

**Case No. 0118-02: Ordinance rezoning property at or near 2882 Holly Road from "RS-6" to "CN-1" and amending the Comprehensive Plan.**

**WHEREAS**, the Planning Commission has forwarded to the City Council its final report and recommendation regarding the application of ERF Real Estate, Inc. ("Owner"), for an amendment to the City of Corpus Christi's Unified Development Code ("UDC") and corresponding UDC Zoning Map;

**WHEREAS**, with proper notice to the public, a public hearing was held on Wednesday, January 10, 2018, during a meeting of the Planning Commission. The Planning Commission recommended approval of the change of zoning from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District and on Tuesday, February 13, 2018, 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.

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

**SECTION 1.** Upon application made by ERF Real Estate, Inc. ("Owner"), the Unified Development Code ("UDC") of the City of Corpus Christi, Texas ("City") is amended by changing the zoning on a property described as being a 5.512 acre tract out of Lot 4, Section 3, Bohemian Colony Lands, located on the northeast corner of Holly Road and Richter Street, west of Kostoryz Road, and east of Ayers Street (the "Property"), from the "RS-6" Single-Family 6 District to the "CN-1" Neighborhood Commercial District (Zoning Map No. 047037), as shown in Exhibits "A" and "B". Exhibit A, which is a metes and bounds description of the Property, and Exhibit B, which is a map to accompany the metes and bounds, are attached to and incorporated in this ordinance by reference as if fully set out herein in their entireties.

**SECTION 2.** The official UDC Zoning Map of the City is amended to reflect 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 City's 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 specifically pertaining to the zoning of the Property and that are in conflict with this ordinance are hereby expressly repealed.

**SECTION 6.** Publication shall be made in the City's official publication as required by the City's Charter.

That the foregoing ordinance was read for the first time and passed to its second reading on this the \_\_\_\_\_ day of \_\_\_\_\_, 2018, by the following vote:

Joe McComb	_____	Ben Molina	_____
Rudy Garza	_____	Lucy Rubio	_____
Paulette Guajardo	_____	Greg Smith	_____
Michael Hunter	_____	Carolyn Vaughn	_____
Debbie Lindsey-Opel	_____		

That the foregoing ordinance was read for the second time and passed finally on this the \_\_\_\_\_ day of \_\_\_\_\_, 2018, by the following vote:

Joe McComb	_____	Ben Molina	_____
Rudy Garza	_____	Lucy Rubio	_____
Paulette Guajardo	_____	Greg Smith	_____
Michael Hunter	_____	Carolyn Vaughn	_____
Debbie Lindsey-Opel	_____		

PASSED AND APPROVED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

ATTEST:

\_\_\_\_\_  
Rebecca Huerta  
City Secretary

\_\_\_\_\_  
Joe McComb  
Mayor

**STATE OF TEXAS  
COUNTY OF NUECES**

Field Notes of a 5.512 acre tract being out of Lot 4, Section 3, Bohemian Colony Lands, as shown on a map recorded in Volume A, Page 48, Map Records of Nueces County, Texas. Said 5.512 acre tract also being out of the 57.20 acre Rogerio & Esperanza tract, described in a deed recorded in Document No. 2000004410, Deed Records of Nueces County, Texas. Said 5.512 acre tract being more particularly described as follows:

**BEGINNING** at a 5/8" re-bar set in the intersection of the southeast right of way of Richter Street and the northeast right of way of Holly Road for the southwest corner of this survey.

**THENCE** with the common line of the northeast right of way of Holly Road and this survey, South  $61^{\circ}49'21''$  East, a distance of 790.42 feet to a 5/8" re-bar set for the southwest corner of Lot 1, Block 1, Vista Hermosa Subdivision Phase III, Volume 67, Page 519, Map Records of Nueces County, Texas, and for the southeast corner of this survey.

**THENCE** with the common line of said Lot 1, Block 1, Vista Hermosa Subdivision Phase III and this survey, North  $28^{\circ}07'30''$  East, a distance of 284.73 feet to a point in the southwest line of Lot 4, Block 1, Vista Hermosa Subdivision Phase I, as shown on a map recorded in Volume 66, Page 170, Map Records of Nueces County, Texas, for the northwest corner of said Lot 1, Block 1, Vista Hermosa Subdivision Phase III, and for the northeast corner of this survey, from **WHENCE** a 5/8" re-bar found in the northwest right of way of Santa Olivia Street, for the northeast corner of said Lot 1, Block 1, Vista Hermosa Subdivision Phase III, bears South  $61^{\circ}52'30''$  East, a distance of 200.02 feet.

