

Ordinance amending the Unified Development Code (“UDC”), upon application by BCH Investment Group, LLC (“Owner”), by changing the UDC Zoning Map in reference to a 8.080-acre tract of land out of Lots 23 and 24, Section 6, Flour Bluff and Encinal Farm and Garden Tracts, from the “RM-2” Multifamily 2 District to the “CN-1/SP” Neighborhood Commercial District with a Special Permit Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

WHEREAS, the Planning Commission has forwarded to the City Council its final report and recommendation regarding the application by BCH Investment Group, 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, public hearings were held on Wednesday, April 9, 2014, during a meeting of the Planning Commission, and on Tuesday, May 13, 2014, 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 BCH Investment Group, LLC (“Owner”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on a 8.080-acre tract of land out of Lots 23 and 24, Section 6, Flour Bluff and Encinal Farm and Garden Tracts (the “Property”), located along the west side of South Staples Street (FM 2444), approximately 400 feet south of Yorktown Boulevard, from the “RM-2” Multifamily 2 District to the “CN-1/SP” Neighborhood Commercial District with a Special Permit Overlay (Zoning Map No. 045031), as shown in Exhibits “A” and “B.” Exhibit A, which is a metes and bounds description of the Property, and Exhibit B, which is a map to accompany the metes and bounds, are attached to and incorporated in this ordinance by reference as if fully set out herein in their entireties.

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

1. **Height:** The height of any building constructed on the Property shall not exceed 60 feet.
2. **Screening Fence:** A minimum six-foot tall screening fence shall be constructed, maintained, and remain in place along the north boundary of the Property where adjacent to the church.

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.

The foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 20____, by the following vote:

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

The foregoing ordinance was read for the second time and passed finally on this the _____ day of _____, 20____, by the following vote:

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

PASSED AND APPROVED this the _____ day of _____, 20_____

ATTEST:

Rebecca Huerta
City Secretary

Nelda Martinez
Mayor

STATE OF TEXAS
COUNTY OF NUECES

Exhibit "A"

Field notes of a 8.080 acre tract being out of a 10.735 acre tract. Said 10.735 acre tract being out of Lot 23 and 24, Section 6, Flour Bluff and Encinal Farm and Garden Tracts, as shown on a map recorded in Volume A, Pages 41 - 43, Map Records Nueces County, Texas. Said 8.080 acres being more particularly described as follows:

BEGINNING at a point in the east line of Lot 9, Block 1, Stoney Brook Unit 2, as shown on a map recorded in Volume 52, Page 165, Map Records Nueces County, Texas, for the north corner of Lot 3, Block 1, Stoney Brook Subdivision, as shown on a map recorded in Volume 52, Page 30, Map Records Nueces County, Texas, and for the west corner of this plat.

THENCE with the east line of said Stoney Brook Unit 2 Subdivision, North $28^{\circ}56'50''$ East, a distance of 413.28 feet to a point in the east line of Lot 16 of the Stoney Brook Unit 2 Subdivision, for the west corner of Lot 1, Block 1, Asbury Addition, as shown on a map recorded in Volume 56, Page 118, Map Records Nueces County, Texas, and for the north corner of this plat.

THENCE with the south line of said Lot 1, Block 1, South $61^{\circ}02'40''$ East, a distance of 851.67 feet to a point for the east corner of this survey.

THENCE parallel with the west right of way of South Staples Street, South $28^{\circ}57'20''$ West, a distance of 413.28 feet to a point in the north line of Lot 1, Block 1, of said Stoney Brook Subdivision, for the south corner of this plat.

THENCE with the north line of said Stoney Brook Subdivision, North $61^{\circ}02'40''$ West, a distance of 851.61 feet to the **POINT OF BEGINNING** of this survey, and containing 8.080 acres of land, more or less.

Notes:

- 1.) Bearings are based on the north line of Stoney Brook Subdivision, Volume 52, Page 30, Map Records Nueces County, Texas.
- 2.) A Map of equal date accompanies this Metes and Bounds description.

I, Ronald E. Brister do hereby certify that this plat is for zoning purposes and is prepared from the notes in City Ordinance 026033. This plat does not represent an on the ground survey.

