

Case No. 0422-02, Behmann Brothers Foundation (District 3): Ordinance rezoning property at or near 602 Saratoga Boulevard from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District (Tract 1) and from the "FR" Farm Rural District to the "RE/SP" Estate Residential District with a Special Permit.

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 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 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 described as:

Tract 1: 80.84-acre tract of land out of Lots 1, 2, 3, 4, 5, and 6 of the William J. Robertson Farm Tracts, as shown in Exhibit "A."

From the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District.

Tract 2: 78.73-acre tract of land out of Lots 1, 2, 3, and 4 of the William J. Robertson Farm Tracts, as shown in Exhibit "A."

From the "FR" Farm Rural District to the "RE/SP" Estate Residential District with a Special Permit.

The subject property is located at or near 602 Saratoga Boulevard. Exhibit A, which is the Metes and Bounds of the subject properties and Exhibit B which is an associated illustration which are attached to and incorporated in this ordinance.

SECTION 2. That the Special Permit granted in Section 1 of this Ordinance is subject to the following conditions:

1. **Density:** The only use permitted under this Special Permit, other than those permitted by right in the "RE" Estate Residential District is the use of single-family residential homes at a maximum density of 4 dwelling units per acre.
2. **Development Standards:** Each single-family property shall be designed in accordance with the "RS-4.5" Single-Family 4.5 District standards listed in Section 4.3.3 of the Unified Development Code (UDC).
3. **Stormwater:** Any surface detention and/or retention storm water ponds must drain within 48 hours.
4. **Open Space:** 10% of the property must be designated as an open space. Land located within the Special Flood Hazard Area (SFHA) is not eligible to be considered as open space
5. **Flood Hazard Areas:** Single-family homes may not be constructed on property designated as a Special Flood Hazard Area as per the latest approved floodplain map.
6. **Other Requirements:** The 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 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 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 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 subject property that are in conflict with this ordinance are hereby expressly repealed.

SECTION 6. A violation of this ordinance, or requirements implemented under this ordinance, constitutes an offense punishable 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 7. 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 8. 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 30th day of August, 2022, by the following vote:

Paulette Guajardo Aye
Roland Barrera Aye
Gil Hernandez Aye
Michael Hunter Aye
Billy Lerma Aye

John Martinez Aye
Ben Molina Aye
Mike Pusley Aye
Greg Smith Aye

That the foregoing ordinance was read for the second time and passed finally on this the 6th day of September 2022, by the following vote:

Paulette Guajardo Aye
Roland Barrera Aye
Gil Hernandez Aye
Michael Hunter Aye
Billy Lerma Absent

John Martinez Aye
Ben Molina Aye
Mike Pusley Aye
Greg Smith Aye

PASSED AND APPROVED on this the 6th day of September, 2022.

ATTEST:

Rebecca Huerta

Rebecca Huerta
City Secretary

Paulette Guajardo

Paulette Guajardo
Mayor

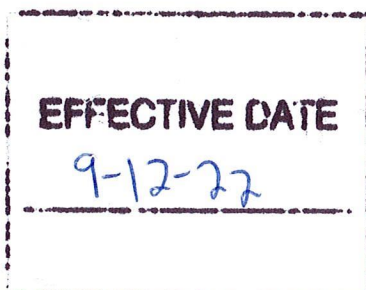


Exhibit A

EXHIBIT "A"

TRACT 1 OF 2

STATE OF TEXAS
COUNTY OF NUECES

Field notes for a 80.840 acre tract of land out of Lots 1, 2, 3, 4, 5, and 6 of the William J. Robertson Farm Tracts, a subdivision of Nueces County, as shown on the map thereof recorded in Volume 3, Page 31 of the Map Records of Nueces County, Texas, and being more particularly described as Tract 1 in the General Warranty Deed with Vendor's Lien recorded under Document No. 2005063946 of the Official Public Records of Nueces County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8 inch diameter iron rod found at the intersection of the northerly right of way line of State Highway 357 and the easterly boundary line of Lot 4 of the William J. Robertson Farm Tracts, a subdivision of Nueces County, as shown on the map thereof recorded in Volume 3, Page 31 of the Map Records of Nueces County, Texas, for the POINT OF COMMENCEMENT;