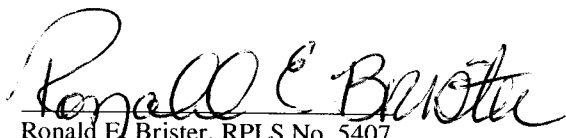
**THENCE** with the common line of said Vista Hermosa Subdivision Phase I and this survey, North  $61^{\circ}52'30''$  West, a distance of 787.87 feet to a 5/8" re-bar found in the southeast right of way of Richter Street, for the southwest corner of Lot 8, Block 2, Vista Hermosa Subdivision Phase I, and for the northwest corner of this survey.

**THENCE** with the common line of the southeast right of way of Richter Street and this survey, South  $28^{\circ}38'19''$  West, a distance of 284.02 feet to the **POINT of BEGINNING**, and containing 5.512 acres of land, more or less.

Notes:

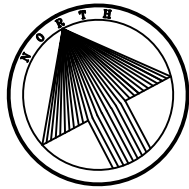
- 1.) Bearings are based on Global Positioning System NAD 83 (93) 4205 Datum.
- 2.) A Map of equal date accompanies this Metes and Bounds description.
- 3.) Set 5/8" re-bar = steel re-bar set with yellow plastic cap labeled Brister Surveying.

I, Ronald E. Brister do hereby certify that this survey of the property legally described herein was made on the ground this day October 10, 2017 and is correct to the best of my knowledge and belief.

  
Ronald E. Brister, RPLS No. 5407  
Date: October 10, 2017.



Job No. 171613



SCALE 1" = 50'

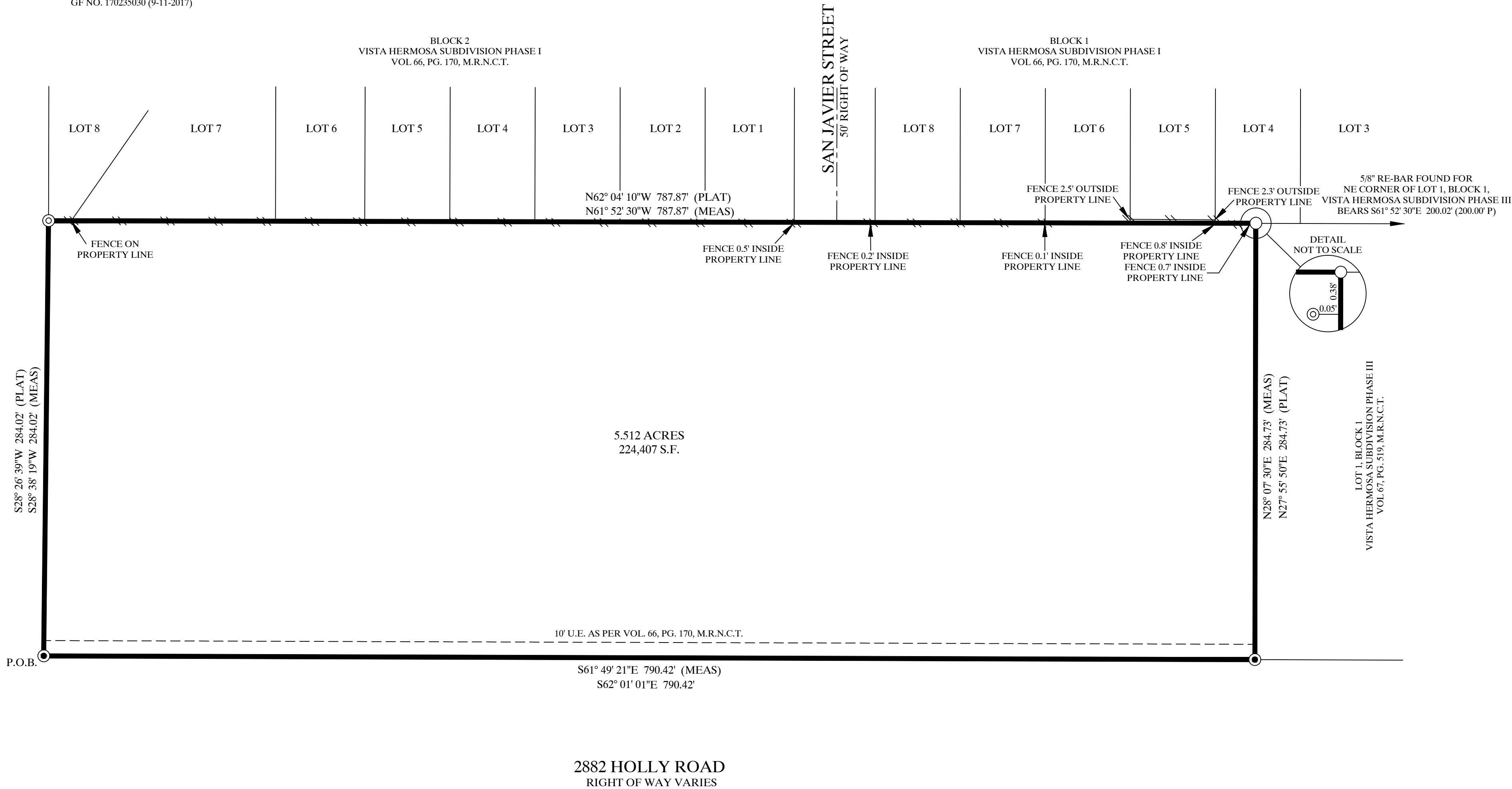
SURVEY OF  
A 5.512 ACRE TRACT BEING OUT OF LOT 4, SECTION 3, BOHEMIAN COLONY LANDS,  
AS SHOWN ON A MAP RECORDED IN VOLUME A, PAGE 48, MAP RECORDS OF  
NUECES COUNTY, TEXAS. SAID 5.512 ACRE TRACT ALSO BEING OUT OF THE 57.20  
ACRE ROGERIO & ESPERANZA TRACT, DESCRIBED IN A DEED RECORDED IN  
DOCUMENT NO. 2000004410, DEED RECORDS OF NUECES COUNTY, TEXAS.



