



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

Planning Commission

Wednesday, August 10, 2022

5:30 PM

Council Chambers

I. Call to Order, Roll Call

The meeting was called to order and a quorum was established with Commissioners York and Gonzalez absent.

II. DISCUSSION AND POSSIBLE ACTION: ELECTION OF OFFICERS - CHAIRMAN & VICE CHAIRMAN

A motion was made by Commissioner Salazar-Garza to nominate Kamran Zarghouni as Chairman and it was seconded by Commissioner Mandel. Commissioner Zarghouni accepted the nomination and a roll call vote took place. The motion passed with Commissioner Schroeder opposed.

A motion was made by Commissioner Schroeder to nominate Michael Miller as Vice Chairman and it was seconded by Commissioner Salazar-Garza. Commissioner Miller accepted the nomination. The motion passed unanimously.

III. PUBLIC COMMENT: None.

IV. Approval of Absences: Commissioners York and Miller

A motion was made by Commissioner Munoz to approve the absences listed above and it was seconded by Commissioner Salazar-Garza. The motion passed.

V. Approval of Minutes

1. [22-1386](#) Regular Meeting Minutes of July 27, 2022

A motion was made by Commissioner Mandel to approve the minutes listed above and it was seconded by Commissioner Munoz. The motion passed.

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

Mark Orozco, Development Services, read the Consent agenda into the record. New Plat items "2, 3 & 4" satisfy all requirements of the Unified Development Code (UDC)/State Law and the Technical Review Committee (TRC) recommends approval. After Staff's presentation, the public hearing was opened. There being none, the public hearing was closed. A motion was made by Commissioner Salazar-Garza to approve the Consent Agenda items and it was seconded by Commissioner Munoz. The motion passed.

A. New Plats

2. [22-1377](#) 22PL1001
THE VILLAS PUD (FINAL REPLAT- 2.35 ACRE)
Located on the northeast side of Granada Drive and west of Leeward Drive.
3. [22-1378](#) 22PL1092
OSO POINTE (FINAL - 20.076 ACRES)
Located west of Flour Bluff Drive between Purdue Road and Glenoak Drive.
4. [22-1379](#) 22PL1102
OSO RANCH UNIT 2 (FINAL - 12.334 ACRES)
Located west of Flour Bluff Drive between Purdue Road and Glenoak Drive.

VII. Public Hearing (Items B & C): Discussion and Possible Action**B. Plats**

5. [22-1408](#) **21PL1025 - APPEAL**
INDUSTRIAL TECHNOLOGY PARK UNIT 3, LOT 2 (FINAL - 2.997 ACRES)
Located north of Old Brownsville Road and west of S. Padre Island Drive.

Mr. Orozco presented item "5" for the record as shown above. He informed the Commission the plat was approved on September 1, 2021, and expired on March 1, 2022. If the Planning Commission approves the appeal, the plat will be extended for a 12-month period from the original expiration date. The client chose to submit an application for an appeal to the expiration date, instead of resubmitting a new plat application for review and paying an additional plat application fee. Mr. Orozco recited the timeline of events relevant to this request. On August 3, 2022, the applicant requested approval to start construction. The Department informed the representative the plat had expired along with the approval of the Public Improvement plans. The applicant asserts the following:

- Manok Investments is a company based in a different city and contacted local contractors in Corpus Christi. Unfortunately, contractors were unable to start public improvement construction due to the lack of employees during this period of pandemic.
- It was a misunderstanding regarding the dates on the "APPROVED PLAT" action letter, and the "RELEASE FOR CONSTRUCTION" letter dated December 13, 2021. It was a misunderstanding regarding which dates to follow on either letters. Therefore it was assumed there was time to work on requested items from the list on the "APPROVED PLAT" action letter.
- Manok investments contracted the services of a different construction company and is ready to start the construction process moving forward, upon approval of the appeal/permits without having any further delay.

Staff recommends denial of the appeal. With denial, the applicant can resubmit a plat application as well as a Public Improvement re-submittal. After Staff's presentation, the public hearing was opened. The applicant's representative, Joe Blanco, addressed the Commission in support of the appeal. With no one else coming forward, the public hearing was closed. A motion was made by Commissioner Schroeder to deny the appeal request and it was seconded by Commissioner Motaghi. The motion passed.

Plats with a Variance (Waiver)

6. [22-1382](#) **21PL1073 - One Way Cycle Track**
AZALI ESTATES UNIT 3 (FINAL - 13.84 ACRES)

Located north of Yorktown Blvd & south of Master Channel 31.

