



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

Planning Commission

Wednesday, November 11, 2020

5:30 PM a WebEx. The live stream of the meeting can be viewed
online at the following address: www.cctexas.com/cctv.

I. Call to Order - Roll Call

Vice Chairman Dibble called the meeting to order and a quorum was established with Chairman Baugh absent.

II. PUBLIC COMMENT: For the record, Andrew Dimas, Development Services, informed the Commission that no written public comment forms were submitted for any of the items on the agenda.

III. Approval of Absences: None

IV. Approval of Minutes

1. [20-1349](#) Regular Meeting Minutes of October 28, 2020

A motion was made by Commissioner York to approve item "1". The motion was seconded by Commissioner Schroeder and the motion passed.

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

Vice Chairman Dibble asked Staff to present the Consent Agenda, items V.A & V.B. Mr. Dimas read the Consent Agenda items into the record. Staff recommends approval for Variance item "3", as stated in Staff's report, along with the accompanying new plat, item "2", which satisfies all requirements of the UDC; the Technical Review Committee recommends approval. New Plat items "4, 5, 6, 7 & 8" satisfy all requirements of the UDC/State Law and the Technical Review Committee recommends approval. Staff recommends approval for Time Extension items "9, 10 & 11" as well as New Zoning item "12" as stated in Staff's report. After Staff's presentation, Vice Chairman Dibble opened the floor for Commissioner comments/questions. Commissioner Schroeder asked a question for New Zoning item "12" regarding the alley (2nd exit). Mr. Dimas confirmed the alley needs public improvement requirements for the Fire Department which would be done at the platting phase. He also confirmed the alley is a public right-of-way.

After Commissioner questions concluded, Vice Chairman Dibble opened the public hearing. There being no public comment, the public hearing was closed. A motion was made by Commissioner Miller to approve Staff's recommendation for items "2 through 12". The motion was seconded by Commissioner Salazar-Garza and the motion passed with no abstentions.

A. Plats**New Plat with Variance (Waiver)**

2. [20-1350](#) **20PL1105**
GATEWAY PARK, BLOCK 5, LOTS 15A AND 15B (REPLAT - 0.172 ACRES)
Located south of Padre Island Drive (358) between Nagle Street and O'Connell Street.
3. [20-1351](#) **20PL1105**
GATEWAY PARK, BLOCK 5, LOTS 15A AND 15B (REPLAT - 0.172 ACRES)
Located south of Padre Island Drive (358) between Nagle Street and O'Connell Street.
Request for a Plat Waiver of Sidewalk Construction Requirement in Section 8.1.4 and Section 8.2.2 of the UDC.

New Plats

4. [20-1352](#) **20PL1097**
FLOUR BLUFF ESTATES NO. 2, BLOCK 11, LOT 2A (FINAL REPLAT - .1722 ACRES)
Located east of Jane Street and south of Jester Street.
5. [20-1353](#) **19PL1094**
NUECES RIVER IRRIGATION PARK ANNEX #1, BLOCK 2, LOT 1 (FINAL - 8.905 ACRES)
Located west of County Road 69 and north of Northwest Boulevard (FM 624).
6. [20-1354](#) **19PL1026 - CONDITIONAL**
CALLICOATE ESTATES UNIT 5 (PRELIMINARY - 24.62 ACRES)
Located south of Leopard Street and east of Callicoate Road.

7. [20-1355](#) **19PL1097 - CONDITIONAL**
CALLICOATE ESTATES UNIT 5- PHASE I (FINAL - 12.33 ACRES)
Located south of Leopard Street and east of Callicoate Road.

8. [20-1365](#) **20PL1035**
BRIDGES MILL VILLAGE FUTURE UNITS (PRELIMINARY - 23.85 ACRES)
Located north of Saratoga Boulevard and east of Kostoryz Road.

Time Extensions

9. [20-1356](#) **0816103-NP064 (16-20000008)**
LEXINGTON CENTER UNIT 2 (PRELIMINARY - 32.798 ACRES)
Located east of Crosstown Expressway (SH 288) and north of Holly Road.
10. [20-1357](#) **18PL1034**
PADRE HARBOR (PRELIMINARY - 201.19 ACRES)
Located south of SH 361 and east of South Padre Island Drive (Park Road 22).
11. [20-1358](#) **20PL1025**
PARKDALE VILLAGE ANNEX "C" LOTS 3A, 3B & 3C (REPLAT - 3.2400 ACRES)
Located west of South Staples Street and south of Gollihar Road.

B. New Zoning

12. [20-1359](#) **Public Hearing - Rezoning Property at or near 14805, 14809, 14813, and 14817 Windward Drive**
- Ocean Harbor II, LLC:** Ordinance rezoning property at or near 14805, 14809, 14813, and 14817 Windward Drive (located along the west side of Windward Drive, south of St. Bartholomew's Drive, and north of Robla Drive) from the "RM-AT/IO" Multifamily AT District with the Island Overlay to the "RM-AT/IO/PUD" Multifamily AT District with an Island Overlay and a Planned Unit Development.

