

Zoning Case No. 0523-01 WinnCo Investments, LLC (District 3). Ordinance rezoning property at or near 6302 Old Brownsville Road from the “FR” Farm Rural District to the “R-MH” Manufactured Home District; Providing for a penalty not to exceed \$2,000 and publication (Planning Commission and Staff Recommend approval).

WHEREAS, with proper notice to the public, a public hearing was held during a meeting of the Planning Commission during which all interested persons were allowed to appear and be heard;

WHEREAS, the Planning Commission has forwarded to the City Council its final report and recommendation regarding the 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, a public hearing was held 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 rezoning is not detrimental to the public health, safety, or general welfare of the City of Corpus Christi and its citizens; and

WHEREAS, the City Council finds that this rezoning will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Corpus Christi.

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

SECTION 1. The Unified Development Code (“UDC”) and corresponding UDC Zoning Map of the City of Corpus Christi, Texas is amended by changing the zoning on the subject property being 79.42 acres out of Tracts 3 and 4, Kelly Margaret, Land Assessors Map 149, as described in Exhibit “A” and shown in Exhibit “B”:

From the **“FR” Farm Rural District** to the **“R-MH” Manufactured Home District**.

The subject property is located at or near **6302 Old Brownsville Road**. Exhibit A, a metes and bounds description, and Exhibit “B”, an associated map, are attached to and incorporated in this ordinance.

SECTION 2. 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 including the penalties for violations as made and provided for in Article 10 of the UDC.

SECTION 3. 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 4. All ordinances or parts of ordinances specifically pertaining to the zoning of the subject property that are in conflict with this ordinance are hereby expressly repealed.

SECTION 5. A violation of this ordinance, or requirements implemented under this ordinance, constitutes an offense punishable by a fine not to exceed \$2,000.00 for each offense; as provided in Article 1, Section 1.10.1 of the UDC, Article 10 of the UDC, and/or Section 1-6 of the Corpus Christi Code of Ordinances.

SECTION 6. 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 7. This ordinance shall become effective upon publication.

That the foregoing ordinance was read for the first time and passed to its second reading on this the ____ day of _____, 2023, by the following vote:

Paulette Guajardo _____

Jim Klein _____

Roland Barrera _____

Mike Pusley _____

Sylvia Campos _____

Everett Roy _____

Gil Hernandez _____

Dan Suckley _____

Michael Hunter _____

That the foregoing ordinance was read for the second time and passed finally on this the ____ day of _____, 2023, by the following vote:

Paulette Guajardo _____

Jim Klein _____

Roland Barrera _____

Mike Pusley _____

Sylvia Campos _____

Everett Roy _____

Gil Hernandez _____

Dan Suckley _____

Michael Hunter _____

PASSED AND APPROVED on this the ____ day of _____, 2023.

ATTEST:

Rebecca Huerta
City Secretary

Paulette Guajardo
Mayor

EXHIBIT A

STATE OF TEXAS
COUNTY OF NUECES

EXHIBIT _____

Field notes of a 74.942 acre tract, for rezoning purpose only, being out of a 95.361 acre tract described in a deed recorded in Document No. 2022054513, Official Records Nueces County, Texas. Said 95.361 acre tract being out of Tracts 3 & 4 of the "Margaret Kelly Land" as shown on the plat recorded in Volume 8, Page 40, Map Records Nueces County, Texas. Said 74.942 acre tract being more particularly described as follows:

COMMENCING at a 5/8" re-bar found in the north right of way of Farm to Market 665 (a.k.a. Old Brownsville Road), for the southeast corner of the Michael McDonough 14.89 acre tract described in a deed recorded in Document No. 2004027432, Deed Records Nueces County, Texas, and for the southwest corner of said 95.361 acres tract, from **WHENCE** a bent 5/8" re-bar found in the north right of way of Farm to Market 665, and for the southwest corner of the Dan McDonough 15.62 acre tract described in a deed recorded in Document No. 2004027430, Deed Records Nueces County, Texas, bears South 69°12'03" West, at a distance of approximately 430 feet pass the intersection of the north right of way of Farm to Market 665, and the center of Farm to Market 357 (a.k.a. Saratoga Boulevard), and in all a total distance of 2,526.28 feet; **THENCE** with the common line of the north right of way of Farm to Market 665 and said 95.361 acre tract, North 69°05'56" East, a distance of 356.62 feet to a 5/8" re-bar set for an outside corner of said 95.361 acre tract and for the point of curvature of a curve to the left with a radius of 3,731.42 feet, **THENCE** with the common curve of said 95.361 acre tract and the north right of way of Farm to Market 665 a chord bearing, North 67°16'45" East, a chord distance of 237.27 feet, and a total curve distance of 237.37 feet to a point in the common curve of said 95.361 acre tract and the north right of way of Farm to Market 665, for the southwest corner of this exhibit, and for the **POINT of BEGINNING**.

