

**Ordinance amending the Unified Development Code (“UDC”), upon application by Isaias Franco (“Owner”), by changing the UDC Zoning Map in reference to a 15.854-acre tract of land out of the Anthony C. Page Survey 591 and the A.M. French Survey 312, Abstract 1018 and a 20.00-acre tract of land out of a 202.16-acre tract out of Section 8, Range V, of the H.P.L. Kinney Sectionalized Lands, from the “RMH” Manufactured Home District and “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 Isaias Franco (“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 17, 2014, during a meeting of the Planning Commission, and on Tuesday, January 13, 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 by Isaias Franco (“Owner”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on a 15.854-acre tract of land out of the Anthony C. Page Survey 591 and the A.M. French Survey 312, Abstract 1018 and a 20.00-acre tract of land out of a 202.16-acre tract out of Section 8, Range V, of the H.P.L. Kinney Sectionalized Lands, located on the south side of Leopard Street between Rhew Road and Cathead Road (the “Property”), from the “RMH” Manufactured Home District and “IL” Light Industrial District to the “IL/SP” Light Industrial District with a Special Permit for Resource Extraction (Zoning Map No. 055045), as shown in Exhibits “A-1” and “A-2”, and Exhibits “B-1” and “B-2” and Exhibit “C”. Exhibits “A-1” and “A-2”, which are a metes and bounds descriptions of the Property, Exhibits “B-1” and “B-2”, which are maps to accompany the metes and bounds, and Exhibit “C”, which is a Site Plan are attached to and incorporated in this ordinance by reference as if 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 Exhibit C and the following conditions:

1. **Use Regulation:** The only use allowed other than those allowed by right in the “IL” Light Industrial District is Resource Extraction, which is a use that extracts sand, gravel, and dirt from land including stockpiling of sand, gravel, or dirt.

2. **TCEQ Dust Control:** Control dust in accordance with the TCEQ requirements.
3. **Access:** Vehicular access will be limited to Leopard Street only which is an arterial street.
4. **Hours of Operation:** The hours of operation shall be limited to the hours between 7:30 AM and 6:00 PM.
5. **Time Limit:** The Special Permit will expire in one year from the date of the approved ordinance unless an excavation permit application has been applied for. After the excavation permit has been applied for, this Special Permit will terminate within five years or upon termination of the excavation permit.

**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

STATE OF TEXAS  
COUNTY OF NUECES

TRACT II

Field Notes of 15.854 acres being out of the Anthony C. Page Survey 591 and the A.M. French Survey 312, Abstract 1018. Said 15.854 acre tract also being out of the Kirchberg tract described in a deed recorded in Document No. 900502, Deed Records Nueces County, Texas. Said 15.854 acre tract being more particularly described as follows:

**BEGINNING** at 5/8" iron rod set in the west line of the Franco 20.0 acre tract, for the southeast corner of Tract I being a 16.000 acre tract surveyed by Brister Surveying this day, and for the northeast corner of Tract II, and for the northeast corner of this survey, from **WHENCE** a 5/8" iron rod found in the south right of way of Leopard Street, for the northeast corner of the Tract I, Eleanor Tracts, as shown on a map recorded in Volume 34, Page 36, Map Records Nueces County, Texas bears, North 01°37'54" West, a distance of 1,191.80 feet.

**THENCE** with the west line of the said 20.0 acre tract, South 01°37'54" East, a distance of 831.68 feet to a 5/8" iron rod set in the west line of the said 20.0 acre tract, and for the southeast corner of this survey, from **WHENCE** a 2" iron pipe found bears, South 01°37'54" East, a distance of 1889.44 feet.

**THENCE** South 88°32'44" West, a distance of 1,334.38 feet to a 5/8" iron rod set in the east right of way of Rhew Road, and for the lower southwest corner of this survey.

**THENCE** with the east right of way of Rhew Road, North 01°27'16" West, a distance of 50.00 feet to a 5/8" iron rod set in the east right of way of Rhew Road, for the southwest corner of a 80' Detention Basin as described in a deed recorded in Doc. No. 2008030157, Deed Records Nueces County, Texas, and for the upper southwest corner of this survey, from **WHENCE** a 5/8" iron rod found in the east right of way of Rhew Road, for the northwest corner of the said Detention Basin bears, North 01°27'16" West, a distance of 80.00 feet.

**THENCE** with the common line of the said Detention Basin and our tract, North 88°32'44" East, a distance of 535.00 feet to a 5/8" iron rod set for an inside corner of this survey.

