

**Ordinance amending the Unified Development Code (“UDC”) upon application by Palm Land Investment, Inc. (“Owner”), by changing the UDC Zoning Map in reference to a 60.54-acre tract of land out of Lots 5A, 6A, 7A, 9, 10, and 11, Section 26, Flour Bluff and Encinal Farm and Garden Tracts, from the “FR” Farm Rural District, “RS-6” Single-Family 6 District, and “RS-10” Single-Family 10 District to the “RS-4.5” Single-Family 4.5 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 Palm Land Investment, 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, public hearings were held on Wednesday, April 24, 2013, during a meeting of the Planning Commission, and on Tuesday, May 28, 2013, 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 Palm Land Investment, Inc. (“Owner”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on a 60.54-acre tract of land out of Lots 5A, 6A, 7A, 9, 10, and 11, Section 26, Flour Bluff and Encinal Farm and Garden Tracts (the “Property”), located east of Quail Creek Drive and at the east ends of Oso Parkway and Brooke Road, from the “FR” Farm Rural District, “RS-6” Single-Family 6 District, and “RS-10” Single-Family 10 District to the “RS-4.5” Single-Family 4.5 District (Zoning Map Nos. 040031 & 041031), 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 description, 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 (60.54-acre tract of land out of Lots 5A, 6A, 7A, 9, 10, and 11, Section 26, Flour Bluff and Encinal Farm and Garden Tracts) and that are in conflict with this ordinance are hereby expressly repealed.

**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.

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:

\_\_\_\_\_  
Armando Chapa  
City Secretary

\_\_\_\_\_  
Nelda Martinez  
Mayor

**FIELDNOTE DESCRIPTION  
FOR  
60.54 ACRES OF LAND**

**THE STATE OF TEXAS   §**

**COUNTY OF NUECES    §**

BEING 60.54 acres of land situated in Lots 9, 10, 11, 5a, 6a & 7a, Section 26 of the Flour Bluff & Encinal Farm and Garden Tracts as recorded in Volume A, Pages 41 through 43 of the Map Records of Nueces County, Texas, said 60.54 acres of land conveyed to L & L Family Partnership Ltd. as follows: 0.126 portion by Carlyle B. Slabaugh, Jr. by Instrument No. 1998053978, 0.622 portion by C.B. Slabaugh et ux by Instrument No. 1998053979, 0.126 portion by Amanda Haas by Instrument No. 1998053980, 0.126 portion by Paul Taylor Slabaugh by Instrument No. 1998053981, all dated October 15, 1998 and recorded in the Official Records of Nueces County, Texas, said 60.54 acres of land being more fully described by metes and bound as follows: All bearings based on the Texas Plane Coordinate System, South Zone.

BEGINNING at an existing iron rod in the west right-of-way line of the Extension of Oso Parkway (80' R.O.W.)(1.146 acres) as conveyed to the City of Corpus Christi, Texas by Eusebio Garza III, Substitute Trustee by deed dated August 30, 1995 and recorded as Document No. 976523 in the Official Records of Nueces County, Texas, said iron rod also being the most eastern corner of a 0.080 acre tract of land conveyed to Ronald A. Voss, Jr. et ux by C.B. Slabaugh et ux by deed dated July 3, 1996 and recorded as Document No. 1996026200 in the Official Records of Nueces County, Texas, said iron rod bears S. 31° 26' 19" E., a distance of 50.00 feet along the west right-of-way line of the said Oso Parkway Extension from the most eastern corner of Lot 82, Block 4 of the South Fork Subdivision Unit 2 as recorded in Volume 49, Pages 92 & 93 of the Map Records of Nueces County, Texas, said iron rod also being the most northern corner of the herein described tract;

THENCE, S. 31° 26' 19" E., a distance of 573.54 feet along the west right-of-way line of the said Oso Parkway Extension to an existing iron rod marking the southwest corner of the said Oso Parkway Extension, said iron rod also being a corner of the herein described tract;

THENCE, N. 58° 34' 04" E., a distance of 80.00 feet along the south line of the said Oso Parkway Extension to a point marking the southeast end of the said Oso Parkway Extension and continuing a distance of 30.57 feet along the south end of Lot 1, Block 8, South Fork Subdivision Unit 2 for a total distance of 110.57 feet to a point at the intersection between the upland area and the upper margin of the sand flat area, said point also being a corner of the herein described tract;

THENCE, S. 29° 27' 59" E., a distance of 394.81 feet along the toe of slope of the upland area, same being the northeast line of Lot 5a, Flour Bluff and Encinal Farm and Garden Tracts to a 5/8" iron rod set for a corner of the herein described tract;

