

## **ORDINANCE**

**AMENDING THE ZONING ORDINANCE, UPON APPLICATION BY THE NRP GROUP, BY CHANGING THE ZONING MAP IN REFERENCE TO HAWN TRACT, LOTS D & E, AND A PORTION OF LOT C, LOCATED BETWEEN LEOPARD STREET AND LIPAN STREET ALONG THE EAST SIDE OF PALM DRIVE, FROM THE "I-3" HEAVY INDUSTRIAL DISTRICT TO THE "I-3/SP" HEAVY INDUSTRIAL DISTRICT WITH A SPECIAL PERMIT AND TWO (2) CONDITIONS, NOT RESULTING IN A CHANGE OF FUTURE LAND USE; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; PROVIDING A REPEALER CLAUSE; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Planning Commission has forwarded to the City Council its reports and recommendations concerning the application of The NRP Group, for amendment to the City of Corpus Christi Zoning Ordinance and Zoning Map;

**WHEREAS**, with proper notice to the public, public hearings were held on Wednesday, March 16, 2011, during a meeting of the Planning Commission, and on Tuesday, April 26, 2011, during a meeting of the City Council, in the Council Chambers, at City Hall, in the City of Corpus Christi, 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 public health, necessity, convenience and the general welfare of the City of Corpus Christi and its citizens.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:**

**SECTION 1.** That the Zoning Ordinance of the City of Corpus Christi, Texas, is amended by changing the zoning on Hawn Tract, Lots D & E, and a portion of Lot C, located between Leopard Street and Lipan Street along the east side of Palm Drive, from the "I-3" Heavy Industrial District to the "I-3/SP" Heavy Industrial District with a Special Permit and two (2) conditions, not resulting in a change of future land use (Zoning Map 042,036) (Exhibit A -"Applicant's Request"; Exhibit B- "Planning Commission's Request").

**SECTION 2.** That the Special Permit granted in Section 1 of this ordinance is subject to the following two (2) conditions:

- 1.) Uses: All uses in the "I-3" Heavy Industrial District, plus the allowance of a 120 unit multi-family residential complex.

029044

- 2.) Time Limit: Such a Special Permit shall be deemed to have expired within eighteen (18) months of the date of this ordinance, unless the property is being used as outlined in Condition # 1.

**SECTION 3.** That the official Zoning Map of the City of Corpus Christi, Texas, is amended to reflect the amendment to the Zoning Ordinance made by Section 1 of this ordinance.

**SECTION 4.** That the Zoning Ordinance and Zoning Map of the City of Corpus Christi, Texas, approved on the 27th day of August, 1937, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

**SECTION 5.** That to the extent that this amendment to the Zoning Ordinance represents a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the Zoning Ordinance, as amended by this ordinance.

**SECTION 6.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

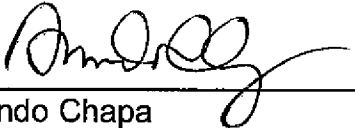
**SECTION 7.** A violation of this ordinance or requirements implemented under this ordinance constitutes an offense punishable under Section 35-3 of the Zoning Ordinance of the City of Corpus Christi.


**SECTION 8.** That 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 9.** That upon written request of the Mayor or five Council members, copy attached, the City Council finds and declares an emergency due to the need for immediate action necessary for the efficient and effective administration of City affairs and suspends the Charter rule as to consideration and voting upon ordinances at two regular meetings so that this ordinance is passed upon first reading as an emergency measure on this 26<sup>th</sup> day of April, 2011.

