

Ordinance amending the Unified Development Code (“UDC”) upon application by International Resistive Company of Texas, LLC (“Owner”), by changing the UDC Zoning Map in reference to South Staples Center, Lot B-4, from a “CG-2/SP” General Commercial District with a Special Permit to a “CG-2/SP” General Commercial District with a modified Special Permit; amending the Comprehensive Plan to account for any deviations; providing a repealer clause; and providing for penalties and publication.

WHEREAS, on April 2, 1975, the International Resistive Company of Texas, LLC (“Owner”) was granted a Special Council Permit for a resistor assembly plant on Lot B-4, South Staples Center (formerly, all of Block A and 5.91 acres out of Lot B-1), the conditions of the Special Council Permit being later modified by City Council action on March 14, 1984, November 3, 1987, and January 13, 1998;

WHEREAS, the Owner desires to expand use of the property by increasing the permitted capacity of the onsite storage tanks, from two tanks with a maximum 6,000-gallon storage capacity to any number of tanks for a total maximum storage capacity of 24,000 gallons, and increasing the useable floor area of the facility, from 105,850 square feet to a maximum of 110,000 square feet;

WHEREAS, Owner seeks “IL” Light Industrial District zoning and, upon review by the Planning Commission, the Planning Commission recommends denial of the “IL” Light Industrial District and, in lieu thereof, approval of a modified Special Permit in the “CG-2” General Commercial District;

WHEREAS, the Planning Commission has forwarded to the City Council its reports and recommendations regarding the application of the Owner for an amendment to the City of Corpus Christi’s UDC and corresponding UDC Zoning Map;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, August 15, 2012, during a meeting of the Planning Commission, and on Tuesday, October 30, 2012, 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. Pursuant to the request of the International Resistive Company of Texas, LLC (“Owner”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on South Staples Center, Lot B-4 (the “Property”), located on the northeast corner of South Staples Street and Gollihar Road between Everhart Road and Caddo Street, from the “CG-2/SP” General Commercial District with a Special Permit (formerly, “B-4” General Business District with a

Special Permit, known as “B-4/SP”) to the “CG-2/SP” General Commercial District with a modified Special Permit (Zoning Map No. 043037). Exhibit “A,” which is a location map pertaining to the Property, and Exhibit “B,” which is a site plan pertaining to the Property, are attached to and incorporated in this ordinance by reference as if fully set out herein in their entirety.

SECTION 2. The Special Permit granted in Section 1 of this ordinance modifies the previous Special Permit granted on January 13, 1998, and incorporates the former and new requirements with which the Owner must comply under this Special Permit as follows:

1. **ALLOWED USES:** The only use authorized by the Owner under this Special Permit, other than the basic uses by right in the “CG-2” General Commercial District, is a resistor assembly plant.
2. **FLOOR AREA:** The floor area of the facility and related offices and storage areas cannot exceed 110,000 square feet.
3. **ABOVEGROUND TANKS:** Outdoor aboveground storage tanks may be utilized by the Owner for the storage of liquid nitrogen so long as the combined total storage capacity of the tanks does not exceed 24,000 gallons. The tanks cannot be located closer than 60 feet from the northeast property line abutting the single-family neighborhood.
4. **OUTSIDE STORAGE:** Outside storage, except for the aboveground storage tanks, is not allowed on the property. Any storage of hazardous materials by the Owner must be stored inside the existing facility and is subject, at all times, to the approval of the City’s Fire Marshal and Building Official.
5. **SCREENING FENCE:** A standard screening fence with a height of not less than six (6) feet must be installed and maintained by the Owner along the northeast property line abutting the single-family neighborhood. The fence must be installed within one (1) year from the date of this ordinance.
6. **LANDSCAPING:** A landscaping strip with a width of not less than five (5) feet must be located along the South Staples Street, Gollihar Road, and Caddo Street public rights-of-way. The landscaping strip must contain ground cover and shrubs in accordance with the Unified Development Code’s approved plant list. The Owner must ensure that all landscaping is kept in a healthy and growing condition at all times. Landscaping must be installed within one (1) year from the date of this ordinance.
7. **ACCESS:** No driveways or direct access is permitted onto Everhart Road or Jacquelyn Drive.

