



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes - Final

Planning Commission

Wednesday, March 6, 2024

5:30 PM

City Hall, 6th Floor Conference Room

I. Call to Order, Roll Call:

Chairman Miller called the meeting to order at 5:30 pm and a quorum was established to conduct the meeting, with Commissioner Mandel absent.

Present 8 - Board Member Cynthia Garza, Board Member Justin Hedrick, Board Member Billy A. Lerma, Chair Michael Miller, Vice Chair Michael York, Board Member Jahvid Motaghi, Board Member Mike Munoz, and Board Member Michael Budd

Absent 2 - Advisory Non voting Ben Polack, and Board Member Brian Mandel

II. PUBLIC COMMENT: None.

III. Approval of Absences: 2-21-24: Vice Chairman York, Commissioner Munoz, Commissioner Motaghi, and Commissioner Hedrick.

A motion was made by Commissioner Salazar-Garza to approve the absences listed above, seconded by Commissioner Budd. The Vote: All Aye. The motion passed.

IV. Approval of Minutes.

[24-0366](#) Planning Commission Meeting Minutes February 21, 2024, DRAFT

Attachments: [2-21-24 PC Minutes DRAFT](#)

A motion was made by Commissioner Hedrick to approve the minutes listed above, seconded by Commissioner Lerma. The Vote: All Aye. The motion passed.

V. Consent Public Hearing: Discussion and Possible Action: Item A

Mark Orozco, Development Services, read Consent Agenda Item A, plats, items No. 1 and 2, into the record as shown below. The plats satisfy all requirements of the Unified Development Code (UDC)/State Law, and the Technical Review Committee (TRC). Staff recommend approval of the plats.

Chairman Miller opened Public Comment for Item A. Seeing no one to speak, Chairman Miller closed the Public Hearing.

A motion was made by Vice Chairman York to approve Consent Agenda A, items 1 and 2, as presented by staff and seconded by Commissioner Motaghi. The Vote: All Aye. The motion passed.

A. Plats

1. [24-0316](#) 23PL1000 Gateway Park Block 1, Lot 4R, Replat of .35 Acres-Conditional
Located at the east end of Knickerbocker Dr. and east of Laguna Shores Rd.

Attachments: [23PL1000 Gateway Park Plat Text](#)
[23PL1000GatewayParkTRCCCommentsReponses \(1\)](#)
[23PL1000 Gateway Park - Lot 4R - Plat \(1\)](#)

2. [24-0317](#) PL8188 Flour Bluff Estates, Block C, Lot 10R (Replat of 1.52 Acres)
North of NAS Drive and west of West Lakeside Drive.

Attachments: [PL8188 Flour Bluff Estates Block C Lot 10R CvLt \(6\)](#)
[PL8188 Flour Bluff Estates Block C Lot 10R Closed Report](#)
[PL8188 Flour Bluff Estates Block C Lot 10R Plat](#)

VI. Public Hearing: Discussion and Possible Action: Item B

The following Public Hearing item will be considered individually.

B. Plat with a Waiver: Sidewalk

Bria Whitmire, Development Services, read Item B, plat with a waiver, item 3, into the record as shown below.

The application package was dispersed to the Technical Review Committee on January 16, 2024 for review. At that time, the application stated the reason for replat was to obtain a building permit. The review comments were issued back to the applicant on January 25, 2024, including Development Services Engineering review comment 13. This comment from staff listed construction of a public sidewalk was required along the property's frontage on West Lakeside Drive in accordance with Section 8.2.2 of the City's Unified Development Code (UDC). There is a concurrent zoning case, ZN-8171-0124-06, to rezone the property to RM-2, with the purpose of the request being to allow multi-family development. Planning Commission recommended approval on January 24, 2024, and the case is currently scheduled for two city council hearings. No public improvement plans have been submitted for review with the plat submission.

This portion of West Lakeside Drive is bounded by Military Drive to the north and Naval Air Station Drive westbound as it ramps to South Padre Island Drive (SPID) to the south. Connecting streets in this area include Military Drive, Claride Street, Matlock Street, SPID and Naval Air Station Dr.

This plat waiver request is for the construction of approximately 500 feet of sidewalk along West Lakeside Drive, which is a local street.

UDC Sections 3.8.5, 3.30.1, 8.1.4 and 8.2.2 require construction of sidewalk as part of the platting process.

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:

The waiver may be approved, approved with conditions, or denied after consideration of the following factors:

1. The granting of the waiver shall not be detrimental to the public health, safety or general welfare, or be injurious to other property in the area, or to the City in administering this Unified Development Code;
2. The conditions that create the need for the waiver shall not generally apply to other property in the vicinity.
3. Application of a provision of this Unified Development Code will render subdivision of land unfeasible; or
4. The granting of the waiver would not substantially conflict with the Comprehensive Plan and the purposes of this Unified Development Code.

