

Ordinance amending the Unified Development Code (“UDC”) upon application by Solomon De La Fuente and Lisa De La Fuente (“Owners”), by changing the UDC Zoning Map in reference to a 3.86-acre tract of land out of Lot 15, Section 34, Flour Bluff and Encinal Farm and Garden Tracts, from the “FR” Farm Rural District to the “RE” Residential Estate District; 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 Solomon De La Fuente and Lisa De La Fuente (“Owners”) 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, May 22, 2013, during a meeting of the Planning Commission, and on Tuesday, July 9, 2013, 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 Solomon De La Fuente and Lisa De La Fuente (“Owners”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on a 3.86-acre tract of land out of Lot 15, Section 34, Flour Bluff and Encinal Farm and Garden Tracts (the “Property”), located on the northeast corner of Starry Road and Starry Circle, approximately one-half mile south of Yorktown Boulevard, from the “FR” Farm Rural District to the “RE” Residential Estate District (Zoning Map No. 041029), 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 description, are attached to and incorporated in this ordinance by reference as if fully set out herein in their entireties.

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 specifically pertaining to the zoning of the Property (a 3.86-acre tract of land out of Lot 15, Section 34, Flour Bluff and Encinal Farm and Garden Tracts) and that are in conflict with this ordinance are hereby expressly repealed.

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.

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:

Armando Chapa
City Secretary

Nelda Martinez
Mayor



STATE OF TEXAS
COUNTY OF NUECES

Fieldnotes of a 3.86 Acre, tract of land, more or less, (not based on an on-the-ground survey), out of Lot 15, Section 34, Flour Bluff and Encinal Farm and Garden Tracts, a map of which is recorded in Volume A, Pages 41-43, Map Records of Nueces County, Texas; being comprised of a 1.14 Acre tract of land described in a Deed from Deborah Warner to Solomon De La Fuente and wife, Lisa De La Fuente, recorded in Document No. 2006011280, of the Official Public Records of Nueces County, Texas, together with a 1.14 Acre tract and a 1.58 Acre tract described as Tract I and Tract II in Exhibit A of a Warranty Deed from Ernest Starry, III and wife, Becky Starry to Solomon De La Fuente and wife, Lisa De La Fuente, as recorded in Document No. 2006010703 of the said Official Public Records, said tract being more fully described as follows:

Beginning, at the intersection of the centerline of Starry Road, a 40.00 foot wide public road and the centerline of a 40.00 foot wide road, commonly known as Starry Circle, being the North corner of Lot 1, Section 35, the East corner of Lot 8, Section 24, the South corner of Lot 25, Section 25, all of the said Flour Bluff and Encinal Farm and Garden Tracts, for the West corner of the said Lot 15 and this tract;

Thence, North 28°41'55" East, with the centerline of the said Starry Road, same being the common boundary of the said Lot 24 and the said Lot 15, 254.75 feet, to the West corner of a 2.854 acre tract of land described in a Deed from William A. Lantis to JB Partners, recorded in Document No. 2008046694, of the said Official Public Records, for the North corner of this tract;

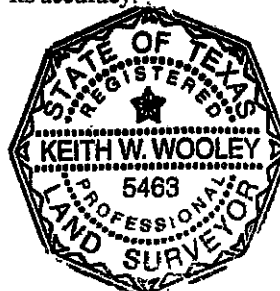
Thence, South 61°18'05" East, with the common boundary of the said 2.854 acre tract and this tract, 660.04 feet to the Northwest boundary of Lot 14, Section 24, of the said Flour Bluff and Encinal Farm and Garden Tracts, the Southeast boundary of the said Lot 15, Section 34, for the East corner of this tract;

Thence, South 28°41'00" West, with the common boundary of the said Lot 14 and the said Lot 15, 254.71 feet to the centerline of the said Starry Circle, being the North corner of Lot 2 Section 35, of the said Flour Bluff and Encinal Farm and Garden Tracts, the East corner of the said Lot 1, the West corner of the said Lot 14, for the South corner of the said Lot 15 and this tract;

Thence, North 61°18'17" West, with the centerline of the said Starry Circle, being the common boundary of the said Lot 1 and the said Lot 15, 660.11 feet the Point of Beginning, containing 3.86 acres of land, more or less.

