



City of Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes - Final

Planning Commission

Wednesday, January 24, 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 Lerma absent.

II. PUBLIC COMMENT: None.

III. Approval of Absences: Chairman Miller and Vice Chairman York

A motion was made by Commissioner Mandel to approve the absences listed above and seconded by Commissioner Munoz. The Vote: All Aye. The motion passed.

IV. Approval of Minutes:

1. [24-0143](#) Regular Planning Commission Meeting Minutes DRAFT January 10, 2024

Attachments: [1-10-24 PC Minutes DRAFT](#)

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

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

Commissioner York abstained from Item No. 3, Plaza Michoacana, and Commissioner Hedrick abstained from Item No. 5, Haven Road Subdivision. Item No. 7, Oso Vista Subdivision, was pulled from the agenda.

Chairman Miller asked that Items 2, 4, and 6 be read into the record.

Mark Orozco, Development Services, read Consent Agenda Items A and B, Plats and Zoning, Items 2, 4, and 6 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 recommends approval of the plats. The Zoning case was also read into the record and recommended for approval.

Commissioner Salazar-Garza asked for detail on the units for Item No. 6.

Andrew Dimas stated the containers are approximately 400 square feet, duplex style,

and sit on approximately 1.53 acres for the entire site.

Properties inside the overlay will have restrictions placed upon them and abide by the lighting restrictions.

Chairman Miller opened Public Comment.

Seeing no one to speak, Chairman Miller closed Public Comment.

A motion was made by Commissioner Salazar-Garza to approve A and B, Items 2, 4, and 6 as presented by staff and seconded by Commissioner York. The Vote: All Aye. The motion passed.

Mark Orozco, Development Services, read Consent Agenda Item 3 into the record as shown below. The plat satisfies all requirements of the Unified Development Code (UDC)/State Law, and the Technical Review Committee (TRC). Staff recommends approval of the plat.

Chairman Miller opened Public Comment.

Seeing no one to speak, Chairman Miller closed Public Comment.

A motion was made by Commissioner Hedrick to approve Item 3 as presented by staff and seconded by Commissioner Salazar-Garza. The Vote: Aye: Chairman Miller, Commissioners Mandel, Salazar-Garza, Munoz, Motaghi, Hedrick, and Budd. Abstain: Commissioner York. The motion passed.

Mark Orozco, Development Services, read Consent Agenda Item 5 into the record as shown below. Upon satisfaction of the remaining conditions and comments in the Plat Review Comments document, the submitted plat will satisfy the requirements of the Unified Development Code and State Law and the Technical Review Committee recommends conditional approval. All comments requiring resolution prior to Planning Commission approval have been addressed.

Chairman Miller opened Public Comment.

Seeing no one to speak, Chairman Miller closed Public Comment.

A motion was made by Commissioner York to approve Item 5 as presented by staff and seconded by Commissioner Mandel. The Vote: Aye: Chairman Miller, Vice Chairman York, Commissioners Mandel, Salazar-Garza, Munoz, Motaghi and Budd. Abstain: Commissioner Hedrick. The motion passed.

A. Plats

2. [24-0081](#) PL8017

AZALI DISTRICT PRELIMINARY PLAT (34.65 ACRES)

Located at 3642 Saratoga Blvd.

Attachments: [PL8017 Azali District Preliminary Plat CvPg](#)
 [PL8017 Azali District Preliminary Plat Report](#)
 [PL8017 Azali District Preliminary Plat](#)

3. [24-0105](#) PL8155
 PLAZA MICHOACANA BLOCK 1 LOT 1 & 2 (FINAL 1.348 ACRES)
 Located at South of I-37 & North of Leopard Street.

Attachments: [PL8155 Plaza Michoacana CvPg](#)
 [PL8155 Plaza Michoacana REPORT](#)
 [PL8155 Plaza Michoacana REVISED PLAT](#)

4. [24-0120](#) PL8122
 LAKE VIEW ACRES BLOCK 1, LOTS 3A AND 3B (REPLAT OF 2.995
 ACRES)
 Located south of Williams Dr & west of Rodd Field Rd

Attachments: [PL8122 Lake View Acres CvPg](#)
 [PL8122 Lake View Acres REPORT](#)
 [PL8122 Lake View Acres - Updated Plat](#)

5. [24-0149](#) PL8191-CONDITIONAL
 HAVEN ROAD SUBDIVISION (PRELIMINARY PLAT 157.54 ACRES)
 Located at Haven Dr and Warrior Road (to west of T-M High School)

Attachments: [PL8191 Haven Rd Subdivision Preliminary Plat CvPg](#)
 [PL8191Haven Rd Subdivision Preliminary Plat Report](#)
 [PL8191 Haven Rd Subdivision Preliminary Plat 2](#)

B. Zoning

6. [24-0121](#) Zoning Case No. 0124-06, Sunriser Park LLC (District 4). Ordinance rezoning a property at or near 922 W. Lakeside Drive from the "RS-6" Single-Family 6 District to the "RM-2" Multi-Family District; Providing for a penalty not to exceed \$2,000 and publication. (Staff recommends approval.

