

Ordinance amending the Unified Development Code (“UDC”) upon application by Avalon Corpus Christi Transitional Center, LLC, acting as agent on behalf of Darla-I, Ltd., owner of Lots 1-6, Block 58, Beach Portion of the City of Corpus Christi, and MyrtleSon, Ltd., owner of a portion of Fitzgerald Street closed by Ordinance No. 024009, and the northmost 10 feet of Lot 16, Block 48, Beach Portion, by changing the UDC Zoning Map from the “CG-2” General Commercial District and “IH” Heavy Industrial District to the “CG-2/SP” General Commercial District with a Special Permit; 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 Avalon Corpus Christi Transitional Center, LLC, acting as agent on behalf of Darla-I, Ltd. and MyrtleSon, Ltd. 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 Avalon Corpus Christi Transitional Center, LLC, acting as agent on behalf of Darla-I, Ltd. and MyrtleSon, Ltd. (both parties collectively referred to as the “Owners”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on a tract of land comprised of Lots 1 - 6, Block 58, Beach Portion of the City of Corpus Christi, a portion of Fitzgerald Street closed by Ordinance No. 024009, and the northmost 10 feet of Lot 16, Block 48, Beach Portion (the “Property”), located on the southwest corner of North Tanchua Street and Resaca Street, from the “CG-2” General Commercial District and “IH” Heavy Industrial District to the “CG-2/SP” General Commercial District with a Special Permit, subject to two conditions (Zoning Map Nos. 045045 & 045046), as shown in Exhibit “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 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 following two conditions:

1. **USE:** The only use allowed, other than those uses allowed by right in the “CG-2” General Commercial District, is a social service use.
2. **TIME LIMIT:** This Special Permit shall be deemed to have expired within 12 months of this ordinance unless a complete building permit application has been submitted, and the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

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 (a tract of land comprised of Lots 1 - 6, Block 58, Beach Portion of the City of Corpus Christi, a portion of Fitzgerald Street closed by Ordinance No. 024009, and the northmost 10 feet of Lot 16, Block 48, Beach Portion) and that are in conflict with this ordinance are hereby expressly repealed.

SECTION 7. 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

BASS & WELSH ENGINEERING
TX Registration No. F-52
Survey Registration No. 100027-00
P.O. Box 6397
Corpus Christi, TX 78466-6397

April 26, 2013

**Field Note Description
Proposed Rezoning**

Being a tract situated in Corpus Christi, Nueces County, Texas, comprised of Lots 1 – 6, Block 58, Beach Portion of the City of Corpus Christi as shown on the map thereof recorded in Volume "A" at Pages 2 and 3 of the Map Records of Nueces County, Texas, a portion of Fitzgerald Street closed by Ordinance No. 024009, and the northmost 10 feet of Lot 16, Block 48, Beach Portion as shown on the map thereof recorded in Volume 60 at Page 197 of the map records of Nueces County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at the northeast corner of Lot 6, Block 58, Beach Portion, for the northeast corner of this tract;

THENCE S 10°59'02" E along the east margin of Lots 6 – 1, Block 58 and its southerly extension at 300 feet pass the southeast corner of Block 58 at 360 feet pass the northeast corner of Lot 16, Block 48, Beach Portion and in all a distance of 370 feet to a point for the southeast corner of this tract;

THENCE S 79°00'58" W 10.0 feet south of and parallel to the north line of Lot 16, Block 48, Beach Portion, a distance of 169.93 feet to a point in the northwest boundary of Lot 16 for the most southerly southwest corner of this tract;

THENCE N 34°09'08" E along the northwest boundary of Lot 16 at 14.18 feet pass the northwest corner of Lot 16, Block 48 and in all a distance of 58.20 feet to a point for an interior corner of this tract, said point being an interior corner in the west boundary of the heretofore referenced closed portion of Fitzgerald Street;

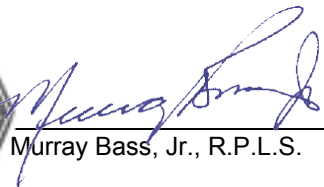
THENCE N 19°58'48" E with the west boundary of the closed portion of Fitzgerald Street a distance of 33.76 feet to a point in the south boundary of Lot 1, Block 58, Beach Portion for an interior corner of this tract;

THENCE S 79°00'58" W a distance of 38.69 feet to the southwest corner of Lot 1, Block 58 for a corner of this tract;

THENCE N 10°59'02" W along the west boundary of Lots 1 – 6, Block 58, a distance of 300.0 feet to the northwest corner of Lot 6, for the northwest corner of this tract;

THENCE N 79°00'58" E along the north boundary of Lot 6, a distance of 150.00 feet to the **POINT OF BEGINNING**, forming a tract embracing 54,603 square feet (1.25 acres).

