

Ordinance amending the Unified Development Code (“UDC”), upon application by GMG Partners, LP (“Owner”), by changing the UDC Zoning Map in reference to 34.12 acres out of Lot 1, Block 10, J.C. Russell Farm Blocks, from the “IL” Light Industrial District to the “IL/SP” Light Industrial District with a Special Permit for Resource Extraction; 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 of GMG Partners, LP (“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 22, 2015, during a meeting of the Planning Commission, and on Tuesday, May 19, 2015, 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 GMG Partners, LP (“Owner”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on 34.12 acres out of Lot 1, Block 10, J.C. Russell Farm Blocks, located on the east side of South Navigation Boulevard and north of Bates Drive (the “Property”), from “IL” Light Industrial District to the “IL/SP” Light Industrial District with a Special Permit for Resource Extraction (Zoning Map No. 050042), as shown in Exhibits “A”, Exhibit “B” and Exhibit “C.” Exhibit A, which is a metes and bounds description of the Property, Exhibit B, which is a location map, and Exhibit C, which is a site plan of the Property, are attached to and incorporated in this ordinance by reference as fully set out herein in their entireties.

SECTION 2. The Special Permit granted in Section 1 of this ordinance is subject to the Owner meeting the requirements of the site plan and the following conditions:

- 1. Use Regulation:** The only use permitted under this Special Permit, other than those allowed by right in the “IL” Industrial District, is resource extraction as described herein; the extraction of sand, gravel, dirt, stockpiling thereof and accessory uses including the storage of equipment and structures necessary to conduct operations.
- 2. Erosion and Dust Control:** Erosion and dust control shall be in accordance with all City, State, and Federal requirements and specifications.

3. Access: Vehicular access shall be allowed as per the approved site plan and excavation permit.
4. Hours of Operation: Hours of operation shall be limited to the hours between 7:00 A.M. and 5:00 P.M.
5. Restoration: The site shall be restored to pre-existing condition.
6. Time Limit: This Special Permit shall expire in three years or upon termination of the excavation permit, whichever comes first.

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 | _____ | Brian Rosas | _____ |
| Rudy Garza | _____ | Lucy Rubio | _____ |
| Chad Magill | _____ | Mark Scott | _____ |
| Colleen McIntyre | _____ | Carolyn Vaughn | _____ |
| Lillian Riojas | _____ | | |

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

| | | | |
|------------------|-------|----------------|-------|
| Nelda Martinez | _____ | Brian Rosas | _____ |
| Rudy Garza | _____ | Lucy Rubio | _____ |
| Chad Magill | _____ | Mark Scott | _____ |
| Colleen McIntyre | _____ | Carolyn Vaughn | _____ |
| Lillian Riojas | _____ | | |

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

ATTEST:

Rebecca Huerta
City Secretary

Nelda Martinez
Mayor

EXHIBIT A

STATE OF TEXAS
COUNTY OF NUECES

Field Notes of a 19.497 acre tract of land being out of Lot 1, Block 10, J. C. Russell Farm Blocks, as shown on a map recorded in Volume 28, Pages 58 - 59, Map Records Nueces County, Texas. Said 19.497 acre tract also being the same tract described in deed recorded in Document No. 265201, Deed Records Nueces County, Texas. Said 19.497 acre tract being more particularly described as follows:

COMMENCING at a point in the east right of way of Navigation Boulevard, said point being on the south line of Lot 1, Block 10, the north line of Bates Road, a 40 foot unopened road, from WHENCE a 5/8" iron rod found in the east right of way of Navigation Boulevard, for the common west corner of a 12.24 acre tract out of Lot 3, Block 9, as described in deed recorded in Document No. 1998033882, Deed Records Nueces County, Texas, and a 7.99 acre tract out of Lot 3, Block 9, as described in deed recorded in Document No. 2000010669, Deed Records Nueces County, Texas, bears South 01°26'54" East, a distance of 389.70 feet.

THENCE with the east right of way of Navigation Boulevard, North 01°26'54" West, a distance of 1003.09 feet to a 5/8" iron rod set for the northwest corner of a 19.63 acre tract, as described in a deed recorded in Document No. 795832, Deed Records Nueces County, Texas, the southwest corner of this survey, and for the POINT of BEGINNING.

THENCE with the east right of way of Navigation Boulevard, North 01°26'54" West, a distance of 557.02 feet to a 5/8" iron rod set in the east right of way of Navigation Boulevard, for the southwest corner of a 9.75 acre tract out of Lot 1, Block 10, as described in a deed recorded in Document No. 2006065232, Deed Records Nueces County, Texas, and for the northwest corner of this survey.

THENCE North 88°33'06" East, at a distance of 1499.69 feet pass a 5/8" iron rod set as an offset, and in all a total distance of 1524.69 feet to a 5/8" iron rod set in the west line of Lot 2, the east line of Lot 1, the southeast corner of the said 9.75 acre tract, and for the northeast corner of this survey.

THENCE with the west line of Lot 2, the east line of Lot 1, South 01°26'54" East, a distance of 557.02 feet to a 5/8" iron rod set in the west boundary line of Lot 2, the east line of Lot 1, for the northeast corner of said 19.63 acre tract, and for the southeast corner of this survey.

THENCE South 88°33'06" West, at a distance of 25.00 feet pass a 5/8" iron rod set as an offset, and in all a total distance of 1499.69 feet to the POINT of BEGINNING of this survey, and containing 19.497 acres of land, more or less.