**EXHIBIT A**

THENCE, S. 68° 55' 21" E., a distance of 267.34 feet along the toe of slope of the upland area, same being the northeast line of the Flour Bluff and Encinal Farm and Garden Tracts to a 5/8" iron rod set in the common line of Lots 6a & 7a, Flour Bluff and Encinal Farm and Garden Tracts at the common corner of Lots 6a & 7a, Flour Bluff and Encinal Farm and Garden Tracts, same being the northeast corner of a 23.9 acre tract of land Quitclaim deeded to Nueces County by C.B. Slabaugh et ux by Quitclaim deed dated December 22, 1986 and recorded in Volume 2041, Pages 312 through 315 of the Deed Records of Nueces County, Texas, said iron rod bears N. 28° 41' 21" E., a distance of 122.40 feet from the common corner of Lots 9, 10, 6a & 7a, Section 26 of the Flour Bluff and Encinal Farm and Garden Tracts, said iron rod also being a corner of the herein described tract;

THENCE, along the toe of slope of the upland area, same being the common line with the Nueces County 23.9 acre tract of land as follows:

THENCE, S. 45° 31' 38" E., a distance of 181.43 feet to a 5/8 inch iron rod set for a corner of the herein described tract;

THENCE, S. 23° 13' 54" E., a distance of 208.51 feet to a 5/8 inch iron rod set for the corner of the herein described tract;

THENCE, S. 02° 54' 16" E., a distance of 302.10 feet to a 5/8 inch iron rod set for the corner of the herein described tract;

THENCE, S. 12° 36' 40" W., a distance of 269.96 feet to a 5/8 inch iron rod set for the corner of the herein described tract;

THENCE, S. 16° 45' 13" W., a distance of 143.63 feet to a 5/8 inch iron rod set for the corner of the herein described tract;

THENCE, S. 25° 58' 03" W., a distance of 65.68 feet to a 5/8 inch iron rod set for the corner of the herein described tract;

THENCE, S. 33° 10' 17" W., a distance of 99.16 feet to a 5/8 inch iron rod set for the corner of the herein described tract;

THENCE, S. 62° 12' 22" W., a distance of 105.81 feet to an existing 5/8 inch iron rod capped with blue plastic cap stamped "MAVERICK ENGR., VICTORIA, TX, BOUNDARY MARKER" at the most eastern corner of a 3.431 acre tract of land conveyed by L & L Family Partnership Ltd. to the City of Corpus Christi, Texas by deed dated August 10, 2007 and recorded as Document No. 2007045011 in the Official Records of Nueces County, Texas, said iron rod also being a corner of the herein described tract;

THENCE, along the northeast line of the said 3.431 acre tract of land as follows:

THENCE, S.  $83^{\circ} 30' 59''$  W., a distance of 43.66 feet to an existing 5/8 inch iron rod capped with blue plastic cap stamped "MAVERICK ENGR., VICTORIA, TX, BOUNDARY MARKER" for a corner of the herein described tract;

THENCE, S.  $71^{\circ} 58' 36''$  W., a distance of 235.00 feet to an existing 5/8 inch iron rod capped with blue plastic cap stamped "MAVERICK ENGR., VICTORIA, TX, BOUNDARY MARKER" for the corner of the herein described tract;

THENCE, S.  $84^{\circ} 21' 54''$  W., a distance of 185.04 feet to an existing 5/8 inch iron rod capped with blue plastic cap stamped "MAVERICK ENGR., VICTORIA, TX, BOUNDARY MARKER" at the Point of Curvature of a curve to the right, said iron rod also being a corner of the herein described tract;

THENCE, in a southwesterly direction along the said curve to the right having a radius of 182.32 feet, a central angle of  $34^{\circ} 16' 56''$ , chord bearing and distance: N.  $78^{\circ} 24' 58''$  W., 107.47 feet, an arc length of 109.09 feet to an existing 5/8 inch iron rod capped with blue plastic cap stamped "MAVERICK ENGR., VICTORIA, TX, BOUNDARY MARKER" at the Point of Tangency of said curve, said iron rod also being a corner of the herein described tract;

THENCE, N.  $61^{\circ} 20' 21''$  W., a distance of 277.22 feet to an existing 5/8 inch iron rod capped with blue plastic cap stamped "MAVERICK ENGR., VICTORIA, TX, BOUNDARY MARKER" for the corner of the herein described tract;

THENCE, N.  $42^{\circ} 32' 28''$  W., a distance of 69.72 feet to an existing 5/8 inch iron rod capped with blue plastic cap stamped "MAVERICK ENGR., VICTORIA, TX, BOUNDARY MARKER" for the corner of the herein described tract;

THENCE, N.  $66^{\circ} 42' 17''$  W., a distance of 240.17 feet to an existing 5/8 inch iron rod capped with blue plastic cap stamped "MAVERICK ENGR., VICTORIA, TX, BOUNDARY MARKER" for the corner of the herein described tract;

