

Ordinance amending the Unified Development Code (“UDC”), upon application by Old Lipan Limited (“Owner”), by changing the UDC Zoning Map in reference to Lots 4, 5B, 6, 7A, 13, and the west half of Lot 5, Block 10, Gardendale Subdivision, by granting a Special Permit for a mini-storage facility; amending the Comprehensive Plan to account for any deviations; providing for a repealer clause and publication; and declaring an emergency.

WHEREAS, the Planning Commission has forwarded to the City Council its final report and recommendation regarding the application of Old Lipan Limited (“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, public hearings were held on Wednesday, December 4, 2013, and January 29, 2014, during meetings of the Planning Commission, and on Tuesday, February 25, 2014, during a meeting of the City Council, during which all interested persons were allowed to appear and be heard;

WHEREAS, after taking public testimony on February 25, 2014, the City Council postponed action on the application until March 4, 2014; 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 Old Lipan Limited (“Owner”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by granting a Special Permit for a mini-storage facility subject to 10 conditions and maintaining the existing base zoning districts on Lots 4, 5B, 6, 7A, 13, and the west half of Lot 5, Block 10, Gardendale Subdivision (the “Property”), located on Holly Road and Cain Drive, approximately 400 feet west of South Staples Street (Zoning Map No. 043035), as shown in Exhibit “A.” Exhibit A, which is a location and zoning map pertaining to the Property, is attached to and incorporated in this ordinance by reference as if fully set out herein in its entirety.

SECTION 2. The Special Permit granted in Section 1 of this ordinance is subject to the following 10 conditions:

1. **Use:** The only use allowed on the Property other than uses permitted in the base zoning districts is a mini-storage facility.
2. **Access:** No vehicular access shall be permitted onto Cain Drive.

3. **Street Yard Setback:** A building setback of 35 feet shall be required along Cain Drive. The 35-foot setback shall remain as open space. Buildings and paving are prohibited within this setback. All other building setbacks shall comply with the UDC.
4. **Buffer Yard:** A 15-foot wide buffer yard and 15 buffer yard points shall be required along the property boundaries adjacent to residential zoning districts. Canopy trees of 2.5-inch caliper shall be planted every 30 feet on center within the buffer yard and within the front yard setback.
5. **Screening Fence:** A minimum six-foot tall solid wood screening fence is required between the mini-storage facility and the residential uses and along the 35-foot wide building setback line along Cain Drive where a building does not serve as the visual screen.
6. **Lighting:** All lighting shall be shielded and pole lights shall be of the full cut-off type. Freestanding pole lights are not allowed within 50 feet of the property line of a residential use. No light source shall exceed the roof height of the buildings on site or 15 feet, whichever is more restrictive.
7. **Building Height:** Buildings shall not exceed 26 feet where adjacent to a residential use. Otherwise, the maximum building height shall be 36 feet.
8. **Hours of Operation:** The hours of operation shall be limited from 7:00 AM to 10:00 PM.
9. **Signage:** No wall- or pole-mounted signage is allowed on Cain Drive or facing a residential use.
10. **Time Limit:** In accordance with the UDC, 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 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.

SECTION 8. 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 that requires consideration of and voting upon ordinances at two regular meetings so that this ordinance is passed and takes effect upon first reading as an emergency measure this the _____ day of _____, 2014.

ATTEST:

CITY OF CORPUS CHRISTI

Rebecca Huerta
City Secretary

Nelda Martinez
Mayor

Corpus Christi, Texas

_____ Day of _____, _____

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,

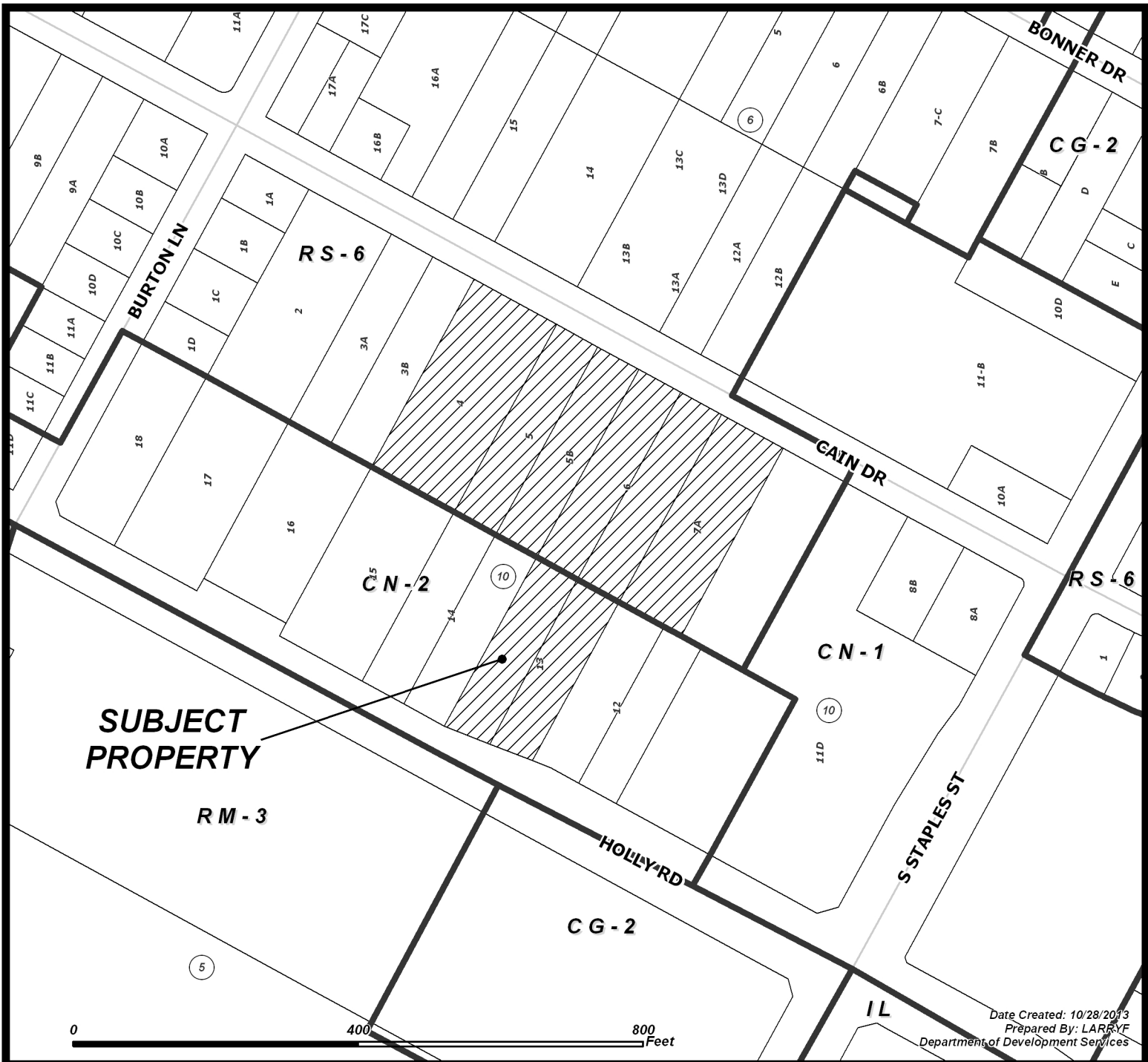
Respectfully,

Nelda Martinez
Mayor

Council Members

The above ordinance was passed by the following vote:

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



Date Created: 10/28/2013
 Prepared By: LARRY F
 Department of Development Services

CASE: 1113-02

SUBJECT PROPERTY WITH ZONING

 Subject Property

RM-1	Multifamily 1	IL	Light Industrial
RM-2	Multifamily 2	IH	Heavy Industrial
RM-3	Multifamily 3	PUD	Planned Unit Dev. Overlay
ON	Professional Office	RS-10	Single-Family 10
RM-AT	Multifamily AT	RS-6	Single-Family 6
CN-1	Neighborhood Commercial	RS-4.5	Single-Family 4.5
CN-2	Neighborhood Commercial	RS-TF	Two-Family
CR-1	Resort Commercial	RS-15	Single-Family 15
CR-2	Resort Commercial	RE	Residential Estate
CG-1	General Commercial	RS-TH	Townhouse
CG-2	General Commercial	SP	Special Permit
CI	Intensive Commercial	RV	Recreational Vehicle Park
CBD	Downtown Commercial	RMH	Manufactured Home
CR-3	Resort Commercial		
FR	Farm Rural		
H	Historic Overlay		
BP	Business Park		