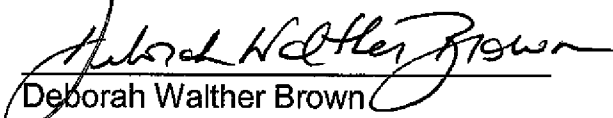
**ATTEST:**

**CITY OF CORPUS CHRISTI**

  
Armando Chapa  
City Secretary

  
Joe Adame  
Mayor, City of Corpus Christi

**APPROVED AS TO FORM:** This 18<sup>th</sup> day of April, 2011

  
Deborah Walther Brown  
Assistant City Attorney  
For City Attorney

Corpus Christi, Texas

26<sup>th</sup> day of April, 2011

TO THE MEMBERS OF THE CITY COUNCIL

Corpus Christi, Texas

For the reasons set forth in the emergency clause of the foregoing ordinance, an emergency exists requiring suspension of the Charter rule as to consideration and voting upon ordinances at two regular meetings. I/we, therefore, request that you suspend said Charter rule and pass this ordinance finally on the date it is introduced, or at the present meeting of the City Council.

Respectfully,

Respectfully,

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Joe Adame  
Joe Adame  
Mayor, City of Corpus Christi

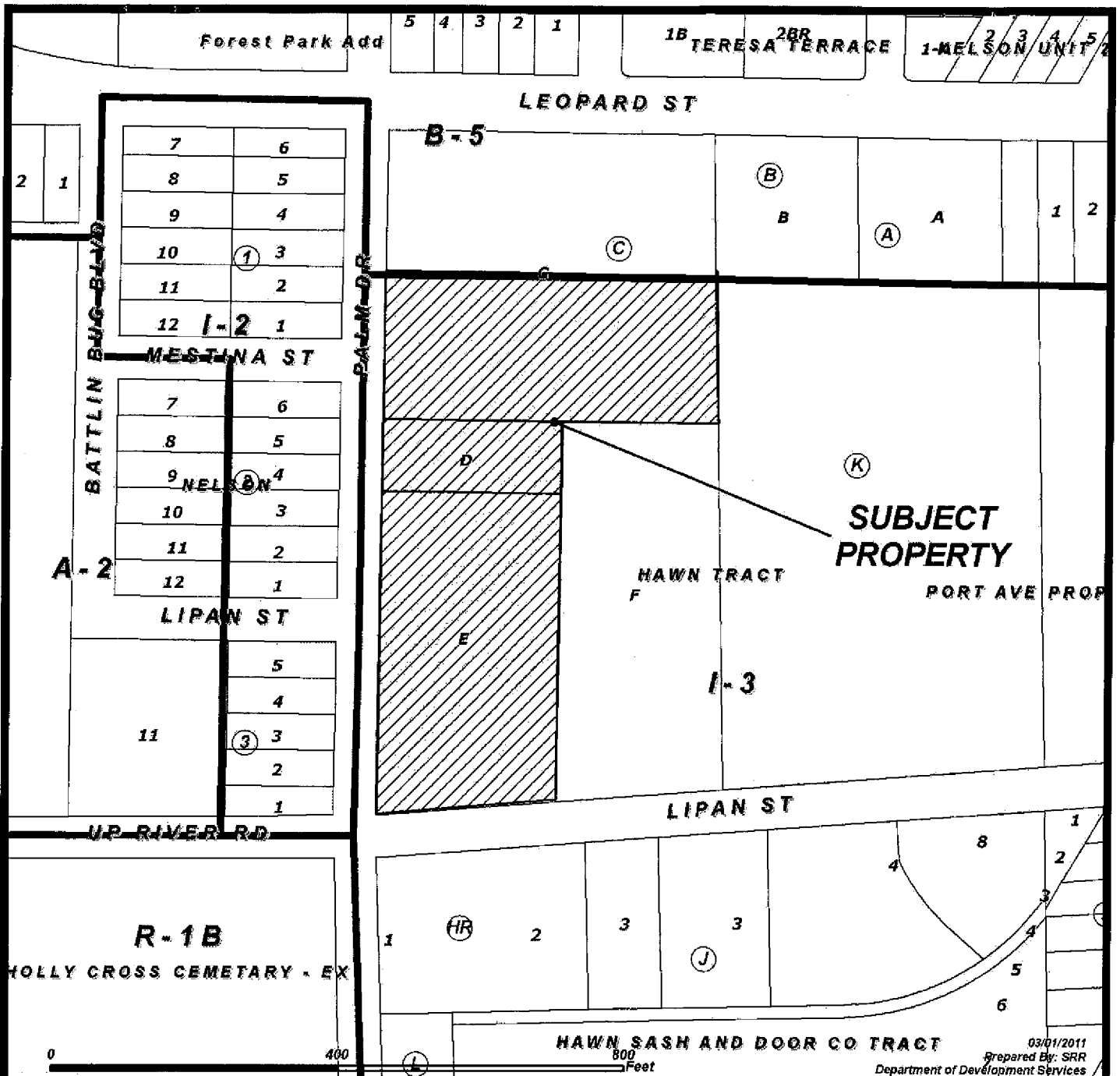
Council Members

The above ordinance was passed by the following vote:

Joe Adame	<u>Aye</u>
Chris N. Adler	<u>Aye</u>
Larry Elizondo, Sr.	<u>Absent</u>
Kevin Kieschnick	<u>Aye</u>
Priscilla G. Leal	<u>Absent</u>
John E. Marez	<u>Aye</u>
Nelda Martinez	<u>Aye</u>
Mark Scott	<u>Aye</u>
Linda Strong	<u>Aye</u>

