

# PLANNING COMMISSION FINAL REPORT

Case No. 1016-05

HTE No. 16-10000023

Planning Commission Hearing Date: November 2, 2016

|                               |   |   |  |   |
|-------------------------------|---|---|--|---|
| Applicant & Legal Description | <b>Applicant/Owner:</b> Corpus Christi Retail Venture, LP and Corpus Christi Area Council for the Deaf, Inc.<br><b>Representative:</b> John Bell<br><b>Legal Description/Location:</b> Mt. Vernon Subdivision Unit 3, 6.36 acres out of a 7.245 acre public park, located on the southeast corner of McArdle Road and Holmes Drive.   |   |  |   |
| Zoning Request                | <b>From:</b> "RS-6" Single-Family 6<br><b>To:</b> "CG-2" General Commercial District<br><b>Area:</b> 6.36 acres<br><b>Purpose of Request:</b> To continue the Council for the Deaf Center and for business and commercial uses, including parking for La Palmera Mall   |   |  |   |
| Existing Zoning and Land Uses |   | <b>Existing Zoning District</b>                       | <b>Existing Land Use</b>               | <b>Future Land Use</b>                          |
|                               | Site  | "RS-6" Single-Family 6                                | Park and Public Semi-Public            | High-Density Residential and Public Semi-Public |
|                               | North   | "RS-6" Single-Family 6 and "ON" Office                | Medium Density Residential and Park    | Mixed Use and Open Space                        |
|                               | South   | "RS-6" Single-Family 6 and "CG-2" General Commercial  | Low Density Residential and Commercial | Medium-Density Residential and Commercial       |
|                               | East  | "RS-6" Single-Family 6 and "RS-4.5" Single-Family 4.5 | Commercial                             | Commercial                                      |
|                               | West  | "RS-6" Single-Family 6                                | Low Density Residential                | Medium-Density Residential                      |
| ADP, Map & Violations         | <b>Area Development Plan:</b> The subject property is located within the boundaries of the Southeast Area Development Plan and is designated in the Plan CC Future Land Use map for High-Density Residential and Public Semi-Public uses. The proposed rezoning to the "CG-2" General Commercial District is not consistent with the adopted Plan CC Future Land Use Map or with the policies in the Southeast Area Development Plan.<br><b>Map No.:</b> 043036<br><b>Zoning Violations:</b> None |   |  |   |

|                |   |   |  |   |                       |
|----------------|---|---|--|---|-----------------------|
| Transportation | <b>Transportation and Circulation:</b> The subject property has approximately 470 feet of street frontage along McArdle Road, which transitions from a Primary Collector street to a Minor Arterial street at the approach to the mall. The subject property also has approximately 600 feet of frontage on Holmes Drive, a Local street. |   |  |   |                       |
| Street R.O.W.  | Street  | Urban Transportation Plan Type  | Proposed Section                                 | Existing Section                          | Traffic Volume (2013) |
|                | McArdle Road  | “C3” Primary Collector<br><br>transitioning to<br><br>“A1” Minor Arterial | 75’ ROW<br>50’ paved<br><br>95’ ROW<br>64’ paved | ROW<br>70’ to 85’<br><br>55’ to 65’ paved | 33,360<br>ADT         |
|                | Holmes Drive  | Local   | N/A  | 50’ ROW<br>28’ paved                      | N/A                   |

#### **Staff Summary:**

**Requested Zoning:** Mount Vernon Park was approved in the 2014 City election as a park that could be sold. The City has received a contract from a potential buyer containing several conditions. One of the conditions for the sale of the property is for the Buyer to submit a rezoning request to obtain “CG-2” General Commercial District zoning “.....or any other zoning classification agreeable and acceptable to Buyer.” The contract also states that the buyer is willing to prohibit the use of the property for “...a bar, tavern or pub, nightclub, discotheque or pool hall”.

**Development Plan:** The applicant (the Buyer) is requesting a rezoning from the “RS-6” Single-Family 6 District to the “CG-2” General Commercial District to allow continued use of the Council for the Deaf Center, for parking to serve the adjacent La Palmera Mall, and for business and commercial uses excluding a bar, tavern or pub, nightclub, discotheque or pool hall. In addition to the uses identified in the sales contract as excluded, the “CG-2” General Commercial District allows a wide variety of commercial uses by right, including parking, retails sales uses, offices, restaurants, services uses, auto repair, vehicle sales, hotel and motel uses.

The “CG-2” General Commercial District requires a 20 foot front yard setback adjacent to McArdle Road and Holmes Drive. A height setback would be required adjacent to the single-family homes to the south of the property at two feet for every one foot of building height per Section 4.2.8. It does not apply to the west since the Subject Property is “adjacent” to a street and not a residential property line.

**Existing Land Uses & Zoning:** The subject property is vacant except for the Council for the Deaf Center parking lot, two Council for the Deaf Center buildings and a small

park playground and backstop. The property is zoned “RS-6” Single-Family 6 District which requires 6,000 square foot minimum lot sizes, a 25 foot front yard setback on McArdle Road and Holmes Drive and a five-foot interior side yard and rear yard setback. A height limitation of three-stories or 35 feet is required.