8. **TIME LIMIT:** This Special Permit expires one (1) year from the approval date of this ordinance unless the property is being used for the purpose outlined in Condition 1 and all other conditions are being met by the Owner.

SECTION 3. The official UDC Zoning Map of the City is amended to reflect the 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 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 as provided in Article 1, Section 1.10.1, and Article 10 of the UDC.

SECTION 8. 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 _____, 2012, by the following vote:

Joe Adame	_____	David Loeb	_____
Chris N. Adler	_____	John E. Marez	_____
Kelley Allen	_____	Nelda Martinez	_____
Larry Elizondo	_____	Mark Scott	_____
Priscilla G. Leal	_____		

The foregoing ordinance was read for the second time and passed finally on this the _____ day of _____, 2012, by the following vote:

Joe Adame _____

David Loeb _____

Chris N. Adler _____

John E. Marez _____

Kelley Allen _____

Nelda Martinez _____

Larry Elizondo _____

Mark Scott _____

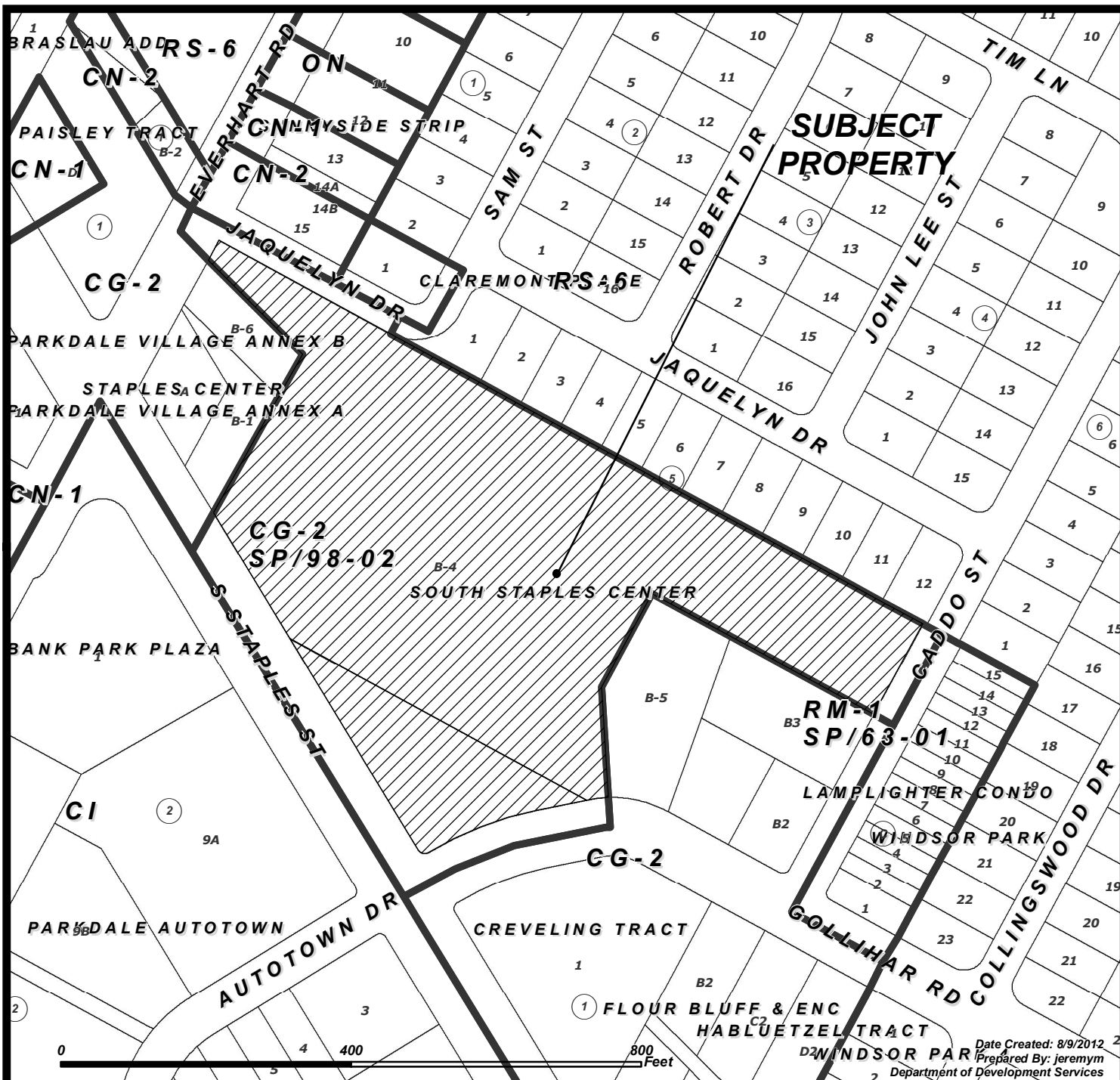
Priscilla G. Leal _____

PASSED AND APPROVED this the _____ day of _____ 2012.

ATTEST:

