

Ordinance amending the Unified Development Code (“UDC”), upon application by Hayden Partners LLC (“Owner”), by changing the UDC Zoning Map in reference to Lot 2, Block 3, River Square Unit 1, from the “CG-2/SP” General Commercial District with a Special Permit for a warehouse use to the “CG-2/SP” General Commercial District with a modified Special Permit for a warehouse use; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

WHEREAS, Hayden Partners LLC (“Owner”) currently operates a warehouse use for a business named Hayden and Company under a Special Permit granted in 2006 as shown in Exhibit “A;”

WHEREAS, the Planning Commission has forwarded to the City Council its final report and recommendation regarding the Owner’s application 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, public hearings were held on Wednesday, January 28, 2015, during a meeting of the Planning Commission, and on Tuesday, February 24, 2015, 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 Hayden Partners LLC (“Owner”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on Lot 2, Block 3, River Square Unit 1, located along the north side of Interstate Highway 37 Access Road at the southeast corner of Turtle Creek Boulevard and River Run Boulevard (the “Property”), from the “CG-2/SP” General Commercial District with a Special Permit for a warehouse use to the “CG-2/SP” General Commercial District with a Special Permit for a warehouse use (Zoning Map No. 060049), as shown in Exhibits “B” and “C.” Exhibit “B,” which is a location map, and Exhibit “C” which is a site plan for the Property, are attached to and incorporated in this ordinance by reference as if fully set out herein in their entireties.

SECTION 2. The Special Permit granted in Section 1 of this ordinance is subject to the Owner meeting the requirements of Exhibit C and the following conditions:

1. **Permitted Uses:** The only uses authorized by this Special Permit other than those uses permitted by right in the “CG-2” General Commercial District are a warehouse area up to 6,500 square feet for Phase 2 and up to a total of 10,000 square feet of warehouse area for Phase 3 of the development.

2. **Architectural Standards**: Phase 1 warehouse buildings constructed on the lot shall have a masonry facade. Additional warehouse buildings located behind the six-foot screening fence are not required to comply with these architectural standards with a maximum eave height of 24 feet.
3. **Outside Storage**: The outside storage is allowed as an accessory use to the primary use located on the same premise and is limited to no more than 30 percent of the premise. All outside storage must be set back a minimum of 20 feet from any public right-of-way. No hazardous material will be stored in this area
4. **Location of Outdoor Storage**: Permitted outdoor storage shall not be located in the front yard or forward of any structure towards Interstate Highway 37.
5. **Lighting**: All outside lighting will be directed away from surrounding properties.
6. **Hours of Operation**: Hours of operation will be limited to 7 a.m. to 7 p.m.
7. **Screening**: A solid wooden screening fence with a height of not less than six feet must be used to screen the outside storage from view from surrounding public rights-of-way and properties. The outside storage shall not extend above the height of the screening fence, except that this limitation does not include machinery equipment. A chain-link fence with slats shall not be considered to be a solid screening fence.
8. **Landscaping**: In addition to compliance with UDC Section 7.3, Landscaping, the subject property shall include 5- gallon oleanders every five feet on center between the outside storage screening fence and the public right-of-way. All landscaping must be kept in a healthy and growing condition at all times.
9. **Landscape Screening**: Additional screening of the storage area is to include oak trees planted every 50 feet.
10. **Time Limit**: This Special Permit for the warehouse square footage authorized for Phase 2 shall expire one year after approval of this Special Permit unless a complete building permit application has been submitted for Phase 2. The Special Permit for the warehouse square footage authorized for Phase 3 shall expire eight years after approval of this Special Permit unless a complete building permit application has been submitted for Phase 3.

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.

The foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 20____, by the following vote:

Nelda Martinez	_____	Brian Rosas	_____
Rudy Garza	_____	Lucy Rubio	_____
Chad Magill	_____	Mark Scott	_____
Colleen McIntyre	_____	Carolyn Vaughn	_____
Lillian Riojas	_____		

The foregoing ordinance was read for the second time and passed finally on this the _____ day of _____, 20____, by the following vote:

Nelda Martinez	_____	Brian Rosas	_____
Rudy Garza	_____	Lucy Rubio	_____
Chad Magill	_____	Mark Scott	_____
Colleen McIntyre	_____	Carolyn Vaughn	_____
Lillian Riojas	_____		

PASSED AND APPROVED this the _____ day of _____, 20_____.

