

Ordinance amending the Unified Development Code (“UDC”) upon application by CCLEL Investments, Inc., on behalf of Leer Properties, Inc. (“Owner”), by changing the UDC Zoning Map in reference to a 2.30-acre portion out of Lot 6, Section 13, Flour Bluff and Encinal Farm and Garden Tracts from the “RS-6” Single-Family 6 District to the “CG-2” General Commercial District; amending the Comprehensive Plan to account for any deviations from the existing Comprehensive Plan; providing a repealer clause; providing for penalties; providing for publication; and declaring an emergency.

WHEREAS, the Planning Commission has forwarded to the City Council its reports and recommendations concerning the application of CCLEL Investments, Inc., on behalf of Leer Properties, Inc. (“Owner”), for an amendment to the City of Corpus Christi’s UDC and corresponding UDC Zoning Map;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, June 20, 2012, during a meeting of the Planning Commission, and on Tuesday, August 14, 2012, during a meeting of the City Council, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the City Council has determined that this amendment would best serve the public health, necessity, convenience and general welfare of the City of Corpus Christi and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:

SECTION 1. The Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on a 2.30-acre portion out of Lot 6, Section 13, Flour Bluff and Encinal Farm and Garden Tracts (the “Property”), located on the north side of South Padre Island Drive (SH 358) and east of Prince Drive, from the “RS-6” Single-Family 6 District to the “CG-2” General Commercial District, resulting in a change of future land use from medium density residential to commercial uses (Zoning Map No. 041035). Exhibit “A,” which is a metes and bounds description of the Property, and Exhibit “B,” which is a location map pertaining to the Property, are both attached to and incorporated in this ordinance by reference as if fully set out herein in their entirety.

SECTION 2. The official UDC Zoning Map of the City is amended to reflect the changes made to the UDC by Section 1 of this ordinance.

SECTION 3. The UDC and corresponding UDC Zoning Map of the City, made effective July 1, 2011, and as amended from time to time, except as changed by this ordinance, both remain in full force and effect.

SECTION 4. To the extent this amendment to the UDC represents a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the UDC, as it is amended by this ordinance.

SECTION 5. All ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

SECTION 6. A violation of this ordinance, or requirements implemented under this ordinance, constitutes an offense punishable as provided in Article 1, Section 1.10.1, and Article 10 of the UDC.

SECTION 7. Publication shall be made in the official publication of the City of Corpus Christi as required by the City Charter of the City of Corpus Christi.

SECTION 8. Upon written request of the Mayor or five Council members, copy attached, the City Council finds and declares an emergency due to the need for immediate action necessary for the efficient and effective administration of City affairs and suspends the Charter rule as to consideration and voting upon ordinances at two regular meetings so that this ordinance is passed upon first reading as an emergency measure on this _____ day of _____, 2012.

ATTEST:

CITY OF CORPUS CHRISTI

Armando Chapa
City Secretary

Joe Adame
Mayor

Corpus Christi, Texas

_____ day of _____, 2012

TO THE MEMBERS OF THE CITY COUNCIL
Corpus Christi, Texas

For the reasons set forth in the emergency clause of the foregoing ordinance, an emergency exists requiring suspension of the Charter rule as to consideration and voting upon ordinances at two regular meetings. I/we, therefore, request that you suspend said Charter rule and pass this ordinance finally on the date it is introduced, or at the present meeting of the City Council.

Respectfully,

Respectfully,

Joe Adame
Mayor

Council Members

The above ordinance was passed by the following vote:

Joe Adame	_____
Chris N. Adler	_____
Kelley Allen	_____
Larry Elizondo, Sr.	_____
Priscilla G. Leal	_____
David Loeb	_____
John E. Marez	_____
Nelda Martinez	_____
Mark Scott	_____

