



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

Planning Commission

Wednesday, May 13, 2020

6:00 PM

Council Chambers

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: None.

For the record, Andrew Dimas, Development Services, stated that no written public comment forms were submitted.

IV. Approval of Absences: Commissioner Miller

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

V. Approval of Minutes

1. [20-0571](#) Regular Meeting Minutes of April 29, 2020

A motion to approve item "1" was made by Vice Chairman Baugh and the motion was seconded by Commission York. The motion passed.

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

Chairman Crull asked Staff to present the Consent Agenda, item VI.A. Mr. Dimas read the Consent Agenda items into the record. New Plat items "2, 3, 4, 5 & 6" satisfy all requirements of the UDC and State Law; the Technical Review Committee recommends approval. Staff also recommends approval for Time Extension item "7". After Staff's presentation, Chairman Crull opened the public hearing. There being no public comment, Chairman Crull closed the public hearing. A motion was made by Commissioner York to approve items "2, 5, 6 & 7" as presented. The motion was seconded by Commissioner Schroeder and the motion passed. A motion was made by Vice Chairman Baugh to approve items "3 & 4" as presented. The motion was seconded by Commissioner Dibble and the motion passed with Commissioner York abstaining.

A. Plats**New Plats**

2. [20-0575](#) 20PL1027
WILDCAT INDUSTRIAL PARK, BLOCK 1, LOT 2R (REPLAT - 2.00 ACRES)
Located south of Leopard Street and east of Rhew Road.
3. [20-0576](#) 20PL1029
WESTPOINT CROSSING UNIT 2, BLOCK 1, LOT 1 (FINAL - 6.58 ACRES)
Located west of SH 358 and north of Westpoint Road.
4. [20-0577](#) 20PL1031
LINDALE PARK SECTION 4, BLOCK 40, LOT 23R (REPLAT - .91 ACRES)
Located north of Texas Trail and west of Alameda Street.
5. [20-0587](#) 20PL1033
BAYMOOR ADDITION, LOT 1R (REPLAT - .46 ACRES)
Located south of IH 37 and east of Buddy Lawrence Drive.
6. [20-0584](#) 20PL1030
AVANTI LEGACY BAYSIDE, BLOCK 1, LOT 1 (FINAL - 5.45 ACRES)
Located west of South Staples and south of Lipes Boulevard.

Time Extension

7. [20-0580](#) 19PL1040
EMPIRE SUBDIVISION (FINAL - 16.39 ACRES)
Located north of Slough Road and east of Ametrine Drive.

VII. Public Hearing: (Item B) - Discussion and Possible Action**B. Plat With a Variance (Waiver)**

8. [20-0531](#) **19PL1130 - STREET RIGHT-OF-WAY**
DON PATRICIO, BLOCK F, LOT 47R (REPLAT - 0.985 ACRES)
Located west of Waldron Road and south Don Patricio. Request for a Waiver of the Street Right-of-Way Dimensional Standards in Section 8.2.1.B.

Mr. Dimas presented item "13" for the record. He presented an aerial view of the subject property and located Poplar Street on the map, which does not exist and is considered a "Paper Street" (not constructed).

The original subdivision plat was approved by the Nueces County Commissioners and recorded in 1941. The plat provided street dedication for the layout of the subdivision, but many streets were ultimately not completed and constructed by the developer. The City of Corpus Christi annexed this area in 1961. There have been numerous city projects that have provided street and utility construction for blocks west of Poplar Street. Mr. Dimas continued the presentation by going over the factors in support of the waiver and the factors weighing against the waiver.

Factors in Support of the Waiver. The applicant states that they do not believe the street with curb, gutter and sidewalk should be required because:

1. The proposed street is considered a "Paper Street" since the plat of the subdivision that indicates Poplar Street was filed and recorded on May 10, 1941.
2. The adjacent properties to this "Paper Street" have and are being developed as large tract single-family lots and are not requiring access from Poplar Street.
3. The street would be a dead-end street that would not be extended, of which is evident since the proposed street was platted 79-years ago and has not been constructed.
4. The area is not located along an existing or foreseeably planned CCRTA service route.
5. The Comprehensive Plan will not be substantially affected.
6. Not providing the street will not be a detrimental to the public health, safety, or general welfare within or adjacent to the subdivision.
7. The property is not along a road on the Mobility Plan or ADA Master Plan.

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

1. The property is in the "RS-6" Single-Family 6 District and is a corner lot from which a street and sidewalk network can be continued for future development of single-family homes down Poplar Street. The crossroad is Don Patricio Road, designated as Collector street on the Urban Transportation Plan (UTP). The property is less than a half-mile from an existing Arterial Road (Waldron Road).
2. The approval of the requested waiver will put extra burden on the additional lots which must have access to Poplar, they will end up constructing more of Poplar Street than their fair share.

Staff recommends denial of the waiver from construction of Poplar Street to the Local Street Standards in Section 8.2.1.B. of the Unified Development Code (UDC). The 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 a cost estimate for the construction of the street was submitted by the applicant and Staff answered "no". Commissioner York asked if the City could request from the applicant "cash in lieu of construction" as an option. Staff stated this option is available, but in this case, it would happen at the time development occurs at the property across from the paper street to provide the remaining half portion. Commissioner York felt it is unfair that this owner is being held responsible to provide construction of the street when it was not required from other owners; that the street will eventually be constructed by

the City. Discussion also took place regarding petitions (voluntary street assessment program) to the City as a mechanism for street improvements that can be initiated by other lot owners in the area. Commissioner Miller recalled that comments for the development of paper streets were brought up at past Flour Bluff Area Development Plan meetings. Chairman Crull said those comments could help trigger more interest in the voluntary street assessment program. After Commissioner comments/questions concluded, Chairman Crull opened the public hearing. There being none, the public hearing was closed. A motion was made by Commissioner Schroeder to approve the waiver request for item "8". The motion was seconded by Commissioner York and the motion passed.

VIII. Director's Report

None.

IX. Items to be Scheduled

Commissioner Schroeder asked for updates on the progress of Area Development Plans (ADP) regarding online comments/surveys and specifically for the Westside ADP. Staff stated they will follow-up with the Planning Department for that information and see if a briefing can be provided at the next Planning Commission meeting.

X. Adjournment

There being no further business to discuss, Chairman Crull adjourned the meeting at 6:30 p.m.