

# PLANNING COMMISSION FINAL REPORT

Case No. 1016-03

HTE No. 16-10000036

Planning Commission Hearing Date: October 5, 2016

<b>Applicant &amp; Legal Description</b>	<b>Applicant/Owner:</b> Durrill Farms, LLC <b>Representative:</b> LJA Engineering/Clinton McAdams <b>Legal Description/Location:</b> Being a 2.6-acre tract of land out of Lot 1, Block 2, Port Addition, located between Port Avenue and Brewster Street and between Tanchua Street and Broadway Street.			
<b>Zoning Request</b>	<b>From:</b> "IH" Heavy Industrial District <b>To:</b> "CI" Intensive Commercial District <b>Area:</b> 2.6 acres <b>Purpose of Request:</b> To allow construction of a seven-story hotel.			
<b>Existing Zoning and Land Uses</b>		<b>Existing Zoning District</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>
	<i>Site</i>	"IH" Heavy Industrial District	Public/Semi-Public	Commercial
	<i>North</i>	"IH" Heavy Industrial District	Commercial and Public/Semi-Public	Tourist
	<i>South</i>	"IH" Heavy Industrial District	Commercial	Commercial
	<i>East</i>	"IH" Heavy Industrial District	Public/Semi-Public	Commercial
	<i>West</i>	"IH" Heavy Industrial District	Public/Semi-Public	Parking Lot
<b>ADP, Map &amp; Violations</b>	<b>Area Development Plan:</b> The subject property is located within the boundaries of the Central Business Area Development Plan (ADP) and is planned for commercial uses. The proposed rezoning to the "CI" Intensive Commercial District is consistent with the adopted Future Land Use Map and the Central Business Area Development Plan. <b>Map No.:</b> 045046 <b>Zoning Violations:</b> None			
<b>Transportation</b>	<b>Transportation and Circulation:</b> The subject property has approximately 450 feet of street frontage along Port Avenue, which the Urban Transportation Plan designates as an "A2" Secondary Arterial Divided street; 300 feet along Brewster Street, which is designated as a local residential street, and 400 feet along Tanchua Street, which is designated as a "C1" Minor Residential Collector street.			

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Port Avenue	"A2" Secondary Arterial Divided	100' ROW 54' paved	95' ROW 45' paved	N/A
	Brewster Street	Local Residential	50' ROW 28' paved	55' ROW 30' paved	N/A
	Tancahua Street	"C1" Minor Residential Collector	60' ROW 40' paved	55' ROW 35' paved	N/A

### **Staff Summary:**

**Requested Zoning:** The applicant is requesting a rezoning from the "IH" Heavy Industrial District to the "CI" Intensive Commercial District to allow the construction of a seven-story hotel.

**Development Plan:** The applicant is proposing a seven story, 156,667 square foot hotel with 196 rooms. It will include 7,890 square feet of office space and meeting space along with a 3,995 square foot restaurant. At a minimum, the Unified Development Code would not require any setbacks due to surrounding heavy industrial districts surrounding the lot. A buffer yard of 10 feet with 5 points would be required along the property lines abutting the "IH" Heavy Industrial District. The proposed development will have a height of 78 feet and 6 inches, not including the 5 foot parapet.

**Existing Land Uses & Zoning:** The subject property is a parking lot and zoned "IH" Heavy Industrial District. All of the surrounding property is in the "IH" Heavy Industrial District. North of the subject property is Whataburger Field and Hurricane Alley. West of the subject property is a parking lot owned by the Nueces County Navigation District and to the south is Brewster Street Ice House. There is a strip of the parking lot adjacent and to the east of the subject property not owned by the applicant. Further east of Highway 181 is zoned "CI" Intensive Commercial and consists of the "S.E.A." District (Sports, Entertainment and Arts).

**AICUZ:** The subject property is not located in one of the Navy's Air Installation Compatibility Use Zones (AICUZ).

**Plan CC & Area Development Plan Consistency:** The subject property is located within the boundaries of the Central Business Area Development Plan and is designated for commercial uses. The proposed rezoning to the "CI" Intensive Commercial District is consistent with the Plan CC and the Future Land Use Map. Additionally, the following are pertinent elements of Plan CC that should be considered:

- Support market diversification by the tourism industry.(Plan CC, Element 4, Goal 1, Strategy 2)
- Support the marketing and expansion of the tourist and convention businesses. (Plan CC, Element 4, Goal 1, Strategy 4)

