

**Ordinance amending the Unified Development Code (“UDC”) upon application by Jubalee Properties, Ltd., acting as agent on behalf of Mostafa Bighamian, Morteza Shafinury and First National Bank (“Owners”), by changing the UDC Zoning Map in reference to Lots 1 through 5, Block 2, Baywood Addition (“Tract 1”), and Lot 4 and the northeast 25 feet of Lot 5, Block 1, Baywood Addition (“Tract 2”), from the “CG-1” General Commercial District and the “RS-6” Single-Family 6 District to the “CG-1/SP” General Commercial District with a Special Permit on Tract 1 and from the “RS-6” Single-Family 6 District to the “CG-1” General Commercial District on Tract 2; 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 Jubalee Properties, Ltd., acting as agent on behalf of Mostafa Bighamian, Morteza Shafinury, and First National Bank (“Owners”) 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, June 25, 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 Jubalee Properties, Ltd., acting as agent on behalf of Mostafa Bighamian, Morteza Shafinury, and First National Bank (“Owners”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on Lots 1 through 5, Block 2, Baywood Addition (“Tract 1”), and Lot 4 and the northeast 25 feet of Lot 5, Block 1, Baywood Addition (“Tract 2”), located south of South Padre Island Drive (SH 358) on Baywood Lane, from the “CG-1” General Commercial District and the “RS-6” Single-Family 6 District to the “CG-1/SP” General Commercial District with a Special Permit on Tract 1 and from the “RS-6” Single-Family 6 District to the “CG-1” General Commercial District on Tract 2 (Zoning Map No. 036032), as shown in Exhibit “A.” Exhibit A, which is a location map of Tract 1 and Tract 2, is attached to and incorporated in this ordinance by reference as if fully set out herein in its entirety.

**SECTION 2.** That the Special Permit granted on Tract 1 in Section 1 of this ordinance is subject to the following nine conditions:

- 1. Use:** A facility for the manufacturing of fiberglass boats that weigh less than five tons and the assembly of boat trailers are the only uses allowed on Tract 1 other than those uses allowed by right in the “CG-1” General Commercial District. All

stages of the manufacturing process and boat trailer assembly must occur indoors to reduce the potential impact of dust, noise, and odors on surrounding properties.

2. **Structure:** Expansion of the existing structures or construction of new structures for the uses authorized by Condition 1 shall maintain a 30-foot wide setback from the adjacent "RS-6" Single-Family 6 District to the south. Except for man-doors, openings in structures are prohibited from facing residential areas.
3. **Noise:** The use of machinery or equipment that produces offensive noise in compliance with City Code of Ordinances Chapter 31 on the Tract 1 is prohibited.
4. **Screening:** A six-foot tall solid masonry wall must be constructed, maintained, and remain in place around the perimeter of the facility. Screening is not required around the parking area located along South Padre Island Drive (SH 358) or around the outdoor retail display of finished boats.
5. **Landscaping:** The Owner shall plant and maintain canopy trees with a minimum of a 2.5-inch caliper every 30 feet on the center within the required 10-foot wide buffer yards and on the interior of the screening wall along the side and rear property lines adjacent to the single-family residences.
6. **Outside Storage:** Outside storage of materials and equipment is allowed on Tract 1 as long as it is screened from view of the right-of-way and neighboring properties by means of a six-foot tall solid masonry wall.
7. **Hours of Operation:** The hours of operation for the manufacturing of fiberglass boats that weigh less than five tons and assembly of boat trailers shall be limited to Monday through Saturday, 7:00 a.m. to 7:00 p.m.
8. **Air Quality:** The Owner must comply with all applicable state and local air quality regulations.
9. **Time Limit:** 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 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.** 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 6.** All ordinances or parts of ordinances specifically pertaining to the zoning of Tract 1 (Lots 1 through 5, Block 2, Baywood Addition) and Tract 2 (Lot 4 and the northeast 25 feet of Lot 5, Block 1, Baywood Addition) and that are in conflict with this ordinance are hereby expressly repealed.

**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.

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:

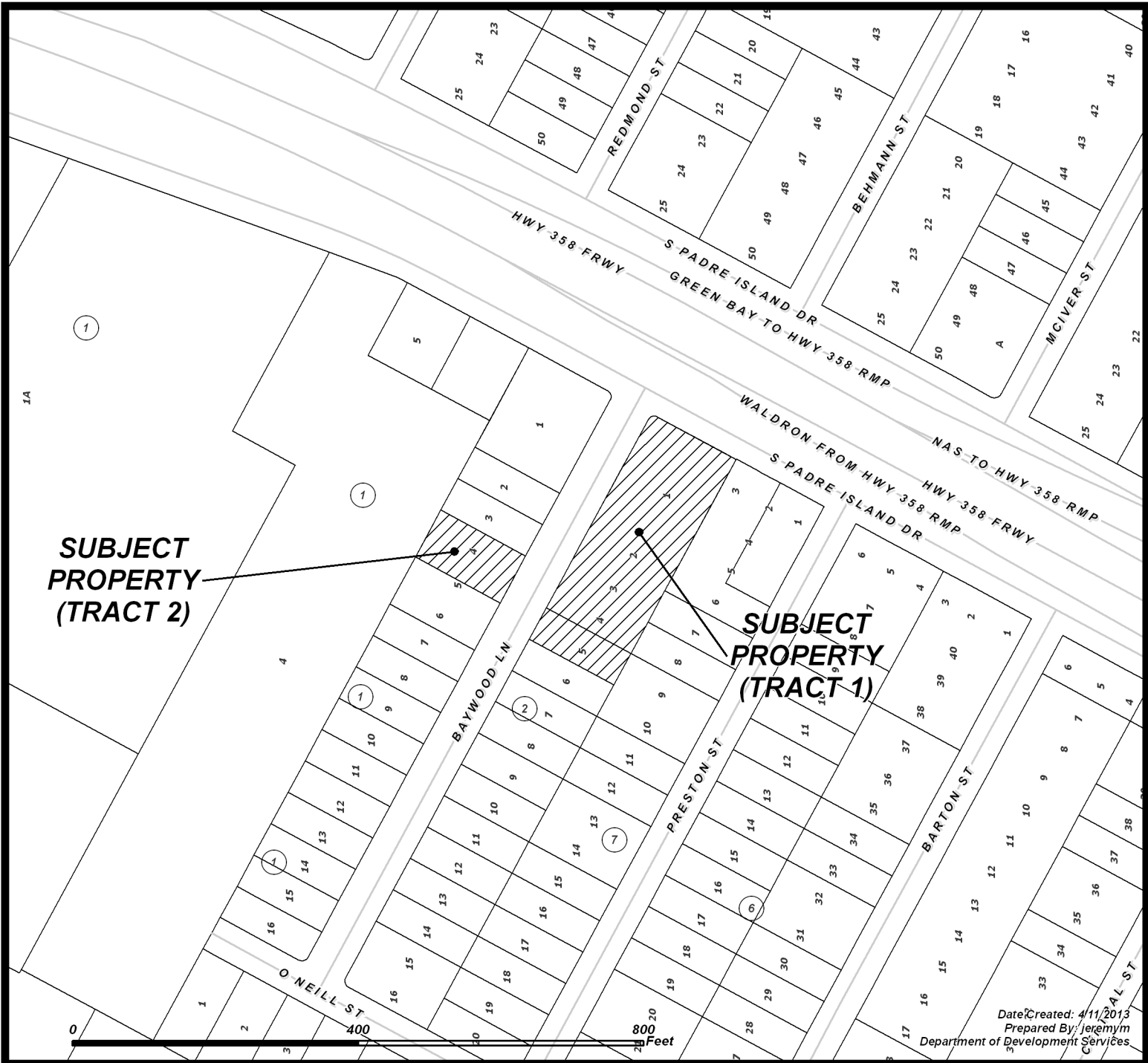
Nelda Martinez	_____	Chad Magill	_____
Kelley Allen	_____	Colleen McIntyre	_____
Rudy Garza	_____	Lillian Riojas	_____
Priscilla Leal	_____	Mark Scott	_____
David Loeb	_____		

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

ATTEST:

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

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



**SUBJECT  
PROPERTY  
(TRACT 2)**

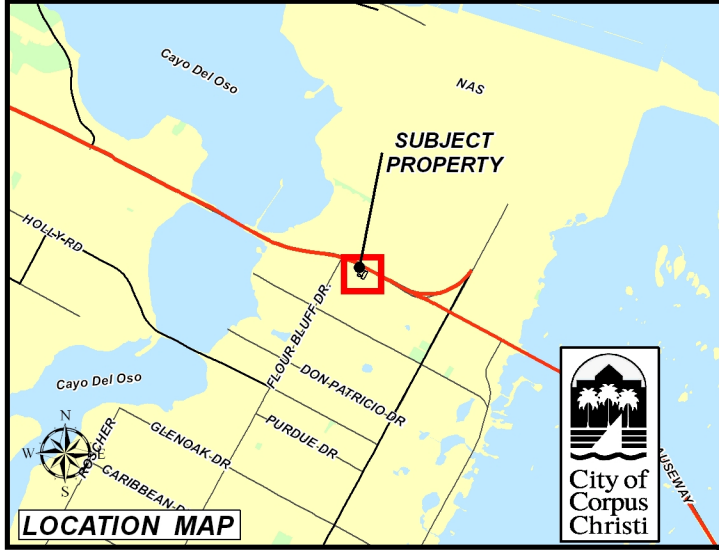
**SUBJECT  
PROPERTY  
(TRACT 1)**

Date Created: 4/11/2013  
Prepared By: Jeremym  
Department of Development Services

**CASE: 0413-05**  
**1. SUBJECT PROPERTY**

 Subject Property

**EXHIBIT A**



**LOCATION MAP**