THENCE, N.  $61^{\circ} 23' 45''$  W., a distance of 80.19 feet to an existing 5/8 inch iron rod capped with blue plastic cap stamped "MAVERICK ENGR., VICTORIA, TX, BOUNDARY MARKER" for the corner of the herein described tract;

THENCE, N.  $46^{\circ} 05' 21''$  W., a distance of 154.74 feet to an existing 5/8 inch iron rod capped with blue plastic cap stamped "MAVERICK ENGR., VICTORIA, TX, BOUNDARY MARKER" for the corner of the herein described tract;

THENCE, N. 56° 04' 45" W., a distance of 156.38 feet to a 5/8 inch iron rod set for a corner of the herein described tract;

THENCE, N. 61° 15' 57" W., a distance of 250.01 feet to a 5/8 inch iron rod set for a corner of the herein described tract;

THENCE, S. 82° 22' 02" W., a distance of 94.66 feet to a 5/8 inch iron rod set for a corner of the herein described tract;

THENCE, N. 61° 15' 54" W., a distance of 112.20 feet along the northeast line of the said 3.431 acre tract of land to a 5/8 inch iron rod set in the common line of Lots 11 & 12 of the Flour Bluff and Encinal Farm and Garden Tracts, said iron rod bears N. 23° 58' 23" E., a distance of 19.40 feet from a 5/8 inch iron rod capped with blue plastic cap stamped "MAVERICK ENGR., VICTORIA, TX, BOUNDARY MARKER", said set iron rod also being the most western corner of the herein described tract;

THENCE, N. 28° 41' 21" E., a distance of 10.00 feet along the common line between Lots 11 & 12 for the Flour Bluff and Encinal Farm and Garden Tracts to a 5/8 inch iron rod set at the most southern corner of Block 2, South Fork Unit 5 as recorded in Volume 64, Pages 202 through 204 of the Map Records of Nueces County, Texas, and CONTINUING, N. 28° 41' 21" E., a distance of 1,290.00 feet along the common line between Lots 11 & 12, Flour Bluff and Encinal Farm and Garden Tracts, same being the southeast line of the said Block 2 and across Dove Hollow Drive and Block 3 of said South Fork Unit 5 for a total distance of 1,300.00 feet to an existing 5/8 inch iron rod for the most eastern corner of the said South Fork Unit 5, said iron rod also being the most southern corner of the said South Fork Subdivision Unit 2, said iron rod also being the most western corner of a 0.122 acre tract of land conveyed by C.B Slabaugh et ux to Terry D. Fonville et ux by deed dated July 3, 1996 and recorded as Document No. 1996026194 in the Official Records of Nueces County, Texas, said iron rod also being a corner of the herein described tract;

THENCE, S. 61° 15' 54" E., a distance of 50.00 feet to an existing 5/8 inch iron rod set at the most southern corner of the said Terry D. Fonville et ux 0.122 acre tract of land, said iron rod also being a corner of the herein described tract;

THENCE, N. 28° 28' 02" E., at 100.63 feet the most southern of a 0.160 acre tract conveyed to Lyle T. Mathews et ux by Document No. 1996026195 for a total distance of 242.28 feet to a 5/8 inch iron rod set at the most southern corner of a 0.053 acre tract conveyed to Robert H. Vaughn et ux by Document No. 1996026196, said iron rod also being the Point of Curvature of a curve to the right;

THENCE, along the southeast line of the said Robert H. Vaughn 0.053 acre tract and a portion of a 0.052 acre tract conveyed to Michael A. Esparza et ux by Document No. 1996026197, said curve having a radius of 135.46 feet, a central angle of  $30^{\circ} 10' 35''$ , chord bearing and distance: N.  $43^{\circ} 33' 19''$  E, 70.52 feet an arc length of 71.34 feet to a 5/8 inch iron rod set at the Point of Tangency of said curve, said iron rod also being a corner of the herein described tract;

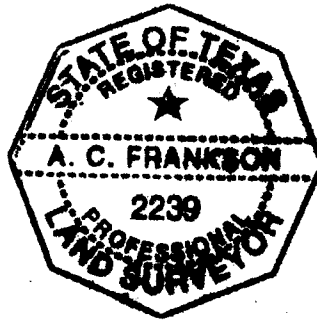
THENCE, N.  $58^{\circ} 38' 36''$  E., at 10.39 feet the most southern corner of 0.069 acre tract conveyed to Bradley A. Faldet et ux by Document No. 1996026198, at 70.39 feet the most southern corner of a 0.069 acre tract conveyed to Celeste K. Meyer by Document No. 1996026199, at 100.39 feet the most southern corner of the said Ronald A. Voss, Jr. et ux 0.080 tract of land for a total distance of 200.39 feet to the PLACE OF BEGINNING, containing within these metes and bounds 60.54 acres of land.