ATTEST:

Rebecca Huerta
City Secretary

Nelda Martinez
Mayor

AN ORDINANCE

AMENDING THE ZONING ORDINANCE, UPON APPLICATION BY THE DHS ENTERPRISES, BY CHANGING THE ZONING MAP IN REFERENCE TO RIVER SQUARE UNIT 1, LOT 2, BLOCK 3 (CURRENTLY ZONED "B-4" GENERAL BUSINESS DISTRICT) BY GRANTING A SPECIAL PERMIT, SUBJECT TO A SITE PLAN AND TEN (10) CONDITIONS; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; PROVIDING A PENALTY; 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 DHS Enterprises, for amendment to the City of Corpus Christi Zoning Ordinance and Zoning Map;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, May 31, 2006, during a meeting of the Planning Commission, and on Tuesday, June 27, 2006, during a meeting of the City Council, in the Council Chambers, at City Hall, in the City of Corpus Christi, 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 public health, necessity, and convenience and the 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. That the Zoning Ordinance of the City of Corpus Christi, Texas, is amended by granting a Special Permit, subject to a site plan and ten (10) conditions (currently zoned "B-4" General Business District), located along the northeast intersection of Interstate 37 Access Road and Turtle Creek Boulevard. (Map 060050)

SECTION 2. That the Special Permit granted in Section 1 of this Ordinance is subject to the following ten (10) conditions

1. **USES:** The only uses authorized by this Special Permit other than those uses permitted by right in the "B-4" General Business District are office warehouse uses, with a office area up to 1,500 square feet and warehouse area up to 3,500 square feet with a maximum eave height of 24 feet.
2. **ARCHITECTUAL STANDARDS:** Office/warehouse buildings constructed on the lot shall have a masonry façade.

3. **OUTSIDE STORAGE**: The outside storage allowed as an accessory use to the primary use located on the same premise and is limited to no more than 30 percent of the premise. All outside storage must be set back a minimum of 20 feet from any public right-of-way. No hazardous material will be stored in this area.
4. **LOCATION OF OUTDOOR STORAGE**: Permitted outdoor storage shall not be located in the front yard or forward of any structure towards I-37.
5. **LIGHTING**: All outside lighting will be directed away from surrounding properties.
6. **HOURS OF OPERATION**: Hours of operation will be limited to 7 a.m. to 7 p.m.
7. **SCREENING**: A solid wooden screening fence with a height of not less than six feet must be used to screen the outside storage from view from surrounding public rights-of-way and properties. The outside storage shall not extend above the height of the screening fence, except that this limitation does not include machinery equipment. A chain-link fence with slats shall not be considered to be a solid screening fence.
8. **LANDSCAPING**: In addition to compliance with Article 27B, Landscape Regulations, the subject property shall include 5-gallon oleanders every five feet on center between the outside storage screening fence and the public rights-of-way. All landscaping must be kept in a healthy and growing condition at all times.
9. **LANDSCAPE SCREENING**: Additional screening of the storage area is to include oak trees planted every 50 feet.
10. **TIME LIMIT**: This Special Permit shall be deemed to have expired within two (2) years from the date of this ordinance unless the property is being used as outlined in condition #1 and in compliance with all other conditions and City rules and regulations.

SECTION 3. That the official Zoning Map of the City of Corpus Christi, Texas, is amended to reflect the amendment to the Zoning Ordinance made by Section 1 of this ordinance.

SECTION 4. That the Zoning Ordinance and Zoning Map of the City of Corpus Christi, Texas, approved on the 27th day of August, 1937, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

SECTION 5. That to the extent that this amendment to the Zoning Ordinance represents a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the Zoning Ordinance, as amended by this ordinance.

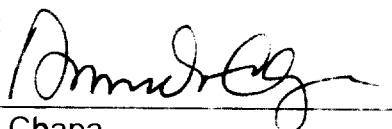
SECTION 6. That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

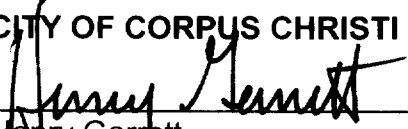
SECTION 7. A violation of this ordinance or requirements implemented under this ordinance constitutes an offense punishable under Section 1-6 of the City Code of Ordinances.

SECTION 8. That 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 9. That 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 27th day of June, 2006.

