

Ordinance amending the Unified Development Code (“UDC”) upon application by The Mostaghasi Investment Trust DBA Sun George Contracting and Development Co. (“Owner”), by changing the UDC Zoning Map in reference to a 21.179-acre tract of land out of Lots 7 and 8, Section 21, Flour Bluff and Encinal Farm and Garden Tracts, from the “FR” Farm Rural District to the “RM-2” Multifamily 2 District on Tract 1 and the “RS-6” Single-Family 6 District on Tract 2; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause, penalties, and publication.

WHEREAS, the Planning Commission has forwarded to the City Council its reports and recommendations regarding the application of The Mostaghasi Investment Trust DBA Sun George Contracting and Development Co. (“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, October 10, 2012, during a meeting of the Planning Commission, and on Tuesday, November 13, 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. The Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on a 21.179-acre tract of land out of Lots 7 and 8, Section 21, Flour Bluff and Encinal Farm and Garden Tracts (the “Property”), located on the southwest corner of Airline Road and Lipps Boulevard, from the “FR” Farm Rural District to the “RM-2” Multifamily 2 District on Tract 1 (northern 12.623-acre portion) and the “RS-6” Single-Family 6 District on Tract 2 (southern 8.556-acre portion) (Zoning Map Nos. 042031 and 042030), as shown in Exhibits “A,” “B,” and “C.” Exhibit “A,” which is a metes and bounds description of Tract 2, Exhibit “B,” which is a metes and bounds description of Tract 1, and Exhibit “C,” which is a sketch to accompany the metes and bounds descriptions, are attached to and incorporated in this ordinance by reference as if fully set out herein in their entirety.

SECTION 2. The official UDC Zoning Map of the City is amended to reflect changes made to the UDC by Section 1 of this ordinance.

SECTION 3. 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 4. 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 5. All ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

SECTION 6. 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 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.

That the foregoing ordinance was read for the first time and passed to its second reading on this the 13th day of November, 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 TO ITS SECOND READING ON THIS THE 13th DAY OF NOVEMBER, 2012.

ATTEST:

Armando Chapa
City Secretary

Joe Adame
Mayor

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

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

PASSED AND APPROVED, this the _____th day of _____, 2012.

ATTEST:

Armando Chapa
City Secretary

Nelda Martinez
Mayor

BASS & WELSH ENGINEERING
Engineering Firm Reg. No. F-52
Surveying Firm Reg. No. 100027-00
P.O. Box 6397
Corpus Christi, TX 78466-6397

August 22, 2012
12044-M&B-RS-6.doc

RS-6
ZONING TRACT

STATE OF TEXAS §

COUNTY OF NUECES §

Description of an 8.556 acre tract of land, more or less, a portion of Lots 7 and 8, Section 21, Flour Bluff and Encinal Farm and Garden Tracts, a map of which is recorded in Volume "A", Pages 41 – 43, Map Records, Nueces County, Texas, said 8.556 acre tract of land as further described by metes and bounds as follows:

BEGINNING at the southernmost corner of a 9.001 acre tract of land described by instrument recorded as Document No. 2005000922, Official Public Records of said county, said beginning point for the southernmost west corner of the tract herein described and being in the northeast boundary line of a 135' drainage easement described by instrument recorded at Volume 2005, Page 837, Deed Records of said county;

THENCE N8°31'39"E 523.21' along the east boundary line of said 9.001 acre tract to a point for the northernmost corner of the tract herein described;

THENCE S60°56'51"E 731.11' to a point in the west right-of-way line of Airline Road for the northernmost east corner of the tract herein described;

THENCE S2°27'36"W 488.87' along said west right-of-way line of Airline Road to the point of intersection of said west right-of-way line of Airline Road and the northwest right-of-way line of Rodd Field Road for a southeasterly corner of the tract herein described;

THENCE S29°03'09"W 52.84' along said northwest right-of-way line of Rodd Field Road to a point for the southernmost corner of the tract herein described in said northeast boundary line of 135' wide drainage easement;

THENCE along the common southwest boundary line of said Lot 8 and northeast boundary line of said 135' wide drainage easement N60°56'51"W 766.50' to the **POINT OF BEGINNING**, a sketch showing said 8.556 acre RS-6 Zoning Tract being attached hereto as Exhibit "C".