**EFFECTIVE DATE**  
May 2, 2011

029044



**CASE: 0311-02**

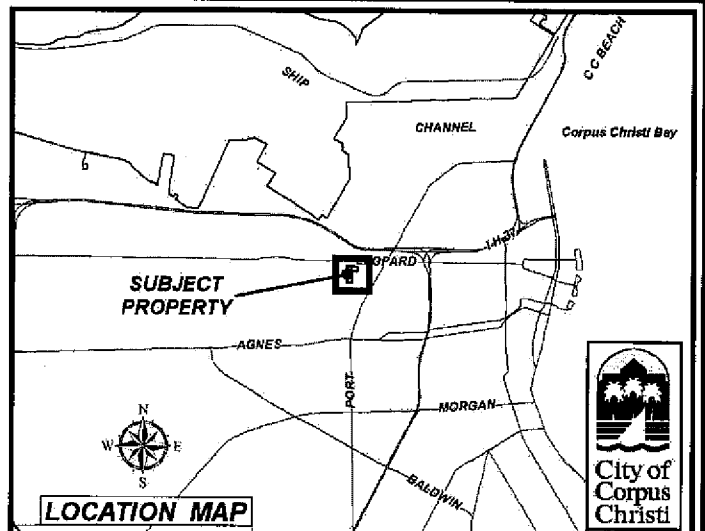
**EXHIBIT A**

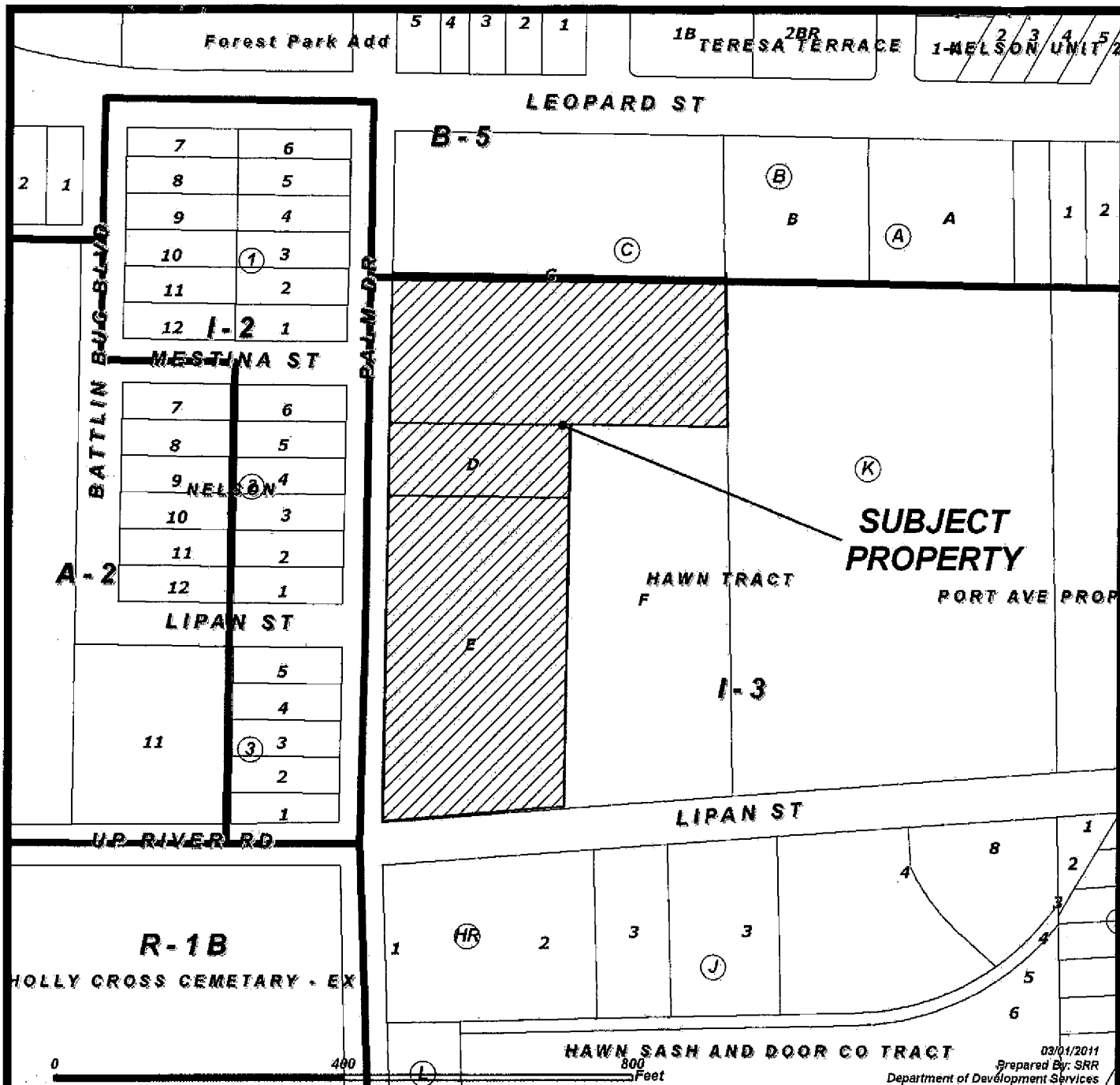
**APPLICANT'S REQUEST**

**FROM: I-3**

**TO: B-5**

**ORDINANCE NO.**





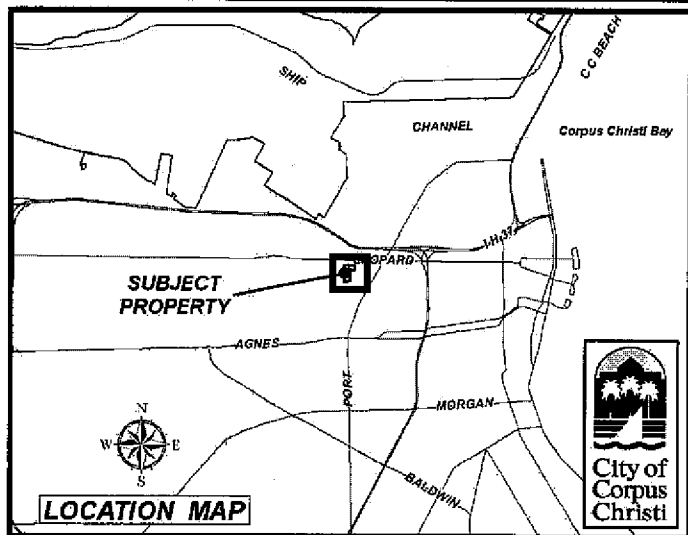
**CASE: 0311-02**

**EXHIBIT B**

**PLANNING COMMISSION'S  
REQUEST**

**FROM: I-3  
TO I-3/SP**

**ORDINANCE NO.**



PUBLISHER'S AFFIDAVIT

State of Texas               }  
County of Nueces           }

CITY OF CORPUS CHRISTI  
Ad # 5965446  
PO #

Before me, the undersigned, a Notary Public, this day personally came GEORGIA LAWSON, who being first duly sworn, according to law, says that she is LEGAL SALES REPRESENTATIVE 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, NOTICE OF PUBLIC HEARING TO CONSIDER ZO which the annexed is a true copy, was inserted in the *Corpus Christi Caller-Times* on the 4/11/2011, 4/11/2011.


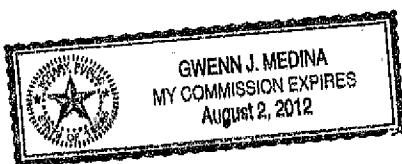
\$ 164.59



LEGAL SALES REPRESENTATIVE

1Time(s)

On this 12 day of April, 2011 I certify that the attached document is a true and an exact copy made by publisher.

  
