

Ordinance amending the Unified Development Code (“UDC”), upon application by Bruce Callaway (“Owner”), by changing the UDC Zoning Map in reference to a 2.95 acre tract of land being the Easterly 205 feet of Lot Two (2), W. C. Lowery Park, from the “RS-6” Single-Family 6 District to the “CN-1/SP” Neighborhood Commercial District with a Special Permit; 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 Bruce Callaway (“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, public hearings were held on Wednesday, May 3, 2017, during a meeting of the Planning Commission when the Planning Commission recommended approval of the change of zoning from the “RS-6” Single-Family 6 District to the “CN-1/SP” Neighborhood Commercial District with a Special Permit, and on Tuesday, October 10, 2017, during a meeting of the City Council, during which all interested persons were allowed to appear and be heard;

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 by Bruce Callaway (“Owner”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on a 2.95 acre tract of land being the Easterly 205 feet of Lot Two (2), W. C. Lowery Park, located along the south side of Gollihar Road at the intersection with Kasper Street, east of Carroll Lane, and west of Weber Road (the “Property”), from the “RS-6” Single-Family 6 District to “CN-1/SP” Neighborhood Commercial District with a Special Permit (Zoning Map No. 045038), as shown in Exhibits “A”, “B”, and “C”, which is a metes and bounds description of the Property, Exhibit B, which is a map to accompany the metes and bounds, 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 entities.

SECTION 2. The Special Permit granted in Section 1 of this ordinance is subject to the Owner following the conditions listed below:

1. **Use:** The only use allowed on the Property other than uses permitted in the base zoning districts is a mini-storage facility.
2. **Hours of Operation:** The hours of operation shall be limited from 7:00 AM to 10:00 PM. Activity within the mini-storage facility, except for routine employee activity, shall

cease after 10:00 PM. A gated entry and security monitors for the mini-storage facility are required to be installed, remain in place, and maintained.

3. **Lighting:** All security lighting must be shielded and directed away from abutting residences, athletic fields, parks, and nearby streets. Cut-off shields are required for all lighting. No light projection is permitted beyond the property line near all public roadways, athletic fields, parks, and residential development.
4. **Buffer Yard:** A 15-foot wide buffer yard and 15 buffer yard points shall be required along the property boundaries adjacent to residential zoning districts. Canopy trees of 2.5-inch caliper shall be planted every 30 feet on center within the buffer yard.
5. **Vehicular Access:** No vehicular access to or from Kasper Street.
6. **Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, and Building and Fire Code Requirements.
7. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within twelve (12) months of this ordinance, unless a complete building permit application has been submitted, and the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

SECTION 3. The official UDC Zoning Map of the City is amended to reflect changes made to the UDC by Section 1 of this ordinance.

SECTION 4. 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 5. 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 6. 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 7. 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 _____, 2017, 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 _____, 2017, 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 _____, 2017.

ATTEST:

Rebecca Huerta
City Secretary

Joe McComb
Mayor

East 205 feet of Lot W. C. Lowery Park,
March 22, 2017

STATE OF TEXAS
COUNTY OF NUECES

FIELDNOTE DESCRIPTION of a 2.95 acre tract of land being the Easterly 205 feet of Lot Two (2), W. C. Lowery Park, a Subdivision of Corpus Christi, Nueces County, Texas as shown by map recorded in Volume 35, Page 51 of the Map Records of Nueces County, Texas; said 2.95 acre tract of land being more particularly described by metes and bounds as follows:

Commencing: At a 5/8" iron rod set in the Southerly right-of-way line of Gollihar Road for the Northeast corner of said Lot 2, W. C. Lowery Park for the POINT OF BEGINNING, the Northeast corner of this 2.95 acre tract of land; whence a 5/8" iron rod found for the Northwesterly corner of said Lot 2, W. C. Lowery Park, being the intersection of the South right-of-way line of Gollihar Road and the East right-of-way line of Kasper Street, bears N 61° 47' 00" W, a distance of 436.72 feet;

Thence: S 28° 17' 54" W, with the Easterly line of said Lot 2, W. C. Lowery Park, a distance of 627.86 feet to a 5/8" iron rod set for the Northeast corner of Lot 1 and the Southeast corner of Lot 2, W. C. Lowery Park, for the Southeast corner of this 2.95 acre tract of land;

Thence: N 61° 47' 00" W, with the common line of said Lots 1 and 2, W. C. Lowery Park, a distance of 205.00 feet to a 5/8" iron rod set for the Southwest corner of this 2.95 acre tract of land;

Thence: N 28° 17' 54" E, across said Lot 2, W. C. Lowery Park, parallel with and 205 feet Westerly of the Easterly line of said Lot 2, a distance of 627.86 feet to 5/8" iron rod set on the Northerly line of said Lot 2 and the Southerly right-of-way line of Gollihar Road for the Northwest corner of this 2.95 acre tract of land;

Thence: S 61° 47' 00" E, with the South right-of-way line of Gollihar Road and with the North line of Lot 2, W. C. Lowery Park, a distance of 205.00 feet to the POINT OF BEGINNING, containing 2.95 acre, more or less.



Horacio Oliveira, RPLS# 1415