**THENCE** with the common line of the said Detention Basin and our tract, North 01°27'16" West, a distance of 781.72 feet to a 5/8" iron rod set for the southwest corner of Tract I, for the northwest corner of Tract II, and for the northwest corner of this survey.

**THENCE** with the south line of the said Tract I, North 88°32'44" East, a distance of 796.93 feet to the **POINT** of **BEGINNING** of this survey, and containing 15.854 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 November 5, 2013 and is correct to the best of my knowledge and belief.

*Ronald E. Brister*

Ronald E. Brister, RPLS No. 5407  
Date: November 7, 2013.



Job No. 131377

STATE OF TEXAS  
COUNTY OF NUECES

Field Notes of a 20.000 acre tract out of a 202.16 acre tract described in a deed recorded in Document No. 2002022657, Deed Records Nueces County, Texas. Said 20.000 acres also being out of Section 8, Range V, of the H. P. L. Kinney Sectionalized Lands Nueces County, Texas. Said 20.000 acre tract being more particularly described as follows:

**BEGINNING** at 5/8" iron rod found in the south right of way of Leopard Street for the northeast corner of Tract 1 of the Eleanor Tract Subdivision as shown on a map recorded in Volume 34, Page 36, Map Records Nueces County, Texas, for the northwest corner of the said 202.16 acre tract, and for the northwest corner of this survey.

**THENCE** South 01°37'54" East, a distance of 3912.92 feet to a 2" iron pipe found in the north right of way of Sedwick Road for the southeast corner of a 30.00 acre tract as described in a deed recorded in Volume 1757, Page 761, Deed Records Nueces County, Texas, and for the southwest corner of this survey.

**THENCE** with the north right of way of Sedwick Road, North 89°00'38" East, a distance of 225.71 to a 5/8" iron rod set in the north line of the Sedwick Road right of way, from **WHENCE** a 5/8" iron rod found in the north right of way of Sedwick Road for the southeast corner of the said 202.16 acre tract bears North 89°00'38" East, at a distance of 2431.22 feet.

**THENCE** North 01°37'54" West, a distance of 3807.37 feet to a 5/8" iron rod set in the south right of way of Leopard Street for the northeast corner of this survey, from **WHENCE** a 5/8" iron rod found in the south right of way of Leopard Street for the Northeast corner of the said 202.16 acre tract bears South 66°02'34" East, a distance of 950.82 feet.

**THENCE** with the south right of way of Leopard Street, North 66°02'34" West, a distance of 250.24 feet to the **POINT of BEGINNING** of this survey, and containing 20.000 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 March 21, 2012 and is correct to the best of my knowledge and belief.

*Ronald E. Brister*

Ronald E. Brister, RPLS No. 5407  
Date: March 27, 2012.