THENCE, N 16° 42' 31" W, a distance of 423.94 feet to the southeast corner of this tract and the POINT OF BEGINNING;

THENCE, N 61° 45' 32" W, a distance of 2768.31 feet to the southwest corner of this tract;

THENCE, N 28° 34' 17" E, a distance of 1690.49 feet to the northwest corner of this tract;

THENCE, S 44° 55' 54" E, a distance of 2883.48 feet to the northeast corner of this tract;

THENCE, S 28° 20' 14" W, a distance of 855.74 feet to the POINT OF BEGINNING, and containing 80.840 acres of land, more or less.

Notes:

- 1.) Bearings are based on Global Positioning System NAD 83 Zone 4205 Datum
- 2.) A map of equal date accompanies this Metes and Bounds description.

I, Fred C. Hayden, Jr., do hereby certify that this survey of the property legally described herein was made on the ground this 18th day of May, 2022, and is correct to the best of my knowledge and belief.

Fred C. Hayden, Jr.

Fred C. Hayden, Jr., RPLS No. 4486



EXHIBIT "A"

TRACT 2 OF 2

**STATE OF TEXAS
COUNTY OF NUECES**

Field notes for a 78.737 acre tract of land out of Lots 1, 2, 3, and 4 of the William J. Robertson Farm Tracts, a subdivision of Nueces County, as shown on the map thereof recorded in Volume 3, Page 31 of the Map Records of Nueces County, Texas, and being more particularly described as Tract 1 in the General Warranty Deed with Vendor's Lien recorded under Document No. 2005063946 of the Official Public Records of Nueces County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8 inch diameter iron rod found at the intersection of the northerly right of way line of State Highway 357 and the easterly boundary line of Lot 4 of the William J. Robertson Farm Tracts, a subdivision of Nueces County, as shown on the map thereof recorded in Volume 3, Page 31 of the Map Records of Nueces County, Texas, for the POINT OF COMMENCEMENT;

THENCE, N 16° 42' 31" W, a distance of 423.94 feet to a point;

THENCE, N 28° 20' 14" E, a distance of 855.74 feet to the southeast corner of this tract and the POINT OF BEGINNING;

THENCE, N 44° 55' 54" W, a distance of 2883.48 feet to the southwest corner of this tract;

THENCE, N 28° 34' 17" E, a distance of 599.87 feet to the northwest corner of this tract;

THENCE, S 77° 47' 53" E, a distance of 706.77 feet to an exterior corner of this tract;

THENCE, S 60° 20' 05" E, a distance of 610.43 feet to an interior corner of this tract;

THENCE, S 72° 47' 41" E, a distance of 622.06 feet to an exterior corner of this tract;

THENCE, S 67° 31' 34" E, a distance of 863.93 feet to the northeast corner of this tract;

THENCE, S 28° 20' 14" W, a distance of 1820.59 feet to the POINT OF BEGINNING, and containing 78.737 acres of land, more or less.

Notes:

- 1.) Bearings are based on Global Positioning System NAD 83 Zone 4205 Datum
- 2.) A map of equal date accompanies this Metes and Bounds description.