- Promote financial incentives for business investments that offer the potential for strong catalytic impacts, and structure incentives to provide the maximum public benefits. (Plan CC, Element 4, Goal 2, Strategy 2)
- Encourage the development of a high-quality workforce across a wide range of occupations and skill levels that meets the current and emerging needs of local businesses and makes workforce a positive factor for business prospects. (Plan CC, Element 4, Goal 2, Strategy 3)
- Encourage improvements of the port area and its facilities according to the Port of Corpus Christi's Strategic Plan. (Plan CC, Element 4, Goal 7, Strategy 1)
- Support the marketing of the convention business through strategic planning and continued implementation for promoting the development of meeting facilities in the area and for the most cost effective use of the Convention Center, meeting facilities, and cultural facilities. (Plan CC, Element 4, Goal 9, Strategy 3)
- In order to ensure that development and redevelopment within the Central Business area will eliminate blighting influences of outmoded and inefficient development patterns, the following land use techniques shall be required for all development: (POLICY LU 1.3, Central Business Area Development Plan)
  - Create a walkable, pedestrian-oriented and transit-supportive urban environment.
  - Conserve land, energy, and natural resources through reduced automobile usage and advanced techniques such as onsite low-impact stormwater design techniques where practicable, and concentrate intensive land uses around existing public and private infrastructure so as to take advantage of the value of such investment.
  - Promote a mix of tourist, retail, entertainment, residential, and civic uses in the Central Business area and provide an aggregation of commercial uses in centers; avoid the use of any additional new strip-commercial development along right-of-ways.
- Plan and provide for a functional 24-hour Central Business area with residential and non-residential mixed use centers, containing areas of different densities, architectural styles, and land uses. Emphasize conflict-free, ADA-accessible, pedestrian-oriented planning techniques to enhance connections between Downtown and Uptown and promote a uniquely attractive atmosphere for small and large-scale tourist attractions and local businesses. (OBJECTIVE UD 1, Central Business Area Development Plan)
- Provide diversity, not homogeneity, with a variety of building types in an attractive urban environment utilizing form, color, materials, building orientation, variation in building height, placement, and siting, and by arranging buildings in a regular patterns that are unbroken by parking lots and locating parking behind all uses for new development. Where parking garages are developed, the first floor of any parking garage must be constructed to ultimately provide mixed commercial/office uses on the first floor street level. (POLICY UD 1.3, Central Business Area Development Plan)

- Pursue the development of a comprehensive “Complete Streets” program and design within the Central Business area boundaries. Pedestrian corridors should provide a strong, pedestrian-oriented environment for people of all ages and diverse forms of mobility. (POLICY UD 1.4, Central Business Area Development Plan)
- The City Council adopts Figure 6 “Central Business Multi-Modal Transportation Map” as the guide for future multi-modal transportation decisions in the Central Business area. The transportation network of this Plan constitutes additional planning and implementation measures for the Central Business area in addition to those outlined under the City’s adopted Urban Transportation Plan. (POLICY TD 1.1, Central Business Area Development Plan)

**Plat Status:** The subject property is platted. Replatting may be required at the Building Permit stage in order to ensure adequate utility easements for potential public improvements.

**Department Comments:**

- The rezoning is consistent with the Comprehensive Plan.
- The rezoning is compatible with the present zoning and conforming uses of nearby property and to the character of the surrounding area.
- The property being rezoned is suited for the uses permitted by the requested district, “CI” Intensive Commercial District.
- The rezoning does not have a negative impact upon the surrounding neighborhood.
- Applicant has provided a Memorandum of Understanding between Whataburger Field and Hurricane Alley with an agreement of shared parking for the hotel for 200 parking spaces.
- Although a hotel use is an acceptable use for a commercial district, the proposed seven story hotel and mixed commercial use may incur a higher traffic count for surrounding area.

**Staff Recommendation:**

Approval of the change of zoning from the “IH” Heavy Industrial District to the “CI” Intensive Commercial District.

<b>Public Notification</b>	Number of Notices Mailed – 10 within 200-foot notification area 2 outside notification area
	<b><u>As of October 6, 2016:</u></b>
	In Favor – 0 inside notification area – 0 outside notification area
	In Opposition – 0 inside notification area – 0 outside notification area
	Totaling 0.00% of the land within the 200-foot notification area in opposition.



