

**Case No. 1021-02, BHHN, LLC.: (District 3) Ordinance rezoning property at or near 8902 State Highway 44 from the “RS-6” Single-Family 6 District to the “CC/SP” Commercial Compatible 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 being a 4.31 acre tract out of the G.H. McLeroy 40 acre tract out of Survey 402, Abstract 988, Nueces County, Texas, as shown in Exhibit “A”:

from the “RS-6” Single-Family 6 District to the “CC/SP” Commercial Compatible District with a Special Permit

The subject property is located at or near 8902 State Highway 44. Exhibit A, which is the Metes and Bounds of the subject property with an associated map attached to and incorporated in this ordinance.

**SECTION 2.** The Special Permit granted in Section 1 of this ordinance authorizes the uses subject to the conditions listed below:

1. **Uses:** The only uses authorized by this Special Permit other than uses permitted by right in the base zoning district are as defined by UDC in Section 5.1.5.B “Warehouse and Freight Movement” and regulated per Section 4.8.2 “Permitted Uses” of the UDC. Additionally, outdoor storage is prohibited.

2. **Setback:** A setback at a minimum of 20 feet shall be maintained from any residential property. No buildings, dumpsters, and/or compactors shall be allowed within the setback.
3. **Buffer Yard:** When adjacent to the “RS-6” Single-Family 6 District, the buffer yard requirement shall be 15-feet and 15 points as per Section 7.9.5 of the UDC.
4. **Lighting:** All lighting must be shielded and directed away from abutting residences and nearby streets. Cut-off shields are required for all lighting. No light projection is permitted beyond the property line.
5. **Noise:** Noise regulations shall be subject to Section 31-3 of the Municipal Code. Outside paging, speakers, telephone bells, or similar devices are prohibited.
6. **Hours of Operation:** The hours of operation shall be daily from 6:00 AM to 9:00 PM.
7. **Other Requirements:** The conditions listed herein do not preclude compliance with other applicable UDC and Building and Fire Code Requirements.
8. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within 24 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 \_\_\_\_\_ day of \_\_\_\_\_, 2021, by the following vote:

Paulette M. Guajardo _____	John Martinez _____
Roland Barrera _____	Ben Molina _____
Gil Hernandez _____	Mike Pusley _____
Michael Hunter _____	Greg Smith _____
Billy Lerma _____	

That the foregoing ordinance was read for the second time and passed finally on this the \_\_\_\_\_ day of \_\_\_\_\_ 2021, by the following vote:

Paulette M. Guajardo _____	John Martinez _____
Roland Barrera _____	Ben Molina _____
Gil Hernandez _____	Mike Pusley _____
Michael Hunter _____	Greg Smith _____
Billy Lerma _____	

PASSED AND APPROVED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

\_\_\_\_\_  
Rebecca Huerta  
City Secretary

\_\_\_\_\_  
Paulette M. Guajardo  
Mayor

Exhibit A

STATE OF TEXAS

COUNTY OF NUECES

FIELD NOTES FOR A 3.31 ACRE TRACT OUT OF A 4.31 ACRE TRACT OUT OF THE G.H. MC LEROY FORTY (40) ACRE TRACT OUT OF SURVEY 402, ABSTRACT 988, NUECES COUNTY, TEXAS SAID 4.31 ACRE MORE FULLY DESCRIBED BY METES AND BOUNDS IN WARRANTY DEED DATED NOVEMBER 28, 1979, RECORDED UNDER CLERK'S FILE NO. 160941, VOLUME 1721, PAGE 940, DEED RECORDS OF NUECES COUNTY, TEXAS

BEGINNING AT AN IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 4.31 ACRE TRACT ALSO BEING THE NORTHWEST CORNER OF A 3.0 ACRE TRACT OF LAND CONVEYED TO THE LIONS CLUB OF CLARKWOOD, BY G.H. MC LEROY BY DEED DATED OCTOBER 21, 1954 RECORDED IN VOLUME 660, PAGE 334, OF THE DEED RECORDS OF NUECES COUNTY, TEXAS

THENCE NORTH 89 DEGREES 41 MINUTES 20 SECONDS WEST ALONG THE NORTH BOUNDARY OF SAID 4.31 ACRES FOR A DISTANCE OF 365.99 FEET, TO A 5/8 INCH IRON ROD SET FOR A NORTH CORNER OF THIS TRACT.

THENCE SOUTH 00 DEGREES 08 MINUTES 40 SECONDS WEST FOR A DISTANCE OF 114.63 FEET TO A 5/8 INCH IRON ROD SET AN INTERIOR CORNER OF THIS TRACT;

THENCE NORTH 81 DEGREES 41 MINUTES 20 SECONDS WEST FOR A DISTANCE OF 380.0 FEET TO A 5/8 INCH IRON ROD SET FOR THE NORTHWEST CORNER OF THIS TRACT;