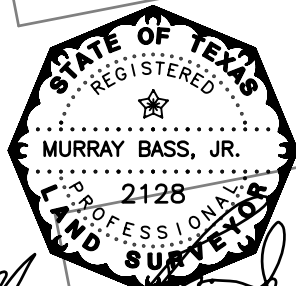
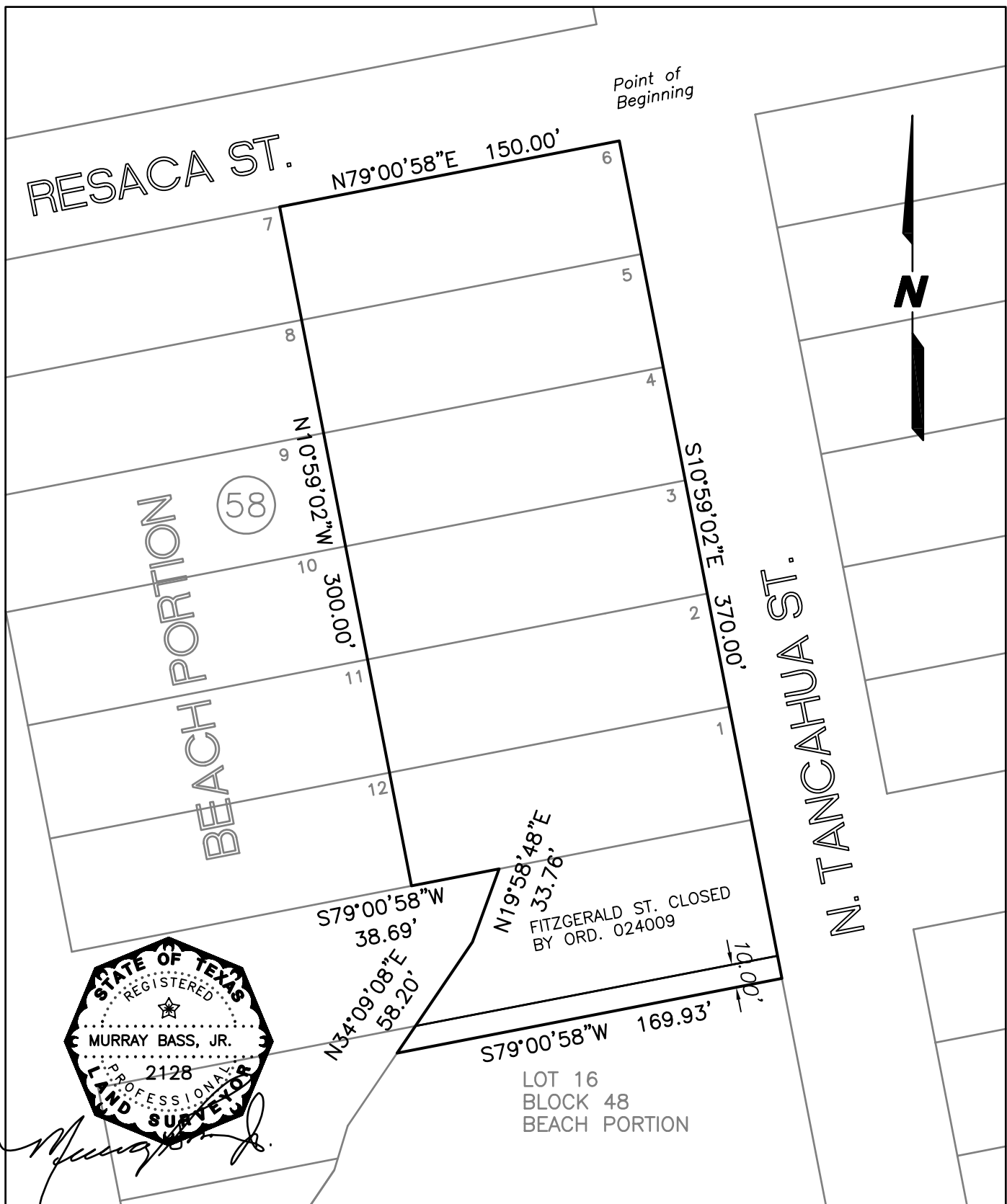



Murray Bass, Jr., R.P.L.S.

Note: Bearings are State of Texas Lambert Grid, South Zone, NAD 1927

MBJ:sab

Darla-Avalon-Field Note Desc2.doc



PROPOSED REZONING BLOCKS 48 & 58, BEACH PORTION

Prepared by:
Bass & Welsh Engineering
 3054 So. Alameda St.
 Corpus Christi, Tx. 78404
 (361) 882-5521 (phone)
 (361) 882-1265 (fax)
 FIRM REGISTRATION NO. F-52

EXHIBIT B

Job No: 13023
 Scale: 1"=60'
 Date: 4-26-13
 Drawing No: REZONE
 Plotscale: 1=1
 Sheet 1 of 1