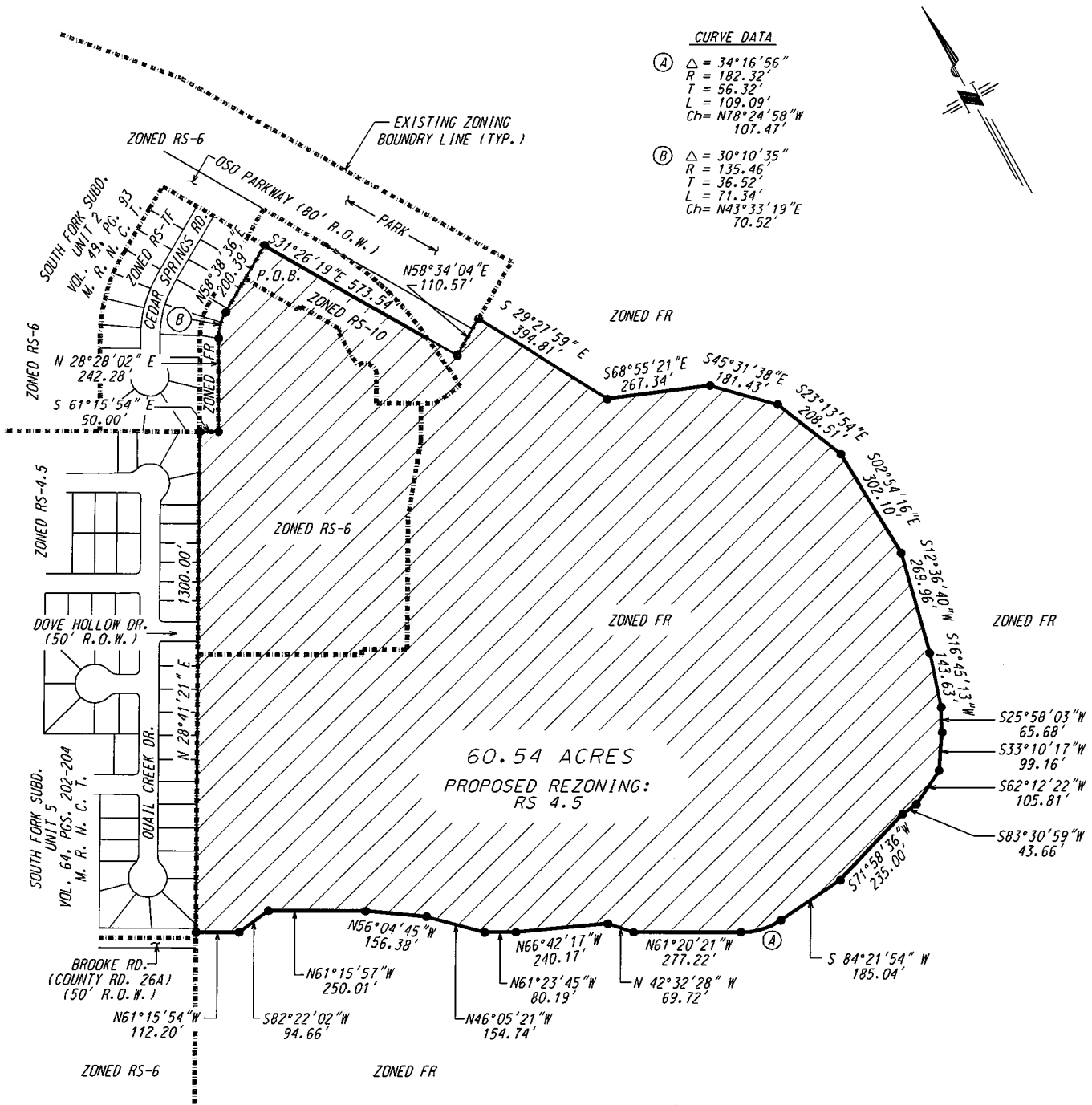
All set iron rods capped with yellow plastic cap stamped, Ganem & Kelly Surveying, Inc.

I hereby certify that the above fieldnote description is based on a survey made on the ground, under my supervision in February 2012 and is true and correct to the best of my knowledge and belief.

  
A.C. FRANKSON  
Registered Professional Land Surveyor  
Texas Registration No. 2239

DATED: 3/22/13





SCALE: 1" = 400'

**EXHIBIT B**

**MAP TO ACCOMPANY**

FIELDNOTES FOR THE REZONING OF 60.54 ACRES SITUATED IN LOTS 9, 10, 11, 5a, 6a, & 7a, SECTION 26 OF THE FLOUR BLUFF AND ENCINAL FARM AND GARDEN TRACTS AS RECORDED IN VOL. A, PGS. 41 THROUGH 43 OF THE MAP RECORDS OF NUECES COUNTY, TEXAS.