

Ordinance amending the Unified Development Code (“UDC”), upon application by Upper Padre Partners, LP, and Bryan R. Gulley (“Owners”), by changing the UDC Zoning Map in reference to a 7.24-acre tract of land out of all of Lots 11 through 23, Block 46, Padre Island – Corpus Christi, Island Fairway Estates, and a portion of Lot 27D, Padre Island – Corpus Christi, Island Fairway Estates, from the “CR-2” Resort Commercial District and “CR-2/IO” Resort Commercial District with an Island Overlay to the “RS-4.5/PUD” Single-Family 4.5 District with a Planned Unit Development Overlay; 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 Upper Padre Partners, LP, and Bryan R. Gulley (“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, April 23, 2014, during a meeting of the Planning Commission, and on Tuesday, May 27, 2014, 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 Upper Padre Partners, LP, and Bryan R. Gulley (“Owners”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on a 7.24-acre tract of land out of all of Lots 11 through 23, Block 46, Padre Island – Corpus Christi, Island Fairway Estates, and a portion of Lot 27D, Padre Island – Corpus Christi, Island Fairway Estates, located along the west side of Nemo Court, approximately 250 feet west of South Padre Island Drive (PR 22) and north of Whitecap Boulevard (the “Property”), from the “CR-2” Resort Commercial District and “CR-2/IO” Resort Commercial District with an Island Overlay to the “RS-4.5/PUD” Single-Family 4.5 District with a Planned Unit Development Overlay (Zoning Map No. 029026), 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 master site plan (“Master Site Plan”), are attached to and incorporated in this ordinance by reference as if fully set out herein in their entireties.

SECTION 2. The Planned Unit Development Overlay granted in Section 1 of this ordinance is subject to the following seven conditions:

1. **Master Site Plan:** The Owners shall develop the Property in accordance with the Master Site Plan as shown in Exhibit B. The development of the Property is to consist of 50 single-family dwelling units.

2. **Building Height:** The maximum height of any structure on the Property is 40 feet.
3. **Open Space:** The Property must maintain a minimum of 30% open space. Any surfaces constructed within the required open space must be constructed of pervious material.
4. **Private Street Access:** The property shall provide a two-way private street with a paved width of not less than 24 feet. The private street shall be striped to indicate "Fire Lane/No Parking."
5. **Pedestrian Access:** A minimum five-foot wide sidewalk shall be constructed along the common areas along the rear of the single-family lots.
6. **Short Term Rentals:** All of the units on the Property can be used as short-term rentals with rental periods less than 30 days.
7. **Time Limit:** Construction of the development shall commence within 24 months from the date this modified Planned Unit Development ordinance is approved by the City Council.

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	_____	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:

Rebecca Huerta
City Secretary

Nelda Martinez
Mayor



7.24 Acre Zoning Tract

STATE OF TEXAS
COUNTY OF NUECES

Fieldnotes, for a 7.24 acre tract of land, being all of Lots 11 through 23, Block 46, Padre Island - Corpus Christi, Island Fairway Estates, a map of which is recorded in Volume 42, Pages 153 through 154, Map Records of Nueces County, Texas and a portion of Lot 27D, Padre Island - Corpus Christi, Island Fairway Estates, a map of which is recorded in Volume 67, Page 779-785, Map Records of Nueces County, Texas; said 7.24 acre tract being more fully described by metes and bounds as follows:

Beginning at a 5/8 inch iron rod, found, on the Northwest right-of-way of Nemo Court, a public roadway, the south corner of Lot 10, of the said Block 46, for the East corner of the said Lot 11, Block 46 and of this tract;

Thence, South 29°45'03" West, with the said Northwest right-of-way of Nemo Court, 650.05 feet for the East corner of Lot 24, of the said Block 46, and the South corner of the said Lot 23 and of this tract;

Thence, North 60°14'57" West, with the common boundary of the said Lots 23 and 24, 380.41 feet, to the North corner of the said Lot 24, the West corner of the said Lot 23, for a corner of this tract;

Thence, South 29°47'00" West, with the Northwest boundary of the said Lot 24, 24.51 feet for a corner of this tract;

Thence, North 00°47'30" East, 182.93 feet for a corner of this tract and the beginning of a circular curve to the right, whose radius point bears South 89°12'30" East, 290.00 feet, having a central angle of 28°59'29", a radius of 290.00 feet, a tangent length of 74.98 feet and an arc length of 146.74 feet;

Thence along said circular curve to the right, an arc length of 146.74 feet, for a corner of this tract;

Thence, North 29°47'00" East, 361.70 feet, for the North corner of this tract;

Thence, South 60°14'57" East, 125.00 feet, to the Northwest boundary of the said Lot 11, for a corner of this tract;

Thence, North 29°47'00" East, with the said Northwest boundary, 12.23 feet to a 5/8 inch iron rod, found, for the West corner of the said Lot 10, Block 46, the North corner of the said Lot 11, Block 46, and this tract;

Thence, South 60°14'57" East, 380.04 feet to the Point of Beginning, containing 7.24 Acres (315,387sf square feet) of land, more or less.

Bearings based on GPS, NAD 83, State Plane Coordinates, Texas South Zone 4205.