STATE OF TEXAS

COUNTY OF NUECES

THAT CERTAIN TRACT OF LAND LYING AND BEING SITUATED IN NUECES COUNTY, TEXAS, AND BEING A PORTION OF LOT 6, SECTION 13, FLOUR BLUFF AND ENCINAL FARM AND GARDEN TRACTS, AS SHOWN BY MAP RECORDED IN VOLUME A, PAGES 41-43, MAP RECORDS OF NUECES COUNTY, TEXAS, BEING ALL OF THOSE TWO TRACTS DESCRIBED IN WARRANTY DEED RECORDED IN VOLUME 1407, PAGE 211 AND VOLUME 1439, PAGE 678, DEED RECORDS OF NUECES COUNTY, TEXAS, DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8 INCH IRON ROD FOUND AT THE SOUTHEAST CORNER OF GULFGATE UNIT 2, AS SHOWN BY MAP RECORDED IN VOLUME 21, PAGE 79, MAP RECORDS OF NUECES COUNTY, TEXAS BEING ON THE NORTHERLY RIGHT-OF-WAY OF STATE HIGHWAY 358 (SOUTH PADRE ISLAND DRIVE).

THENCE, ALONG THE EASTERLY LINE OF SAID GULFGATE UNIT 2, NORTH 29 DEGREES 00 MINUTES 00 SECONDS EAST 300.0 FEET TO A 5/8 INCH IRON ROD FOUND, FOR THE SOUTHEAST CORNER OF LOT 2 BLOCK 2 GULFGATE UNIT 2 AND THE POINT OF BEGINNING AND SOUTHWEST CORNER OF THIS TRACT OF LAND;

THENCE NORTH 29 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE EAST LINE OF GULFGATE UNIT 2, FOR A DISTANCE OF 605.19 FEET, TO A 1 INCH IRON PIPE FOUND FOR THE NORTHWEST CORNER OF THIS TRACT

THENCE , SOUTH 61 DEGREES 01 MINUTES 20 SECONDS EAST, 165.32 FEET TO A 5/8 INCH IRON ROD FOUND ON THE EASTERLY LINE OF SAID LOT 6, FOR THE NORTHEAST CORNER OF THIS TRACT