**Attachments:**

1. Location Map (Existing Zoning & Notice Area)
2. Application
3. Public Comments Received (if any)



Development Services Dept.  
P.O. Box 9277  
Corpus Christi, Texas 78469-9277  
(361) 826-3240  
Located at 2406 Leopard Street

# REZONING APPLICATION

Office Use Only

Case No.: \_\_\_\_\_ Map No.: \_\_\_\_\_

PC Hearing Date: \_\_\_\_\_ Proj.Mgr: \_\_\_\_\_

Hearing Location: City Hall, Council Chambers, 1201 Leopard Street  
Hearing Time: 5:30 p.m.

**\* A MAXIMUM OF FIVE REZONINGS CASES ARE SCHEDULED PER HEARING.  
\* INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.**

1. Applicant: Durrill Farms, LLC Contact Person: William R. Durrill, Jr.  
Mailing Address: 615 S. Upper Broadway  
City: Corpus Christi State: TX ZIP: 78401 Phone: (361) 884-8857  
E-mail: [REDACTED] Cell: ( )

2. Property Owner(s): Durrill Farms, LLC Contact Person: William R. Durrill, Jr.  
Mailing Address: 615 S. Upper Broadway  
City: Corpus Christi State: TX ZIP: 78401 Phone: (361) 884-8857  
E-mail: [REDACTED] Cell: ( )

3. Subject Property Address: 701 E. Port Avenue  
Between E. Port Ave., N. Tanacahau St., Brewster St., & US 181 Area of Request (SF/acres): 2.60  
Current Zoning & Use: IH - Parking Lot Proposed Zoning & Use: CI - Hotel  
12-Digit Nueces County Tax ID: 6903 - 0002 - 0012  
Subdivision Name: 2.60 acres out of Port Addition Block: 2 Lot(s): 1  
Legal Description if not platted: \_\_\_\_\_

4. Submittal Requirements:  
☒ **Early Assistance Meeting:** Date Held 11/10/15; with City Staff Steven Rhea, Gilbert Garza, Miguel Torres, Alyssa Barrera  
☒ **Land Use Statement** ☒ **Disclosure of Interest** ☒ **Copy of Warranty Deed**  
**IF APPLICABLE:**  
☒ **Peak Hour Trip Form** (if request is inconsistent with Future Land Use Plan) ☐ **Site Plan for PUD or Special Permit**  
☐ **Metes & Bounds Description with exhibit if property includes un-platted land (sealed by RPLS)** ☒ **Lien Holder Authorization**  
☐ **Appointment of Agent Form if landowner is not signing this form**

I certify that I have provided the City of Corpus Christi with a *complete* application for review; that I am authorized to initiate this rezoning as on behalf of the Property Owner(s); and the information provided is accurate.

[Signature]  
Owner or Agent's Signature  
William R. Durrill, Jr. & James Gourley  
Owner or Agent's Printed Name

[Signature]  
Applicant's Signature  
William R. Durrill, Jr. & James Gourley  
Applicant's Printed Name

**Office Use Only:** Date Received: \_\_\_\_\_ Received By: \_\_\_\_\_ ADP: \_\_\_\_\_  
Rezoning Fee: \_\_\_\_\_ + PUD Fee \_\_\_\_\_ + Sign Fee \_\_\_\_\_ = **Total Fee** \_\_\_\_\_  
No. Signs Required \_\_\_\_\_ @ \$10/sign Sign Posting Date: \_\_\_\_\_



## DISCLOSURE OF INTERESTS

City of Corpus Christi Ordinance 17112, as amended, requires all persons or firms seeking to do business with the City to provide the following information. **Every question must be answered.** If the question is not applicable, answer with "NA".

NAME: Durrill Farms, LLC

STREET: 615 S. Upper Broadway

CITY: Corpus Christi

ZIP: 78401

FIRM is: ☐ Corporation ☒ Partnership ☐ Sole Owner ☐ Association ☐ Other \_\_\_\_\_

### DISCLOSURE QUESTIONS

If additional space is necessary, please use the reverse side of this page or attach separate sheet.

1. State the names of each "employee" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name

Job Title and City Department (if known)

N/A

2. State the names of each "official" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name

Title

N/A

3. State the names of each "board member" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name

Board, Commission, or Committee

N/A

4. State the names of each employee or officer of a "consultant" for the City of Corpus Christi who worked on any matter related to the subject of this contract and has an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name

Consultant

N/A

### CERTIFICATE

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Corpus Christi, Texas as changes occur.