Mr. Orozco presented item "6" for the record as shown above. He explained that the requirement for a One-way Cycle Track is 11-feet of walkway path on both sides of the collector, in lieu of a 5-foot sidewalk on one side and an 8-foot sidewalk on the other side of the street. The Bicycle Mobility Plan has a One-Way Cycle Track (both sides) along a Parkway Collector (P1) alignment. The waiver request is to build a 10-foot walkway/path on one side and a 5-foot sidewalk on the other side. Mr. Orozco cited traffic generators in the area including Bill Witt Park, Del Mar College South Campus and the site of a future school off of Yorktown Boulevard. He proceeded to outline the factors in support and against the waiver.

Factors in support of the waiver request - The applicant states that:

1. A 10' walkway/bike path on one side and a 5' walkway on the other side would be sufficient. This would allow pedestrian passage on both sides of the street with bike passage on one side.
2. This waiver would save development cost generally but also very substantially at the bridge crossing of Channel 31 where it would save 5' of bridge length.

Factors weighing against the waiver request:

1. UDC Section 3.8.3.C.2 states that the preliminary plat is consistent with the Comprehensive Plan, Utility Master Plans and any other adopted plans. This includes the Bicycle Mobility Plan.
2. Not building these tracks will remove the connectivity of bicycle network and future construction of a quarter of a mile that is part of the trail.
3. Building these tracks will promote future pedestrian and bicycle traffic as the area grows. Azalli Estates Unit 3 plat indicates that there are 59 lots that will be developed. This development along with the current and the rest of the future Azalli Estates development phases will generate pedestrian and bicycle traffic.
4. The properties along the proposed One-Way Cycle Track from Drainage Channel 31 to Yorktown Boulevard are unplatted, so an approximately 3000 feet of a One-Way Bicycle Track (both sides) can be constructed as properties plat. Yorktown Boulevard from Rodd Field Road to Oso Creek bridge is a CIP project under design.
5. Del Mar College South Campus and Bill Witt Regional Park are within one mile from

the property. A future CCISD school campus is proposed south of Yorktown Boulevard within half a mile from the property.

6. The 80' street ROW provides sufficient space for the track (both sides).

7. This project could be eligible for City participation funds (UDC 8.4.1.C).

Mr. Orozco then went over the respective UDC sections requiring the construction of hike/bike trails (Sections 8.1.4). The UDC also states, under Section 8.2.2.B.1, that a waiver may be granted, in accordance with the waiver procedure in Section 3.8.3.D. Staff recommends disapproval of the waiver request. Planning Commission may choose to follow or decline Staff's recommendation, approve, approve with conditions, or deny the waiver request. After Staff's presentation, the public hearing was opened. There being none, the public hearing was closed. A motion was made by Commissioner Salazar-Garza to deny the waiver request and it was seconded by Commissioner Miller. The motion passed with no opposition.

7. [22-1381](#) 22PL1076
KINGSLEY HEIGHTS PHASE 1 & 2 (PRELIMINARY - 46.19 ACRES)
Located north of Old Brownsville Road & west of Cliff Maus Drive.
8. [22-1383](#) **22PL1076 - Off-Road Multi-Use Trail and One Way Cycle Track**
KINGSLEY HEIGHTS PHASE 1 & 2 (PRELIMINARY - 46.19 ACRES)
Located north of Old Brownsville Road & west of Cliff Maus Drive.

Mr. Orozco presented items "7 & 8" for the record as shown above. For location purposes, he presented an aerial view of the subject property and a map of the bicycle network. The waiver request is for the construction of 3,240 feet of an Off-Road Multi-Use Trail running along an existing ditch on the left side of the property; the construction of 700 feet of a One-Way Cycle Track running along the south side of the lot. He proceeded to outline the factors in support and against the waiver.

The applicant states that they do not believe construction should be required for the following reasons:

1. Regarding the Off-Road Multi-Use Trail along the existing drainage ditch, the berm on the east side of the existing ditch and which lies within the existing 90 -foot wide drainage easement is the only means by which maintenance is done on the ditch and will not accommodate a trail.
2. In addition, the length of the existing ditch is minimal; would allow continuity to the trail within the immediate area.
3. The location is not an intensely pedestrian area and is more vehicular oriented.
4. Regarding the One-Way Cycle Track, the request would maintain only a small portion of street with such bicycle track facilities since the area does not presently have such facilities anywhere and the area is not accommodating to bicycle traffic and does not exhibit even a small amount of bicycle traffic.
5. Finally, the area does not have the room to accommodate either of the two facilities and would be a costly endeavor and undue financial burden to the landowner to accomplish. An endeavor that would lend itself more to a bond issue type project.

