

Ordinance amending the Unified Development Code (“UDC”), upon application by Alex Azali on behalf of Dorsal Development, LLC (“Owner”), by changing the UDC Zoning Map in reference to a 13.814 acre tract of land out of a portion of Lots 13 and 14, Section 27, Flour Bluff and Encinal Farm and Garden Tracts, from the “RM-1” Multifamily 1 District to the “RM-1/SP” Multifamily 1 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 Alex Azali on behalf of Dorsal Development, LLC (“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 6, 2016, during a meeting of the Planning Commission when the Planning Commission recommended denial of the requested “RM-2” Multifamily 2 District and, in lieu thereof, approval of the change of zoning from the “RM-1” Multifamily 1 District to the “RM-1/SP” Multifamily 1 District with a Special Permit with a modification to the Special Permit conditions to prohibit balconies on any building from facing adjacent single-family development, and on Tuesday, May 10, 2016, 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 by Alex Azali on behalf of Dorsal Development, LLC (“Owner”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on a 13.814 acre tract of land out of a portion of Lots 13 and 14, Section 27, Flour Bluff and Encinal Farm and Garden Tracts, located along the north side of Wooldridge Road between Bevo Drive and Gold Star Drive (the “Property”), from the “RM-1” Multifamily 1 District to the “RM-1/SP” Multifamily 1 District with a Special Permit in accordance with the Staff Recommendation (Zoning Map No. 040032), 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 Special Permit granted in Section 1 of this ordinance is subject to the Owner meeting the following conditions:

1. **Uses:** All uses allowed in the “RM-1” Multifamily 1 District.
2. **Density:** The maximum density shall be 26.51 units per acre.

3. **Height:** The maximum height of any structure shall not exceed 3 stories or 45 feet, whichever is most restrictive.
4. **Balconies:** No balcony on the most northern buildings shall face adjacent single-family development.
5. **Lighting:** All lighting shall be shielded and meet all requirements of the UDC. Lighting may not exceed 15 feet in height in the parking area where north and east property lines are abutting single-family development.
6. **Solid Waste Containers:** No solid waste container shall be installed within 50 feet of the property lines adjacent to single-family development.
7. **Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, and Building and Fire Code Requirements.
8. **Time Limit:** The Special Permit shall expire in 24 months after approval of this ordinance unless a complete building permit application has been submitted.

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. The change of zoning does not result in an amendment to the Future Land Use Map, an element of the Comprehensive Plan.

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.

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	_____
Michael Hunter	_____	Mark Scott	_____
Chad Magill	_____	Carolyn Vaughn	_____
Colleen McIntyre	_____		

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	_____
Michael Hunter	_____	Mark Scott	_____
Chad Magill	_____	Carolyn Vaughn	_____
Colleen McIntyre	_____		

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

ATTEST:

Rebecca Huerta
City Secretary

Nelda Martinez
Mayor

MURRAY BASS, JR., P.E., R.P.L.S.
NIXON M. WELSH, P.E., R.P.L.S.
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Engineering Firm Reg. No. F-52
Surveying Firm Reg. No. 100027-00
P.O. Box 6397
Corpus Christi, TX 78466-6397

December 14, 2015

STATE OF TEXAS §

COUNTY OF NUECES §

Description of an 13.814 acre tract of land, more or less, a portion of Lots 13 and 14, Section 27, Flour Bluff and Encinal Farm and Garden Tracts, a map of which is recorded in Volume "A", Pages 41 – 43, Map Records, Nueces County, Texas, said 13.814 acre tract as further described by metes and bounds as follows:

BEGINNING at the westernmost corner of Morningstar Estates Unit 3, a map of which is recorded in Volume 67, Pages 329 and 330, said map records, said beginning point for the northernmost corner of the tract herein described;

THENCE along the a west central boundary line of said Morningstar Estates Unit 3 S61°22'51"E 375.10' to a point for the northernmost east corner of the tract herein described and southernmost corner of Lot 26, Block 5, said Morningstar Estates Unit 3;

THENCE along a southwest boundary line of said Morningstar Estates Unit 3 S28°46'49"W 324.95' to a point for central interior corner of the tract herein described and westernmost corner of Lot 18, said Block 5, Morningstar Estates Unit 3;

THENCE along a southwest boundary line of said Morningstar Estates Unit 3 and along a west central boundary line of Morningstar Estates Unit 2, a map of which is recorded in Volume 66, Pages 75 and 76, said map records, S61°22'51"E 400.00' to a point for the northwest corner of Lot 11, Block 5, said Morningstar Estates Unit 2 and easternmost corner of the tract herein described;

THENCE along a southwest boundary line of said Morningstar Estates Unit 2 S28°37'09"W 618.57' to a point for the southernmost corner of the tract herein described and northeasterly right-of-way corner of Wooldridge Road;

THENCE along the northeast right-of-way line of said Wooldridge Road, being along a line 36.75' northeast of and parallel to the centerline of said Wooldridge Road, N61°21'24"W 776.84' to a point for the westernmost corner of the tract herein described in the southeast boundary line of The Forum Mall, Block 1, Lot 2R, a map of which is recorded in Volume 53, Page 115, said map records;

THENCE N28°46'49"E 943.19' along said southeast boundary line of The Forum Mall, Block 1, Lot 2R and along the southeast boundary line of George Estates, a map of which is recorded in Volume 68, Pages 456 and 457, said map records, to the POINT OF BEGINNING, a sketch showing said 13.814 acre tract being attached hereto as Exhibit "B".