Certifying Person: William R. Durrill, Jr.  
(Print Name)

Title: Vice-President

Signature of Certifying Person: 

Date: \_\_\_\_\_

# LAND USE STATEMENT

1. State the purpose of the request and include applicable background information as to the development plan for the property, i.e., usage of property, number and square footage(s) of existing and/or proposed building(s)/unit(s), building(s)/unit(s) height, parking plans/spaces, phasing schedule of development, number of employee(s) associated with the office, business or industrial development, hours of operation, modification or demolition plans for existing structure(s), type, area and setback of signage, etc.

Durrill Farms, LLC is requesting a zoning change from Heavy Industrial (IH) to Commercial Intensive (CI) for a proposed development on the subject property, Port Addition, Block 2, Lot 1, located adjacent to US Highway 181. The requested zoning change will coincide with the existing zoning of Commercial Intensive (CI) on the east side of US Highway 181.

The proposed development will be a seven (7) story, 156,667 square foot Hotel. The Hotel will consist of 196 rooms, 7,890 square feet of office and meeting space, and a 3,995 square foot restaurant. The proposed development will have a height of 78'-6", not including the 5' parapet.

The proposed development will remove 153 parking spaces from the existing parking facility which contains 305 parking spaces; these spaces will be compensated for by a shared use parking agreement.

Signage will be approved by Development Services during the construction permitting process.

Construction of the hotel is scheduled to begin in May, 2016 and the anticipated completion date is November, 2017. Completion of proposed utility work is expected in October, 2016.

The hotel will remain open 24 hours a day and provide 60 full-time equivalent employment opportunities.

2. Identify the existing land uses adjoining the area of request:

North	-	IH	
South	-	IH	
East	-	CI	
West	-	IH	

## **DEFINITIONS**

- a. "Board Member". A member of any board, commission or committee appointed by the City Council of the City of Corpus Christi, Texas.
- b. "Employee". Any person employed by the City of Corpus Christi, Texas, either on a full or part time basis, but not as an independent contractor.
- c. "Firm". Any entity operated for economic gain, whether professional, industrial or commercial and whether established to produce or deal with a product or service, including but not limited to, entities operated in the form of sole proprietorship, as self-employed person, partnership, corporation, joint stock company, joint venture, receivership or trust and entities which, for purposes of taxation, are treated as non-profit organizations.
- d. "Official". The Mayor, members of the City Council, City Manager, Deputy City Manager, Assistant City Managers, Department and Division Heads and Municipal Court Judges of the City of Corpus Christi, Texas.
- e. "Ownership Interest". Legal or equitable interest, whether actually or constructively held, in a firm, including when such interest is held through an agent, trust, estate or holding entity. "Constructively held" refers to holding or control established through voting trusts, proxies or special terms of venture or partnership agreements.
- f. "Consultant". Any person or firm, such as engineers and architects, hired by the City of Corpus Christi for the purpose of professional consultation and recommendation.





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Name Job Title and City Department (if known)

N/A

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Name Title

N/A

3. State the names of each "board member" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name Board, Commission, or Committee

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4. State the names of each employee or officer of a "consultant" for the City of Corpus Christi who worked on any matter related to the subject of this contract and has an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name Consultant

N/A

### CERTIFICATE

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Corpus Christi, Texas as changes occur.

Certifying Person: James Gourley  
(Print Name)

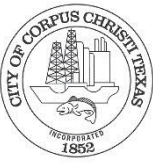
Title: President

Signature of Certifying Person: 

Date: 8/29/16

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Development Services  
2406 Leopard Street, Corpus Christi, TX 78408  
Phone: (361)826-3240 www.cctexas.com

## PEAK HOUR TRAFFIC (PHT) FORM

A Traffic Impact Analysis (TIA) determination must be made prior to the submittal of any rezoning application, site plan or street closure request. The Peak Hour Traffic Generation (PHT) Form is required to be completed for developments that are projected to contain 500 or fewer weekday peak hour (A.M. or P.M.) trips (UDC Section 3.29.4).