NMW: sab



Nixon M. Welsh
Nixon M. Welsh, R.P.L.S.

EXHIBIT "A"

BASS & WELSH ENGINEERING
Engineering Firm Reg. No. F-52
Surveying Firm Reg. No. 100027-00
P.O. Box 6397
Corpus Christi, TX 78466-6397

September 20, 2012
12044-M&B-RM-2.doc

RM-2
ZONING TRACT

STATE OF TEXAS §

COUNTY OF NUECES §

Description of a 12.623 acre tract of land, more or less, a portion of Lots 7 and 8, Section 21, Flour Bluff and Encinal Farm and Garden Tracts, a map of which is recorded in Volume "A", Pages 41 – 43, Map Records, Nueces County, Texas, said 12.623 acre tract of land as further described by metes and bounds as follows:

BEGINNING at the point of intersection of the west right-of-way line of Airline Road and the southwest right-of-way line of Lipes Boulevard for the northernmost east corner of the tract herein described;

THENCE S2°27'36"W 911.79' along said west right-of-way line of Airline Road to a point for the southernmost corner of the tract herein described;

THENCE N60°56'51"W 731.11' to a point in the east boundary line of a 9.001 acre tract of land described by Document No. 2005000922, Official Public Records of said county, for the westernmost or southwest corner of the tract herein described;

THENCE N8°31'39"E 851.69' along said east boundary line of 9.001 acre tract to a point for the northernmost corner of the tract herein described at a northwesterly corner of a Lipes Boulevard right-of-way easement described by instrument recorded as Document No. 2011011855, said official public records

THENCE S60°57'59"E 166.28' along a southwest right-of-way line of Lipes Boulevard, being along a line 37.5' southwest of and parallel to the centerline of said Lipes Boulevard, to the point of curvature of a circular curve to the left having a central angle of 18°32'48", a radius of 337.50' and a chord bearing S70°13'29"E a distance of 108.77';

THENCE along a southwest right-of-way line of said Lipes Boulevard, being along said circular curve to the left, a distance of 109.25' to a point for northerly corner of the tract herein described;

THENCE along a southwest right-of-way line of said Lipes Boulevard, being along a line 20' southwest of and parallel to the centerline of said Lipes Boulevard, S60°57'59"E 347.94' to the **POINT OF BEGINNING**, a sketch showing said 12.623 acre RM-2 Zoning Tract being attached hereto as Exhibit "C".



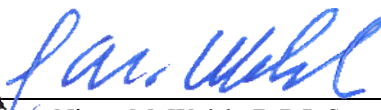

Nixon M. Welsh, R.P.L.S.

EXHIBIT "B"

I=18° 32' 48"
 R=337.50'
 T=55.11'
 L=109.25'
 CB=S70° 13' 29" E
 CH=108.77'

