [19-1442](#) **19PL1104 - CONDITIONAL**
SAENZ FAMILY TRACT, BLOCK 1, LOT 1 (FINAL - 5 ACRES)
Located south of FM 43 and west of CR 51.

Time Extensions

4. [19-1443](#) **18PL1135**
DEL MAR COLLEGE WEST (FINAL - 85.34 ACRES)
Located north of Old Brownsville Road and west of Airport Road.
5. [19-1444](#) **18PL1102**
THE LAKES AT NORTHWEST UNIT 2 (FINAL - 22.23 ACRES)
Located west of FM 1889 and south of Northwest Boulevard (FM 624).

6. [19-1445](#) **18PL1077**
PADRE HARBOR UNIT 1 (FINAL - 22.14 ACRES)
Located south of SH 361 and east of South Padre Island Drive (Park Road 22).

7. [19-1446](#) **18PL1075**
CAYO DEL OSO SUBDIVISION SECTION 3 (FINAL 8.55 ACRES)
Located south of Oso Parkway and east of Brooke Road.

B. Plats with Variances (Waivers)

8. [19-1447](#) **19PL1081 - SIDEWALK WAIVER**
W.R. GRIFFIN BLUEBONNET, LOT 1C (FINAL - 0.26 ACRE)
Located south of Up River Road and east of McGee Ln.
Request for a Plat Waiver of Sidewalk Construction Requirement in Section 8.1.4 and Section 8.2.2 of the UDC.

9. [19-1448](#) **19PL1093 - SIDEWALK WAIVER**
FLOUR BLUFF HEIGHTS, BLOCK 6, LOT 35 (FINAL- 0.413 ACRES)
Located east of Waldron Road and south of Jester Street.
Request for a Plat Waiver of Sidewalk Construction Requirement in Section 8.1.4 and Section 8.2.2 of the UDC.

10. [19-1449](#) **19PL1093**
FLOUR BLUFF HEIGHTS, BLOCK 6, LOT 35 (FINAL- 0.413 ACRES)
Located east of Waldron Road and south of Jester Street.

C. New Zoning

11. [19-1450](#) **Public Hearing - Rezoning Property at or near 5215 Avenue A**

Case No. 1019-04 - Calallen Independent School District:

Ordinance rezoning property at or near 5215 Avenue A (located along the north side of Mountain Trail, west of Interstate 37, and east of Avenue B) from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District.

Andrew Dimas, Development Services, read item "11" into the record as shown above the applicant is requesting a rezoning to allow for the potential construction of a multifamily development (apartments). For location purposes, he presented several aerial views of the subject property along with the

Existing and Future Land Use maps. A future multifamily development is compatible with the existing apartment complex located to the east. He informed the Commission that of the 21 public notices that were mailed, one notice was returned in favor of the change of zoning request and four 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. The proposed rezoning is compatible with the adjoining residential properties and does not have a negative impact upon the adjacent commercial properties. Staff recommends approval of the change of zoning from the "RS-6" Single-Family 6 District to the "RM-1" Multifamily 1 District. Mr. Dimas informed the Commission that the applicant has requested to table this item to the December 4, 2019 Planning Commission meeting. After Staff's presentation, Chairman Crull opened the public hearing. Representing the applicant, Murf Hudson with Urban Engineering addressed the Commission to answer questions.

The following individuals addressed the Commission and stated their concerns/oppositions:

Raymond Curran at 5217 Avenue C
Bill Sugarek at 5201 Northwest Trail
Myrna Rodriguez at 5217 Avenue B
Henry Yopez at 5209 Avenue B
Ansel Williams at 5222 Northwest Trail
Elizabeth Cantu at 13023 Mountain Trail
Jose Cuellar at 5122 Avenue C

The majority of comments consisted of concerns that the proposed development does not fit the character of the surrounding area. They like the "country" aesthetic the neighborhood provides and felt the proposed multi-family development will reduce their standard of living/decrease property values. They would like the zoning district to remain the same as there is already an apartment complex nearby. They cited safety concerns and felt that the addition of an apartment complex will result in an increase in crime. They also stated the streets in the neighborhood are in horrible condition and have been for many years. The deteriorating infrastructure will not be able to withstand an increase in traffic caused by the proposed apartment complex.

