

**Case No. 0219-02 HCS 311, LLC:
Ordinance rezoning property at or near 1401 North Alameda Street
from the “RM-1” Multifamily 1 District to the “RM-1/SP” Multifamily 1
District with a Special Permit**

WHEREAS, the Planning Commission has forwarded to the City Council its final report and recommendation regarding the application of HCS 311, LLC. (“Owner”), 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 on Wednesday, February 20, 2019, during a meeting of the Planning Commission. The Planning Commission recommended denial of the change of zoning from the “RM-1” Multifamily 1 District to the “IL” Light Industrial District and on Tuesday, March 26, 2019, 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 0219-02 HCS 311, LLC. (“Owner”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on a property described as being 4.1573 acres, more or less, being out of Block C, Colonia Mexicana and Lots 5 and 6, Block Southwest 1/4 C, Colonia Mexicana, located on the east side of Sam Rankin Street, west of South Alameda Street, and north of Interstate 37 (the “Property”), from the “RM-1” Multifamily 1 District to the “RM-1/SP” Multifamily 1 District with a Special Permit (Zoning Map No. 046045), as shown in Exhibits “A” and “B”. Exhibit “A”, which is a map of the Property, and Exhibit “B”, which is an illustrative rendering, are attached to and incorporated in this ordinance by reference as if fully set out herein in their entireties.

SECTION 2. The Special Permit granted in Section 1 of this ordinance is subject to the Owner following the conditions listed below:

1. **Uses:** The only principal use authorized by this Special Permit other than uses permitted by right in the base zoning district is a “Truck or transfer terminal” as described in Section 5.1.5.B. “ Warehouse and Freight Movement” of the Unified Development Code (UDC). The only accessory uses allowed are an associated office and an outdoor storage yard. Materials being stored shall be limited to steel pipe.
2. **Hours of Operation:** The hours of operation shall be Monday through Saturday from 7:00 AM to 6:00 PM and 2:00 PM to 6:00 PM on Sunday.

3. **Buffer Yard:** A Type D Buffer Yard as defined by Section 7.9.5.A of the Unified Development Code (UDC) shall be required where the subject property shares a property line with a residential zoning district and/or residential use.
4. **Dumpsters:** Any dumpster located on the Property shall be effectively screened from view by means of a screening fence or landscaping.
5. **Nuisance:** The use is prohibited from creating any hazard or nuisance such as, noise, smoke, vibration, dust, and/or odors.
6. **Dust:** Any dust generated by the operation of the outdoor storage use must be mitigated. Examples of mitigation are by application of a hardscape, by watering, or by use of a soil stabilizer/epoxy.
7. **Noise:** Noise regulations shall be subject to Section 31-3 of the Municipal Code. Outside paging, speakers, telephone bells, or similar devices are prohibited.
8. **Access:** No commercial truck traffic south of Chipito Street. Driveway access to or from Chipito Street is prohibited. No exiting of commercial truck traffic to the south onto Sam Rankin Street or south onto North Alameda Street from the subject property.
9. **Lighting:** All security lighting must be shielded and directed away from abutting residences and nearby streets. Cut-off shields are required for all lighting fixtures. No light projection is permitted beyond the property line near all public roadways and residential development.
10. **Landscaping:** Landscaping shall be installed in accordance with the requirements of Section 7.3.11.A of the Unified Development Code (UDC).
11. **Screening:** The subject property must completely screened by a screening fence as defined in Section 1.11 of the UDC from view of the public right-of-way and adjacent non-industrial uses.
12. **Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, Building, and Fire Code Requirements.
13. **Time Limit:** This Special Permit shall expire 36 months from date of approval.

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 the Property and that are in conflict with this ordinance are hereby expressly repealed.

SECTION 7. Publication shall be made in the City's official publication as required by the City's Charter.

That the foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 2019, by the following vote:

| | |
|----------------------------|----------------------|
| Joe McComb _____ | Michael Hunter _____ |
| Roland Barrera _____ | Ben Molina _____ |
| Rudy Garza _____ | Everett Roy _____ |
| Paulette M. Guajardo _____ | Greg Smith _____ |
| Gil Hernandez _____ | |

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____ 2019, by the following vote:

| | |
|----------------------------|----------------------|
| Joe McComb _____ | Michael Hunter _____ |
| Roland Barrera _____ | Ben Molina _____ |
| Rudy Garza _____ | Everett Roy _____ |
| Paulette M. Guajardo _____ | Greg Smith _____ |
| Gil Hernandez _____ | |

PASSED AND APPROVED on this the _____ day of _____, 2019.