Property Address: N/A - Between E. Port Ave., N. Tanacahau St., Brewster St., & US 181

Legal Description (Subdivision, Lot, Block): 2.6 Acres out of Part Addition, Block 2, Lot 1

Applicant Name: Durrill Farms, LLC

Address: 615 S. Upper Broadway City/State/Zip: Corpus Christi, TX 78401

Telephone: (361) 884-8857 Email: [REDACTED]

Application Status (Select One): ☒ Rezoning ☐ Site Plan ☐ Street Closure

### Existing Land Use

Tract Acres	Unit of Measure	Zoning	Land Use	I.T.E. Code	A.M. Trip Rate	Peak A.M. Trips	P.M. Trip Rate	Peak P.M. Trips
2.60		IH	Parking Lot	N/A				

### Proposed Land Use

Tract Acres	Unit of Measure	Zoning	Land Use	I.T.E. Code	A.M. Trip Rate	Peak A.M. Trips	P.M. Trip Rate	Peak P.M. Trips
2.60	196 rooms	CI	Hotel	310	0.52	102	0.61	120
Total							Total	

### Abutting Streets

Street Name	Access Proposed To Street?	Pavement Width (FT)	ROW Width (FT)
E. Port Avenue	2 Exist. & 1 prop.	46	70
N. Tanacahua Street	No	36	60
Brewster Street	Existing	Varies (26)	60
US 181	No	80	100

☐

#### For City Use Only

☐

A Traffic Impact Analysis **IS** required. The consultant preparing the TIA must meet with the City to discuss the scope and requirements of the analysis prior to beginning the TIA.

☐

A Traffic Impact Analysis is **NOT** required. The proposed traffic generated does not exceed the established threshold.

☐

The Traffic Impact Analysis has been waived for the following reason(s):

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

Note: This completed and reviewed form must accompany any subsequent application for the IDENTICAL project. CHANGES to the proposed project will require a new TIA determination to be made.



RVE NAME: R:\CLIENTS\ZUZ HOSPITALITY - 922\15024 - Hilton Hotel\Rezoning\ZUZ Hospitality-REZONING.DWG CEM DATE: 29 AUG 2016 TIME: 13:32

POINT OF BEGINNING

☐ PORT AVENUE

L1

C1

C5

L4

30'

C4

60'

L3

C3

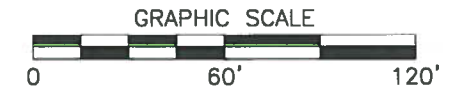
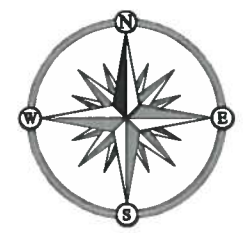
☐ BREWSTER STREET  
(WIDTH VARIES)

L2

2

PORTION OF  
LOT 1  
(2.60 ACRES)

PORT ADDITION  
VOL. 63, PG. 89, M.R.N.C.T.



LEGEND AND ABBREVIATIONS

	PROPERTY LINE
	PROPERTY CORNER FOUND
	PROPERTY CORNER SET
	ADJACENT PROPERTY LINE
	VOL. 713, PG 594-599, D.R.N.C.T.
	RIGHT-OF-WAY
	CENTERLINE ROADWAY
D.R.N.C.T.	DEED RECORDS, NUECES COUNTY, TEXAS
M.R.N.C.T.	MAP RECORDS, NUECES COUNTY, TEXAS

NOTES:

1. BASIS OF BEARING OF THIS SURVEY IS THE NORTH LINE OF LOT 1, BLOCK 2, PORT ADDITION, AS SHOWN ON THE PLAT OF LOTS 1, 2, AND 3, BLOCK 1, AND LOT 1, BLOCK 2, PORT ADDITION; RECORDED IN VOLUME 63, PAGE 89, MAP RECORDS, NUECES COUNTY, TEXAS.

PROPERTY CURVE TABLE

CURVE	RADIUS (R)	LENGTH (L)	DELTA ANGLE (Δ)	TANGENT (T)	CHORD BEARING (CB)	CHORD LENGTH (CL)
C1	535.00'	155.16'	16°36'59"	78.13'	N 80°23'18" E	154.61'
C2	3,374.17'	275.32'	4°40'30"	137.73'	S 11°16'15" W	275.24'
C3	20.00'	31.42'	90°00'00"	20.00'	N 56°07'12" W	28.28'
C4	770.00'	131.93'	9°49'00"	66.13'	N 6°12'42" W	131.77'
C5	20.00'	31.42'	90°00'00"	20.00'	N 43°41'48" E	28.28'

PROPERTY LINE TABLE

LINE	BEARING	DISTANCE
L1	N 88°41'48" E	274.10'
L2	S 78°52'48" W	345.46
L3	N 11°07'12" W	72.59'
L4	N 1°18'12" W	66.09'

I, ALBERT E. FRANCO, JR., REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS DRAWING WAS PREPARED FROM SURVEYS MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT SAID DRAWING IS CORRECT TO THE BEST OF MY KNOWLEDGE, THIS THE 29th DAY OF AUGUST 29, 2016