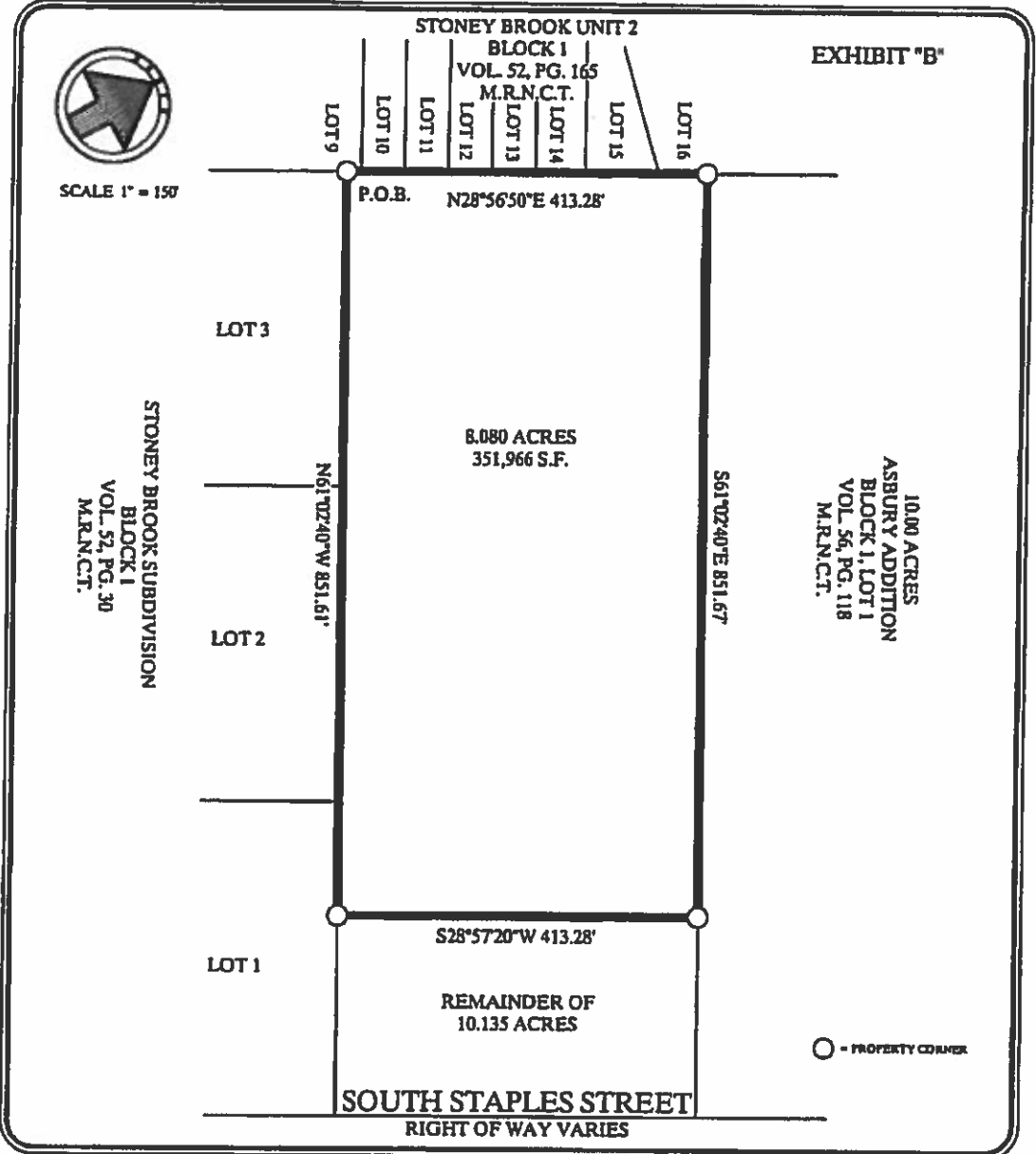
Ronald E. Brister


Ronald E. Brister, RPLS No. 5407
Date: March 10, 2014.



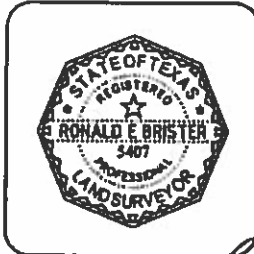
Job No. 14336

PLAT OF
A 8.080 ACRE TRACT BEING OUT OF A 10.735 ACRE TRACT, SAID 10.735 ACRE
TRACT BEING OUT OF LOT 23 AND 24, SECTION 6, FLOUR BLUFF AND
ENCINAL FARM AND GARDEN TRACTS, AS SHOWN ON A MAP RECORDED
IN VOLUME A, PAGES 41 - 43, MAP RECORDS NUECES COUNTY, TEXAS.





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NOTES:
 1.) TOTAL SURVEYED AREA IS 8.080 ACRES.
 2.) BEARINGS ARE BASED ON THE NORTH LINE OF STONEY BROOK SUBDIVISION, VOL. 52, PG. 30, MAP RECORDS NUECES COUNTY, TEXAS.

I, RONALD BRISTER, DO HEREBY CERTIFY THAT THIS PLAT IS FOR ZONING PURPOSES AND IS PREPARED FROM THE NOTES IN CITY ORDINANCE 02041. THIS PLAT DOES NOT REPRESENT AN ON THE GROUND SURVEY.

Ronald E. Brister
 RONALD E. BRISTER R.F.L.S. NO. 5407

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED WITHIN ZONE C AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT MAPS COMMUNITY PANEL 485494 (520 C) DATED JUNE 4, 1987 AND IS IS NOT LOCATED IN A DESIGNATED 100 YEAR FLOOD ZONE.

SURVEY DATE MARCH 10, 2014 JOB NO. 14336

Exhibit B