

Ordinance amending the Unified Development Code (“UDC”), upon application by Benjamin Bearden and Karri Davis, (“Owners”), by changing the UDC Zoning Map in reference to a 1.62-acre tract of land out of the original 58.07-acre F.J. Picha Tract, from the “FR” Farm-Rural District to the “RE” Residential Estate District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

WHEREAS, the Planning Commission has forwarded to the City Council its final report and recommendation regarding the application of Benjamin Bearden and Karri Davis, (“Owners”), 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, November 5, 2014, during a meeting of the Planning Commission, and on December 9, 2014, 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 Benjamin Bearden and Karri Davis, (“Owners”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on a 1.62-acre tract of land out of the original 58.07-acre F.J. Picha Tract, located on the east side of Rand Morgan Road between Goodnight Loving Trail and McNorton Road, (the “Property”), from the “FR” Farm-Rural District to the “RE” Residential Estate District (Zoning Map No. 058046), 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.

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	_____	Chad Magill	_____
Kelley Allen	_____	Colleen McIntyre	_____
Rudy Garza	_____	Lillian Riojas	_____
Priscilla Leal	_____	Mark Scott	_____
David Loeb	_____		

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

Nelda Martinez	_____	Chad Magill	_____
Kelley Allen	_____	Colleen McIntyre	_____
Rudy Garza	_____	Lillian Riojas	_____
Priscilla Leal	_____	Mark Scott	_____
David Loeb	_____		

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

ATTEST:

City Secretary
Rebecca Huerta

Nelda Martinez
Mayor

**LEGAL DESCRIPTION
1.62 ACRE TRACT**

EXHIBIT "A"

BEING a 1.62 acre tract out of the original 58.07 acre F. J. Picha Tract, described in Volume 326, Page 87, Deed Records, Nueces County, Texas, said 1.62 acre tract being the same tract described in Document Number 2014019930, Deed Records, Nueces County Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found for the northwest corner of said 1.62 acre tract, same being the southwest corner of a 1.615 acre tract, as recorded in Volume 1912, Page 901, Deed Records, Nueces County, Texas and lying on the east right-of-way of Rand Morgan Road.

THENCE North 89°17'34" East, along the north line of said 1.62 acre tract, a distance of 423.28 feet to a 5/8 inch iron rod found for the southeast corner of said 1.615 acre tract, same being the northeast corner of the herein described tract;

THENCE South 00°42'26" East, with the east line of said 1.62 acre tract, same being the west line of a 25.628 acre tract, as recorded in Document Number 2010036915, Deed Records, Nueces County, Texas, a distance of 166.24 feet to a calculated point, from which a found 5/8 inch iron rod bears South 51°35'54" West, a distance of 0.51 feet, said calculated point being the southeast corner of the herein described tract;

THENCE South 89°17'34" West, with the south line of said 1.62 acre tract, a distance of 422.98 feet to a 5/8 inch iron rod found for the northwest corner of said 1.615 acre tract, same being a point on the east right-of-way of Rand Morgan Road, and being the southwest corner of the herein described tract;

THENCE North 00°48'38" West, with the east right-of-way of Rand Morgan Road, same being the west line of said 1.62 acre tract, a distance of 166.24 feet to the **POINT OF BEGINNING** and containing 1.62 acres.

NOTE:

ALL BEARINGS ARE GRID BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM FOR THE LAMBERT SOUTH ZONE NAD 1983 (CORS2011) EPOCH 2010.