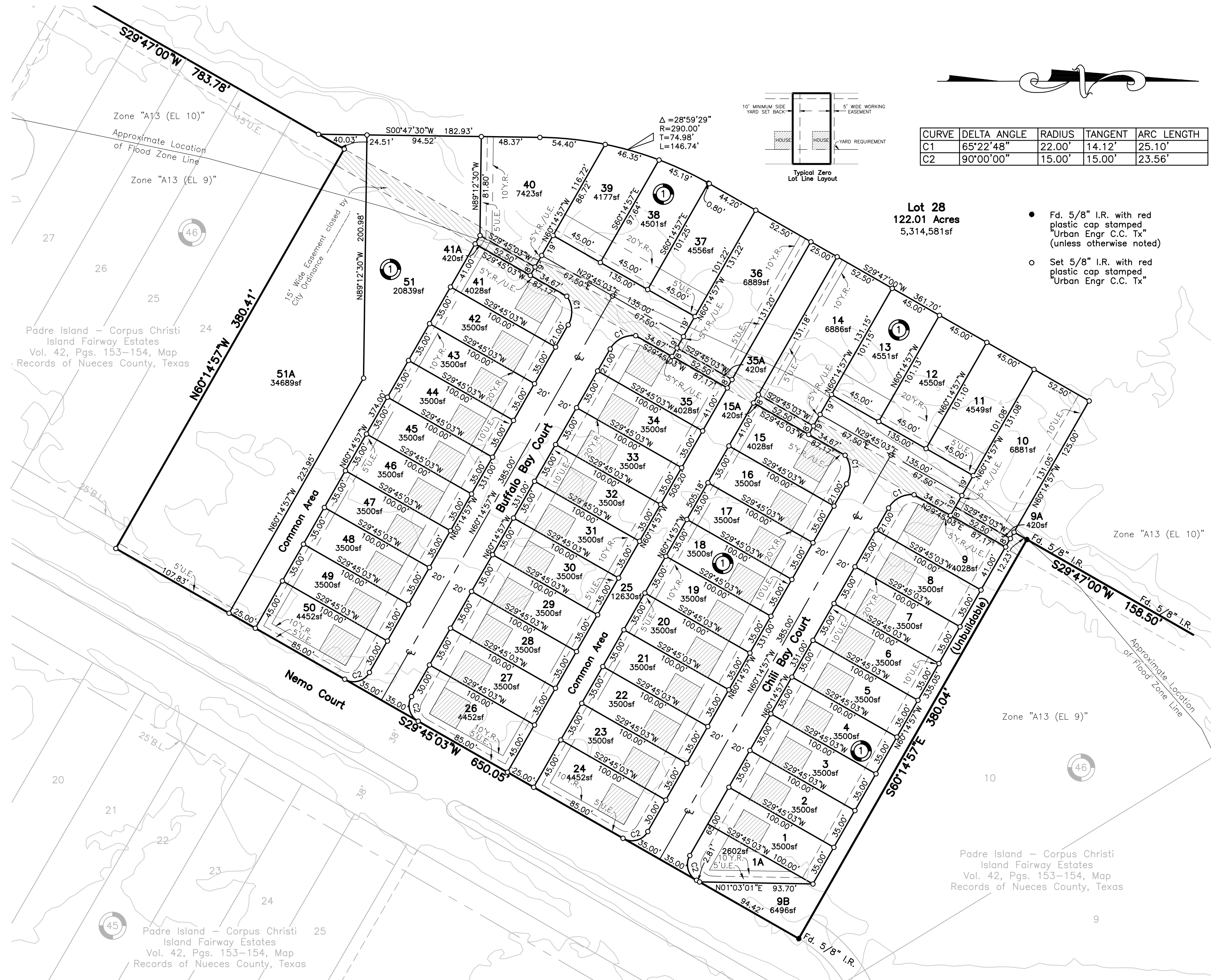
Unless this fieldnotes description, including preamble, seal and signature, appears in its entirety, in its original form, surveyor assumes no responsibility for its accuracy.

Also reference accompanying sketch of the tract described herein.

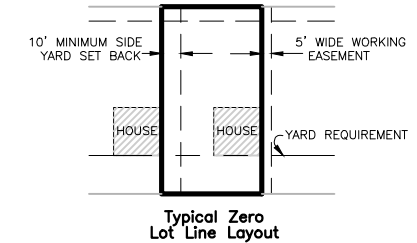


URBAN ENGINEERING

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



CURVE	DELTA ANGLE	RADIUS	TANGENT	ARC LENGTH
C1	65°22'48"	22.00'	14.12'	25.10'
C2	90°00'00"	15.00'	15.00'	23.56'



Lot 28
122.01 Acres
5,314,581sf

- Fd. 5/8" I.R. with red plastic cap stamped "Urban Engr C.C. Tx" (unless otherwise noted)
- Set 5/8" I.R. with red plastic cap stamped "Urban Engr C.C. Tx"

Plat of
SBC Resort Phase 1
Unit 1

being a re-plat of Lots 11 through 23, Block 46, Padre Island - Corpus Christi, Island Fairway Estates, a map of which is recorded in Volume 42, Pages 153 through 154, Map Records of Nueces County, Texas and Lot 27D, Padre Island - Corpus Christi, Island Fairway Estates, a map of which is recorded in Volume 67, Page 779-785, Map Records of Nueces County, Texas.



DATE: February 28, 2014
SCALE: 1"=60'
JOB NO.: 38808.IW.01
SHEET: 7 of 7
DRAWN BY: XG

EXHIBIT B