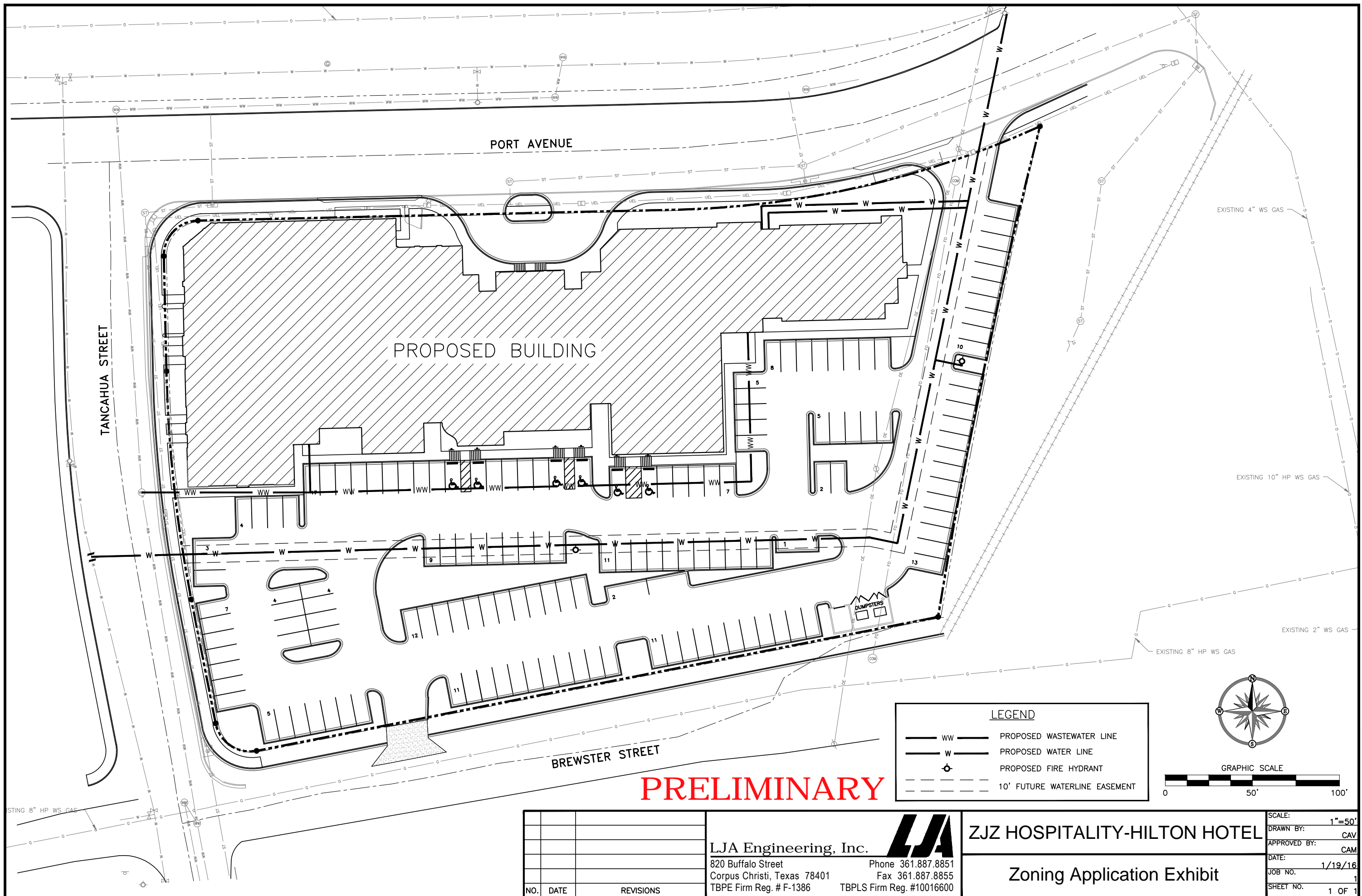
*Albert E. Franco, Jr.*  
ALBERT E. FRANCO, JR., R.P.L.S.  
TEXAS REGISTRATION NO. 4471

NO.	DATE	REVISIONS

**LJA Engineering, Inc.**  
820 Buffalo Street  
Corpus Christi, Texas 78401  
TBPE Firm Reg. # F-1386  
Phone 361.887.8851  
Fax 361.887.8855  
TBPLS Firm Reg. #10016600