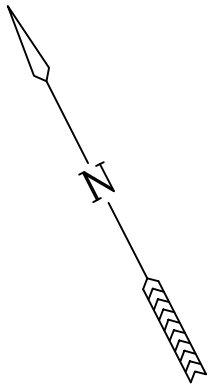
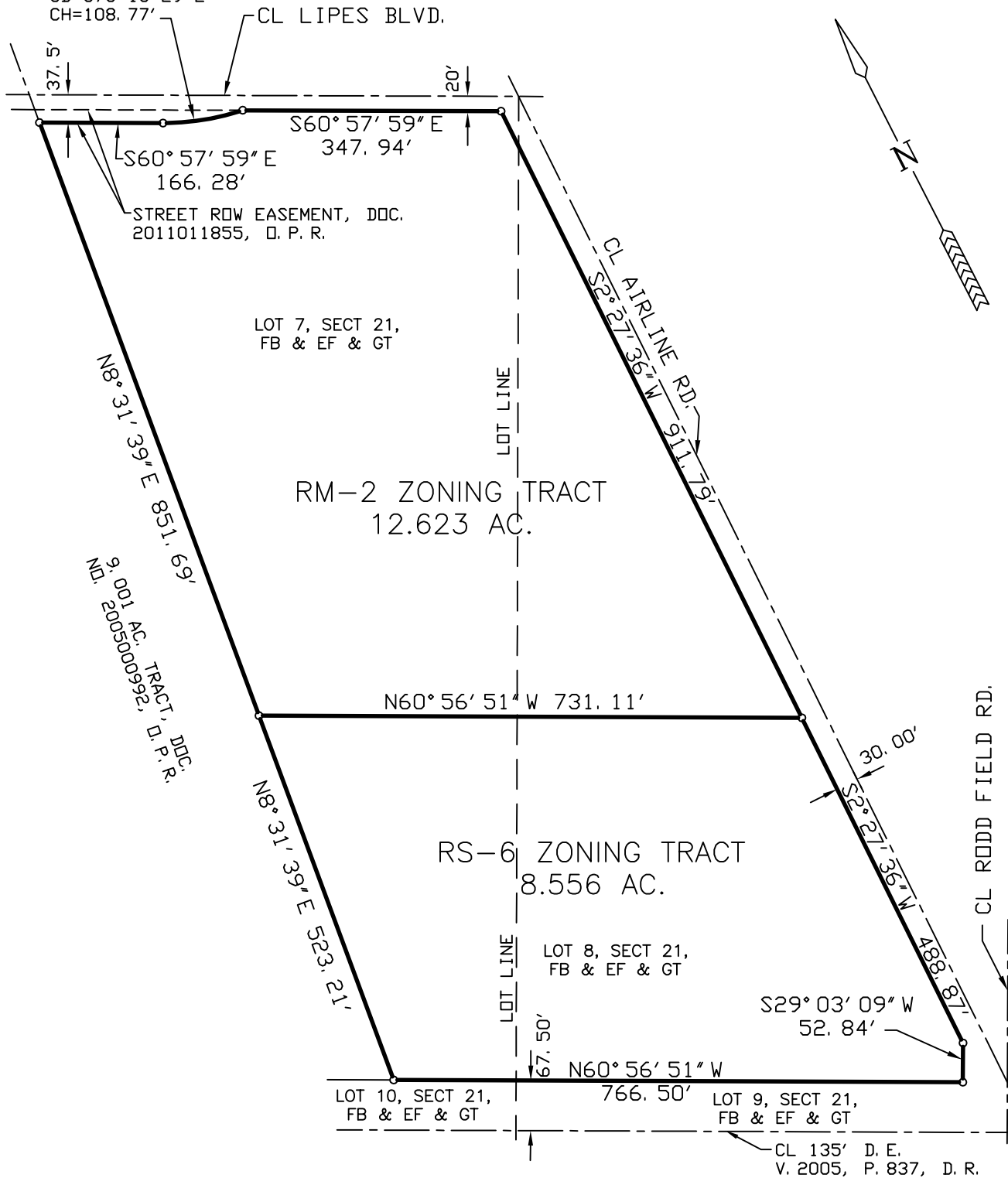


EXHIBIT "C"
SKETCH TO ACCOMPANY
METES AND BOUNDS
DESCRIPTIONS

1" = 200'

BASS AND WELSH ENGINEERING
 CORPUS CHRISTI, TX
 SURVEY REG. NO. 100027-00, TX
 ENGINEERING REG. NO. F-52,
 FILE: EXB-ZONING, JOB NO. 12044
 SCALE: 1" = 200' PLOT SCALE: SAME
 PLOT DATE: 09/20/12 SHEET 1 OF 1