Factors weighing against the waiver request

1. UDC Section 3.8.3.C.2 states that the preliminary plat is consistent with the Comprehensive Plan, Utility Master Plans and any other adopted plans. This includes the Bicycle Mobility Plan.
2. Not building these tracks will remove the connectivity of bicycle network and future construction of three quarters of a mile that are part of the trail.
3. Building these tracks will promote future pedestrian and bicycle traffic as the area develops. A sports complex and hotel are proposed. The proposed trail and track would link to West Oso High School and the adjacent neighborhood north of Bear Lane, and Westhaven Park and adjacent La Molina neighborhoods. There is an existing crosswalk across Cliff Maus Drive from Rockford Drive to Westhaven Park.
4. There are two bus stops on Bear Lane which support pedestrian and bicycle intermodal connections in close proximity to the Off-Road Multi-Use trail. One bus stop in front of West Oso High School is approximately 371 feet from the proposed off-road multi-use trail and another is 1000 feet to the east of the proposed trail. Each of these stops has 11-17 daily boardings. A third bus stop on Old Brownsville Road is 472 feet from the proposed trail which has 18 – 33 daily boardings.
5. The drainage ditch berm width is approximately 35 feet and is wide enough that permits the building of the Off-Road Multi-Use Trail.
6. Rockford Drive (a paper street with utilities) is 50 ft. in width by 600 ft. in length and would need to be constructed with the final plat in Phase II of the development. This would require additional dedication of 12 feet of ROW to accommodate the One-Way Cycle Track. The street segment is short and dead ends at the drainage.

Staff recommends disapproval of the waiver request for the construction of the Off-Road Multi-Use Trail. Alternatively, Staff recommends approval of the waiver request for the construction of the One-way cycle track (both sides) with the condition that an Off-Road Multi-Use Trail be constructed instead, and the street construction of Rockford Drive be waived. The Off-Road Multi-Use Trail be can be continued within the Rockford Drive ROW to connect the trail along the ditch to Cliff Maus Drive. This would result in cost savings in not constructing a full road section yet providing pedestrian/bicycle access, meeting the intent of the Mobility Plan.

After Staff's presentation, discussion took place regarding design standards for the off-road trail, public/private partnerships (City participation funds) and the under utilized drainage ROW. Staff stated the drainage ROW can serve multiple purposes and providing facilities is an opportunity for much needed improvement in the Westside area. It was added that a cost estimate has not been provided by the applicant.

After discussion concluded, the public hearing was opened. Representing the applicant, George Rubalcaba with Govind Development, addressed the Commission in support of the waiver request and reiterated the supporting factors shown above. With no one else coming forward, the public hearing was closed. A motion was made Commissioner Schroeder to approve Staff's recommendation for item "8" and approve the accompanying plat item "7". The motion was seconded by Vice Chairman Miller and the motion passed with no opposition.

9. [22-1389](#) 22PL1105
DRISCOLL VILLAGE, BLOCK 7 LOTS 26 - 36 (REPLAT -1.86 ACRES)
Located north of Mueller Road and East of Nandina Street.
10. [22-1390](#) **22PL1105 - SIDEWALK**
DRISCOLL VILLAGE, BLOCK 7 LOTS 26 - 36 (REPLAT -1.86 ACRES)
Located north of Mueller Road and East of Nandina Street.

Mr. Orozco presented items "9 & 10" for the record as shown above. The current lot is vacant with a water, wastewater stormwater ditch running in front of the property along Mueller Street. The zoning district is RM-1, and 11 individual town homes are planned for development. The sidewalk waiver is for an 860-foot section running along Mueller Street. He proceeded to outline the factors in support and against the waiver. The applicant states that they do not believe the sidewalk should be required because:

1. There is a drainage ditch along the south side of Mueller Street and the side slope of the deep ditch intersects the surface right at the right-of-way line.
2. The roadway for that length does not have a curb and gutter and only partially on the opposite of the street.