Job No. 12248

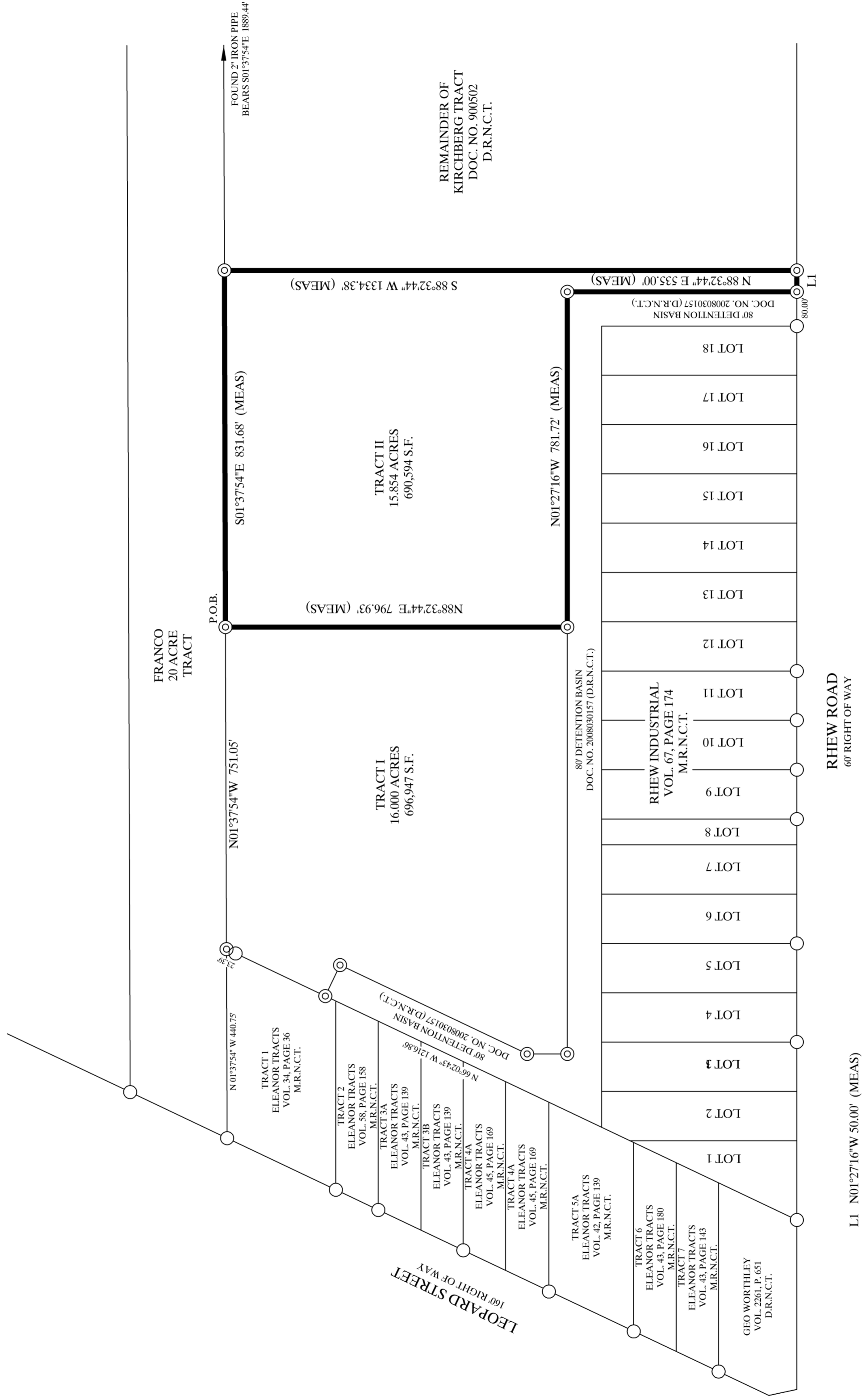


**Brister Surveying**  
 4659 Everhart Road Suite 100  
 Houston, Texas 77051  
 Office: 281-850-1800  
 Fax: 281-850-1802  
 brister@brister.com

SURVEY OF  
 TRACT I BEING 16,000 ACRES AND TRACT II BEING 15,854 ACRES, BOTH BEING OUT OF THE ANTHONY C. PAGE SURVEY 591  
 AND THE A. M. FRENCH SURVEY 312, ABSTRACT 1018, SAID 15,854 ACRE TRACT ALSO BEING OUT OF THE KIRCHBERG  
 TRACT DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 900502, DEED RECORDS NUECES COUNTY, TEXAS.

SCALE 1" = 200'

THIS SURVEY DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.



NOTES:  
 1.) TOTAL SURVEYED AREA IS 15,854 ACRES.  
 2.) MEASURED BEARINGS ARE BASED ON GLOBAL POSITIONING SYSTEM NAD 83 (93)-4205 DATUM.  
 3.) A METES AND BOUNDS DESCRIPTION OF EQUAL DATE ACCOMPANIES THIS SURVEY.

○ = FOUND 5/8" IRON ROD  
 ⊙ = SET 5/8" IRON ROD

THIS SURVEY DOES NOT INCLUDE THE RESEARCH, INVESTIGATION, OR LOCATIONS OF ALL SERVITUDES, EASEMENTS, RIGHT OF WAYS, OR UTILITIES ON THIS PROPERTY.

I, RONALD E. BRISTER DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS. THE SURVEY DESCRIBED HEREIN WAS MADE ON THE GROUND THIS DAY, NOVEMBER 5, 2013, AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



*Ronald E. Brister*  
 RONALD E. BRISTER, R.P.L.S. NO. 5407  
 DATE: NOVEMBER 7, 2013

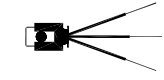
BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED WITHIN ZONE C AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. COMMUNITY PANEL 485-64, 0145 C. DATED: JULY 18, 1985 AND  IS  IS NOT LOCATED IN A DESIGNATED 100 YEAR FLOOD ZONE

JOB NO. 131377



SCALE 1" = 250'

**Brister Surveying**  
4659 Everhart Road Suite 100  
Houston, Texas 77051  
Office: 281-854-1800  
Fax: 281-854-1802  
brister@brister.com



SURVEY OF  
A 20,000 ACRE TRACT OUT OF A 202.16 ACRE TRACT DESCRIBED IN A DEED RECORDED IN DOCUMENT  
NO. 2002022657, DEED RECORDS NUECES COUNTY, TEXAS, SAID 20,000 ACRES ALSO BEING OUT OF  
SECTION 8, RANGE V, OF THE H. P. L. KINNEY SECTIONALIZED LANDS NUECES COUNTY, TEXAS.