**REZONING APPLICATION**  
**METES AND BOUNDS DRAWING**

SCALE: AS NOTED  
DRAWN BY: CEM  
APPROVED BY: AEF  
DATE: 8/29/2016  
JOB NO. C922-15024  
SHEET NO. 1 OF 1



**PRELIMINARY**

**LEGEND**

- WW — PROPOSED WASTEWATER LINE
- W — PROPOSED WATER LINE
- ⊙ PROPOSED FIRE HYDRANT
- - - 10' FUTURE WATERLINE EASEMENT

**GRAPHIC SCALE**

0 50' 100'

NO.	DATE	REVISIONS

**LJA Engineering, Inc.**

820 Buffalo Street  
Corpus Christi, Texas 78401

Phone 361.887.8851  
Fax 361.887.8855

TBPE Firm Reg. # F-1386  
TBPLS Firm Reg. #10016600

**ZJZ HOSPITALITY-HILTON HOTEL**

**Zoning Application Exhibit**

SCALE:	1"=50'
DRAWN BY:	CAV
APPROVED BY:	CAM
DATE:	1/19/16
JOB NO.	1
SHEET NO.	1 OF 1

June 22, 2016

Sea District Hotel Group, LP

CC Hurricane Alley, Ltd.

Corpus Christi Baseball Club, LP

Re: Parking Lot Agreement

Dear Sirs:

This letter will serve to confirm the terms of the Agreement between CC Hurricane Alley, Ltd. d/b/a Hurricane Alley Water Park ("Hurricane Alley"), Sea District Hotel Group, LP ("Hotel Group") and Corpus Christi Baseball Club, LP d/b/a The Hooks ("Hooks"). Each of these entities intends to use the parking areas owned by the Port of Corpus Christi and currently under lease to Corpus Christi Baseball Club, LP by Lease dated between the Hooks and the Port of Corpus Christi. The parties desire to specify and state that Agreement regarding parking lots as follows:

1. Hotel Group will install electronic ingress and egress gates to the parking lot at its sole expense. Access will be by use of cash, credit cards, tokens, or debit cards, and Hotel Group will maintain records of the parking lot income.
2. On Hooks game days and events promoted by the Hooks at Whataburger Field, ingress and egress to the parking lots will be controlled by the Hooks, who will collect and retain revenue. On any Hooks event in which all parking spaces sell out, Hotel Group will pay Hooks \$1,500.
3. All funds will be deposited into an account maintained by Hurricane Alley, and a system will be put into place which allows all parties access to the account for verification of funds associated with any activities or daily use of the parking lots.
4. Operation of the parking lot will be as follows:
  - a. The Hooks will be responsible for cleaning the parking lots as necessary.
  - b. Hotel Group will be responsible for maintaining gates it installs for ingress and egress.
  - c. Hurricane Alley will be responsible for accounting for expenses and revenues.
  - d. The Hooks will receive a management fee equal to 3% of revenue generated



by each party.

- e. As to all other expenses and costs, each party will be responsible for expenses, including maintenance and repairs, based upon their proportional use of the parking lot, based on income derived from the parking lot. No expenditure can be made for sharing operations costs in excess of \$10,000.00 without written approval of all parties. However, the parties agree that capital improvements during the first five (5) years of the Agreement will be 25% Hurricane Alley, 25% Hotel Group and 50% Hooks, and thereafter based on proportional use of the parking lot based on income derived from the parking lot.
  - f. Usage by each entity, maintenance costs, repairs costs, and a future schedule of capital improvements will be reviewed at the end of November each year during the term of the agreement. At that time changes to this agreement can be made subject to the agreement by all parties.
- 5. This Agreement is subject to the current lease agreement between Corpus Christi Baseball Club, LP and the Port of Corpus Christi for the use of the parking lot and, therefore, the Port of Corpus Christi must approve this Agreement before it is effective. The term of this Agreement is from the date of the Port of Corpus Christi's approval, until termination of the current lease agreement.
  - 6. All parties agree to account for any expenditures for operations and for income received for the use of the parking lots.
  - 7. All parties shall allow access to other parties to any records reasonably requested or necessary to verify expenditures and/or income.
  - 8. All Parties agree that Hotel Group will have 200 reserved spaces located nearest the Hotel.

Dated: 6/22/16

CC Hurricane Alley, Ltd.