The enumerated conditions in UDC 3.8.3.D for a sidewalk waiver are not fully met on this subject property.

Further UDC Section 8.2.2.C allows for Administrative Exemptions for sidewalk construction for residential lots that meet certain provisions.

8.2.2.C: An administrative exception may be granted to the standard in paragraph 8.2.2.A only when the following conditions are met:

1. Sidewalks shall not be required along each side of a street right-of-way where such street is a permanent dead-end street and where there is pedestrian access from the permanent dead-end street to a paved hike and bike trail. In such instance, a sidewalk only shall be required on one side of the street right-of-way, or
2. Sidewalks shall not be required along street rights-of-way where each lot fronting on such street has direct access from the side or rear to a paved hike and bike trail, or
3. The lot is a minimum of 22,000 square feet and zoned Farm Rural or, Residential Estate, or
4. Sidewalks adjacent to private streets may be allowed to be placed on only one side of the street if the sidewalk width is 6 feet or greater, or
5. Sidewalk construction is not required if all the following conditions are met:
 - a. The lot does not front on, and is not adjacent to, a right-of-way, street, alignment, or corridor that is designated on:
 - i. The Urban Transportation Plan (UTP) or Thoroughfare Plan, or has a right-of-way width greater than 50 feet, or
 - ii. the MobilityCCPlan, including the Trails Master Plan (HikeBikeCC) and the ADA Master Plan, or-
 - iii. the Corpus Christi Metropolitan Planning Organization's (MPO) Strategic Plan for Active Mobility, or
 - iv. any other plan that designates sidewalks or active transportation improvements.

- b. The lot is zoned Farm Rural, Residential Estate or Single-Family Residential RS-4.5, RS-6, RS-10, RS-15, RS-22, or Single Family Residential Two Family (RS-TF);
- c. There are no existing or planned sidewalks on adjacent lots;
- d. At least 75% of the block face (lots fronting on the same side of the street as the subject plat) is improved, as measured by the number of lots, or, by the linear footage of the block face, and does not have sidewalks.

The criteria listed in UDC 8.2.2.C for staff to administratively waive sidewalk is not applicable to this plat.

FACTORS IN SUPPORT OF THE WAIVER REQUEST FOR SIDEWALK CONSTRUCTION:

- 1. The frontage of the platted property does not front on or conflict with any city plan that designates sidewalks or active transportation improvements.
- 2. There are no existing or planned sidewalks along West Lakeside Drive.

The applicant states that they do not believe the sidewalk construction should be required for the following reasons, however, these assertions have not been verified by staff:

- There are currently no adjacent sidewalks along West Lakeside Drive to connect to.
- There is a drainage ditch along the right of way of West Lakeside Drive which would make it unsafe for pedestrians to use sidewalk.
- There are no bus stops located along West Lakeside Drive.
- Waiver of sidewalk will not be detrimental to the public health, safety, or general welfare.
- Waiver of sidewalk will not affect the adjacent property in a manner to restrict or render unfeasible.

The applicant's letter requesting the sidewalk construction can be found in Exhibit B.

FACTORS AGAINST THE WAIVER REQUEST FOR SIDEWALK CONSTRUCTION:

- 1. Staff field-verified (pictures shown in Exhibit C) conditions of the property frontage, which shows there is no current grading that is unsafe for pedestrians in right-of-way.
- 2. LiDAR and TNRIS elevation data shows this frontage topography is relatively flat. Appropriately engineered sidewalk construction that complies with UDC 8.2.1.B. may improve drainage by directing stormwater runoff towards the inlet.
- 3. Not having sidewalks along a local street typically leads to pedestrians walking in roadways, an unsafe situation. The proposed rezoning from RS-6 to RM-2 will allow for increased population density in this area.
 - a. In the case background from Exhibit E, 35 total units are proposed for shipping container apartments for senior citizens. Per the report, "similar communities in their [applicant's] portfolio are characterized by a large group of their residents having little to no vehicular access; relying on bicycles, public transportation, or ride shares."
- 4. Construction of sidewalks, even unconnected sections, promotes construction of sidewalk throughout the community.

STAFF RECOMMENDATION:

Staff recommends Disapproval of the waiver request for the construction of sidewalk.