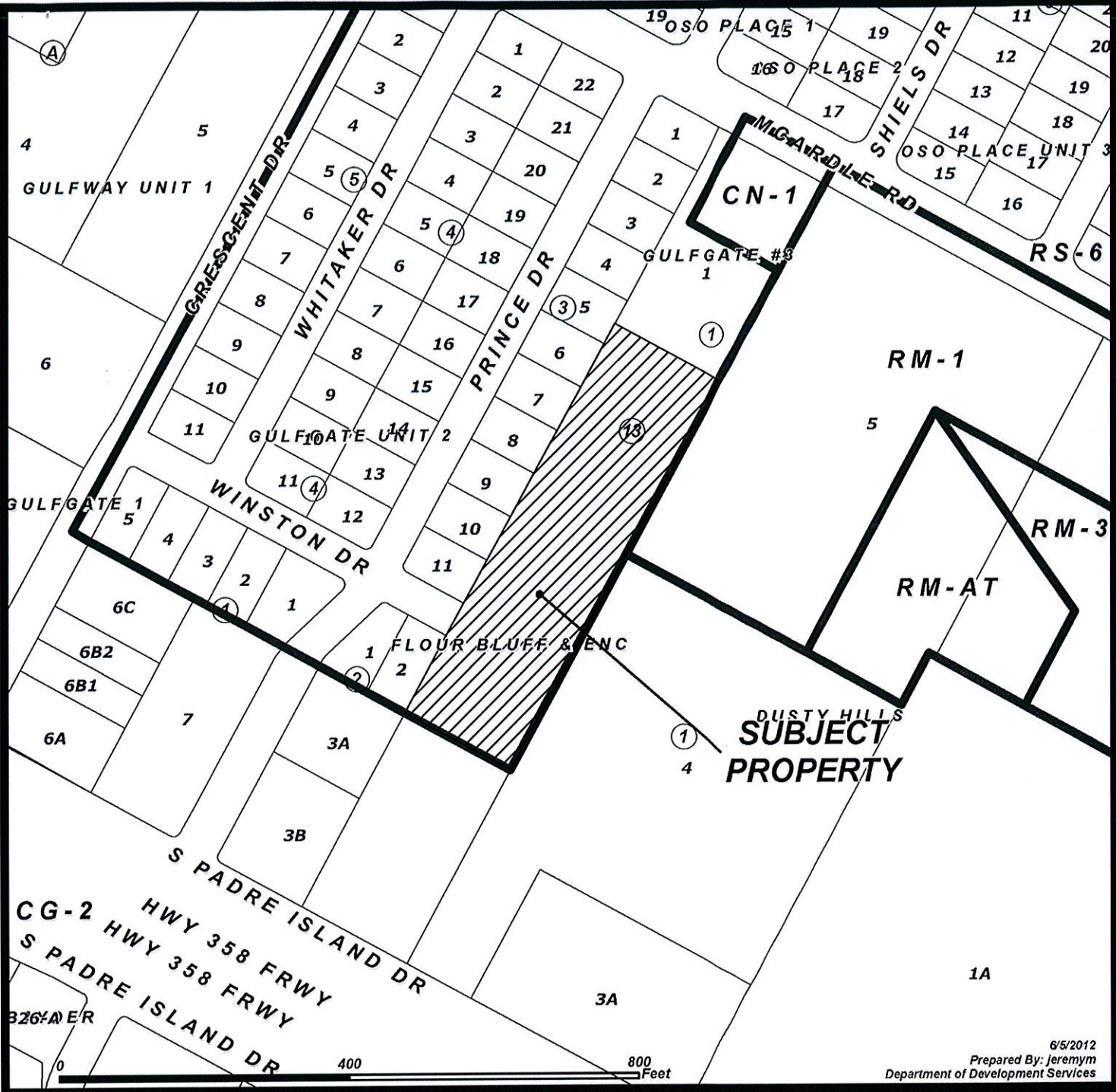
THENCE ALONG SAID EASTERLY LINE OF LOT 6, SOUTH 29 DEGREES 00 MINUTES 00 SECONDS WEST, 605.19 FEET TO A 5/8 INCH IRON ROD FOUND, SOUTHEAST CORNER OF THIS TRACT

THENCE NORTH 61 DEGREES 01 MINUTES 20 SECONDS WEST, 165.32 FEET TO THE POINT OF BEGINNING AND, CONTAINING 100,050 SQUARE FEET, MORE OR LESS.

Victor S. Medina
3/2/07



Exhibit A

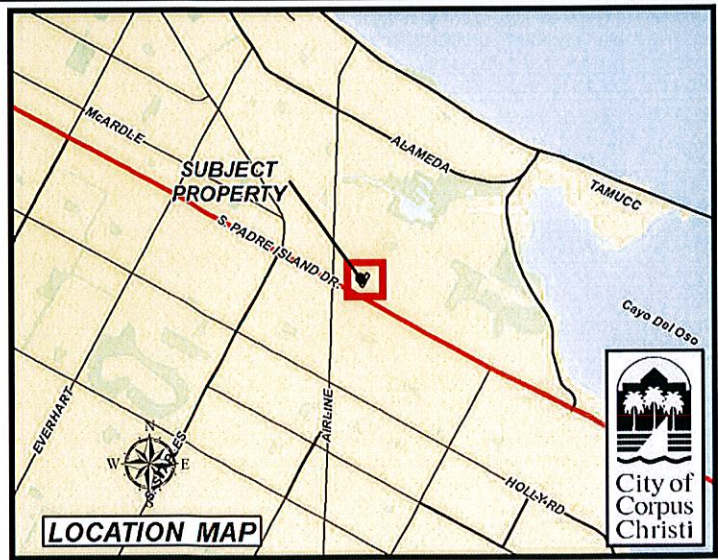


6/5/2012
 Prepared By: Jeremym
 Department of Development Services

CASE: 0612-01
1. SUBJECT PROPERTY

 Subject Property

Exhibit B



LOCATION MAP