Land use and zoning surrounding the Subject Property to the North across McArdle Road, is Lions Neighborhood Park with “RS-6” Single-Family 6 District zoning and medium density residential uses with “ON” Office District zoning. South of the subject property is a residential subdivision with five single-family homes zoned with the “RS-6” Single-Family 6 District and a parking lot for La Palmera Mall zoned with the “CG-2” General Commercial District. East of the subject property is a parking lot for La Palmera Mall and zoned with the “CG-2” General Commercial District. To the West across Holmes Drive is a residential subdivision zoned with the “RS-6” Single-Family 6 District.

**AICUZ:** The subject property is not located in one of the Navy’s Air Installation Compatibility Use Zones (AICUZ).

**Plan CC & Area Development Plan Consistency:** The subject property is located within the boundaries of the Southeast Area Development Plan (ADP). The proposed rezoning to the “CG-2” General Commercial District is not consistent with the adopted Plan CC Future Land Use Plan’s designation of the property for High-Density Residential uses. Additionally, the following are pertinent elements of the Plan CC and the Area Development Plan that should be considered:

- Be strategic. Strategically integrate public physical, economic, and social investments to leverage private investment and grants in order to create critical mass that supports enhanced choices in housing, transportation, retail and services. This critical mass will then stimulate self-sustaining activities. (Plan CC, The Principles, page 15)
- Encourage the design of commercial centers in a manner that minimizes the impacts of automobile intrusion, noise and visual blight on surrounding areas. (Plan CC, Element 7, Strategies, 10.)
- Screening fences, open space or landscaping can provide an essential buffer between shopping and residential areas. (Plan CC, Element 7, Strategies, 11.)
- Noise impacts from non-residential uses should be reduced by creating a buffer open space between the two areas. Such spaces may be landscaped areas, a street, a screening fence, larger setbacks, etc. These methods can be used singularly but are usually most effective when applied in combination to provide the desired effect (Southeast Area Development Plan. Policy Statement B.2.b)
- Place low intensity activities next to single family uses. (Southeast Area Development Plan, Policy Statement B.2.c)
- Mt. Vernon Park is listed as a park to be “re-purposed” in the adopted 2012 Parks and Recreation Master Plan. Selling of the park for redevelopment is therefore, consistent with the City’s Park and Recreation Master Plan however, the plan did not specify a future use for the park.

**Plat Status:** The subject property is platted as a dedicated City park and will need to be replatted before a building permit is issued.

### **Department Comments:**

- The proposed rezoning deviates from the Future Land Use map:
  - The City's Future Land Use Plan map designates the area for a High-Density Residential and public semi-public uses.
  - The "CG-2" General Commercial District is designed for high intensity commercial uses that are not compatible with low density residential uses of the "RS-6" Single-Family District.
  - Uses in the "CN-1" Neighborhood Commercial District are designed to be compatible and serve nearby neighborhood shopping needs. A portion of the Subject Property zoned with the "CN-1" District would help to mitigate any future negative affect from the more intensive "CG-2" General Commercial District.
- A goal of the City's 2012 Parks and Recreation Master Plan and approved by the 2014 Bond Election is to repurpose Mt. Vernon Park.
- A buffer yard and 1:2 foot building height setback would be required on the south edge of the Subject Property where adjacent to single-family used properties. The buffer yard and building height setback are not required along Holmes Drive since the Subject Property is adjacent to a right-of-way line and not a private property line.
- The Buyer has proposed to deed restrict the property frontage along Holmes Drive by including a 10 foot wide landscaped buffer, to setback any future buildings along Holmes Drive at a ratio of two foot of setback for each one foot of building height and, to not place any commercial driveways on Holmes Drive. The Buyer has also agreed to deed restrict the property for certain uses such as bars, taverns, pubs, nightclubs, discotheques and pool halls.
- In summary:
  - The proposed rezoning is not consistent with the Future Land Use map although the repurposing of Mt. Vernon Park is a goal of Plan CC.
  - While the proposed rezoning maybe considered a logical expansion of the existing "CG-2" General Commercial District contained on La Palmera Mall, the proposed zoning does not provide a transition to lower intensity found on property to the west in the residential neighborhood.
  - A portion of the Subject Property next to the mall is suitable for the proposed uses allowed in the "CG-2" General Commercial District.
  - A zoning map amendment to the "CG-2" District for all of the property along Holmes Drive could have a negative impact upon the abutting neighborhood.
- Staff's opinion is that a 50 foot strip of "CN-1" Neighborhood Commercial District zoning along Holmes Drive would protect the existing neighborhood from uses that are permitted in the "CG-2" General Commercial District.
- The "CN-1" Neighborhood Commercial District would also serve the Buyer as the District permits parking for shopping center uses (the Mall) as well as a wide variety of retail and service uses.

