

Ordinance amending the Unified Development Code (“UDC”), upon application by The Mostaghasi Investment Trust (“Owner”), by changing the UDC Zoning Map in reference to a 15.567-acre tract of land, more or less, out of Lot 3, Block 1, The Forum Mall, and out of a portion of Lot 15, Section 27, Flour Bluff and Encinal Farm and Garden Tracts, from the “CN-1” Neighborhood Commercial District and “RM-1” Multifamily 1 District to the “RS-4.5” Single-Family 4.5 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 by The Mostaghasi Investment Trust (“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, January 15, 2014, during a meeting of the Planning Commission, and on Tuesday, February 11, 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 made by The Mostaghasi Investment Trust (“Owner”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on a 15.567-acre tract of land, more or less, out of Lot 3, Block 1, The Forum Mall, and out of a portion of Lot 15, Section 27, Flour Bluff and Encinal Farm and Garden Tracts (the “Property”), located on the east side of Rodd Field Road and approximately 600 feet north of Wooldridge Road, from the “CN-1” Neighborhood Commercial District and “RM-1” Multifamily 1 District to the “RS-4.5” Single-Family 4.5 District (Zoning Map No. 040033), 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 and that are in conflict with this ordinance are hereby expressly repealed.

SECTION 6. 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

BASS & WELSH ENGINEERING
Engineering Firm Reg. No. F-52
Surveying Firm Reg. No. 100027-00
P.O. Box 6397
Corpus Christi, TX 78466-6397

December 3, 2013
12089-M&B-ZONING.doc

RS 4.5 ZONING TRACT

STATE OF TEXAS §

COUNTY OF NUECES §

Description of a 15.567 acre tract of land, more or less, a portion of The Forum Mall, Block 1, Lot 3, a map of which is recorded in Volume 50, Pages 5 and 6, Map Records, Nueces County, Texas, and being a portion of Flour Bluff and Encinal Farm and Garden Tracts, Section 27, Lot 15, a map of which is recorded in Volume "A", Pages 41 – 43, said map records, said 15.567 acre tract of land as further described by metes and bounds as follows:

BEGINNING at a point in the southeast right-of-way line of Rodd Field Road for the northernmost Rodd Field Road corner of the tract herein described and westernmost corner of The Forum Mall, Block 1, Lot 6, a map of which is recorded in Volume 47, Page 92, said map records;

THENCE S61°04'00" E 399.68' along the southwest boundary line of said The Forum Mall, Block 1, Lot 6 to a point for an interior west central corner of the tract herein described and southernmost corner of said The Forum Mall, Block 1, Lot 6;

THENCE along the southeast boundary line of said The Forum Mall, Block 1, Lot 6 and southeast boundary line of The Forum Mall, Block 1, Lot 3B, a map of which is recorded in Volume 60, Page 103, said map records, N28°23'53"E 589.94' to point in the common northeast boundary line of said The Forum Mall, Block 1, Lot 3 and southwest boundary line of Flour Bluff and Encinal Farm and Garden Tracts, Section 27, Lot 1, for the northernmost corner of the tract herein described and easternmost corner of said The Forum Mall, Block 1, Lot 3B;

THENCE along the common northeast boundary line of said The Forum Mall, Block 1, Lot 3 and southwest boundary line of said Flour Bluff and Encinal Farm and Garden Tracts, Section 27, Lots 1 and 2, S61°01'20"E 846.75' to the common corner of said Flour Bluff and Encinal Farm and Garden Tracts, Section 27, Lots 2, 3, 14 and 15, for the easternmost corner of the tract herein described and northernmost corner of Morningstar Estates Unit 3, a map of which is recorded in Volume 67, Pages 329 and 330, said map records;

