

**Case No. 1022-07 Arriba Development, LLC (District 1): Ordinance rezoning a property at or near 10902 Interstate 37 from the “RS-6” Single-Family 6 District and “CN-1” Neighborhood Commercial District to the “RS-6/SP” Single-Family District with a Special Permit; Providing for a penalty not to exceed \$2,000 and publication. (3/4 favorable vote required due to protest by surrounding owners).**

**WHEREAS**, with proper notice to the public, a public hearing was held during a meeting of the Planning Commission during which all interested persons were allowed to appear and be heard;

**WHEREAS**, the Planning Commission has forwarded to the City Council its final report and recommendation regarding the application 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 during a meeting of the City Council, during which all interested persons were allowed to appear and be heard;

**WHEREAS**, the City Council has determined that this rezoning is not detrimental to the public health, safety, or general welfare of the City of Corpus Christi and its citizens; and

**WHEREAS**, the City Council finds that this rezoning will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Corpus Christi.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:**

**SECTION 1.** The Unified Development Code (“UDC”) and corresponding UDC Zoning Map of the City of Corpus Christi, Texas is amended by changing the zoning on the subject property being 14.63 acres out of Tract 13-A, Assessor Map 138, as shown in Exhibit “A”:

From the “RS-6” Single-Family 6 District to the “RS-6/SP” Single-Family 6 District with a Special Permit.

The subject property is located at or near 10902 Interstate 37 as shown in Exhibit A & B. Exhibit A & B, which is a metes and bounds with associated map, is attached to and incorporated in this ordinance.

The Special Permit granted in this Section of this ordinance is subject to the following conditions:

1. **Use:** The only use allowed on the subject property other than uses permitted in the base zoning districts is a multifamily apartment complex with a density not to exceed

280 dwelling units over the entire subject property. Total density of the subject property shall not exceed 20 units per acre.

2. **Buffer Yard:** A 10-foot-wide buffer yard and 10-buffer yard points shall be required along the property boundaries adjacent to single-family residential zoning districts or residential use.
3. **Building Height:** No multifamily or nonresidential structure shall be located nearer any property line adjacent to a single-family use or two-family use than a horizontal distance of twice the vertical height of the structure. The height shall be measured from the existing ground level to the plate.
4. **Sessions Road:** The construction of apartments cannot begin until the City has right of way at least 60 feet wide from Interstate 37 Access Road/Up River Road north to the northern property line of the subject property, approximately 1,368 feet, as shown in Exhibit C, to allow for the construction of Sessions Road to the "C1" Collector Street. Additionally, the construction of apartments cannot begin until Sessions Road from Interstate 37 Access Road/Up River Road north to the northern property line of the subject property, approximately 1,368 feet, as shown in Exhibit C, is reconstructed to City standards of a rural street section (26 feet pavement width) on City right of way. Therefore, no building permits for apartments shall be issued until the City has a 60-foot wide right of way identified above and Sessions Road has been reconstructed to City standards of a rural street section (26 feet pavement width) as identified above.
5. **Interstate 37:** The applicant or subsequent owner will be responsible for the coordination with the Texas Department of Transportation (TXDOT) for traffic delineators along the outside lane of the Interstate 37 access road to prevent access to/from Sessions Road to Interstate 37 on/off the access road.
6. **Other Requirements:** The conditions listed herein do not preclude compliance with other applicable UDC and Building and Fire Code Requirements.
7. **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 2.** 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 including the penalties for violations as made and provided for in Article 10 of the UDC.

**SECTION 3.** 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 4.** All ordinances or parts of ordinances specifically pertaining to the zoning of the subject property that are in conflict with this ordinance are hereby expressly repealed.

**SECTION 5.** A violation of this ordinance, or requirements implemented under this ordinance, constitutes an offense punishable by a fine not to exceed \$2,000.00 for each offense; as provided in Article 1, Section 1.10.1 of the UDC, Article 10 of the UDC, and/or Section 1-6 of the Corpus Christi Code of Ordinances.

**SECTION 6.** 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.

**SECTION 7.** This ordinance shall become effective upon publication.

That the foregoing ordinance was read for the first time and passed to its second reading on this the \_\_\_\_ day of \_\_\_\_\_, 2023, by the following vote:

Paulette Guajardo	_____	Jim Klein	_____
Roland Barrera	_____	Mike Pusley	_____
Sylvia Campos	_____	Everett Roy	_____
Gil Hernandez	_____	Dan Suckley	_____
Michael Hunter	_____		

That the foregoing ordinance was read for the second time and passed finally on this the \_\_\_\_ day of \_\_\_\_\_, 2023, by the following vote:

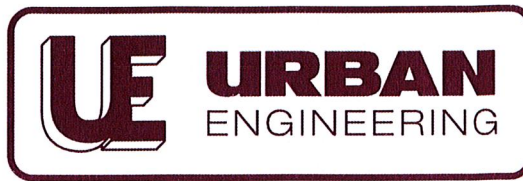
Paulette Guajardo	_____	Jim Klein	_____
Roland Barrera	_____	Mike Pusley	_____
Sylvia Campos	_____	Everett Roy	_____
Gil Hernandez	_____	Dan Suckley	_____
Michael Hunter	_____		

PASSED AND APPROVED on this the \_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

\_\_\_\_\_  
Rebecca Huerta  
City Secretary

\_\_\_\_\_  
Paulette Guajardo  
Mayor



Job No. 31893.C2.00  
November 11, 2022  
Revised: January 16, 2023

**Exhibit A**  
**14.678 Acre Zoning Tract**

**STATE OF TEXAS**  
**COUNTY OF NUECES**

**Fieldnotes**, for a 14.678 Acre Zoning Tract, out of Survey 419, Abstract 570, Nueces County, Texas; and being the same 14.632 Acre Tract of Land, described as Tract II, in a Warranty Deed with Vendor's Lien from The BAS-O-MOORE Limited Partnership, a Texas limited partnership to Arriba Development, L.L.C., a Texas limited liability company, recorded in Document No. 2005024464, Official Public Records of Nueces County, Texas; the said 14.678 Acre Zoning Tract, being more fully described as follows:

**Beginning**, at a point at the intersection of the North Right-of-Way line of Interstate Highway 37, a public roadway (R.O.W. Varies), and the West Right-of-Way line of Sessions Road, a public roadway (R.O.W. Varies), being the Southeast corner of the said 14.632 Acre Tract and this Tract;

**Thence**, North 68°26'28" West, with the common boundary line of the said North Right-of-Way line and the South boundary line of the said 14.632 Acre Tract, 278.48 Feet, to a TxDOT monument Found, for a corner of this Tract;

**Thence**, North 64°31'21" West, continuing with the said common boundary line, 108.80 Feet, to a point on the East boundary line of Lot 6, Block 1, Buena Vista Subdivision, a map of which is recorded in Volume 17, Page 33, Map Records of Nueces County, Texas, for the Southwest corner of the said 14.632 Acre Tract and this Tract;

**Thence**, North 00°44'40" West, with the West boundary line of the said 14.632 Acre Tract, 1263.04 Feet, for a Northwest corner of the said 14.632 Acre Tract and of this Tract;

**Thence**, North 44°14'40" East, continuing with the West boundary line of the said 14.632 Acre Tract, 49.11 Feet, to the Southwest corner of a 5.0 Acre Tract out of the North end of the C.H. Gurinsky 25 Acre Tract, for a Northwest corner of the said 14.632 Acre Tract and this Tract;

**Thence**, South 81°01'26" East, with the common boundary line of the said 5.0 Acre Tract and the said 14.632 Acre Tract, 556.80 Feet, to the said West Right-of-Way line of Sessions Road, being the Southeast corner of the said 5.0 Acre Tract, for the Northeast corner of the said 14.632 Acre Tract and this Tract;

**Thence**, South 08°48'04" West, with the said West Right-of-Way line, and East boundary line of the said 14.632 Acre Tract, 1376.58 Feet to the **Point of Beginning**, containing 14.678 Acres (639,385 Sq. Ft.) of Land, more or less.

Grid Bearings and Distances shown hereon are referenced to the Texas Coordinate System of 1983, Texas South Zone 4205, and are based on the North American Datum of 1983(2011) Epoch 2010.00.

Unless this fieldnotes description, including preamble, seal and signature, appears in its entirety, in its original form, surveyor assumes no responsibility for its accuracy. *Also reference accompanying sketch of tract described herein.*



URBAN ENGINEERING  
*Brian D. Lorentson*  
Brian D. Lorentson, R.P.L.S.  
License No. 6839

**Notes:**

Grid Bearings and Distances shown hereon are referenced to the Texas Coordinate System of 1983, Texas South Zone 4205, and are based on the North American Datum of 1983(2011) Epoch 2010.00. (Record Bearing/Distance)

Remainder of 6.6 out of Surveys 304 and 418, Nueces County, Texas  
 (Owner: South Texas Rainbow, Ltd.)  
 (File No. 912118, D.R.N.C.T.)

5.0 Acre Tract out of the North end of the C.H. Gurinsky 25 Acre Tract  
 (Owner: Daniel F. Falcon)  
 (Doc. No. 2016012669, O.P.R.N.C.T.)

2.596 Acres out of Share 1 Noakes Partition  
 Vol. 280, Pg. 543, D.R.N.C.T.  
 (Owner: South Texas Rainbow, Ltd.)  
 (Doc. No. 2017033425, O.P.R.N.C.T.)