**Planning Commission and Staff Recommendation:**

Tract 1: Approval of the change of zoning from the “RS-6” Single-Family 6 District to the “CG-2” General Commercial District except for that portion of the tract abutting Holmes Drive and extending to a depth of 50 feet measured from the Holmes Drive right-of-way line. (See Tract Exhibit)

Tract 2: Denial of the change of zoning from the “RS-6” Single-Family 6 District to the “CG-2” General Commercial District and in lieu thereof approval of the “CN-1” Neighborhood Commercial District for that portion of the property abutting Holmes Drive to a depth of 50 feet measured from the Holmes Drive right-of-way line (See Tract Exhibit) and the following deed restrictions:

- Landscape Buffer Yard of 10 foot in width with one 2 ½” caliper tree for every 30 linear feet of buffer yard
- Building Height: Buildings along Holmes Drive shall utilize a building setback based on Section 4.2.8.C of the Unified Development Code, calculated as [(height to plate – 12’) x 2], and such building setback shall be measured from the west property line/east ROW line along Holmes Drive.
- Driveways: No driveways onto Holmes Drive as long as the west side of Holmes Drive is occupied by residential uses.
- Uses: No bars, taverns, pubs, nightclubs, discotheques or pool halls are allowed on the subject property.

**Vote Results**

For: 7

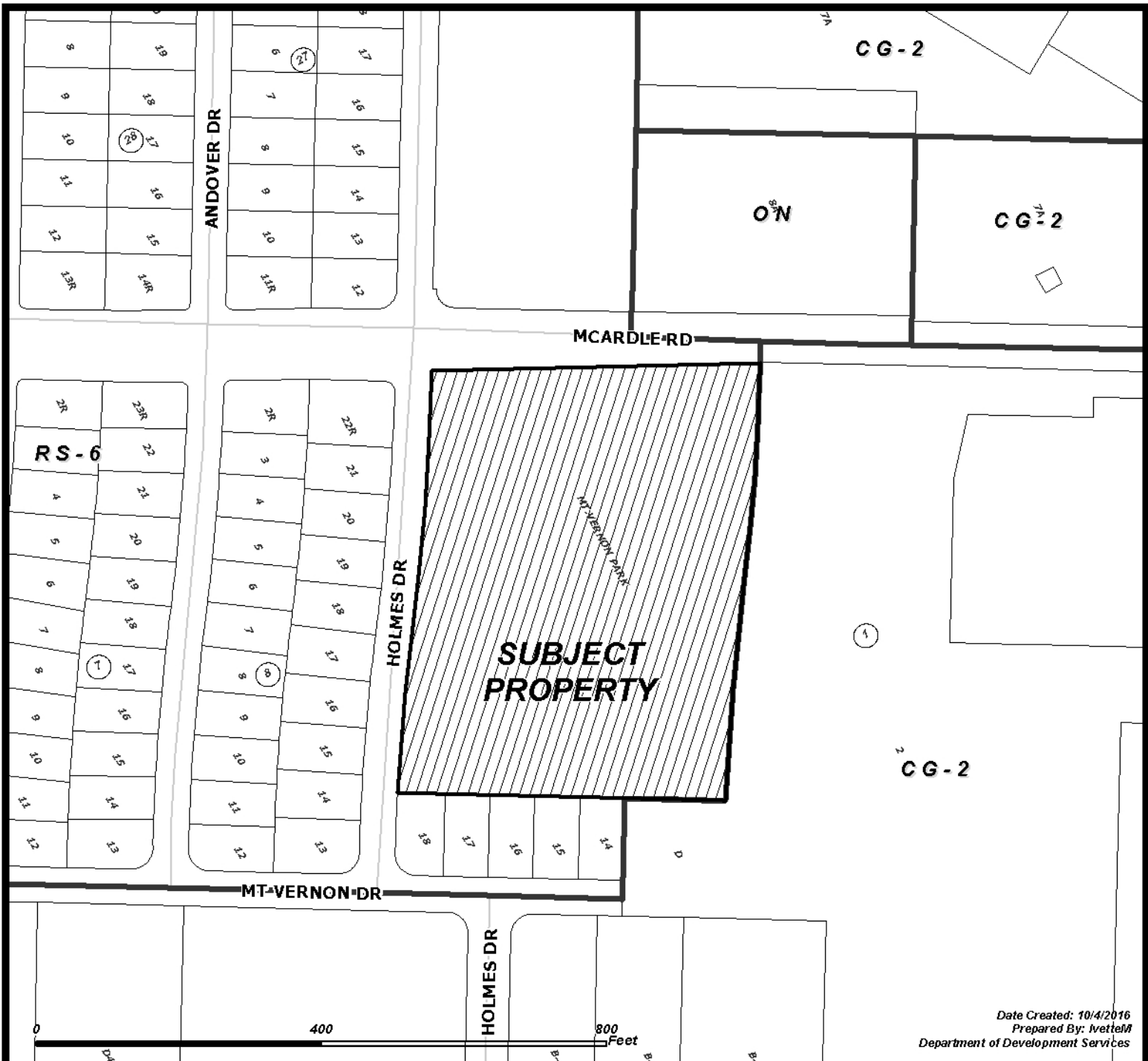
Against: 0

Absent: 2

|                            |  |
|----------------------------|--|
| <b>Public Notification</b> | Number of Notices Mailed – 37 within 200-foot notification area<br>4 outside notification area |
|                            | <b><u>As of November 2, 2016:</u></b>  |
|                            | In Favor – 1 inside notification area<br>– 0 outside notification area                         |
|                            | In Opposition – 1 inside notification area<br>– 0 outside notification area                    |
|                            | Totaling 0.22% of the land within the 200-foot notification area in opposition.                |