**Brister Surveying**  
4455 South Padre Island Drive Suite 51  
Corpus Christi, Texas 78411  
Office 361-850-1800  
Fax 361-850-1802  
bristersurveying@corpus.twebc.com  
Firm Registration No. 10072800

BUYER: E R F REAL ESTATE, INC.

GF NO. 170235030 (9-11-2017)



SCHEDULE "B" ITEMS

- d) DOC NO. 491333 DOES NOT APPLY  
e) DOC NO. 553378 DOES NOT APPLY  
f) DOC NO. 553379 DOES NOT APPLY  
i) DOC NO. 2007026741 DOES NOT APPLY  
j) DOC NO. 2007026742 DOES NOT APPLY

- \\ = WOOD FENCE  
● = SET 5/8" RE-BAR  
⊙ = FOUND 5/8" RE-BAR  
○ = PROPERTY CORNER

NOTES:

- 1.) TOTAL SURVEYED AREA IS 5.512 ACRES.  
2.) MEASURED BEARINGS ARE BASED ON GLOBAL  
POSITIONING SYSTEM NAD 83 (93) 4205 DATUM.  
3.) SET 5/8" RE-BAR = STEEL RE-BAR SET WITH  
YELLOW PLASTIC CAP LABELED BRISTER SURVEYING.  
4.) A METES AND BOUNDS DESCRIPTION OF EQUAL  
DATE ACCOMPANIES THIS SURVEY.



THIS SURVEY DOES NOT INCLUDE THE  
RESEARCH, INVESTIGATION, OR LOCATIONS  
OF ALL SERVITUDES, EASEMENTS, RIGHT OF  
WAYS, OR UTILITIES ON THIS PROPERTY.

I, RONALD E. BRISTER DO HEREBY CERTIFY  
THAT THIS SURVEY OF THE PROPERTY  
LEGALLY DESCRIBED HEREIN WAS MADE ON  
THE GROUND THIS DAY OCTOBER 10, 2017  
AND IS CORRECT TO THE BEST OF MY  
KNOWLEDGE AND BELIEF.

*Ronald E. Brister*  
RONALD E. BRISTER R.P.L.S. NO. 5407

DATE OCTOBER 10, 2017

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY  
IS LOCATED WITHIN ZONE C AS DEFINED  
BY THE FEDERAL EMERGENCY MANAGEMENT  
MAPS, COMMUNITY PANEL 485464 0285 C  
DATED NON-PRINTED PANEL  
AND ☐ IS ☒ IS NOT LOCATED IN A DESIGNATED 100  
YEAR FLOOD ZONE

JOB NO. 171613