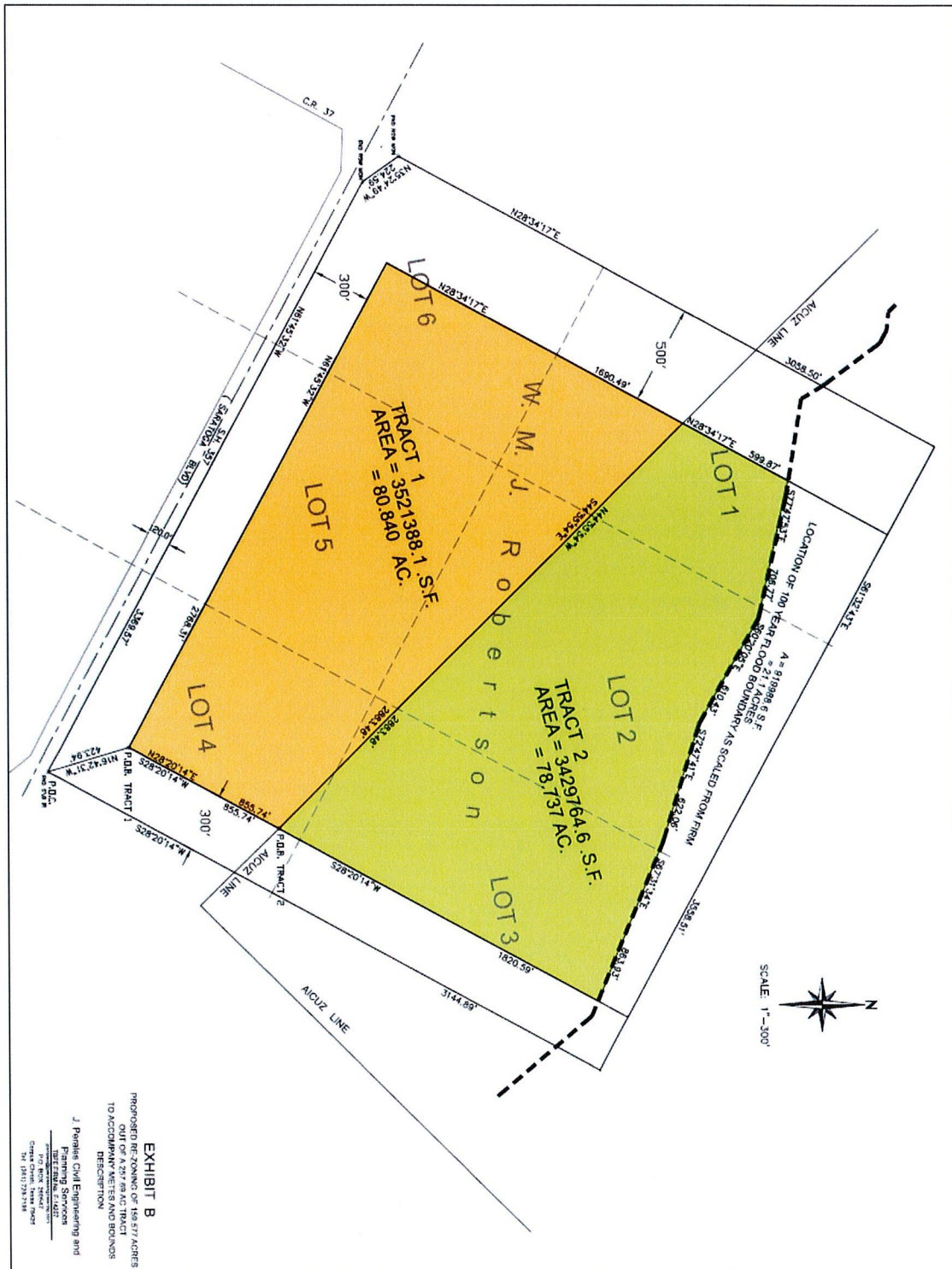
I, Fred C. Hayden, Jr., do hereby certify that this survey of the property legally described herein was made on the ground this 10th day of May, 2022, and is correct to the best of my knowledge and belief.

Fred C. Hayden, Jr.

Fred C. Hayden, Jr., RPLS No. 4486



Exhibit B



Caller Times

PART OF THE USA TODAY NETWORK

Certificate of
Publication

CITY OF CORPUS CHRISTI- PURCHASING
1201 LEOPARD ST

CORPUS CHRISTI, TX 78401-2120

STATE OF WISCONSIN)

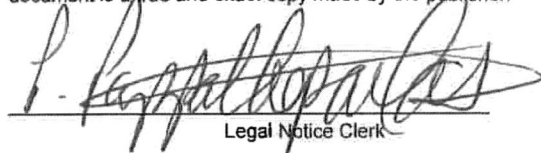
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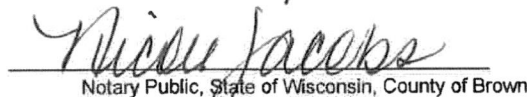
COUNTY OF BROWN)