**Attachments:**

1. Location Map (Existing Zoning & Notice Area)
2. Tracts 1 and 2 Map
3. Application
4. Public Comments Received (if any)



## CASE: 1016-05

### SUBJECT PROPERTY WITH ZONING

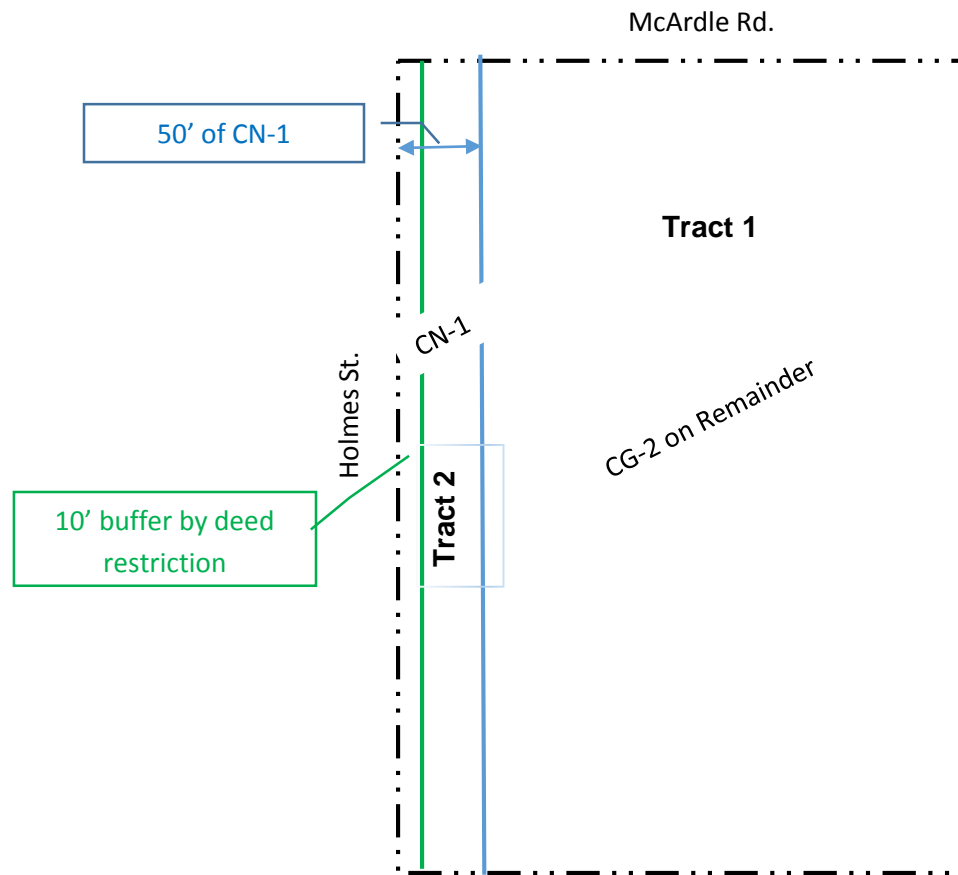


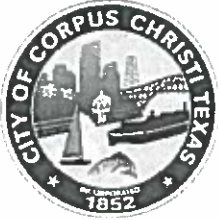
|                              |                               |
|------------------------------|-------------------------------|
| RM-1 Multifamily 1           | IL Light Industrial           |
| RM-2 Multifamily 2           | IH Heavy Industrial           |
| RM-3 Multifamily 3           | PUD Planned Unit Dev. Overlay |
| ON Professional Office       | RS-10 Single-Family 10        |
| RM-AT Multifamily AT         | RS-6 Single-Family 6          |
| CN-1 Neighborhood Commercial | RS-4.5 Single-Family 4.5      |
| CN-2 Neighborhood Commercial | RS-TF Two-Family              |
| CR-1 Resort Commercial       | RS-15 Single-Family 15        |
| CR-2 Resort Commercial       | RE Residential Estate         |
| CG-1 General Commercial      | RS-TH Townhouse               |
| CG-2 General Commercial      | SP Special Permit             |
| CI Intensive Commercial      | RV Recreational Vehicle Park  |
| CBD Downtown Commercial      | RMH Manufactured Home         |
| CR-3 Resort Commercial       |                               |
| FR Farm Rural                |                               |
| H Historic Overlay           |                               |
| BP Business Park             |                               |

Map Scale: 1:2,400



## Exhibit: Tracts 1 and 2





Development Services Dept.  
P.O. Box 9277  
Corpus Christi, Texas 78469-9277  
(361) 826-3240  
Located at 2406 Leopard Street

# REZONING APPLICATION

Office Use Only

Case No.: 1016-05 Map No.: 043036

PC Hearing Date: October 19, 2016 Proj.Mgr: \_\_\_\_\_

Hearing Location: City Hall, Council Chambers, 1201 Leopard Street

Hearing Time: 5:30 p.m.