THENCE along the northwest boundary line of said Morningstar Estates Unit 3 and along the northwest boundary line of said Flour Bluff and Encinal Farm and Garden Tracts, Section 27, Lot 14, S29°06'20"W 776.39' to point for the southernmost corner of the tract herein described and easternmost corner of The Forum Mall, Block 1, Lot 2R, a map of which is recorded in Volume 53, Page 115, said map records;

EXHIBIT "A"

Metes and Bounds Description, December 3, 2013, Continued;


THENCE along the common southwest boundary line of said Lot 3, Block 1, The Forum Mall and northeast boundary line of said The Forum Mall, Block 1, Lot 2R, N61°05'46"W 837.08' to a point for a southwest central corner of the tract herein described and being in the southeast boundary line of The Forum Mall, Block 1, Lot 1R, a map of which is recorded in Volume 51, Page 96, said map records;

THENCE along said southeast boundary line of The Forum Mall, Block 1, Lot 1R N28°22'38"E 127.57' to a point for interior central corner of the tract herein described and common easternmost corner of said The Forum Mall, Block 1, Lot 1R and southwesterly interior corner of said The Forum Mall, Block 1, Lot 3;

THENCE along the common northeast boundary line of said The Forum Mall, Block 1, Lot 1R and westerly boundary line of said The Forum Mall, Block 1, Lot 3 N61°04'00"W 399.68' to a point in said southeast right-of-way line of Rodd Field Road for the westernmost corner of the tract herein described, westernmost corner of said Lot 3, Block 1, The Forum Mall and northernmost corner of said The Forum Mall, Block 1, Lot 1R;

THENCE along said southeast right-of-way line of Rodd Field Road, being along a northwest boundary line of said The Forum Mall, Block 1, Lot 3, N28°22'27"E 60.00' to the **POINT OF BEGINNING**.




Nixon M. Welsh, R.P.L.S.

RODD FIELD ROAD

N28° 22' 27" E 60.00'

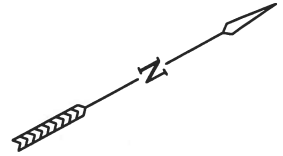
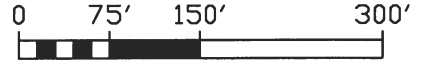


EXHIBIT "B"
SKETCH TO ACCOMPANY
METES AND BOUNDS DESCRIPTION

1"=150'



SCALE: 1" = 150'

THE FORUM MALL, LOT 1R, BLK 1, V. 51, P. 96, M.R.

N61° 04' 00" W 399.68'

S61° 04' 00" E 399.68'

FORUM MALL, BLK 1
LOT 6, V. 47, P. 92, M.R.

THE FORUM MALL, BLK 1
LOT 3B, V. 60, P. 103, M.R.

N28° 23' 53" E 589.94'

N28° 22' 38" E
127.57'

THE FORUM MALL, BLK 1
LOT 2R, V. 53, P. 115, M.R.

N61° 05' 46" W 837.08'

RS 4.5 ZONING
TRACT, 15.567 AC.

FB & EF & GT, SECT 27,
V. "A", P. 41 - 43, M.R.,
NUSS BROWN PROPERTIES

LOT 1
LOT 2
S61° 01' 20" E 846.75'

FB & EF & GT, SECT 27,
V. "A", P. 41 - 43,
M.R., MARGO MODRE

S29° 06' 20" W 776.39'

FB & EF & GT, SECT 27, LOT 14
V. "A", P. 41 - 43, M.R.
BLUEBONNET GARDENS, INC.

MORNINGSTAR ESTATES UNIT
3, BLK 1, LOT 45, V. 67,
P. 329 & 330, M.R.

LOT 3
BASS AND WELSH ENGINEERING
CORPUS CHRISTI, TX
SURVEY REG. NO. 100027-00,
TX ENGINEERING REG. NO. F-52,
FILE: EXB-ZONING, JOB NO.
12089, SCALE: 1" = 150'
PLOT SCALE: SAME, PLOT DATE:
12/03/13, SHEET 1 OF 1