Lot 1, Block 3, Buena Vista Addition  
 Vol. 56, Pg. 148, Map  
 Records of Nueces County, Texas

1.0 Acre out of Vidal Ayala 3.9 Acre Tract  
 (Owner: Oscar and Lydia Mendoza)  
 (Vol. 1657, Pg. 659, D.R.N.C.T.)

Buena Vista Subdivision  
 Vol. 17, Pg. 33, Map  
 Records of Nueces County, Texas

**Legend:**

⊙ TxDot Monument Found

**Sketch to Accompany**

FIELDNOTES for a 14.678 Acre Zoning Tract, out of Survey 419, Abstract 570, Nueces County, Texas; and being the same 14.632 Acre Tract of Land, described as Tract II, in a Warranty Deed with Vendor's Lien from The BAS-O-MOORE Limited Partnership, a Texas limited partnership to Arriba Development, L.L.C., a Texas limited liability company, recorded in Document No. 2005024464, Official Public Records of Nueces County, Texas.



**Exhibit B**

REV: Jan. 16, 2023  
 DATE: Nov. 4, 2022  
 SCALE: 1"=200'  
 JOB NO.: 31893.C2.00  
 SHEET: 1 OF 2  
 DRAWN BY: XG  
 urbansurvey1@urbaneng.com  
 ©2023 by Urban Engineering

**Zoning Tract**  
**14.678 Acres**  
 639,385sf



N44°14'40"E  
 49.11'±

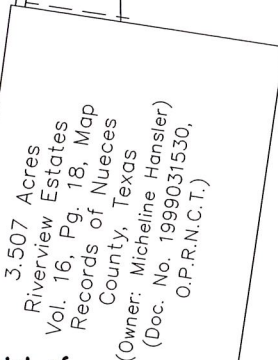
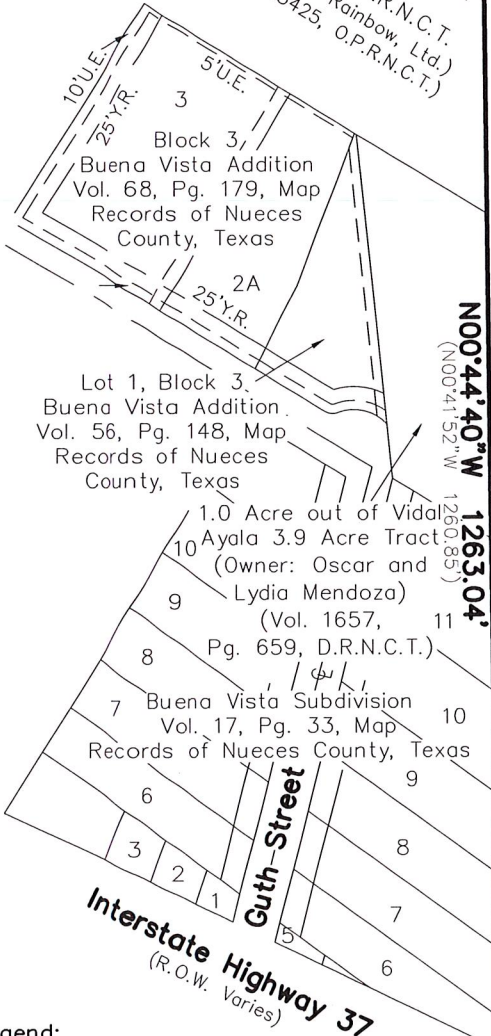
(S81°03'00"E 555.23')  
 S81°01'26"E 556.80'

N00°44'40"W 1263.04'  
 (N00°41'52"W 1260.85')

S08°48'04"W 1376.58'  
 (S08°58'00"W 1376.31')

N64°31'21"W 108.80'  
 (N64°17'46"W (118.10'))  
 N68°26'28"W 278.48'  
 (N68°34'06"W (266.30'))

"Point of Beginning"



# Exhibit C



## “RS-6/SP” Single-Family District 6 with a Special Permit

- **Sessions Road:** The construction of apartments cannot begin until the City has right of way at least 60 feet wide from Interstate 37 Access Road/Up River Road north to the northern property line of the subject property, approximately 1,368 feet, as shown in Exhibit C, to allow for the construction of Sessions Road to the “C1” Collector Street. Additionally, the construction of apartments cannot begin until Sessions Road from Interstate 37 Access Road/Up River Road north to the northern property line of the subject property, approximately 1,368 feet, as shown in Exhibit C, is reconstructed to City standards of a rural street section (26 feet pavement width) on City right of way. Therefore, no building permits for apartments shall be issued until the City has a 60-foot wide right of way identified above and Sessions Road has been reconstructed to City standards of a rural street section (26 feet pavement width) as identified above.