Nixon M. Welsh, R.P.L.S.

EXHIBIT "A"
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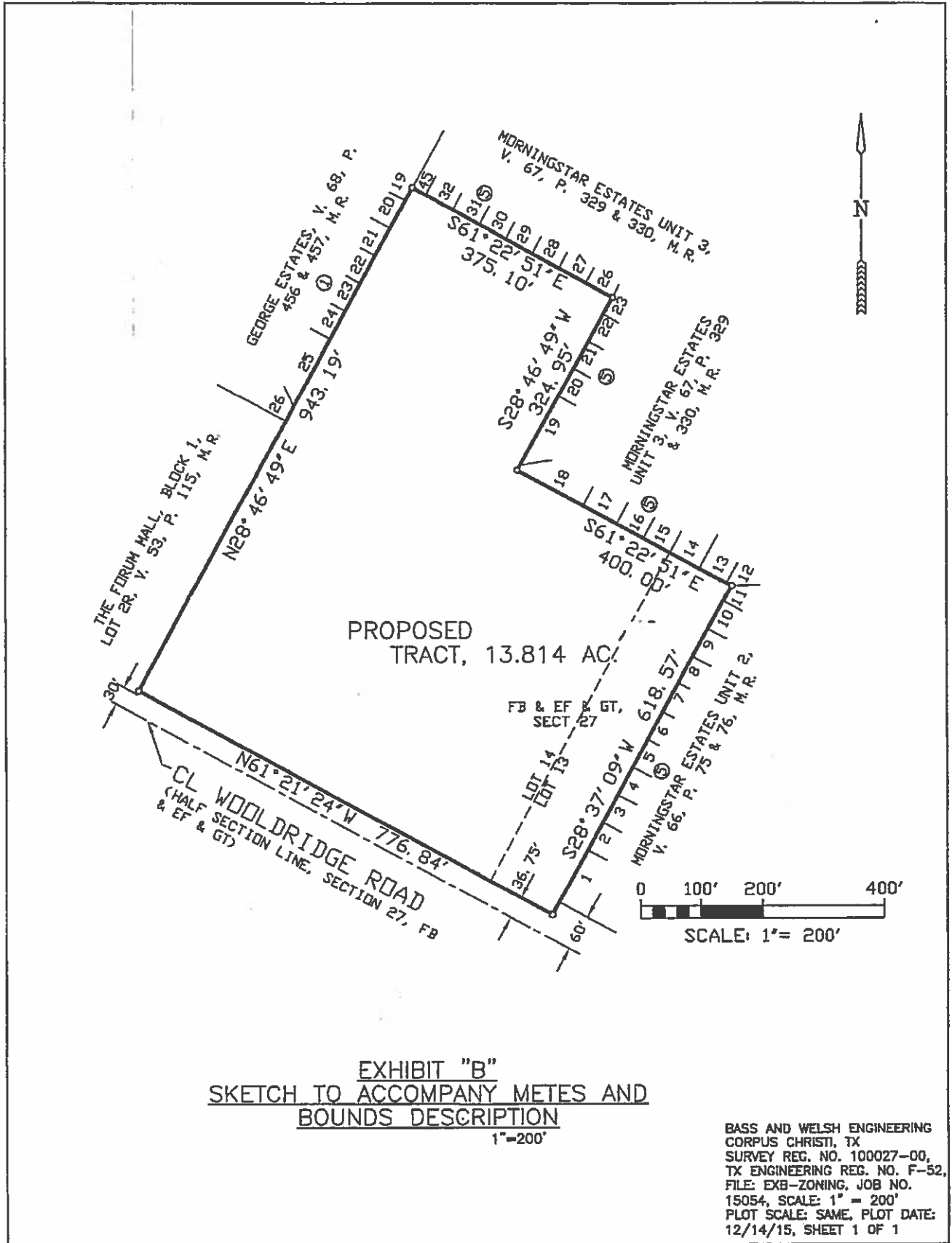


EXHIBIT "B"
SKETCH TO ACCOMPANY METES AND
BOUNDS DESCRIPTION

1"=200'

BASS AND WELSH ENGINEERING
 CORPUS CHRISTI, TX
 SURVEY REG. NO. 100027-00,
 TX ENGINEERING REG. NO. F-52,
 FILE: EXB-ZONING, JOB NO.
 15054, SCALE: 1" = 200'
 PLOT SCALE: SAME, PLOT DATE:
 12/14/15, SHEET 1 OF 1