Vice Chairman York asked about how a sidewalk would improve drainage. Ms. Whitmire stated it's an empty lot so any grading along the side will help drainage; there is no drainage ditch in this location. Vice Chairman York stated there should be a curb and gutter; a sidewalk where the drainage should be, it is not an ideal situation. Ms. Whitmire stated there is heavy pedestrian traffic in this location. Further drainage plans will be provided with their site development. Vice Chairman York stated there is nowhere to drain.

Commissioner Lerma asked who is responsible for the drainage. Ms. Whitmire stated the site development is responsible. Ms. Whitmire said drainage is reviewed at the Public Improvement stage. There is no curb in this area. Vice Chairman York stated he is on the fence about the sidewalk because of the drainage issue. Ms. Whitmire stated the developer could move the sidewalk further in to their property and made a pedestrian easement. There are many solutions that can be made. Vice Chairman York stated he didn't like that solution because we are taking land from the owner because the city didn't build curb and gutter.

Commissioner Lerma stated his property was taken for a sidewalk to widen the streets for a bus route.

Commissioner Salazar-Garza stated the pedestrians need a sidewalk in this area for access to transportation.

Chairman Miller asked if the applicant has submitted a plan. Ms. Whitmire stated yes, in the zoning case; and presented the plan. The roads were built on the rural standard prior to annexation.

Vice Chairman York expressed his concern about detention.

Commissioner Munoz stated the pedestrian walkway outweighs the drainage issue and disapproving the waiver.

Vice Chairman York asked for a drawing that shows the right of way relative to the existing street and are they dedicating any with this plat.

Chairman Miller stated it is not a sea of impervious cover.

Chairman Miller opened Public Comment for Item A. Seeing no one to speak, Chairman Miller closed the Public Hearing.

A motion was made by Commissioner York to deny the waiver as presented, seconded by Commissioner Salazar-Garza. The Vote: All Aye. The motion passed.

3. [24-0348](#) [PL8188 Flour Bluff Estates Block C, Lot 10R](#)
Request for a Plat Waiver for Sidewalk Construction
Sections 3.8.5, 3.30.1, 8.1.4 and 8.2.2 of the Unified Development Code.

Attachments: [PL8188 Flour Bluff Estates](#)
 [PL8188 Sidewalk Waiver](#)

VII. Director's Report

Michael Dice, Assistant Director, presented the following:

Presentation Overview:

Draft Stormwater Impact Fees

- Citywide Master Plan but only one proposed service area for impact fees
- Land Use Assumptions (gross acres)
- Capital Improvements Plan for Oso Watershed
- Three (3) options for stormwater impact fees

One to Three Service Areas based on Texas Impact Fee Legislation

- All or part of land within corporate boundaries or extraterritorial jurisdiction
- Shall not extend across watershed boundaries
- Each service area has unique calculations, fee schedule, and accounting
- Too many areas make it difficult to accumulate sufficient funds to build projects

Option 1:

- Easiest option to implement and administer
- CIP Projects (see Oso 1-5) are needed to accommodate new development in the entire watershed
- Constructing Oso 1-5 benefits fee payers throughout the entire watershed

Option 2:

- Implementation and administration is slightly more difficult
- Oso 1-5 are needed to accommodate new development in the entire watershed
- Collection and Expenditure Zones enhance benefit to fee payers

Option 3:

- Most difficult option to implement and administer
- Entire watershed pays for Oso 1
- Basins 2 and 3 pay for additional improvements in their area
- Collecting and spending fees by subareas enhances benefit to fee payers

Draft future recommendation to City Council:

- Adopt stormwater impact fees with 50% revenue credit
- Oso Creek watershed is the one and only stormwater service area
- Stormwater impact fee schedule should be expressed in dollars and cents per thousand square feet of impervious area (abbreviated as "KSF")

Vice Chairman asked about widening and deepening Oso Creek. At its resting state, there is a significant portion that is at sea level; how does that help? Mr. Dice stated it is a capacity issue. By widening it slows the flow down.

Mr. Dice discussed the service areas in detail and described the best option as well as the tentative calculations. The recommendations will occur at the CIAC meeting March 28. The proposed impact fee to be discussed is how do the ratios work together with the CIP and how is it addressed. Impact fees are based on plat date.

Commissioner York asked when the community engagement will occur; Mr. Dice stated it will be late April or early May. Recommendations to Council will be June or July. The final dates will be announced.

Chairman asked if the fees would vary from service area to service area; Mr. Dice stated they are recommending one fee for stormwater; other recommendations could vary. Impact fees are only within the service areas. Industrial does not typically plat.

There will be a Planning Commission, CIAC meeting and City Council joint meeting to be announced.

VIII. Future Agenda Items: None.

IX. Adjournment:

There being no further business to discuss, the meeting adjourned at 6:22 pm.