FOUND 5/8" IRON ROD FOR SE  
CORNER OF 202.16 ACRE TRACT  
BEARS N89°00'38"E 2431.22'

SEDWICK ROAD

REMAINDER OF  
202.16 ACRES  
DOC. NO. 2002022657  
D.R.N.C.T.

N01°37'54"W 3807.37' (MEAS)

20,000 ACRES  
871,211 S.F.

S01°37'54"E 3912.92' (MEAS)  
S01°07'37"E (DEED)

32.36 ACRES  
VOL. 2173, PAGE 236  
D.R.N.C.T.

30.00 ACRES  
VOL. 1757, PAGE 761  
D.R.N.C.T.

55.57 ACRES  
VOL. 2244, PAGE 930  
D.R.N.C.T.

TRACT 1  
ELEANOR TRACT SUBD  
VOL. 34 PG. 36  
M.R.N.C.T.

N65°27'28"W 250.24' (MEAS)  
P.O.B.

LEOPARD STREET  
RIGHT OF WAY VARIES

BUYER: ISAIAS FRANCO  
GF NO. 1670164-CBT

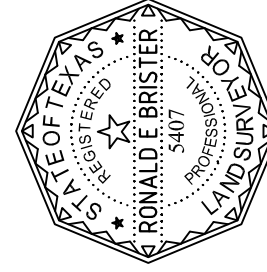
NOTES:  
1.) TOTAL SURVEYED AREA IS 20,000 ACRES.  
2.) MEASURED BEARINGS ARE BASED ON GLOBAL POSITIONING SYSTEM NAD 83 (G) 4203 DATUM.  
3.) A METES AND BOUNDS DESCRIPTION OF EQUAL DATE ACCOMPANIES THIS SURVEY.

● = FOUND 2" IRON PIPE  
○ = SET 5/8" IRON ROD  
⊙ = FOUND 5/8" IRON ROD

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED WITHIN ZONE C AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. MAPS COMMUNITY PANEL 485464.0145 C. DATED JULY 18, 1985 AND IS NOT LOCATED IN A DESIGNATED 100 YEAR FLOOD ZONE

- SCHEDULE "B" ITEMS
- g) VOLUME 386, PAGE 55 BLANKET
- h) VOLUME 208, PAGE 308 BLANKET
- i) VOLUME 213, PAGE 620 BLANKET
- j) VOLUME 214, PAGE 76 BLANKET
- k) VOLUME 1520, PAGE 225 DOES NOT APPLY
- l) VOLUME 269, PAGE 21 BLANKET
- m) VOLUME 288, PAGE 111 BLANKET
- n) VOLUME 232, PAGE 106 BLANKET
- o) VOLUME 853, PAGE 501 BLANKET
- p) VOLUME 1503, PAGE 955 UNABLE TO TRACE
- q) VOLUME 1508, PAGE 394 DOES NOT APPLY
- r) VOLUME 1975, PAGE 708 BLANKET
- s) VOLUME 231, PAGE 116 DOES NOT APPLY
- t) VOLUME 231, PAGE 116 DOES NOT APPLY
- u) VOLUME 231, PAGE 116 DOES NOT APPLY
- v) VOLUME 231, PAGE 118 BLANKET
- w) VOLUME 231, PAGE 119 BLANKET
- x) VOLUME 854, PAGE 366 BLANKET
- y) VOLUME 854, PAGE 367 BLANKET
- z) VOLUME 204, PAGE 373 DOES NOT APPLY
- aa) VOLUME 204, PAGE 379 BLANKET
- bb) VOLUME 209, PAGE 151 BLANKET
- cc) VOLUME 209, PAGE 370 BLANKET
- dd) VOLUME 210, PAGE 177 BLANKET
- ee) VOLUME 213, PAGE 620 BLANKET
- ff) VOLUME 213, PAGE 620 BLANKET
- gg) VOLUME 214, PAGE 36 BLANKET
- hh) VOLUME 226, PAGE 345 BLANKET
- ii) VOLUME 227, PAGE 42 BLANKET
- jj) VOLUME 232, PAGE 104 BLANKET
- kk) VOLUME 232, PAGE 105 BLANKET
- ll) VOLUME 232, PAGE 106 BLANKET
- mm) VOLUME 236, PAGE 170 DOES NOT APPLY
- nn) VOLUME 237, PAGE 41 DOES NOT APPLY
- oo) VOLUME 237, PAGE 45 DOES NOT APPLY
- pp) VOLUME 268, PAGE 114 BLANKET
- qq) VOLUME 267, PAGE 350 BLANKET
- rr) VOLUME 282, PAGE 267 BLANKET
- ss) VOLUME 282, PAGE 288 BLANKET
- tt) VOLUME 282, PAGE 294 BLANKET
- uu) VOLUME 282, PAGE 294 BLANKET
- vv) VOLUME 647, PAGE 78 DOES NOT APPLY
- ww) VOLUME 697, PAGE 311 DOES NOT APPLY
- xx) VOLUME 697, PAGE 320 DOES NOT APPLY
- yy) VOLUME 1116, PAGE 15 DOES NOT APPLY
- zz) VOLUME 6, PAGE 151 BLANKET
- aaa) DOC. NO. 2003040845 BLANKET