Stacey King Mora

**Stacey King Mora, RPLS
Registered Professional Land Surveyor
Texas Registration No. 6166
Naismith Engineering, Inc.**



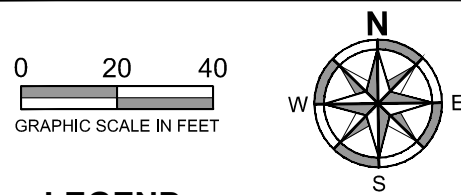
TBPE F#355 TBPLS F# 100395-00

Date: September 24, 2014

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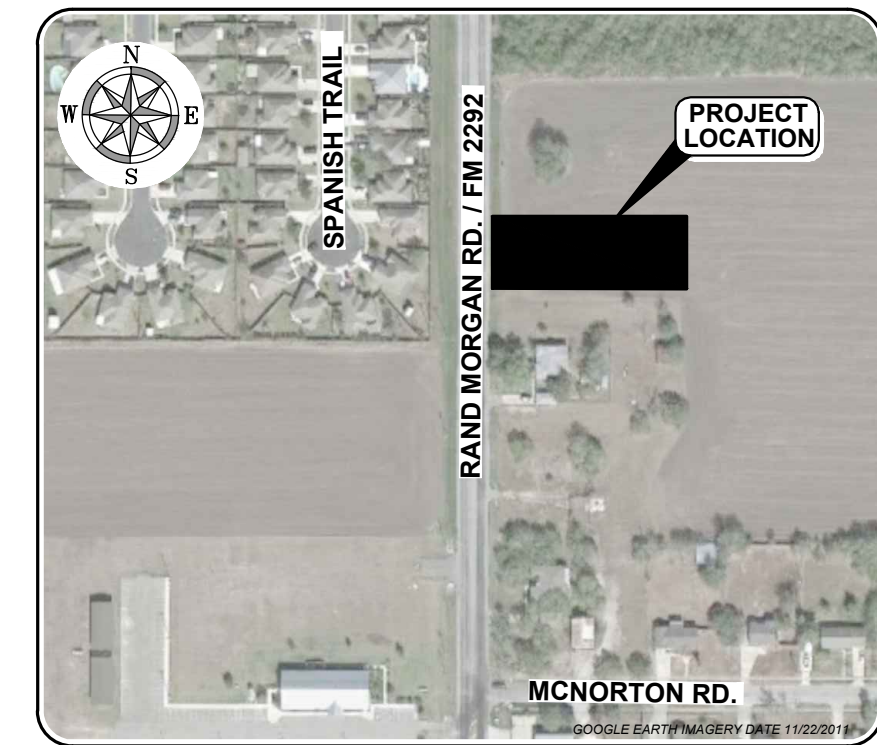
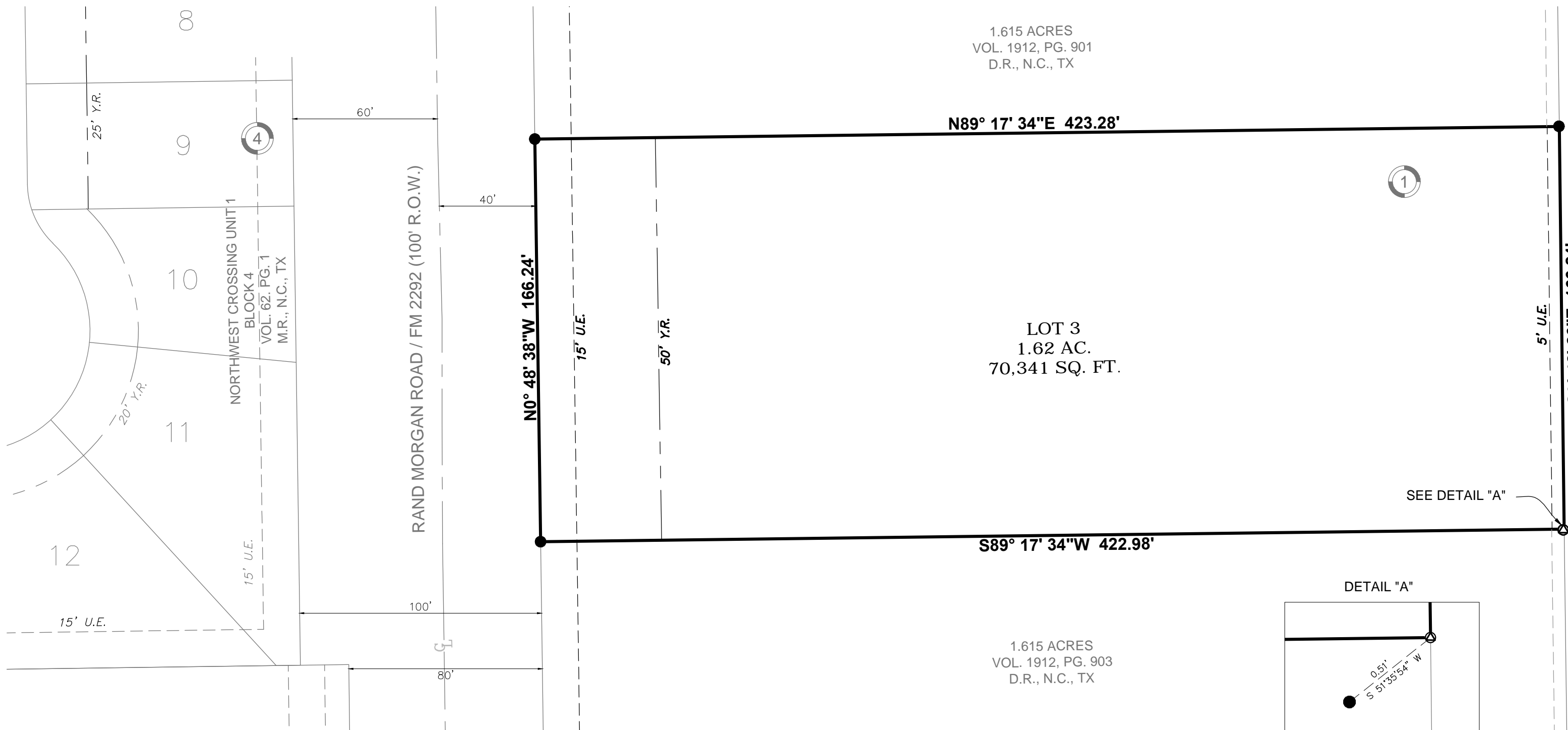
PLAT OF BEARDEN - DAVIS