Notary Public, State of Texas

Legal Notices III

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

Notice is hereby given that the Corpus Christi City Council will conduct a public hearing on April 26, 2011 during a regular Council meeting which commences at 12:00 p.m. in the Council Chambers, City Hall, 1201 Leopard, to consider the following zoning application(s) which are on file in the Office of the City Secretary & the Dept. of Planning. At said time & place of hearing, persons & parties interested may appear before the City Council:

1. 0311-02, The NRP Group: From the "I-3" Heavy Industrial District to the "B-5" Business District. Located between Leopard St. and Lipan St. Along the east side of Palm Dr.

Information may be obtained by calling or visiting the Dept. of Development Services, Planning Section at (361) 826-3560, 2406 Leopard St.

/s/ Armando Chapa  
City Secretary

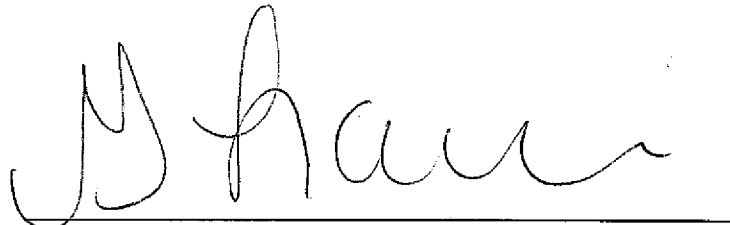
PUBLISHER'S AFFIDAVIT

State of Texas                 }  
County of Nueces            }

CITY OF CORPUS CHRISTI  
Ad # 5966914  
PO #

Before me, the undersigned, a Notary Public, this day personally came GEORGIA LAWSON, who being first duly sworn, according to law, says that she is LEGAL SALES REPRESENTATIVE 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, NOTICE OF PASSAGE OF ORDINANCE NO. 02904 which the annexed is a true copy, was inserted in the *Corpus Christi Caller-Times* on the 5/2/2011, 5/2/2011.

\$ 114.21



LEGAL SALES REPRESENTATIVE

1Time(s)

On this 3<sup>rd</sup> day of May, 2011 I certify that the attached document is a true and an exact copy made by publisher.



Notary Public, State of Texas





Legal Notices **1110**

**NOTICE OF  
PASSAGE OF  
ORDINANCE**

NO. 029044, Amending the Zoning Ord., upon application by The NRP Group, by changing the Zoning Map in reference to Hawn Tract, Lots D & E, & a portion of Lot C, located between Leopard St. & Lipan St. along the east side of Palm Dr., from the "I-3" Heavy Industrial District to the "I-3/SP" Heavy Industrial District with a Special Permit & two (2) conditions, not resulting in a change of future land use. This ord. was passed & approved by the Corpus Christi City Council on April 26, 2011.

/s/ Armando Chapa  
City Secretary