VI. Public Hearing (Items C & D): Discussion and Possible Action**C. New Zoning****13. [20-1360](#) Public Hearing - Rezoning Property at or near 1902 Rand Morgan Road**

Mary Hutchins Triestman Partnership: Ordinance rezoning property at or near 1902 Rand Morgan Road (located along the east side of Rand Morgan Road, south of Leopard Street, and north of McNorton Road) from the “FR” Farm Rural District and the “RS-6” Single Family 6 District to the “CN-1” Neighborhood Commercial District and the “RS-4.5/PUD” Single-Family 4.5 District with a Planned Unit Development.

Mr. Dimas read item “13” into the record as shown above. The purpose of the rezoning request is to allow for commercial properties and a single-family residential subdivision. For location purposes, he presented several aerial views of the subject property along with the Existing and Future Land Use maps. To the south is a developing single-family residential subdivision recently zoned “RS-4.5” Single-Family 4.5 District in 2019. To the east is a large industrial area zoned “IH” Heavy Industrial District. The industrial area consists of the former Celanese Technical Center and the STX Beef processing plant and slaughterhouse.

Mr. Dimas went over the history of zoning patterns and UDC requirements for the rezoning (buffer yard/setbacks). A 230’ wide buffer area was established during a previous rezoning case in 2016 to the adjacent industrial areas. This proposed PUD is requesting relief from the required UDC zoning district buffer yard of 50-feet and 50-points, minimum lot width and a traditional cul-de-sac design (one “hammerhead”). He also went over available municipal facilities. He informed the Commission that of the 70 public notices that were mailed, zero notices were returned in opposition of the change of zoning request and zero notices were returned in favor. Based on Staff’s analysis, Staff recommends approval of the change of zoning from the “FR” Farm Rural District and the “RS-6” Single-Family 6 District to the “CN-1” Neighborhood Commercial District and “RS-4.5/PUD” Single-Family District and a Planned Unit Development with the following conditions:

1. Planned Unit Development Guidelines and Master Site Plan: The Owners shall develop the Property in accordance with The Royal Oak Future Units Planned Unit Development (PUD) Guidelines.

2. Buffer Yard: The lots identified as Lots 1-35, Block 10 must have a buffer yard consisting of a minimum 20-foot rear yard setback, must have two trees per lot with a minimum of a 2.5 inch caliper, and a 7-foot solid wooden screening fence along the property line shared with the “IH” Heavy Industrial District. The lot identified as Lot 6, Block 1 must have a buffer yard consisting of a minimum 10-foot side yard setback, must have two trees with a minimum of a 2.5 inch

caliper, and a 7-foot solid wooden screening fence along the property line shared with the "IH" Heavy Industrial District.

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

4. Time Limit: An approved development plan shall expire 24 months after the date that the development plan was approved, unless a complete building permit application has been submitted or, if no building permit is required, a certificate of occupancy has been issued.

After Staff's presentation, Vice Chairman Dibble opened the floor for Commissioner comments/questions. Discussion took place regarding the increase in density next to the large tract, the adjacent heavy industrial facilities and potentially subjecting the additional residential homes to hazards such as noise, smoke, vibration, dust, and odors. Mr. Dimas informed the Commission that within the last three years, 341 separate violations for Air Quality have been filed with the Texas Commission on Environmental Quality (TCEQ). The developer will need to disclose this information to potential buyers. This is the main hazard in the area and the odor from STX Beef processing plant can impact properties on the other side of Rand Morgan Road. After discussion concluded, Vice Chairman Dibble opened the public hearing.

The developer for the subject property, Moses Mostaghani, addressed the Commission on behalf of his case. He addressed the issue of air quality and stated he does inform buyers about the odors produced by STX Beef. He said the odd, intermittent odor is produced by the dead cows but does not see the odor as harmful. He mentioned the proposed commercial rezoning will be the only commercial node south of the intersection of Rand Morgan Road and Leopard Street and will help allow more convenient access to residents in the area. He felt that this area is surrounded by residential homes and developing this property as residential is ideal and consistent.

Commissioner Salazar-Garza asked for further detail from Mr. Mostaghani regarding the disclosure of air quality issues. Mr. Mostaghani stated this area is known for the smell as it has been ongoing for many years; most people in the area are already aware of the odor. He confirmed once more that he informs potential buyers but has not had anyone come back to him with complaints. Commissioner Salazar-Garza stated she knows several individuals who live in the area. They have expressed to her that if they had known the smell was going to be as bad as it is, they would not have chosen to live there. She said the smell can be very bad on certain days and reiterated that people must be made aware of this issue before purchasing a home. Mr. Mostaghani said the current owner has made improvements to help alleviate this issue in the past year.

Further discussion took place regarding buffer yards and the reasoning behind opting for a hammerhead cul-de-sac design. There being no further public comment, the public hearing was closed. A motion was made by Commissioner York to approve Staff's recommendation as presented. Commissioner Mandel seconded and the motion passed with no abstentions.