\* A MAXIMUM OF FIVE REZONINGS CASES ARE SCHEDULED PER HEARING.  
\* INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

1. Applicant: Corpus Christi Retail Venture, LP and  
Corpus Christi Area Council for the Deaf, Inc. Contact Person: John D. Bell  
Mailing Address: c/o 615 N. Upper Broadway, Suite 1100  
City: Corpus Christi State: \_\_\_\_\_ ZIP: 78401 Phone: ( 361 ) 888-9201  
E-mail: \_\_\_\_\_ Cell: ( 361 ) 877-8393

2. Property Owner(s): City of Corpus Christi, Texas Contact Person: Stacie Talbert Anaya  
Mailing Address: P. O. Box 9277  
City: Corpus Christi State: TX ZIP: 78469 Phone: ( 361 ) 826-3460  
E-mail: \_\_\_\_\_ Cell: ( 361 ) 813-3183

3. Subject Property Address: 5151 McArdle Area of Request (SF/acres): 6.36 acres  
Current Zoning & Use: RS-6 Proposed Zoning & Use: CG-2  
12-Digit Nueces County Tax ID: N/A  
Subdivision Name: Mt. Vernon Subdivision Unit 3 Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_  
Legal Description if not platted: 6.36 acres out of Mt. Vernon Subdivision Unit 3 (attached)

4. Submittal Requirements:  
☒ **Early Assistance Meeting:** Date Held 6-3-16 ; with City Staff Annika Yankee  
☒ **Land Use Statement** ☒ **Disclosure of Interest** ☐ **Copy of Warranty Deed**  
IF APPLICABLE:  
☐ **Peak Hour Trip Form** (if request is inconsistent with Future Land Use Plan) ☐ **Site Plan for PUD or Special Permit**  
☒ **Metes & Bounds Description with exhibit if property includes un-platted land (sealed by RPLS)** ☐ **Lien Holder Authorization**  
☐ **Appointment of Agent Form if landowner is not signing this form**

I certify that I have provided the City of Corpus Christi with a complete application for review; that I am authorized to initiate this rezoning as or on behalf of the Property Owner(s); and the information provided is accurate.

Owner or Agent's Signature

Applicant's Signature

Andrew Wilson

Scott E. Landreth

Owner or Agent's Printed Name

Applicant's Printed Name

For Corpus Christi Retail Venture, LP For Council for the Deaf

Office Use Only: Date Received: 6/3/16 Received By: Ag ADP: \_\_\_\_\_  
Rezoning Fee: 1,693.50 + PUD Fee — + Sign Fee 20.00 = Total Fee 1,712.50  
No. Signs Required 2 @ \$10/sign Sign Posting Date: \_\_\_\_\_



## LAND USE STATEMENT

1. State the purpose of the request and include applicable background information as to the development plan for the property, i.e., usage of property, number and square footage(s) of existing and/or proposed building(s)/unit(s), building(s)/unit(s) height, parking plans/spaces, phasing schedule of development, number of employee(s) associated with the office, business or industrial development, hours of operation, modification or demolition plans for existing structure(s), type, area and setback of signage, etc.

The property currently is used as a park and as the location of the Corpus Christi Area Council for the Deaf Center. The intended use of the property is for continued use of the Council for the Deaf Center, for parking to serve the adjacent La Palmera Mall, and for business and commercial uses excluding a bar, tavern or pub, nightclub, discotheque or pool hall.

2. Identify the existing land uses adjoining the area of request:

North - RS-6 and ON

South - RS-6 and CG-2

East - CG-2

West - RS-6



## DISCLOSURE OF INTERESTS

City of Corpus Christi Ordinance 17112, as amended, requires all persons or firms seeking to do business with the City to provide the following information. **Every question must be answered.** If the question is not applicable, answer with "NA".

NAME: Corpus Christi Retail Venture, LP

STREET: c/o 615 N. Upper Broadway CITY: Corpus Christi ZIP: 78401

FIRM is: ☐ Corporation ☒ Partnership ☐ Sole Owner ☐ Association ☐ Other \_\_\_\_\_

### DISCLOSURE QUESTIONS

If additional space is necessary, please use the reverse side of this page or attach separate sheet.