BEING A REPLAT OF 1.62 ACRES, BLOCK 1, LOT 3, OUT OF THE ORIGINAL 58.07 ACRE F. J. PICHA TRACT DESCRIBED IN DEED OF RECORD IN VOLUME 326, PAGE 88, DEED RECORDS, NUECES COUNTY, TEXAS, AND BEING THE SAME TRACT AS DESCRIBED IN DOCUMENT NUMBER 2014019930, DEED RECORDS, NUECES COUNTY, TEXAS.



LEGEND

- IRON ROD FOUND
- BLOCK SYMBOL
- CALCULATED POINT
- PROPERTY LINE
- - - UTILITY EASEMENT - U.E.
- · - · - YARD REQUIREMENT - Y.R.
- - - ROAD CENTERLINE - c
- M.R. MAP RECORDS
- M.R., N.C., TX. DENOTES MAP RECORDS NUECES COUNTY, TEXAS
- D.R., N.C., TX. DENOTES DEED RECORDS NUECES COUNTY, TEXAS
- O.P.R., N.C., TX. DENOTES OFFICIAL PUBLIC RECORDS NUECES COUNTY, TEXAS

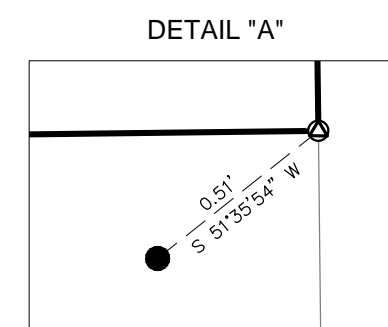


LOCATION MAP
NOT TO SCALE

GENERAL NOTES

1. TOTAL PLATTED AREA CONTAINS 1.62 ACRES OF LAND.
2. ALL BEARINGS ARE GRID BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM FOR THE LAMBERT SOUTH ZONE (NAD 1983).
3. THE YARD REQUIREMENT AS DEPICTED, IS A REQUIREMENT OF THE UNIFIED DEVELOPMENT CODE AND IS SUBJECT TO CHANGE AS THE ZONING MAY CHANGE.
4. RECEIVING WATERS:
THE RECEIVING WATER FOR THE STORM WATER RUNOFF FROM THIS PROPERTY IS THE OSO CREEK. THE TCEQ HAS NOT CLASSIFIED THE AQUATIC LIFE USE FOR THE OSO CREEK, BUT IT IS RECOGNIZED AS AN ENVIRONMENTALLY SENSITIVE AREA. THE OSO CREEK FLOWS DIRECTLY INTO THE OSO BAY. THE TCEQ HAS CLASSIFIED THE AQUATIC LIFE USE FOR THE OSO BAY AS "EXCEPTIONAL" AND "OYSTER WATERS" AND CATEGORIZED THE RECEIVING WATER AS "CONTACT RECREATION" USE.
5. FEMA INFORMATION:
PLOTTING THE PROPERTY BY SCALE ON FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NO. 485464 0133 C MAP, INDICATES THE PROPERTY IS LOCATED IN FLOOD ZONE C, DEFINED AS AREA OF MINIMAL FLOODING.