Factors weighing against the waiver:

1. Building the sidewalk on Mueller Street will connect with the sidewalk network at Nandina and link the neighborhood on the north. The new sidewalk will also connect with the tied sidewalk at Mueller.
2. The opposite side of Mueller Street has a sidewalk with curb and gutter.
3. The neighborhood patterns show a combination of tied sidewalks, sidewalks with buffers and sidewalks on the property side of the ditch.
4. Woodlawn Park and a senior center are located approximately 300 feet from the property.

Mr. Orozco went over the respective UDC sections requiring construction of sidewalks (Sections 8.1.4 & 8.30.1). The UDC Section 8.2.2.B.1 also states that a waiver may be granted in accordance with the waiver procedure in Section 3.8.3.D. UDC Section 8.2.2.C allows for Administrative Exemptions for sidewalk construction for residential lots that meet certain provisions. However, since the zoning is RM-1 and there are sidewalks on the lots that abut the property on the north, it does not qualify for an exception. Staff recommends disapproval of the waiver request. After Staff's presentation, the public hearing was opened.

Representing the applicant, Murray Bass with Bass & Welsh Engineering, addressed the Commission in support of the waiver request. Discussion took place regarding alternative placements to follow the neighborhood pattern, access easements and drainage. Commissioner Munoz felt there are existing sidewalk networks in the area to help support Staff's recommendation and made motion to deny the waiver request (item 10) and approve the accompanying plat (item 9). The motion was seconded by Commissioner Salazar-Garza and the motion passed with no opposition.

C. New Zoning**11. [22-1240](#) Public Hearing - Rezoning Property at 14353 Commodores Drive**

Case No. 0622-02 (INFOR Case No. 22ZN1020), Diamond Beach Holdings: Ordinance rezoning property at or near 14353 Commodores Drive, located along the south side of Commodores Drive, north of Whitecap Boulevard, and west of South Padre Island Drive from the "RS-6" Single-Family 6 District, "RS-4.5 Single-Family 4.5 District, "CR-2" Resort Commercial District to the "RS-4.5/PUD" Single-Family 4.5 District with a Planned Unit Development Overlay.

Mr. Dimas presented item "11" for the record as shown above. The purpose of the request is to provide waterfront, single-family, two-family, and multifamily districts, as well as retail and commercial areas, public parks and preserve, interspersed with canals and ponds. Mr. Dimas presented several maps explaining the overview of the proposed development. The map detailing plans for parks and open space, showed locations for the nature preserve, neighborhood park and pedestrian/cart connections. Another map showed the phasing plan (4 phases), and mixed use areas. A map was also presented showing the plan in three different sectors. Sectors 1 & 2 contain district RS-4.5 (14.479 acres) omitting short-term rentals (STR); Sector 3 is reserved for the "CR-2" district at 64.182 acres.

For each sector, Mr. Dimas presented tables comparing deviations for the proposed PUD development and the UDC standards. The Commission was informed of the four proposed roadway designs and deviations within each sector. He also informed the Commission that of the 348 public notices mailed, three were returned in favor and five notices were returned in opposition. Staff recommends approval of the PUD overlay to the specified base zoning districts. The PUD overlay zoning district encourages the unified design of a mix of residential, commercial, office, professional, retail, or institutional uses. The PUD is a recognition that at times greater quality of development can be achieved by permitting modification of established regulations and that when property is planned/developed as a unit, modification to these regulations is possible without endangering the health, safety, and welfare of the public.

After Staff's presentation, the floor was opened for Commissioner comments/questions. Staff clarified that any proposed deviation from the PUD that was originally approved by City Council, must be resubmitted for Council's additional consideration. Discussion took place regarding stormwater management (bioswales) and open space requirements. It was clarified that the Home Owner's Association would maintain the park which would be open to the public. Adding specific language to the PUD document was also discussed, especially to clarify the types of buffers to be used to separate STR's.

After discussion concluded, the public hearing was opened. Representing the owner/developer, Jeff Coym with LJA Engineering, addressed the Commission in support of the rezoning request. He gave further information on the nature preserve. He said approximately 23 acres is reserved for parks including 13 acres to be centrally located within the community. They will be maintaining/enhancing the existing fresh water ponds with trails to create a birding community. They plan to create a unique, master planned community with mixed uses and mobility for not just golf carts but kayaks/boats. He added they conducted three community outreach meetings to receive feedback on the project. For the final presentation to City Council, he said they will add a more defined exhibit showing the buffer separation for the STR's.

With no one else coming forward, the public hearing was closed. A motion was made by Commissioner Schroeder to approve item "11" with the following conditions to be executed prior to City Council consideration: 1) Define visual/noise buffers separating STR designations; 2) Confirm emergency access on specified narrowed street section deviations. The motion was seconded by Commissioner Munoz. The motion passed unanimously.