TO ISAIAS FRANCO AND FIRST AMERICAN TITLE,  
GF NO. 1670164-CBT  
THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE, ON THE GROUND OF THE PROPERTY, LEGALLY DESCRIBED HEREON, AND IS CORRECT, AND THAT THE SHORT AGES IN ARE BOUNDARY LINE, CONFLICTS, VISIBLE ENCROACHMENTS, OR APPEARING OF IMPROVEMENTS, EASEMENTS SHOWN HEREON, AND SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON



*Ronald E. Brister*  
RONALD E. BRISTER, R.P.L.S., NO. 5407

DATE: MARCH 27, 2012

JOB NO. 12248



SCALE 1" = 200'

Tract I - Metes and Bounds

- L1 N 66 degrees 02' 34" E 250.24'
- L11 S 01 degrees 37' 54" E 3912.92'
- LIII N 89 degrees 0' 38" E 225.71'
- LIV N 01 degrees 37' 54" W 3807.37'

Tract II - Metes and Bounds

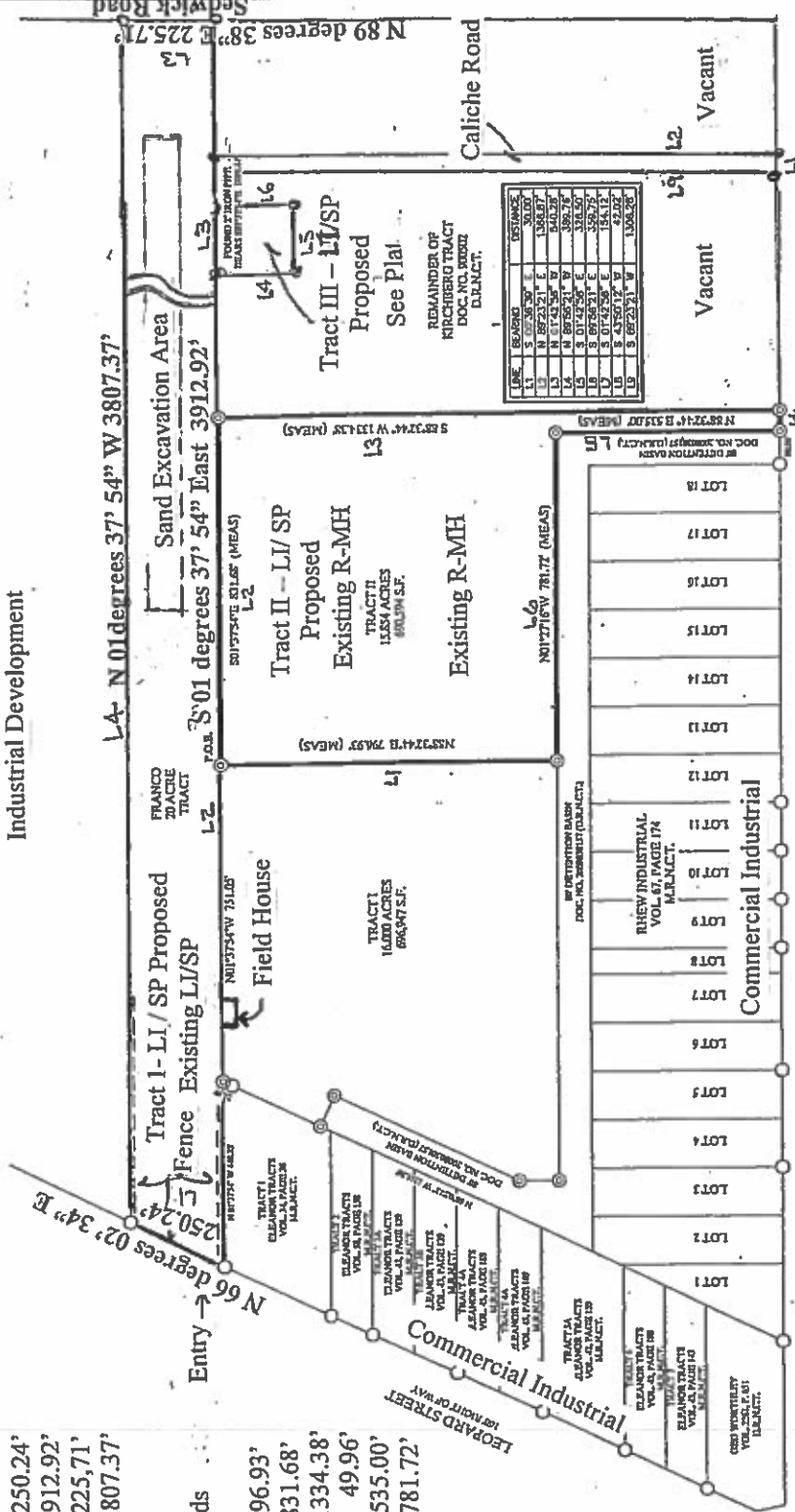
- LI N 88 degrees 32' 44" E 796.93'
- LII S 01 degrees 37' 54" E 831.68'
- LIII S 88 degrees 32' 44" W 1334.38'
- LIV N 01 degrees 27' 16" W 49.96'
- LV N 88 degrees 32' 44" E 535.00'
- LVI N 01 degrees 27' 16" W 781.72'