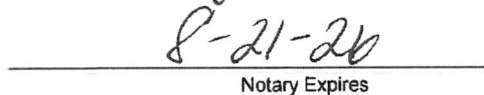
I, being first duly sworn, upon oath depose and say that I am a legal clerk and employee of the publisher, namely, the Corpus Christi Caller-Times, a daily newspaper published at Corpus Christi in said City and State, generally circulated in Aransas, Bee, Brooks, Duval, Jim Hogg, Jim Wells, Kleberg, Live Oak, Nueces, Refugio, and San Patricio, Counties, and that the publication of which the annexed is a true copy, was inserted in the Corpus Christi Caller- Times in the following issue(s) dated:

08/14/2022

On this October 19, 2022, I certify that the attached document is a true and exact copy made by the publisher:


Legal Notice Clerk


Notary Public, State of Wisconsin, County of Brown


Notary Expires

NICOLE JACOBS
Notary Public
State of Wisconsin

Publication Cost: \$194.15
Ad No: 0005374360
Customer No: 1242343
PO #: 0422-02
of Affidavits: 1

This is not an invoice

**NOTICE OF PUBLIC
HEARING TO CONSIDER
RE-ZONING
APPLICATION(S) IN THE
CITY OF
CORPUS CHRISTI**

Notice is hereby given that the Corpus Christi City Council will conduct a public hearing on August 30, 2022, during a regular Council meeting which commences at 11:30 a.m. in the Council Chambers, City Hall, 1201 Leopard Street, to consider the following zoning application(s) which is/are on file in the Department of Development Services. COVID-19 Public Attendance & Comment Procedures can be found at <https://www.cctexas.com/departments/city-secretary>.
Zoning Case No. 0422-02, Behmann Brothers Foundation: Ordinance rezoning property at or near 602 Saratoga Boulevard from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District (Tract 1) and from the "FR" Farm Rural District to the "RE/SP" Estate Residential District with a Special Permit (Tract 2).
/s/Rebecca Huerta
City Secretary

Caller Times

PART OF THE USA TODAY NETWORK

Certificate of Publication

CITY OF CORPUS CHRISTI - SECRETARY
PO BOX 9277

CORPUS CHRISTI, TX 78401

STATE OF WISCONSIN)

))

COUNTY OF BROWN)

I, being first duly sworn, upon oath depose and say that I am a legal clerk and employee of the publisher, namely, the Corpus Christi Caller-Times, a daily newspaper published at Corpus Christi in said City and State, generally circulated in Aransas, Bee, Brooks, Duval, Jim Hogg, Jim Wells, Kleberg, Live Oak, Nueces, Refugio, and San Patricio, Counties, and that the publication of which the annexed is a true copy, was inserted in the Corpus Christi Caller-Times in the following issue(s) dated:

NOTICE OF PASSAGE OF ORDINANCE(S)

NO. 032842 Ordinance rezoning property at or near 602 Saratoga Boulevard (located along the north side of Saratoga Boulevard, south of West Point Road and east of Old Brownsville Road) from the "FR" Farm Rural District to "RS 4.5" Single - Family 4.5 Residential (Tract 1) and from the "FR" Farm Rural District to "RE/SP" Estate Residential District with a Special Permit (Tract 2).

NO. 032843 Ordinance rezoning a property at or near 4958 Weber Road, located along the north side of Delphine Street, and east of Weber Road from the "RS-6" Single - Family 6 District to the "RS-TF" Two -Family District. These ordinances were passed and approved on second reading by the Corpus Christi City Council on September 6, 2022.

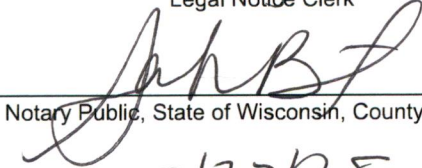
/s/ Rebecca Huerta
City Secretary

09/12/2022

On this September 12, 2022, I certify that the attached document is a true and exact copy made by the publisher:



Legal Notice Clerk



Notary Public, State of Wisconsin, County of Brown



Notary Expires

SARAH BERTELSEN
Notary Public
State of Wisconsin

Publication Cost: \$169.90
Ad No: 0005406635
Customer No: 1490432
PO #: 032842/032843
of Affidavits 1

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2022 SEP 19 AM 9:59

CONTRACTS AND PROCUREMENT