Armando Chapa
City Secretary

Joe Adame
Mayor

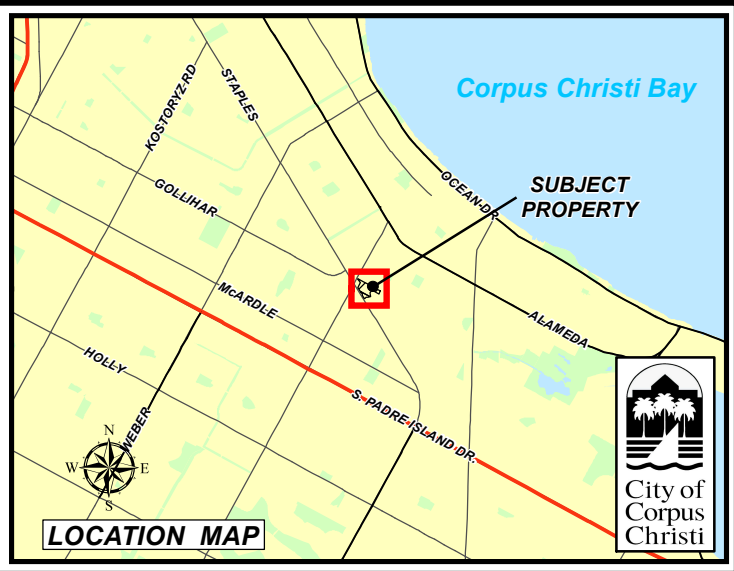


Date Created: 8/9/2012
 Prepared By: jeremym
 Department of Development Services

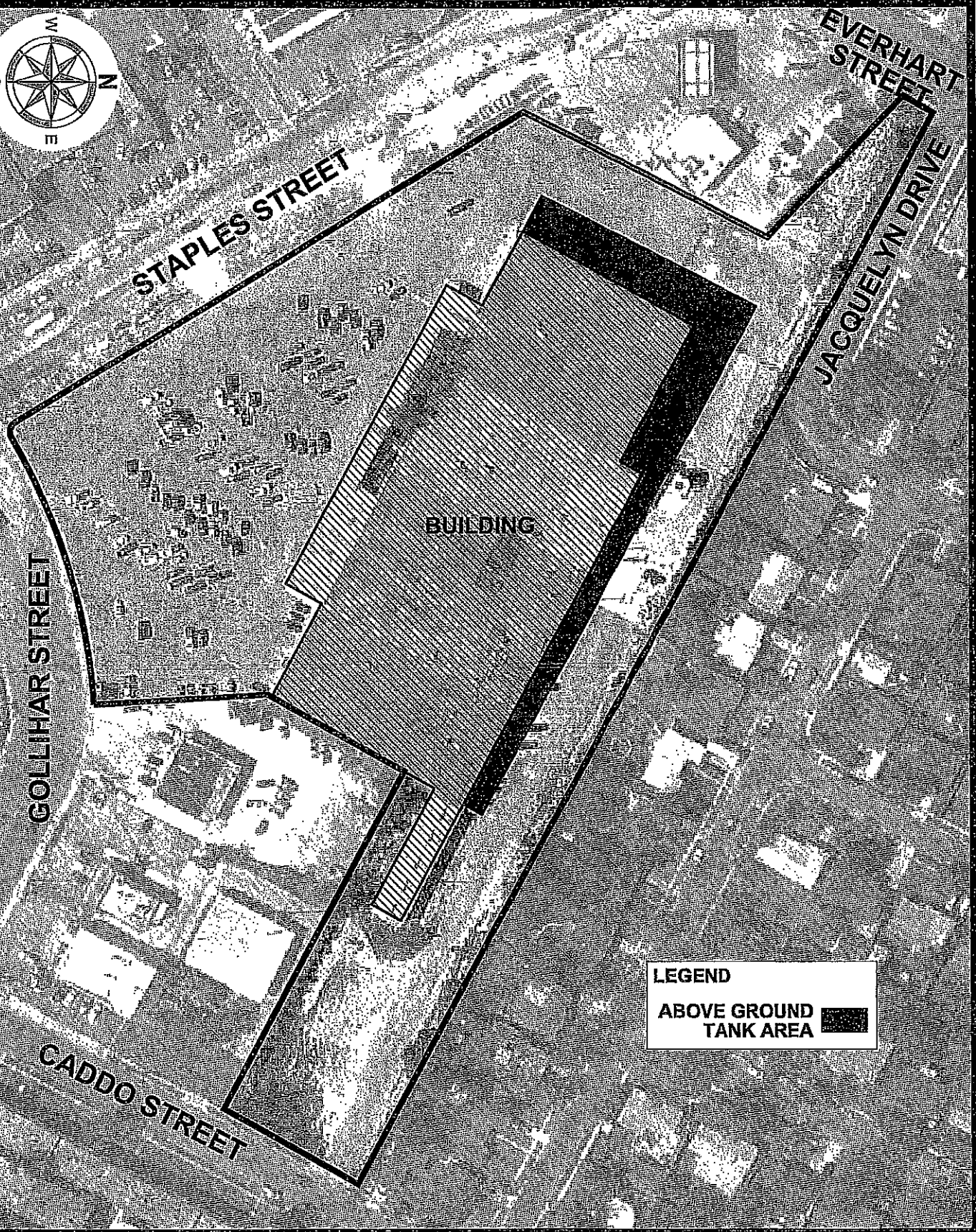
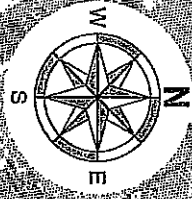
CASE: 0812-04
1. SUBJECT PROPERTY




EXHIBIT A



LOCATION MAP



LEGEND

ABOVE GROUND TANK AREA 

NE **NaismithEngineering, Inc**
 ARCHITECTURE ■ ENGINEERING ■ ENVIRONMENTAL ■ SURVEYING
TRAFFIC F-13553 ■ TDPF F-353 ■ TDPG F-50017 ■ TPLS F-100365-00
 4501 GOLLIHAR ROAD, CORPUS CHRISTI, TX 78411
PH: 800-677-2831 ■ FAX: 361-814-9900 ■ FAX: 361-814-4401 ■ NAISMITH-ENGINEERING.COM

EXHIBIT B
EXTERIOR STORAGE TANK LOCATIONS

DRAWN BY: TBT	CHECKED BY: TBT	APPROVED BY: TKO	SCALE: 1"=1,000'	DATE: 6/2012	PROJECT NUMBER: 8854	REVISION: -
FOR PERMIT PURPOSES ONLY, NOT FOR CONSTRUCTION OR BIDDING						

CORPUS CHRISTI, NUECES COUNTY, TEXAS

EXHIBIT
B
 SHEET OF 1