1. State the names of each "employee" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

| Name        | Job Title and City Department (if known) |
|-------------|--|
| <u>none</u> | _____                                    |
| _____       | _____                                    |

2. State the names of each "official" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

| Name        | Title |
|-------------|-------|
| <u>none</u> | _____ |
| _____       | _____ |

3. State the names of each "board member" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

| Name        | Board, Commission, or Committee |
|-------------|---------------------------------|
| <u>none</u> | _____                           |
| _____       | _____                           |

4. State the names of each employee or officer of a "consultant" for the City of Corpus Christi who worked on any matter related to the subject of this contract and has an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

| Name        | Consultant |
|-------------|------------|
| <u>none</u> | _____      |
| _____       | _____      |

### CERTIFICATE

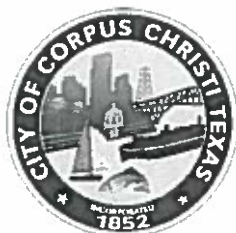
I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Corpus Christi, Texas as changes occur.

Certifying Person: Andrew Wilson  
(Print Name)

Title: UP, Development

Signature of Certifying Person: \_\_\_\_\_

Date: \_\_\_\_\_



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STREET: c/o 615 N. Upper Broadway CITY: Corpus Christi ZIP: 78401

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| Name        | Job Title and City Department (if known) |
|-------------|--|
| <u>none</u> | <u></u>                                  |
| <u></u>     | <u></u>                                  |

2. State the names of each "official" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

| Name        | Title   |
|-------------|---------|
| <u>none</u> | <u></u> |
| <u></u>     | <u></u> |

3. State the names of each "board member" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

| Name        | Board, Commission, or Committee |
|-------------|---------------------------------|
| <u>none</u> | <u></u>                         |
| <u></u>     | <u></u>                         |

4. State the names of each employee or officer of a "consultant" for the City of Corpus Christi who worked on any matter related to the subject of this contract and has an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

| Name        | Consultant |
|-------------|------------|
| <u>none</u> | <u></u>    |
| <u></u>     | <u></u>    |

### CERTIFICATE

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Corpus Christi, Texas as changes occur.

Certifying Person: Scott E. Landreth  
(Print Name)

Title: Authorized Agent

Signature of Certifying Person: 

Date: 5/17/2016



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NAME: City of Corpus Christi

STREET: 1201 Leopard Street

CITY: Corpus Christi

ZIP: 78401

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Name

Job Title and City Department (if known)

none

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Name

Title

none

3. State the names of each "board member" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name

Board, Commission, or Committee

none

4. State the names of each employee or officer of a "consultant" for the City of Corpus Christi who worked on any matter related to the subject of this contract and has an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name

Consultant

none

### CERTIFICATE

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Corpus Christi, Texas as changes occur.

Certifying Person: \_\_\_\_\_  
(Print Name)

Title: City Manager

Signature of Certifying Person: \_\_\_\_\_

Date: \_\_\_\_\_



Job No. 43062.0000

May 17, 2016

**Exhibit A**  
**6.36 Acre Tract**

**STATE OF TEXAS**  
**COUNTY OF NUECES**

**Fieldnotes**, for a 6.36 Acre Tract, out of a 7.245 Acre Public Park, Mt. Vernon Subdivision Unit 3, a map of which is recorded in Volume 19, Pages 84, of the Map Records of Nueces County, Texas; said 6.36 Acre Tract being more fully described by metes and bounds as follows:

**Beginning**, at a 5/8 Inch Iron Rod Found, for an inner ell corner of Lot 2, Block 1, La Palmera Mall, a map of which is recorded in Volume 67, Page 258-263, of the said Map Records, the South corner of the said Public Park and this Tract;

**Thence**, North  $61^{\circ}22'38''$  West, with a Northeast line of the said Lot 2 and the Northeast line of Block 9, Mt. Vernon Subdivision Unit, a map of which is recorded in Volume 19, Page 84, of the said Map Records, at 203.88 Feet, pass a 5/8 Inch Iron Rod Found, for the common corner of Lot 14 and Lot 15, said Block 9, at 330.16 Feet, pass a 5/8 Inch Iron Rod Found, for the common corner of Lot 16 and Lot 17, said Block 9, at 393.23 Feet, pass a 5/8 Inch Iron Rod Found, for the common corner of the said Lot 17 and Lot 18, said Block 9, in all 460.47 Feet, to a 3/4 Inch Iron Pipe Found, on the Southeast line of Holmes Street (50 Foot Wide Right-of-Way), being the North corner of Lot 18, said Block 9, for the Southwest corner of the said Public Park and this Tract, and the beginning of a non-tangent curve to the Right, having a delta of  $04^{\circ}09'51''$ , a radius of 2887.83 Feet, an arc length of 209.88 Feet, and a chord which bears North  $32^{\circ}22'25''$  East, 209.83 Feet;

**Thence**, with the said non-tangent curve to the Right, 209.88 Feet, to a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CC TX" Set, on the said Southeast line of Holmes Street, for the beginning of a non-tangent curve to the Left, having a delta of  $05^{\circ}47'07''$ , a radius of 3807.83 Feet, an arc length of 384.49 Feet, and a chord which bears North  $31^{\circ}35'09''$  East, 384.32 Feet;