12. [22-1399](#) Public Hearing - Rezoning Property at 6255 Interstate Highway 37

Case No. 0822-02 (INFOR Case No. 22ZN1024), Corpus Christi Capital Group, LLC: Ordinance rezoning property at or near 6255 Interstate Highway 37, located along the east side of Corn Products Road, south of Interstate Highway 37, and north of Leopard Street from the "CG-2" *General Commercial District* to the "CG-2/SP" *General Commercial District with a Special Permit*.

Mr. Dimas presented item "12" for the record as shown above. The purpose of the request is to allow for the conversion (adaptive reuse) of a defunct hotel to workforce housing apartment units. He informed the Commission that of the 37 public notices mailed, zero were returned in favor and zero notices were returned in opposition. After analysis, Staff notes the following:

- The proposed conversion of the former hotel supplies the needed workforce housing that is in demand within the Northwest area of Corpus Christi.
- The requested Special Permit seeks to increase the maximum density to 360 units to correspond with the number of units of the former hotel. The UDC currently limits the density within the "CG-2" District to 37 DU/Acre which equals a maximum density of the site at approximately 250 dwelling units.
- Additionally, the requested Special Permit addresses reducing the number of required parking spaces to a 1:1 ratio, with each apartment unit. As the focus is workforce housing, the predominant type of tenant will be a single-vehicle household.

Staff recommends approval of the "CG-2/SP" General Commercial District with a Special Permit, subject to the following conditions:

1. Density: The maximum density of dwelling units shall not exceed 360 units.
2. Parking: One parking space shall be provided per dwelling unit.
3. Driveway Stacking: A minimum of 40 feet of stacking shall be provided before the entrance gate. Any controlled access points shall remain open from the hours of 6 am to 6 pm.
4. Buffer Yard: A buffer yard will be required along the eastern property line as per Section 7.9 of the Unified Development Code (UDC).
5. Other Requirements: The conditions listed herein do not preclude compliance with other applicable UDC and Building and Fire Code Requirements.
6. Time Limit: In accordance with the UDC, this Special Permit shall be deemed to have expired within 12 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, the floor was opened for Commissioner comments/questions. Discussion took place regarding buffer yard and parking requirements. After discussion concluded, the public hearing was opened. Representing the applicant, John Bell, addressed the Commission in support of the request. He said the target household income for the apartment units is \$35,000 to \$75,000 annually. He said the City lacks the housing market for individuals in this range. They are creating studio and one bedroom units for one to two people maximum (some fully furnished). He clarified that the apartments will not be applicable to Section 8 housing (HUD). The project will include common areas/amenities such as a fitness/business center, a pool and additional storage facilities. Just like an apartment complex, the leasing period will be six months to one year, not monthly.

Alfred Williams (address inaudible) addressed the Commission. He said he lives adjacent to the property and his only concern was noise created by larger trucks with diesel engines, especially in the morning hours. Bill Lathrop at 809 Corn Products Road addressed the Commission in opposition to the request. He said he received a public notice in the mail and brought it with him today. He felt that Corn Products Road is not sufficient to support an increase in traffic. Mike Kuha at 6485 IH 37 South, addressed the Commission and also cited an increase in traffic; felt that this project is not beneficial to the workforce with a majority shorter turn around times. He said the hotels in the area are utilized more often to accommodate "extended stay" time frames. With no one else coming forward, the public hearing was closed.

Discussion continued with Vice Chairman Miller expressing that regarding compatibility/land use, it is not a safe proposal. A motion was made by Vice Chairman Miller to deny the rezoning request and it was seconded by Commissioner Motaghi. A roll call vote took place with Chairman Zarghouni and Commissioners Schoeder, Mandel and Salazar-Garza opposed. The motion did not pass.

A motion to approve item "12" as presented by Staff was made by Commissioner Mandel and it was seconded by Commissioner Salazar-Garza. A roll call vote took place with Vice Chairman Miller and Commissioners Munoz and Motaghi opposed. The motion passed.

VIII. Director's Report

Nina Nixon-Mendez, Assistant Director, informed the Commission that the next Development Services Task Force meeting is August 19, 2022 at 9:00 a.m. at City Hall, 6th floor conference room.

IX. Future Agenda Items: None.

X. Adjournment

There being no further business to discuss, the meeting adjourned at 8:05 p.m.