ATTEST:


Armando Chapa
City Secretary

CITY OF CORPUS CHRISTI

Henry Garrett.
Mayor, City of Corpus Christi

APPROVED: June 13, 2006


Gary W. Smith
Assistant City Attorney
For City Attorney

EFFECTIVE DATE
7/3/06

Corpus Christi, Texas

27th day of June, 2006

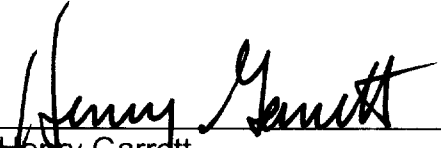
TO THE MEMBERS OF THE CITY COUNCIL

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,



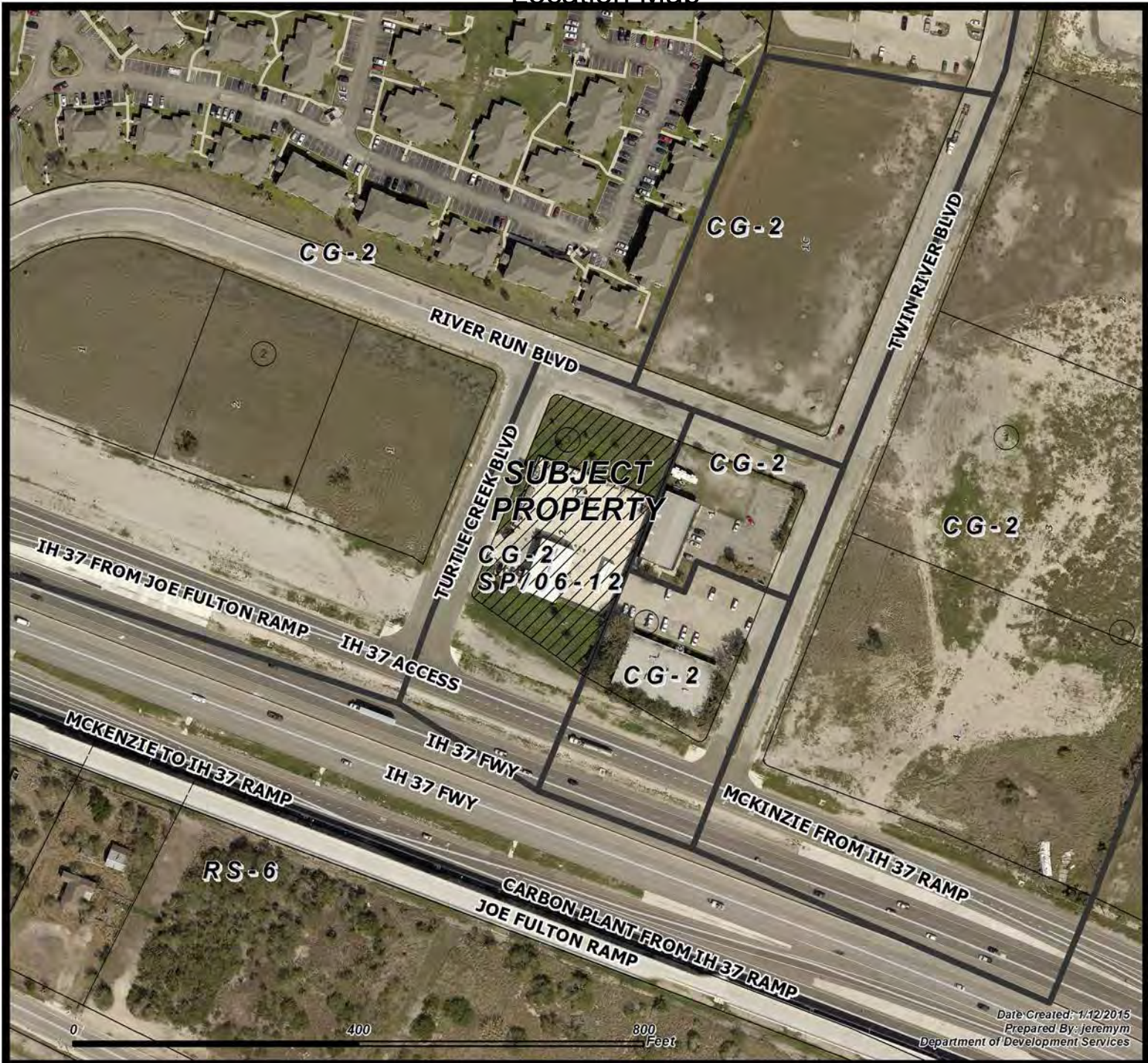
Henry Garrett
Mayor, City of Corpus Christi

Council Members

The above ordinance was passed by the following vote:


Henry Garrett	<u>Yes</u>
Brent Chesney	<u>Yes</u>
John Marez	<u>Yes</u>
Jerry Garcia	<u>Yes</u>
William Kelly	<u>Yes</u>
Rex A. Kinnison	<u>Yes</u>
Melody Cooper	<u>Yes</u>
Jesse Noyola	<u>Yes</u>
Mark Scott	<u>Yes</u>

Location Map



CASE: 0115-05

2013 Aerial

 Subject Property

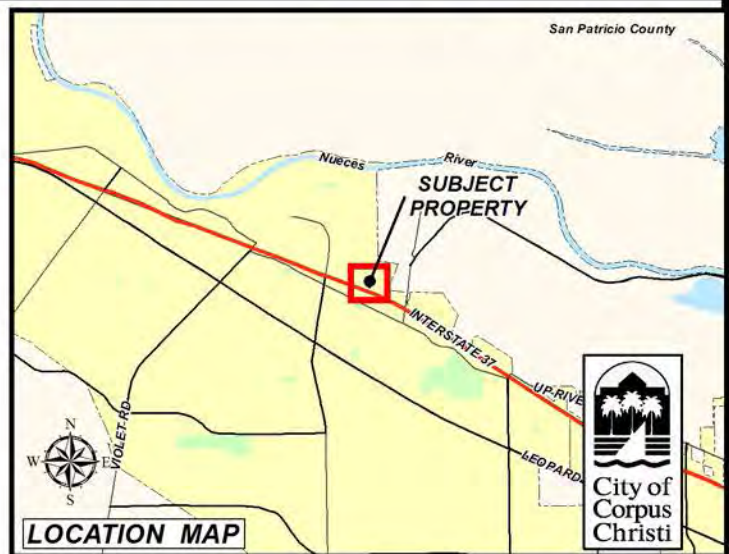
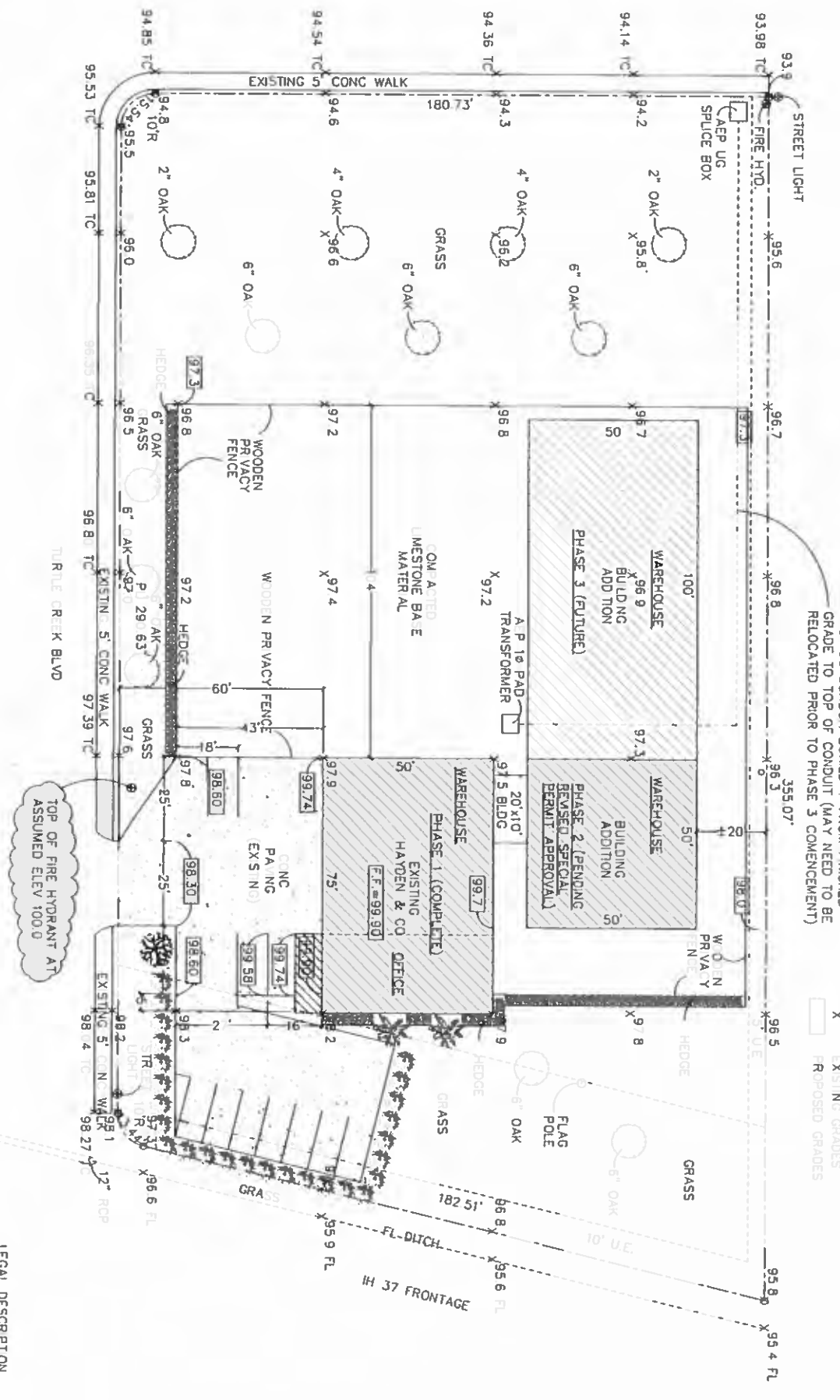
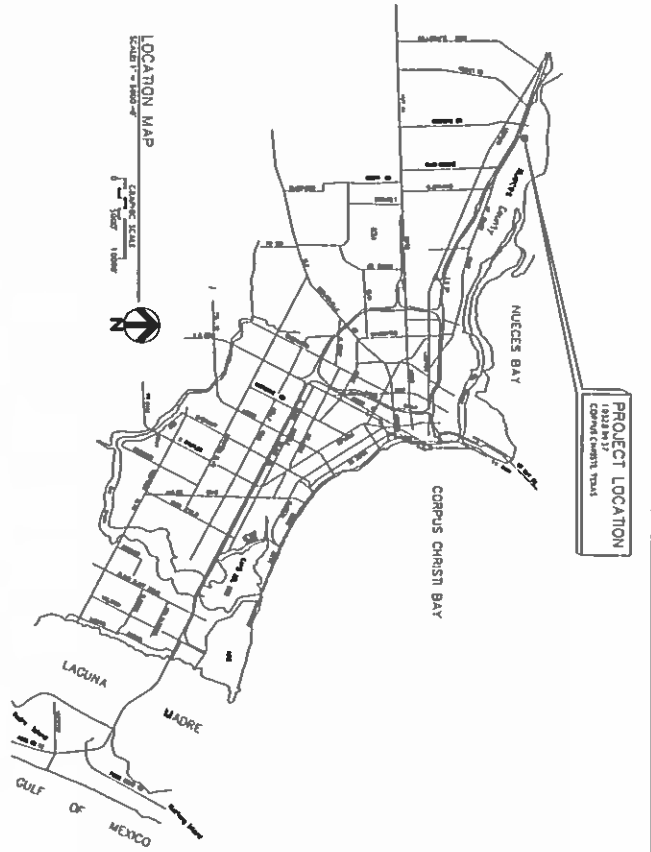