**Thence**, with the said curve to the Left, at 70.43 Feet, pass a 3/4 Inch Iron Pipe Found, in all 384.32 Feet, to a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CC TX" Set, for the West corner of a 0.2428 Acre Right-of-Way Easement, as described in Document No. 2003001406, of the Official Public Records of Nueces County, Texas, for the North corner of this Tract;

**Thence**, South  $64^{\circ}05'01''$  East, with the Southwest line of the said 0.2428 Acre Right-of-Way Easement, 461.50 Feet, to a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CC TX" Set, on the common line of the said Lot 2 and the said Public Park, being the South corner of the said 0.2428 Acre Right-of-Way Easement, for the Northeast corner of the this Tract, from whence a 5/8 Inch Iron Rod Found, for the North corner of the said Lot 2, bears North  $28^{\circ}38'09''$  East, 1.43 Feet;

Thence, South 28°38'09" West, 17.57 Feet, with the said common line, to a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CC TX" Set, for an East corner of this Tract, and the beginning of a curve to the Right, having a delta of 05°51'03", a radius of 2783.79 Feet, an arc length of 284.27 Feet, and a chord which bears South 31°35'08" West, 284.14 Feet;

Thence, with the said common line and the said curve to the Right, at 11.01 Feet, pass a 5/8 Inch Iron Rod with yellow cap stamped "BRISTER SURVEYING" Found, in all 284.27 Feet, to a 5/8 Inch Iron Rod Found, on the said common line, for the beginning of a curve to the Left, having a delta of 04°36'14", a radius of 3911.83 Feet, an arc length of 314.33 Feet, and a chord which bears South 32°09'53" West, 341.25 Feet;

Thence, with the said curve to the Left, 314.33 Feet, to the Point of Beginning, containing 6.36 Acres (277,194 Sq. Ft.) of Land, more or less.

Bearings based on GPS, NAD83, State Plane Coordinate System, Texas South Zone 4205.

*Unless this fieldnote description, including preamble, seal and signature, appears in its entirety, in its original form, surveyor assumes no responsibility for its accuracy.*

*Also reference accompanying sketch of tract described herein.*



URBAN ENGINEERING  
*James D. Carr*

James D. Carr, R.P.L.S.  
License No. 6458

Pls confirm  
closure Jkt  
B



closes

Job No. 43062.0000  
May 17, 2016

**Exhibit A  
6.36 Acre Tract**

**STATE OF TEXAS  
COUNTY OF NUECES**

**Fieldnotes**, for a 6.36 Acre Tract, out of a 7.245 Acre Public Park, Mt. Vernon Subdivision Unit 3, a map of which is recorded in Volume 19, Pages 84, of the Map Records of Nueces County, Texas; said 6.36 Acre Tract being more fully described by metes and bounds as follows:

**Beginning**, at a 5/8 Inch Iron Rod Found, for an inner ell corner of Lot 2, Block 1, La Palmera Mall, a map of which is recorded in Volume 67, Page 258-263, of the said Map Records, the South corner of the said Public Park and this Tract;

**Thence**, North 61°22'38" West, with a Northeast line of the said Lot 2 and the Northeast line of Block 9, Mt. Vernon Subdivision Unit, a map of which is recorded in Volume 19, Page 84, of the said Map Records, at 203.88 Feet, pass a 5/8 Inch Iron Rod Found, for the common corner of Lot 14 and Lot 15, said Block 9, at 330.16 Feet, pass a 5/8 Inch Iron Rod Found, for the common corner of Lot 16 and Lot 17, said Block 9, at 393.23 Feet, pass a 5/8 Inch Iron Rod Found, for the common corner of the said Lot 17 and Lot 18, said Block 9, in all 460.47 Feet, to a 3/4 Inch Iron Pipe Found, on the Southeast line of Holmes Street (50 Foot Wide Right-of-Way), being the North corner of Lot 18, said Block 9, for the Southwest corner of the said Public Park and this Tract, and the beginning of a non-tangent curve to the Right, having a delta of 04°09'51", a radius of 2887.83 Feet, an arc length of 209.88 Feet, and a chord which bears North 32°22'25" East, 209.83 Feet;

**Thence**, with the said non-tangent curve to the Right, 209.88 Feet, to a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CC TX" Set, on the said Southeast line of Holmes Street, for the beginning of a non-tangent curve to the Left, having a delta of 05°47'07", a radius of 3807.83 Feet, an arc length of 384.49 Feet, and a chord which bears North 31°35'09" East, 384.32 Feet;

**Thence**, with the said curve to the Left, at 70.43 Feet, pass a 3/4 Inch Iron Pipe Found, in all 384.32 Feet, to a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CC TX" Set, for the West corner of a 0.2428 Acre Right-of-Way Easement, as described in Document No. 2003001406, of the Official Public Records of Nueces County, Texas, for the North corner of this Tract;