NOTE: PROPERTY MUST COMPLY WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) TRAFFIC ACCESS MANAGEMENT PLAN.



STATE OF TEXAS
COUNTY OF NUECES

_____ does hereby certify that he is the owner of the lands embraced within the boundaries of the foregoing map; the easements shown hereon are hereby dedicated to the public for the installation, operation and maintenance of public utilities.

This the _____ day of _____, 2014.

By: _____
Benjamin Bearden, Owner Karri Davis, Owner

STATE OF TEXAS
COUNTY OF NUECES

This instrument was acknowledged before me by _____, proven to me to be the person whose signature is made on the foregoing instrument of writing, and he acknowledged to me that he executed the same for the purpose and considerations therein expressed and in the capacity stated.

Given under my hand and seal of office, this the _____ day of _____, 2014.

Notary Public

STATE OF TEXAS
COUNTY OF NUECES

I, Stacey King Mora, Registered Professional Land Surveyor, hereby certify that this survey map was prepared from an actual on the ground survey made under my direction and supervision, and represents the facts found at the time of survey, and that this survey substantially complies with the current standards adopted by the Texas Board of Professional Land Surveying.

Stacey King Mora
Registered Professional Land Surveyor
Texas Registration No. 6166

Naismith Engineering, Inc.

Date: _____

STATE OF TEXAS
COUNTY OF NUECES

This plat of Bearden-Davis, approved by the Department of Development Services of the City of Corpus Christi, Texas, this the _____ day of _____, 20 14.

Temple Williamson, P.E.
Development Services Engineer

STATE OF TEXAS
COUNTY OF NUECES

This plat of Bearden-Davis, approved by the Planning Commission on the behalf of the City of Corpus Christi, Texas, this the _____ day of _____, 20 14.

Philip J. Ramirez, AIA, LEED-AP
Chairman

Daniel M. Grimsbo, P.E., A.I.C.P.
Secretary

STATE OF TEXAS
COUNTY OF NUECES

I, Diana T. Barrera, Clerk of the County Court in and for said Nueces County, Texas, hereby certify that the foregoing instrument of the plat of Bearden-Davis, dated the _____ day of _____, 2014, with its certificate of authentication was filed for record in my office this the _____ day of _____, 2014, at _____ o'clock __.M. and duly recorded in Volume _____, Page _____, Map Records of Nueces County, Texas.

Witness my hand and seal of said office in Corpus Christi, Texas, this the _____ day of _____, 2014.

No. _____
Filed for record
At _____ o'clock __.M.
_____, 2014.

Diana T. Barrera
County Clerk
Nueces County, Texas

By: _____
Deputy

PLAT OF BEARDEN - DAVIS

BEING A REPLAT OF 1.62 ACRES OUT OF THE ORIGINAL 58.07 ACRE F. J. PICHA TRACT DESCRIBED IN DEED OF RECORD IN VOLUME 326, PAGE 88, D.R., N.C., TEXAS, AND BEING THE SAME TRACT AS DESCRIBED IN DOCUMENT NUMBER 2014019930, D.R., N.C., TEXAS.

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ENGINEER/SURVEYOR:
CRAIG B. THOMPSON, P.E.
PHONE: 361-814-9900 FAX: 361-814-4401
ENGINEER/SURVEYOR EMAIL:
C.Thompson@naismith-engineering.com
DRAWN BY: J.A. SKM CHECKED BY: APPROVED BY:
DATE: 07/20/14 SURVEY DATE:
DATE: 07/20/14