With no one else coming forward, the public hearing was closed. A motion was made by Commissioner Williams to table item "11" to the December 4, 2019 Planning Commission meeting. The motion was seconded by Commission Hovda and the motion passed with Commissioner York abstaining.

12. [19-1451](#)

Public Hearing - Rezoning Property at or near 3046 Holly Road

Case No. 1019-06 - Rogerio and Maria E. Lopez:

Ordinance rezoning property at or near 3046 Holly Road 3046 Holly Road (located along the north side Holly Road, west of Kostoryz Road, and east of Richter Street) from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District.

13. [19-1452](#)**Public Hearing - Rezoning Property at or near 2212 Morris Street****Case No. 1019-01 - Ed Rachal Foundation:**

Ordinance rezoning property at or near 2212 Morris Street (located along the north side of Morris Street, west of South 19th Street, and east of 20th Street) from the "RS-6" Single-Family 6 District to the "CI/SP" Intensive Commercial District with a Special Permit.

Mr. Dimas read item "13" 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 applicant is requesting a rezoning to allow for the operation of a transient lodging facility for the homeless. The proposed development will be the new Good Samaritan Mission for the homeless with 308 beds. The shelter will be an adaptive reuse of the former Lamar Elementary School. He informed the Commission that of the 70 public notices that were mailed, zero notices were returned in favor of the change of zoning request and one notice was 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 also displayed several views of preliminary site plans submitted by the applicant to demonstrate the layout of the facility (first and second floors). He informed the Commission there is no plan for expansion of the building towards any street yards. Expansion will only take place on the interior.

Based Staff recommends approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CI/SP" Intensive Commercial District with a Special Permit and subject to the following conditions:

1. **Uses:** The only uses authorized by this Special Permit other than uses permitted in the base zoning district is a Transitional Housing facility, a social service operated to assist persons with their transition into permanent housing. The facility shall not exceed 308 beds. No soup kitchen or public feeding shall be allowed.
2. **Intake Facilities:** Adequate waiting area inside the facility must be provided so that no perceived loitering or waiting outdoors occurs.
3. **Security:** The transitional housing facility located on the property shall be monitored by facility staff at all times.
4. **Landscaping:** Landscape requirements for the Property shall follow the standards outlined in the Unified Development Code (UDC). Existing trees along Morris Street and South 19th Street shall be kept and maintained.
5. **Parking:** Lots 28, 29, and 30, Block 10, Pat Webb shall only be used for the purpose of a parking lot.

6. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within 24 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, Chairman Crull opened the floor for Commissioner comments/questions. Commissioner Schroeder asked what district the subject property reverts to when the Special Permit expires. Mr. Dimas stated that upon review of initial recommendations, Staff weighed options between the "CI" and "CN-1" districts. He explained that the UDC does list the "CI/SP" Intensive Commercial District with a Special Permit as the proper zoning classification for a "Social Service Use". However, the "CI" District also allows uses such as bars, nightclubs, vehicle sales/service, and self-storage uses. The "CN-1" district does not allow those uses and has a 20-foot, street-yard setback requirement. Staff did not want to create a non-conformity since the building does not meet current "CN-1" district standards. Staff felt that the "CI" district would be best since it has a zero-lot line and allows flexibility if there were plans for a future expansion. Commissioner Schroeder also asked if a "CN-1" district with a Special Permit is an option. Mr. Dimas stated that it can be considered as an alternative option, but the applicant prefers the "CI" district since it will be pursuing a multi-decade lease and they would need that flexibility.