THENCE North 44°57'38" West, a distance of 810.16 feet to a point in the common line of the Michael McDonough 14.89 acre tract described in a deed recorded in Document No. 2004027432, Deed Records Nueces County, Texas and of said 95.361 acre tract, and for an outside corner of this exhibit.

THENCE with the common line of said 14.89 acre tract, said 95.361 acre tract, and this exhibit, North 01°28'48" West, a distance of 102.31 feet to a 5/8" re-bar set for the northeast corner of said 14.89 acre tract and for a common inside corner of said 95.361 acre tract and this exhibit.

THENCE with the common line of said 14.89 acre tract, said 95.361 acre tract, and this exhibit, South 88°33'58" West, a distance of 97.09 feet to a point in the common line of said 14.89 acre tract and said 95.361 acre tract, and for an outside corner of this exhibit, from **WHENCE** a 5/8" re-bar set for the upper southwest corner of said 95.361 acre tract bears, South 88°33'58" West, a distance of 1,124.20 feet.

THENCE North 44°57'38" West, a distance of 750.84 feet to a point for an outside corner of this exhibit.

THENCE North 44°06'43" West, a distance of 885.34 feet to a point in the common line of said 95.361 acre tract and of the Blue Cactus Properties, LLC 61.35 acre tract described in a deed recorded in Document No. 2018047250, Deed Records of Nueces County, Texas, and for an outside corner of this exhibit.

THENCE with the common line of said 61.35 acre tract, said 95.361 acre tract, and this exhibit, North 01°06'02" West, a distance of 1,246.81 feet to a 5/8" re-bar set in the south line of the City of Corpus Christi 71.64 acre tract described in a deed recorded in Document No. 2000007660, Deed Records Nueces County, Texas, for the northeast corner of the Katherine Cecelia Demott 91.33 acre tract out of Tracts 3 & 4, of said "Margaret Kelly Land", and for the common northwest corner of said 95.361 acre tract and this exhibit.

THENCE with the common line of said 71.64 acre tract, said 95.361 acre tract, and this exhibit, North 88°33'32" East, a distance of 297.53 feet to a 5/8" re-bar set in the south line of said City of Corpus Christi 71.64 acre tract, for the northwest corner of the Sheila Clare B. Amen 94.65 acre tract described in a deed recorded in Document No. 2007050708, Deed Records Nueces County, Texas, and for the common northeast corner of said 95.361 acre tract and this exhibit.

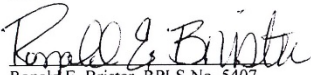
THENCE with the common line of said 94.65 acre tract, said 95.361 acre tract, and this exhibit, South 42°27'26" East, a distance of 3,501.64 feet to a 5/8" re-bar found in the north right of way of Farm to Market 665, for the point of curvature of a curve to the right with a radius of 3,731.42 feet, for the southwest corner of said Amen 94.65 acre tract, and for the common southeast corner of said 95.361 acre tract and this exhibit.

THENCE with the common curve to the right of the north right of way of Farm to Market 665, of said 95.361 acre tract, and this exhibit, a chord bearing, South 58°01'53" West, a chord distance of 964.52 feet and a total curve distance of 967.22 feet to the **POINT of BEGINNING** of this exhibit, and containing 74.942 acres of land, more or less.

Notes:

- 1.) Bearings are based on Global Positioning System NAD 83 (93) 4205 Datum.
- 2.) Set 5/8" re-bar = steel re-bar set with yellow plastic cap labeled Brister Surveying.
- 3.) This exhibit is for rezoning purpose only.

I, Ronald E. Brister do hereby certify that this exhibit of the property legally described herein was made on the ground this day September 21, 2022 and is correct to the best of my knowledge and belief.