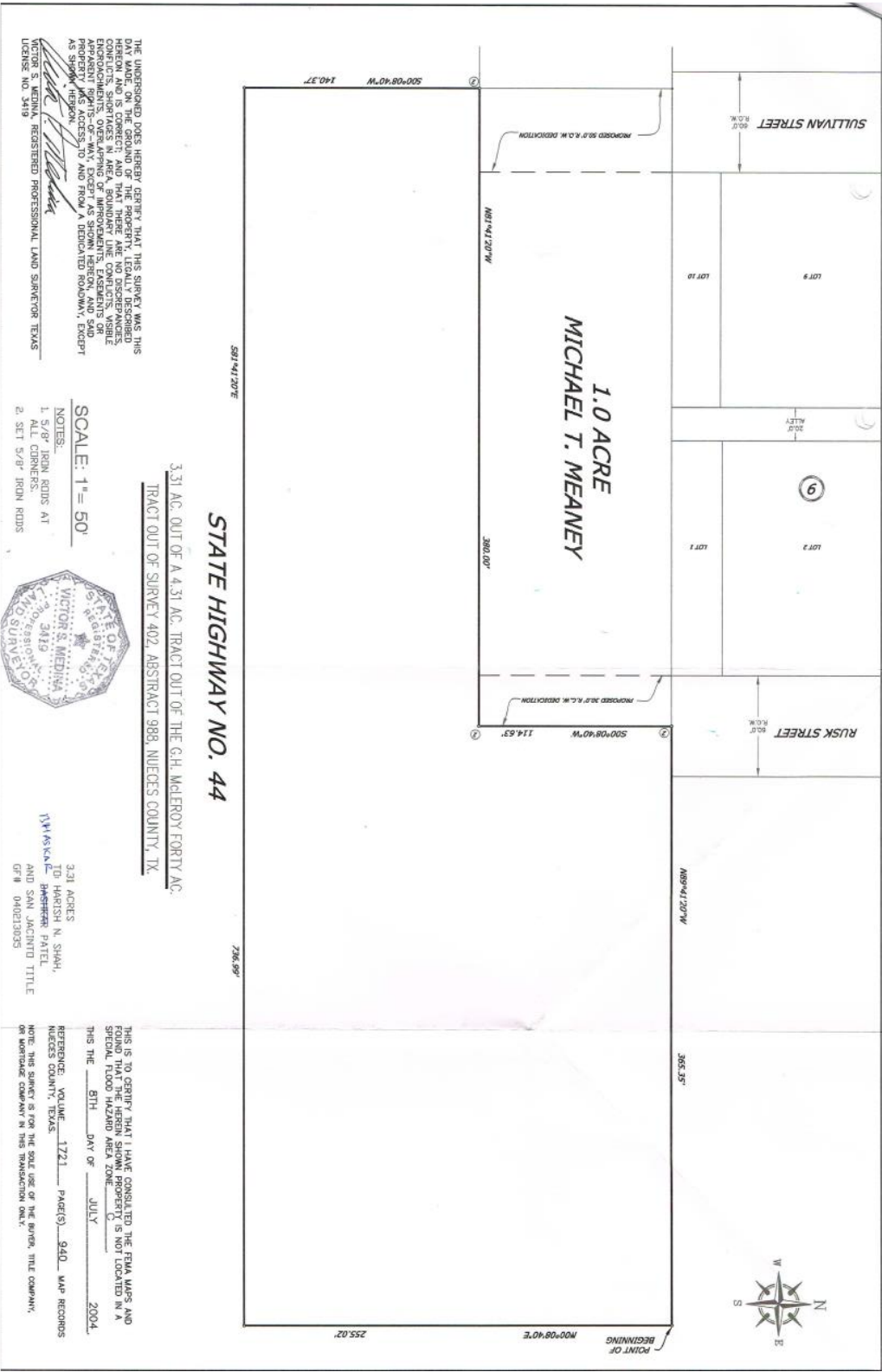
THENCE SOUTH 00 DEGREES 08 MINUTES 40 SECONDS WEST FOR A DISTANCE OF 140.37 FEET, TO A STATE RIGHT-OF-WAY MONUMENT FOUND, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE SOUTH 81 DEGREES 41 MINUTES 20 SECONDS EAST ALONG THE NORTH RIGHT -OF-WAY LINE OF STATE HIGHWAY NO. 44, FOR A DISTANCE OF 736.99 FEET TO A STATE RIGHT-OF-WAY MONUMENT FOUND, FOR THE SOUTHEAST CORNER OF SAID TRACT;

THENCE NORTH 00 DEGREES 08 MINUTES 40 SECONDS EAST FOR A DISTANCE OF 255.02 FEET TO THE POINT OF BEGINNING, CONTAINING 3.31 ACRES OF LAND MORE OR LESS.

*Victor S. Medina*  
7/19/04





**1.0 ACRE**  
**MICHAEL T. MEANEY**

**STATE HIGHWAY NO. 44**

3.31 AC. OUT OF A 4.31 AC. TRACT OUT OF THE G.H. McLEROY FORTY AC.  
TRACT OUT OF SURVEY 402, ABSTRACT 988, NUECES COUNTY, TX.

SCALE: 1" = 50'

- NOTES:  
1. 5/8" IRON RODS AT ALL CORNERS.  
2. SET 5/8" IRON RODS



3.31 ACRES  
TD. HARISH N. SHAH,  
1/4" SCALE, BANNER PATIL,  
AND SAN JACINTO TITLE  
CO. # 04021305

THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEMA MAPS AND FOUND THAT THE HEREIN SHOWN PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA ZONE.  
THIS THE 8TH DAY OF JULY 2004.  
REFERENCE: VOLUME 1721 PAGE(S) 940. MAP RECORDS NUECES COUNTY, TEXAS.  
NOTE: THIS SURVEY IS FOR THE SOLE USE OF THE BUYER, TITLE COMPANY, OR MORTGAGE COMPANY IN THIS TRANSACTION ONLY.

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY, LEGALLY DESCRIBED HEREON AND IS CORRECT; AND THAT THERE ARE NO DISCREPANCIES BETWEEN THE FIELD MEASUREMENTS AND THE CALCULATED MEASUREMENTS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS OR APPARENT PARTS-OF-WAY, EXCEPT AS SHOWN HEREON, AND SAID PARTS-OF-WAY, EASEMENTS AND APPARENT PARTS-OF-WAY ARE SHOWN AS SHOWN HEREON.

VICTOR S. MEDINA, REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS LICENSE NO. 3419