ATTEST:

Rebecca Huerta
City Secretary

Joe McComb
Mayor

Exhibit A

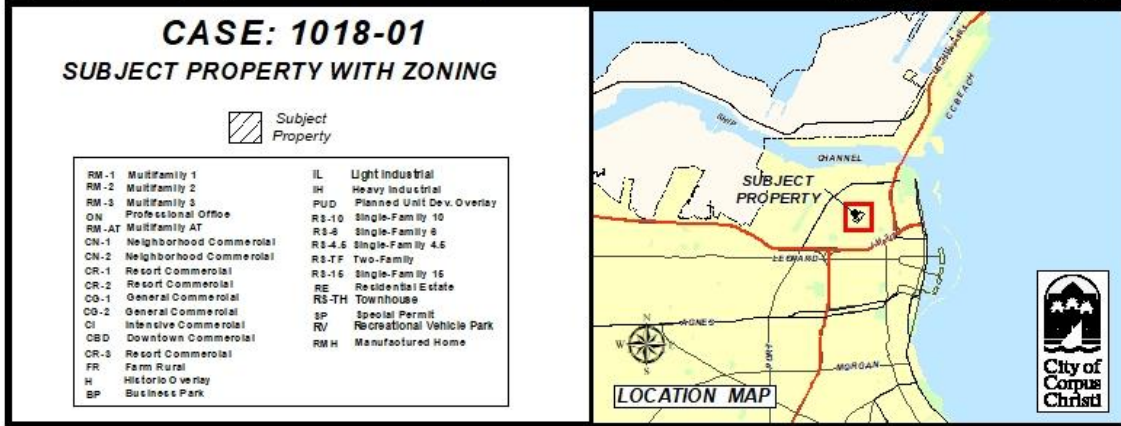
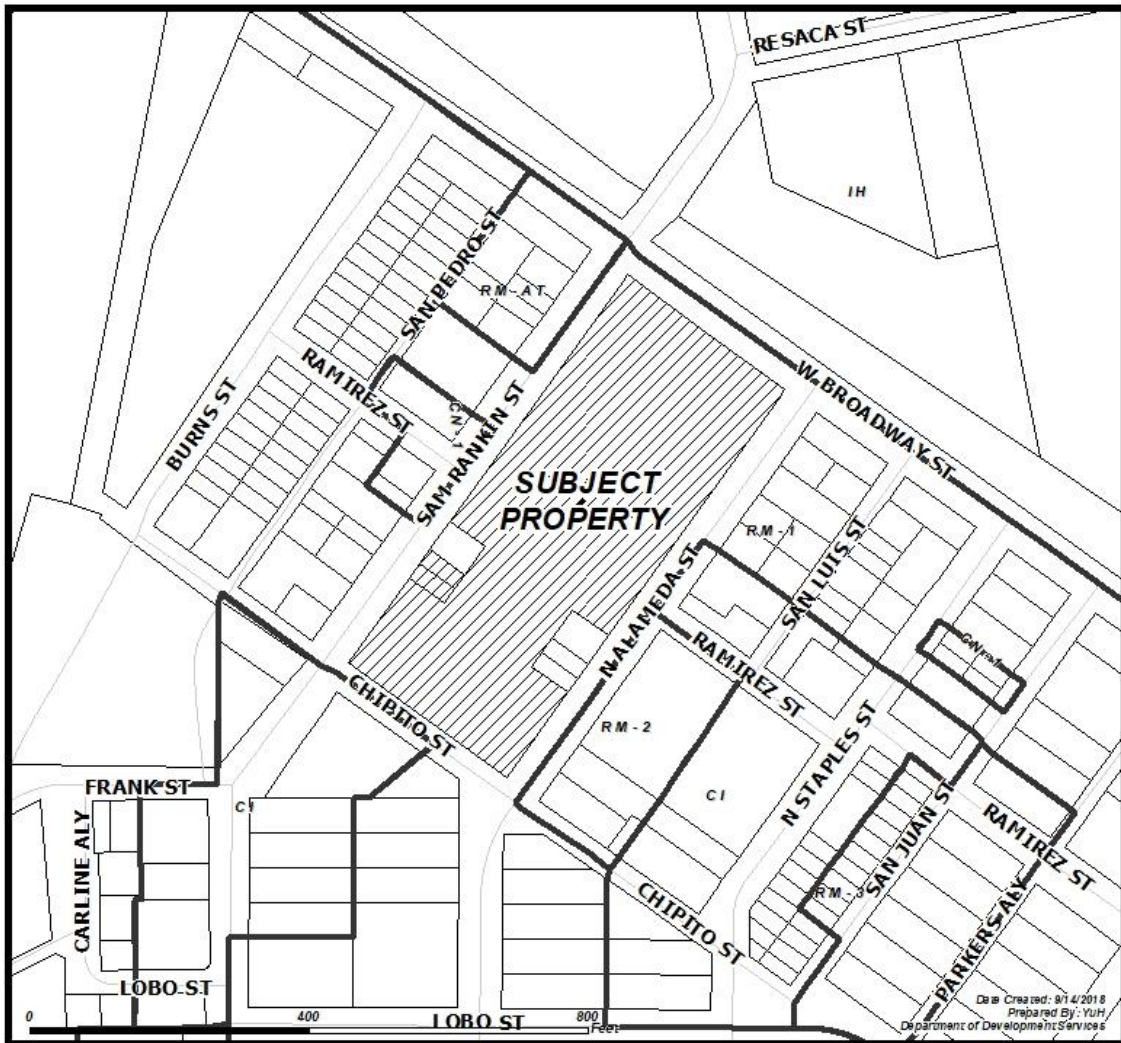


Exhibit B



taxside