Attachments: [0124-06 Sunriser Park LLC Zoning Report](#)
 [0124-06 Sunriser Park LLC PowerPoint Presentation](#)

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

The following Public Hearing items will be considered individually. Item No. 7 was pulled from the agenda.

7. [24-0145](#) PL8123
OSO VISTA SUBDIVISION (PRELIMINARY PLAT OF 141.66 ACRES)
Located west of HWY 286 & north of FM 43.

Attachments: [PL8123 Oso Vista Subdivision CvPg](#)
 [PL8123 3rd Oso Vista Subdivision Report](#)
 [PL8123 Oso Vista Subdivision Prelim Plat](#)

VII. Public Hearing (Item D): Discussion and Possible Action

The following Public Hearing items will be considered individually

Andrew Dimas, Development Services, presented the following:

Text amendments to the Unified Development Code (UDC) concerning platting regulations regarding land subdivision applications and public notifications.

Ordinance adopting text amendments to the Unified Development Code (UDC) to adjust requirements for platting regulations regarding land subdivision applications and public notifications.

CAPTION:

Ordinance of the City of Corpus Christi, Texas adopting text amendments to the Unified Development Code (UDC) to adjust requirements for platting regulations regarding land subdivision applications and public notifications.

SUMMARY:

As part of the 88th Texas Legislature, bills were passed into laws that became effective on September 1, 2023. Such new laws are related to municipalities establishing platting regulations regarding land subdivision applications and public notifications due to changes to the Texas Local Government Code, the following amendments to the UDC are recommended.

BACKGROUND:

Senate Bill 929: Amendment to Chapter 211 of the Texas Local Government Code relating to the notice and compensation by municipality required before revoking right to use property for a use that was allowed before the adoption of or change to a zoning regulation or boundary. Additionally, if a municipality imposes a requirement to stop a non-conforming use that includes the action by governing body, board, or commission, or official, or determines that the non-conforming use has an adverse effect, the owner is entitled to compensation based on market value, or continued nonconforming use of the property until the owner recovers the amount determined through business activities.

Proposed amendment to UDC Section 3.7.3: Will establish the conditions of mailed public notices including public notifications in the case of the creation of a nonconforming use via either a rezoning or change to the UDC to property owners and tenants.

House Bill 3699: Amendment to Chapter 212 of the Texas Local Government Code relating to the establishment of requirements by a municipality for the application for land subdivision (platting) and the criteria for determining completeness of a land subdivision application. Additionally, each municipality shall adopt and make available to the public a complete, written list of all documentation and other information that the municipality requires to be submitted with a plat application. Municipality shall continuously maintain the list on the Internet not later than the 30th day after the date the municipality adopts or amends the list.

Proposed amendment to UDC Section 3.1.6: Will establish the requirements for submittal of land subdivision applications (platting). Additionally, this subsection will incorporate into the UDC a formalized list of application requirements to determine the completeness of a land subdivision (platting) application.

ANALYSIS AND FINDINGS:

Per §3.2.3 of the UDC, in determining whether to approve, approve with modifications, or deny a proposed Unified Development Code text amendment, the applicable review bodies shall consider the following criteria:

1. The amendment promotes the purpose of this Unified Development Code as established in Section 1.2. The UDC was established to reflect the City's Comprehensive Plan and its goal to improve and protect public health, safety, and welfare.
2. The amendment is consistent with the Comprehensive Plan.
3. The amendments are consistent with other codes and ordinances adopted by the City and are otherwise internally consistent with other provisions of this Unified Development Code, or that any provisions with which the amendments are or may be inconsistent also are proposed to be modified. The effects of all such modifications shall meet the above criteria, promote the public health, safety, and welfare, and be consistent with any applicable federal and state requirements.
4. The fiscal impact on the City and the effect on taxpayers and ratepayers of the proposed amendment.

The proposed text amendments do not conflict with existing language in the UDC nor the Municipal Code. Additionally, the adoption of new state statutes is directly linked to the third condition of the review criteria listed above.

ALTERNATIVES:

1. Denial of an Ordinance of the City of Corpus Christi, Texas adopting text amendments to the Unified Development Code (UDC).

FISCAL IMPACT: There are no fiscal impacts associated with this item.

RECOMMENDATION:

Staff recommends Approval of the text amendments to the UDC.

Senate Bill 929:

Notice and compensation by municipality required before revoking right to use property for a use that was allowed before the adoption of or change to a zoning regulation or boundary

If rezoning or zoning regulation change creates a nonconforming use:

Notice must be mailed to each owner and each occupant no later than the 10th day before each hearing date

Include following in 14-point type:

"THE [MUNICIPALITY NAME] IS HOLDING A HEARING THAT WILL DETERMINE WHETHER YOU MAY LOSE THE RIGHT TO CONTINUE USING YOUR PROPERTY FOR ITS CURRENT USE. PLEASE READ THIS NOTICE CAREFULLY."