After Commissioner comments/questions concluded, Chairman Crull opened the public hearing. Representing the applicant, Les Daniels at 555 N. Carancahua, addressed the Commission. He stated that it is not the intent of the Foundation to degrade the neighborhood and they will not revert the property to any of the allowed uses in the "CI" district. He believes the proposed project will improve the neighborhood since the building will be maintained. The Good Samaritan runs a strict, successful operation that will serve the community.

The following individuals addressed the Commission and stated their concerns/oppositions:

Angelica Corona at 411 16th Street
Arnold Tapia at 2303 Mary Street
Andres Corona 411 16th Street
Priscilla Ramirez 2504 Marguerite Street
Brandy at 1010 19th Street
Barbara Handy at 810 South 19th Street
Edward Marines at 2323 Mary Street
Michael Roberts at 2301 Comanche Street
Barbara at 2203 Marguerite Street
Jose Mendez at 5817 Crestford
Rhonda Garcia at 2203 Marguerite Street

The majority of comments consisted of concerns that placing transients in a drug infested neighborhood is counterproductive. Their neighborhood is high in crimes such as violence/prostitution and the homeless population is prominent. They felt that their neighborhood is being targeted as a poor/Mexican American demographic and is already overburdened. They also mentioned concerns for safety, specifically children, due to the proximity to housing projects and a church. They felt that there is a better use for this piece

of property than a transitional facility. They said that their neighborhood is in need of help and revitalization. For these reasons, they felt that the proposed use will have a negative impact on the neighborhood and has no benefit.

Carrol Murphry at 6306 Wimbeldon Circle, Executive Director of the Good Samaritan Rescue Mission, addressed the Commission. She said she has visited the subject property and witnessed much of the same issues that the residents of the neighborhood mentioned tonight. She stated that there is a distinction between gangs and the homeless community. The crime that takes place in the neighborhood is caused by gangs and not the homeless community. She said improving the building will provide an added sense of security since it has been closed since 2010. Since the buildings closure it has experienced burglaries. She emphasized how the efforts of the program are positive in assisting the homeless to find employment. Commissioner Miller asked Ms. Murphry what the facility's prerequisites are for accepting clients, if people with felony convictions are accepted and if there is a curfew. Ms. Murphry explained the prerequisites and stated that felons are accepted (working with probation officers); the curfew is at 11 p.m. Commissioner York asked Ms. Murphry what happens when a client is released from the program due to the possession or influence of drugs. Ms. Murphry stated that the services are canceled, and they are asked to leave the premises.

Commissioner Hovda stated that she will be voting against the rezoning request and voiced her frustration with developers who do not reach out to the community in which they will be changing. She respects the mission of the Good Samaritan, but the neighborhood is struggling. She felt that this neighborhood is not being served by the City and commended the citizens for taking the time to address their concerns during a rezoning case. She hopes that the City will take notice to help this neighborhood but allowing this facility is not the way to do it. A motion was made by Commissioner Hovda to recommend denial of the change of zoning request for item "13" and the motion was seconded by Commissioner Zarghouni. A roll call vote took place and the motion passed with all present Commissioners voting in favor.

VII. Director's Report

Al Raymond, Director of Development Services, updated the Commission on the engagement of the development community for the purpose of reviewing/evaluating and improving how the City applies the trust funds. An upcoming meeting with stakeholders will take place on October 18, 2019 and subsequent meetings thereafter to try and meet a consensus for consistent application of the trust fund. The Department's goal is to bring findings/recommendation to the Planning Commission in January of 2020 and then to City Council consideration in February 2020. Also, a Development Services Task Force has been created as a tool to improve community outreach. This group will meet monthly to discuss updates, new policies/procedures to gather information for improvement. Other efforts include a monthly newsletter (creation of an email database) and launching to social media sites every Monday.

VIII. Items to be Scheduled

None.

IX. Adjournment

There being no further business to discuss, Chairman Crull adjourned the meeting at 7:25 p.m.