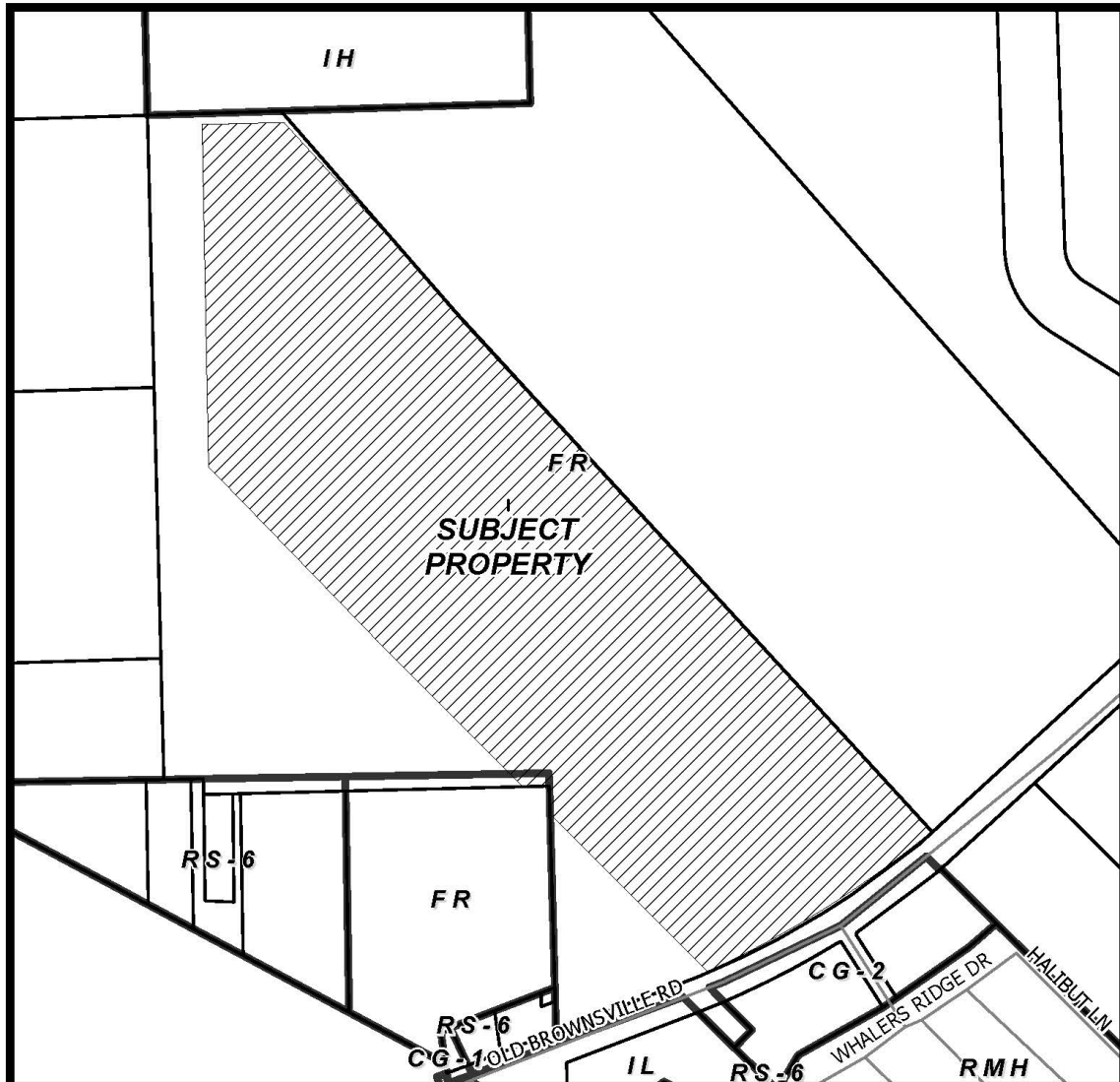
Ronald E. Brister, RPLS No. 5407

Date: June 12, 2023.



Job No. 231241 - D

EXHIBIT B



CASE: 0523-01 SUBJECT PROPERTY WITH ZONING



A-1 Apartment House District	I-1 Limited Industrial District
A-1A Apartment House District	I-2 Light Industrial District
A-2 Apartment House District	I-3 Heavy Industrial District
AB Professional Office District	PUD Planned Unit Development
AT Apartment-Tourist District	R-1A One Family Dwelling District
B-1 Neighborhood Business District	R-1B One Family Dwelling District
B-1A Neighborhood Business District	R-1C One Family Dwelling District
B-2 Bayfront Business District	R-2 Multiple Dwelling District
B-2A Barrier Island Business District	RA One Family Dwelling District
B-3 Business District	RE Residential Estate District
B-4 General Business District	R-TH Townhouse Dwelling District
B-5 Primary Business District	SP Special Permit
B-6 Primary Business Core District	T-1A Travel Trailer Park District
BD Corpus Christi Beach Design Dist.	T-1B Manufactured Home Park District
F-R Farm Rural District	T-1C Manufactured Home Subdivision District
HC Historical-Cultural Landmark Preservation	