**Thence**, South 64°05'01" East, with the Southwest line of the said 0.2428 Acre Right-of-Way Easement, 461.50 Feet, to a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CC TX" Set, on the common line of the said Lot 2 and the said Public Park, being the South corner of the said 0.2428 Acre Right-of-Way Easement, for the Northeast corner of the this Tract, from whence a 5/8 Inch Iron Rod Found, for the North corner of the said Lot 2, bears North 28°38'09" East, 1.43 Feet;

Thence, South 28°38'09" West, 17.57 Feet, with the said common line, to a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CC TX" Set, for an East corner of this Tract, and the beginning of a curve to the Right, having a delta of 05°51'03", a radius of 2783.79 Feet, an arc length of 284.27 Feet, and a chord which bears South 31°35'08" West, 284.14 Feet;

Thence, with the said common line and the said curve to the Right, at 11.01 Feet, pass a 5/8 Inch Iron Rod with yellow cap stamped "BRISTER SURVEYING" Found, in all 284.27 Feet, to a 5/8 Inch Iron Rod Found, on the said common line, for the beginning of a curve to the Left, having a delta of 04°36'14", a radius of 3911.83 Feet, an arc length of 314.33 Feet, and a chord which bears South 32°09'53" West, 341.25 Feet;

Thence, with the said curve to the Left, 314.33 Feet, to the Point of Beginning, containing 6.36 Acres (277,194 Sq. Ft.) of Land, more or less.

Bearings based on GPS, NAD83, State Plane Coordinate System, Texas South Zone 4205.

*Unless this fieldnote description, including preamble, seal and signature, appears in its entirety, in its original form, surveyor assumes no responsibility for its accuracy.*

*Also reference accompanying sketch of tract described herein.*



URBAN ENGINEERING  
*[Handwritten signature]*

James D. Carr, R.P.L.S.  
License No. 6458





Persons with disabilities planning to attend this meeting, who may require special services, are requested to contact the Development Services Department at least 48 hours in advance at (361) 826-3240. Personas con incapacidades, que tienen la intención de asistir a esta junta y que requieren servicios especiales, se les suplica que den aviso 48 horas antes de la junta llamando al departamento de servicios de desarrollo, al número (361) 826-3240.

If you wish to address the Commission during the meeting and your English is limited, please call the Development Services Department at (361) 826-3240 at least 48 hours in advance to request an interpreter be present during the meeting. Si usted desea dirigirse a la commission durante la junta y su inglés es limitado, favor de llamar al departamento de servicios de desarrollo al número (361) 826-3240 al menos 48 horas antes de la junta para solicitar un intérprete ser presente durante la junta.

**CITY PLANNING COMMISSION  
PUBLIC HEARING NOTICE  
Rezoning Case No. 1016-05**

The City of Corpus Christi is considering a change of zoning from the "RS-6" Single-Family District District to the "CG-2" General Commercial District, resulting in a change to the Future Land Use Map from high density residential and government uses to commercial and government uses. The property proposed to be rezoned is described as:

**Mt. Vernon Subdivision Unit 3, 6.36 acres out of a 7.245 acre public park, located on the southeast corner of McArdle Road and Holmes Drive.**

The Planning Commission may recommend to City Council approval or denial, or approval of an intermediate zoning classification, a Special Permit or additional conditions. Approval of a change of zoning, if inconsistent with the City's Comprehensive Plan, will also have the effect of amending the Comprehensive Plan to reflect the approved zoning.

The Planning Commission will conduct a public hearing for this rezoning request to discuss and formulate a recommendation to the City Council. The public hearing will be held on Wednesday, October 19, 2016, during one of the Planning Commission's regular meetings, which begins at 5:30 p.m., in the City Council Chambers, 1201 Leopard Street. You are invited to attend this public hearing to express your views on this rezoning request. For more information, please call (361) 826-3240.

TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE DEVELOPMENT SERVICES DEPARTMENT, P. O. BOX 9277, CORPUS CHRISTI, TEXAS 78469-9277. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

**NOTE:** In accordance with the Planning Commission By-Laws, no discussion shall be held by a member or members of this Commission with an applicant or appellant concerning an application or appeal, either at home or office, or in person, by telephone call or by letter.

Printed Name: Alice Cantu

Address: 5114 Mt. Vernon Drive City/State: Corpus Christi, Tx.

☒ IN FAVOR ( ) IN OPPOSITION Phone: 361-244-4715

REASON:

Alice Cantu  
Signature

SEE MAP ON REVERSE SIDE  
Property Owner ID: 3  
HTE# 16-10000033

Case No. 1016-05  
Project Manager: Bob Payne



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Printed Name: LEON MATERANEK  
Address: 4910 Andover City/State: Corpus Christi, TX  
( ) IN FAVOR ☒ IN OPPOSITION Phone: \_\_\_\_\_

REASON:  
1. I am against selling Mt. Vernon park property.  
2. Children need a safe park to play.  
Leon Materanek

Signature

SEE MAP ON REVERSE SIDE  
Property Owner ID: 23  
HTE# 16-10000033

Case No. 1016-05  
Project Manager: Bob Payne