D. Comprehensive Plan

14. [20-1361](#) Public Hearing on the draft Northwest Boulevard (FM 624) Corridor Plan, an element of the City of Corpus Christi Comprehensive Plan. The nearly three-mile study area comprises a 500-foot buffer to the north and south of Northwest Boulevard from Interstate 69 to Wright Moravek Road (County Road 73). The draft plan includes amendments to the Future Land Use Map and the Strategic Plan for Active Mobility, Phase 1: Bicycle Mobility in Mobility CC.

Staff informed the Commission that Comprehensive Plan item “13” will be postponed to a future Planning Commission Meeting in January 2021.

VII. Briefing

15. [20-1312](#) Unified Development Code Text Amendments

Yvette Dodd-Wallace, Development Services, presented item "15" for the record. She informed the Commission that the 2020 Code Cycle went from January to June and 60 proposed amendments were submitted. The Development Services Technical Advisory Group discussed 53 of those submissions from March to September and determined that 42 submissions required a UDC amendment and five did not. The amendments were grouped into three categories: Editing/Clarifying, Beyond Editing/Clarifying and Policy Change.

Twelve amendments were categorized as Editing/Clarifying which do not require a change in current policy. These amendments would remove conflicting language between the UDC and the Code of Ordinances, State or Federal law, change language to ensure State Law and Standards are met and combine sections to remove redundancy and stream line the Code. Four amendments were categorized as Beyond Editing/Clarifying which would change the intent of the Code without a change in policy. These amendments include consolidating uses, promoting rehabilitation and revising/clarifying definitions. Twenty-six amendments were categorized as a Policy Change. These amendments include administrative exemptions, promote public safety, reduce lot sizes, reduce side yard setbacks for accessory dwelling units and promote responsible development/redevelopment.

Ms. Dodd-Wallace informed the Commission that in 2021, Development Services will work with internal and external stakeholders to move forward with discussion/consideration for the following amendments: Park and Community Enrichment fees, traffic signal placement, restructuring zoning districts, landscaping, streets, wastewater exemption and signs. She continued the presentation with the next steps to be taken which includes another briefing to the Zoning Board of Adjustment and stakeholder engagements this month and in December. Staff is scheduling the public hearing for this item on December 9, 2020 for Planning Commission consideration with a public hearing/first reading on January 12, 2020 for City Council. Current amendments are posted for public comment at www.cctexas.com/UDC. No action was taken

on this item.

VIII. Director's Report

Nina Nixon-Mendez, Assistant Director of Development Services, informed the Commission that the monthly Development Services Task Force meeting is tomorrow at 9 a.m. and it will be broadcast on CCTV and YouTube. The meeting will have presentations on the Street Maintenance Program and Bond Packet implementation. Staff can provide the link to view the meeting to any Commissioners interested. She also informed the Commission on the Historical Preservation Plan update which will take place on November 19, 2020 at 6:00 p.m. The meeting will be broadcast on CCTV/Facebook and the City's cable access channel and the presentation will be given by consultants, McDoux Preservation, with a question and answers segment to follow. Ms. Nixon-Mendez said the Plan is overdue for an update which last took place in 1992. The project aims to identify historic places/spaces and other types of important, cultural heritage worth protecting for future generations. The Plan will also recommend ways in which historical preservation can be used as a resource for property owners to support economic development, tourism, improve property values and downtown revitalization. Staff looks forward to community input and participation as this will be the first of three outreach meetings during a year long process. More information can be found at www.cctexas.com/HPP which has an option to sign up for email notifications.

IX. Items to be Scheduled

Staff informed the Commission there is a possibility of scheduling a special called meeting the week before Christmas holiday.

X. Adjournment of Planning Commission Meeting

With no further business to discuss, Vice Chairman adjourned the meeting at 6:30 p.m.

XI. Convene Beach Dune Committee Meeting (Planning Commission)

XII. Call to Order - Roll Call

Vice Chairman Dibble called the meeting to order and a quorum was established with Chairman Baugh absent.

XIII. PUBLIC COMMENT: The public is invited to speak on any agenda item and any other items that pertain to the Beach Dune Committee (See previous instructions on page 1, Item II)

E. Beachfront Construction Certificate (THIS ITEM HAS BEEN PULLED)**16. 20-1362 Public Hearing - Beachfront Construction Certificate for the Property at or near 106 Beachview Estates Road**

Case No. BCC 20BD1002 - Emmons Investments, LLC: A request for a Beachfront Construction Certificate to consider a dune walkover on the property described as 106 Beachview Estates Road and described as Lot 16, Block 1, Bass Subdivision, located along the eastside of State Highway 361, and west of the Gulf of Mexico.

Mr. Dimas informed the Commission that this item has been rescheduled for the December 9, 2020 regular Planning Commission meeting. Staff is awaiting comments from the General Land Office which should be received in time for that meeting. A second round of public notices will be mailed for that meeting as well. Public notices have already been submitted to the Department from the first mail out as well as public comment input forms. These notices/forms will be reserved and read into the record at the next meeting.

XIV. Adjournment of Beach Dune Committee Meeting

With no further business to discuss, Vice Chairman adjourned the meeting at 6:35 p.m.