May continue to use property as non-conforming use.

3.1.7.3 Mailed Notice

A. For review procedures requiring mailed notice, a notice of public hearing shall be sent by United States mail to property owners of record of property within 200 feet of the property under consideration, as determined by the most recent tax roll information from the appropriate Appraisal District. The notice shall be deposited in the mail before the 10th day before the public hearing date. A notice of Public Hearing shall be provided to each party required in compliance with Local Government Code 211.007.

B. For review procedures requiring mailed notice, a notice of public hearing shall be sent by United States mailed by United States mail to each owner of real or business personal property where the proposed nonconforming use is located as indicated by the most recently approved municipal tax roll and each occupant of the property not later than the 10th day before the hearing date. A notice of Public Hearing shall be provided to each party required provided in compliance with Local Government Code 211.006.

3.1.7.4 Content of Notice

- a. Published or Mailed Notice: Published or mailed notices shall contain at least the following information:

- i. The general location of land that is the subject of the application. A location map shall be included in the mailed notice but not in the published notice. (Ordinance 029770, 03/19/2013)
- ii. The legal description or street address;
- iii. A description of the action requested including, where applicable, a general description of the proposed development including the size of each element of the proposed development;
- i. The time, date, and location of the public hearing;
- ii. A phone number to contact the Development Services office; and
- iii. A statement that interested parties may appear at the public hearing.
- iv. Mailed notices for the purpose of notifying a nonconforming use must be done in compliance with Section 211.006 of the Texas Local Government Code.

House Bill 3699

Plat is considered filed on the date the applicant submits the plat, with completed plat application, application fees and other requirements prescribed by the city or municipal authority for approving plats

The governing body of a municipality or the municipal authority responsible for approving plats may not require an analysis, study, document, agreement, or similar requirement to be included in or as part of an application for a plat, development permit, or subdivision of land that is not explicitly allowed by state law.

Each municipality shall adopt and make available to the public a complete, written list of all documentation and other information that the municipality requires to be submitted with a plat application. Municipality shall continuously maintain the list on the Internet not later than the 30th day after the date the municipality adopts or amends the list.

Each municipality shall adopt and make available to the public a complete, written list of all documentation and other information that the municipality requires to be submitted with a plat application. Municipality shall continuously maintain the list on the Internet not later than the 30th day after the date the municipality adopts or amends the list.

3.1.6.B Forms

A. Development applications required under this Unified Development Code shall be submitted on forms and in such numbers as required by the Director Assistant City Manager of Development Services and in compliance with Local Government Code 212.0081.

B. This subsection shall establish the required list of documents to determine land subdivision application completeness per plat type.

A. List on separate spreadsheet.

B. Other information and details as published on the City's website and in compliance with Section 212.0081 of the Texas Local Government Code.

3.1.6.E Application Completeness Review

1. A determination of whether a development application is complete shall be made by the Director Assistant City Manager of Development Services no more than five business days after submittal of the application.
2. An application that contains all of the information necessary to decide whether or not the development as proposed will comply with all of the requirements of this Unified Development Code shall be deemed complete.
3. If an application is determined not to be complete, the Director Assistant City Manager of Development Services shall notify the applicant in writing within ten business days of the initial application. The notification shall list all missing or incomplete items and provide at least ten business days for the applicant to resubmit the material. The applicant may request an additional meeting for explanation of the missing or incomplete items. If the application is not resubmitted within the period specified, the application shall be deemed rejected and shall not be accepted for filing. After an application has been rejected, a new application and fee shall be required.
4. A determination of completeness does not preclude any negative final action and does not include any implied determination that the application successfully meets any review criteria or that during review additional clarification or information will not be needed.
5. Any time an incomplete application is erroneously deemed complete and later determined to be incomplete, the application shall be rejected and subparagraph 3.1.6.E.3 above shall apply.
6. Required application materials shall be listed and in compliance with Local Government Code 212.0081.

Chairman Miller asked about the change from the Assistant City Manager as opposed to the Director of Development Services.

The UDC needed to be updated since we now have a Development Director.

Chairman Miller opened Public Comment.

Seeing no one to speak, Chairman Miller closed Public Comment.

A motion was made by Commissioner York to approve adopting the text amendments to the Unified Development Code (UDC) and seconded by Commissioner Motaghi. The Vote: All Aye. The motion passed.

8. [24-0107](#) Ordinance of the City of Corpus Christi, Texas adopting text amendments to the Unified Development Code (UDC) to adjust requirements for platting regulations regarding land subdivision applications and public notifications.

Attachments: [PC Agenda Memo - Fall 2023 Misc UDC Amendments](#)
[Ordinance - Fall 2023 Misc UDC Amendments](#)
[PC Presentation - Fall 2023 Misc UDC Amendments](#)

VIII. Director's Report

Interim Assistant Director for Land Development, Michael Dice, stated he will be available for any issues the Planning Commissioners may need.

IX. Future Agenda Items: None.

X. Adjournment

There being no further business to discuss, the meeting adjourned at 5:48 pm.