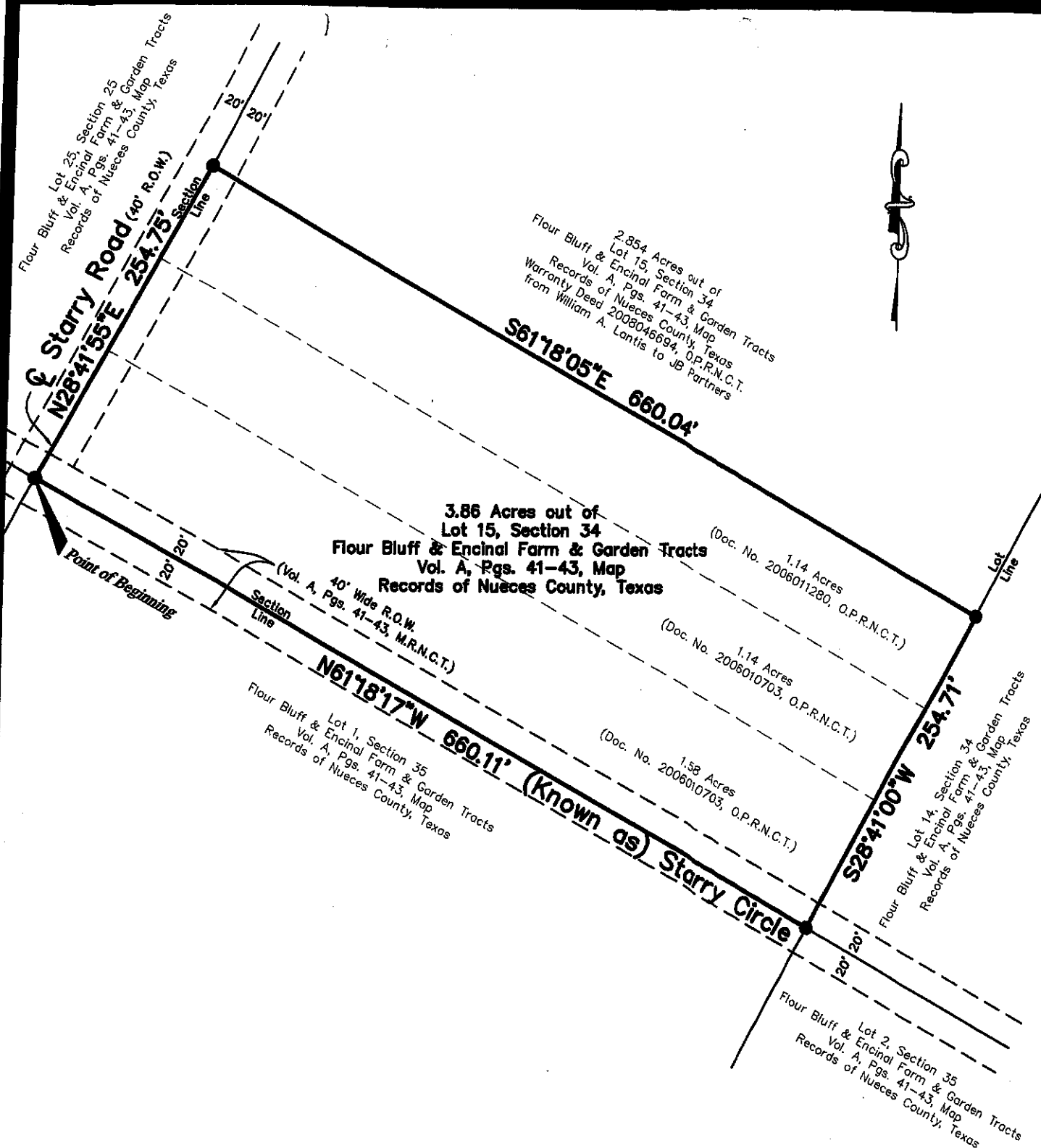
Bearings are based on the Record Bearings in the Description of the said 1.140 acre and 1.580 acre tracts of land.

Unless this Field Notes Description, including preamble, seal and signature, appears in its entirety, in its original form, surveyor assumes no responsibility or liability for its accuracy.



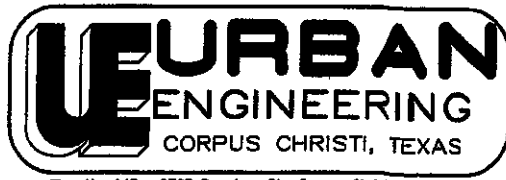
URBAN ENGINEERING

Keith W. Wooley
Keith W. Wooly, R.P.L.S.
License No. 5463



Map to Accompany

FIELDNOTES for a 3.86 Acre Tract of Land (not based on an on-the-ground survey) out of Lot 15, Section 34, Flour Bluff & Encinal Farm & Garden Tracts, a map of which is recorded in Volume A, Pages 41-43, Map Records of Nueces County, Texas.



Firm No. 145, 2725 Swantner St., Corpus Christi, TX 78404
 PHONE: (361) 854-3101 FAX: (361) 854-6001

DATE: April 23, 2013
 SCALE: 1"=100'
 JOB NO.: 42776.00.00
 SHEET: 1 of 1
 DRAWN BY: RLG
 ©2013 by Urban Engineering