SURVEY OF TRACT BEING 16.000 ACRES AND TRACT II BEING 15.854 ACRES, BOTH BEING OUT OF THE ANTHONY C. PAGE SURVEY 391 AND THE A. M. FRENCH SURVEY 312, ABSTRACT 1018, SAID 15.854 ACRE TRACT ALSO BEING OUT OF THE KIRCHBERG TRACT DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 908802, DEED RECORDS NUECES COUNTY, TEXAS.

THIS SURVEY DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

**Brister Surveying**  
 1000 West Loop West, Suite 100  
 Fort Worth, Texas 76102  
 Phone: 817-339-1111  
 Fax: 817-339-1112  
 www.bristersurveying.com

Industrial Development



LINE	BEARING	DISTANCE	SOUDY
L1	S 01° 37' 54" E	3912.92	3912.92
L2	N 89° 00' 38" E	225.71	225.71
L3	N 01° 37' 54" W	3807.37	3807.37
L4	S 88° 32' 44" W	1334.38	1334.38
L5	S 01° 37' 54" E	831.68	831.68
L6	N 88° 32' 44" E	796.93	796.93
L7	S 88° 32' 44" W	49.96	49.96
L8	N 01° 37' 54" E	535.00	535.00
L9	N 88° 32' 44" E	535.00	535.00
L10	S 01° 37' 54" E	831.68	831.68
L11	N 89° 00' 38" E	225.71	225.71
L12	N 01° 37' 54" W	3807.37	3807.37

NOTES:  
 1) TOTAL SURVEYED AREA IS 158.54 ACRES.  
 2) MEASURED BEARINGS ARE BASED ON LOCAL MAGNETIC NORTH.  
 3) ALL NOTES AND BOUNDS DESCRIBED IN THIS SURVEY, EQUAL DATE ACCOMPANIED THIS SURVEY.

○ = FOUND 3/4" IRON ROD  
 ⊙ = SET 3/4" IRON ROD



**Ronald E. Brister**  
 SURVEYOR  
 STATE OF TEXAS  
 NO. 2487  
 EXPIRES NOVEMBER 2, 2011

THIS SURVEY DOES NOT INCLUDE THE REMAINDER OF THE SURVEYED AREA OF THE ABOVE DESCRIBED TRACTS OR ANY OTHER TRACTS OR RIGHTS OF WAY OR UTILITIES ON THE PROPERTY.

Exhibit C