By: CC Water Park, LLC  
Its: General Partner

By: [Signature]  
Its: General Manager

Dated: 6/22/16

Corpus Christi Baseball Club, LP

By: Michael Wood  
Its: General Manager

By: Mr. T. S. L.

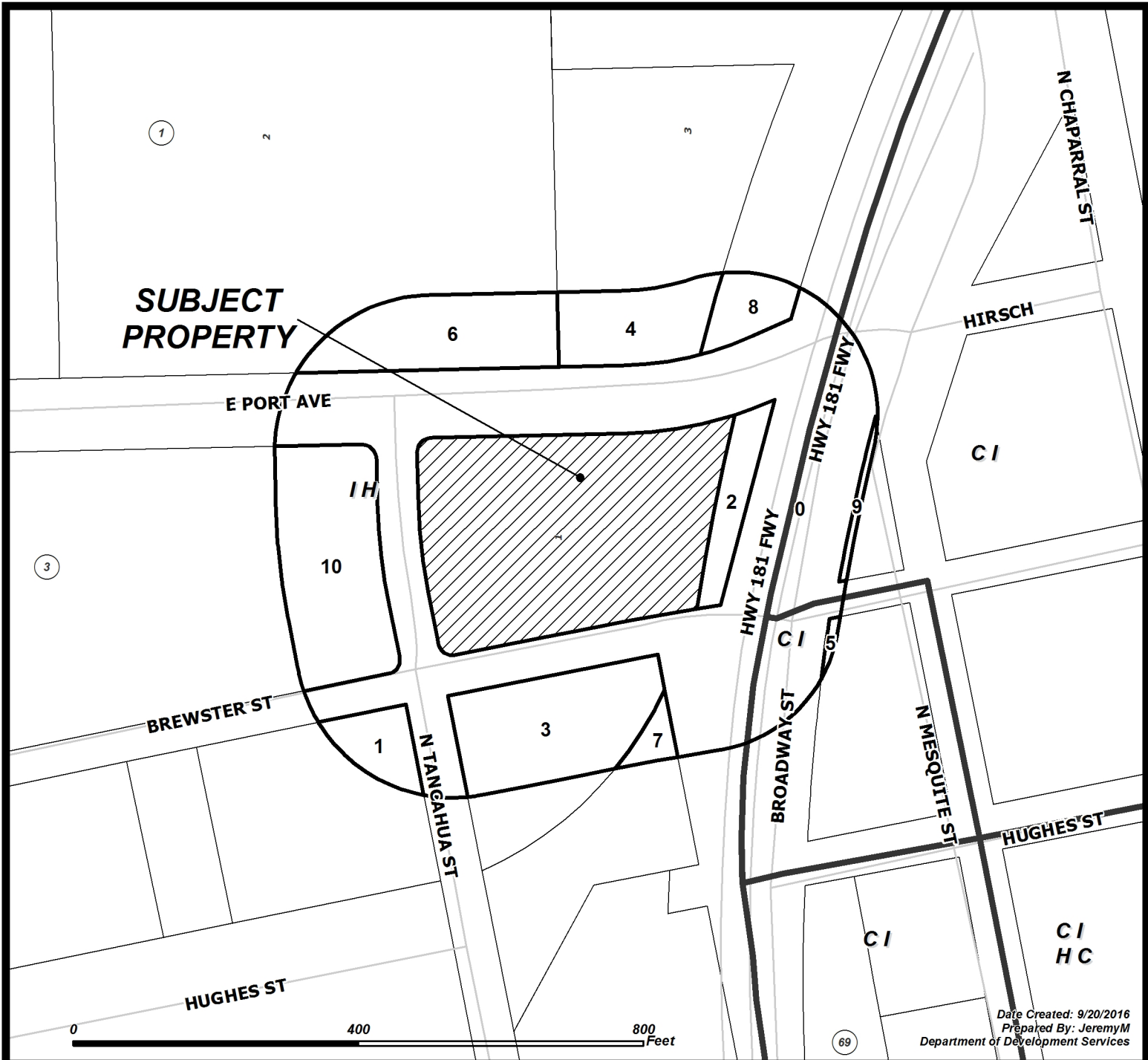
Its: VP / General Manager

Dated: 6/22/16

Sea District Hotel Group, LP

By: [Signature]

Its: General Partner



## CASE: 1016-03 ZONING & NOTICE AREA

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	



Subject Property  
with 200' buffer



Owners  
in favor

4 Owners within 200' listed on  
attached ownership table



Owners  
in opposition