Notes:

- 1.) Bearings are based on Global Positioning System NAD 83 (93) 4205 Datum.
- 2.) A Map of equal date accompanies this Metes and Bounds description

I, Ronald E. Brister do hereby certify that this survey of the property legally described herein was made on the ground this day January 7, 2014 and is correct to the best of my knowledge and belief.

Ronald E. Brister

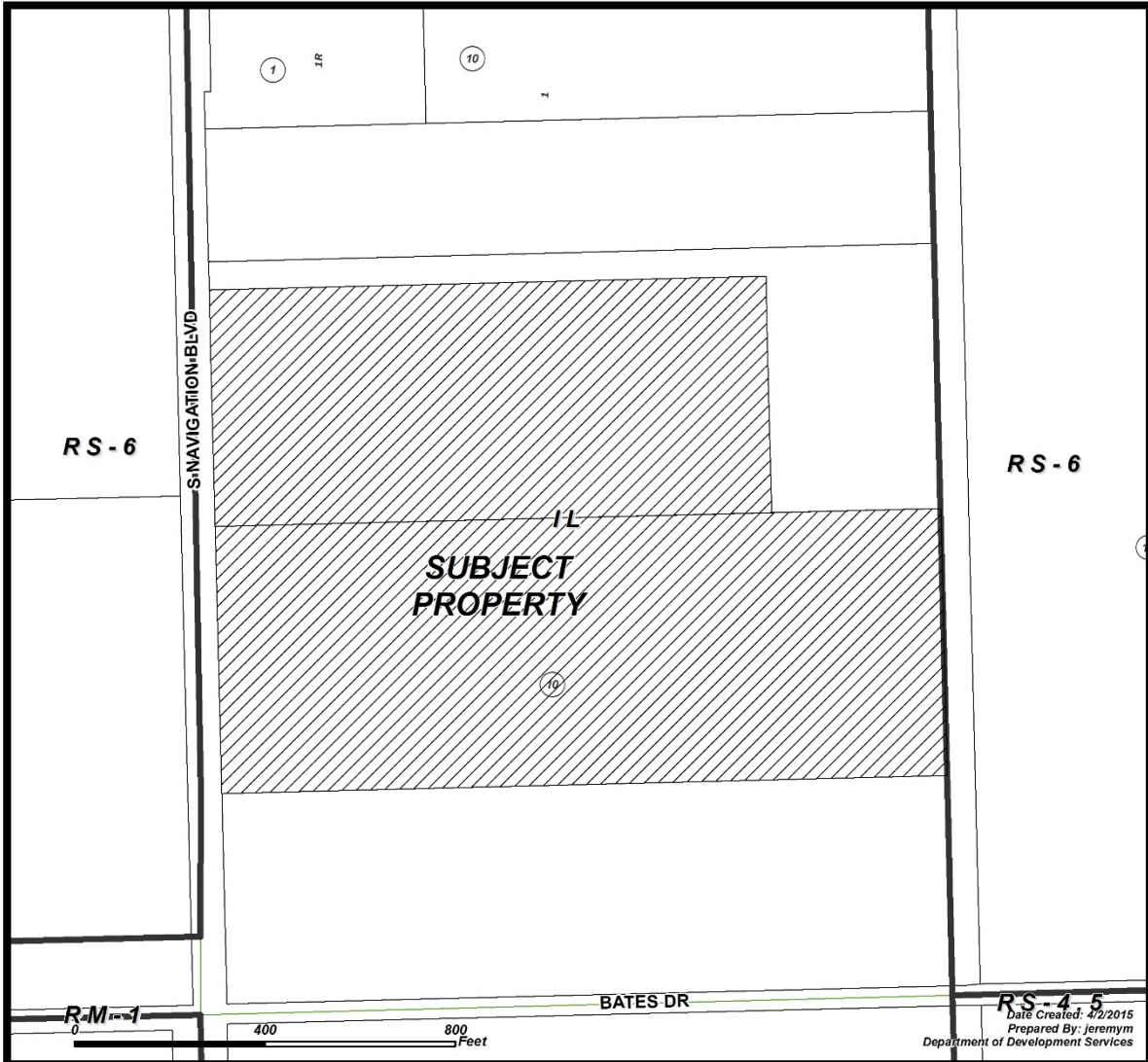
Ronald E. Brister, RPLS No. 5407
Date: January 15, 2014



Job No. 131717

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|----------------------------|
| GF # <u>131507763</u> |
| AMOUNT: _____ |
| PAGES: <u>4</u> |
| SAN JACINTO TITLE SERVICES |

Exhibit A



CASE: 0415-06
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 | | |

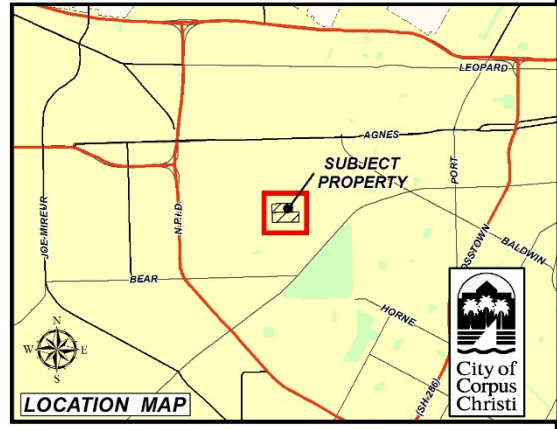


Exhibit B