Exhibit B

Site Plan



CODE ANALYSIS		SECTION/TABLE
I. OCCUPANCY GROUP	S-2 LOW HAZARD	SEC. 306.3
II. CONSTRUCTION TYPE	TYPE (II) B - UNPROTECTED	SEC. 602.2
III. ALLOWABLE AREA	GROUP S-2 - 26,000 S.F. PROPOSED - 5,200 S.F.	TABLE 503
IV. FIRE RESISTANCE RATING	0 HOURS, ALL BLDG. ELEMENTS	TABLE 601
V. FIRE RESISTANCE RATING BASED ON SEPARATION	10 FT. $5 \times 5 \times 30$ FT. TYPE (II) B = 0	TABLE 602

LEGAL DESCRIPTION
LOT 2, BLOCK 3
THE RIVER SQUARE
10328 I.H. 37
CORPUS CHRISTI, TEXAS

GENERAL CONTRACTOR
DICKSON BUILDERS, INC.
11401 LEOPARD ST
CORPUS CHRISTI, TEXAS
(361) 241-4292

STRUCTURAL ENGINEER
NAISMITH ENGINEERING
4501 GOLLHAR
CORPUS CHRISTI, TEXAS
(361) 814-9900

SITE PLAN 1

<p>DRAWN JC</p> <p>CHECKED N</p> <p>DATE 23 SEP 2014</p> <p>SCALE AS NOTED</p>	<p>Hayden & Company 10328 I.H. 37 Corpus Christi, Texas 78410</p>	<p>DICKSON BUILDERS, INC. 11401 Leopard Street Corpus Christi, Texas 78410 (361) 241-4292</p>
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Exhibit C