

**Zoning Case No. 0723-05, Circle K Stores, Inc. (District 1).
Ordinance rezoning property at or near 11102 Up River Road from the “RS-6”
Single-Family 6 District to the “CG-2” General Commercial District; Providing for
a penalty not to exceed \$2,000 and publication. (Planning Commission and Staff
recommend approval.)**

WHEREAS, with proper notice to the public, a public hearing was held during a meeting of the Planning Commission during which all interested persons were allowed to appear and be heard;

WHEREAS, the Planning Commission has forwarded to the City Council its final report and recommendation regarding the application 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, a public hearing was held during a meeting of the City Council, during which all interested persons were allowed to appear and be heard;

WHEREAS, the City Council has determined that this rezoning is not detrimental to the public health, safety, or general welfare of the City of Corpus Christi and its citizens; and

WHEREAS, the City Council finds that this rezoning will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Corpus Christi.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:

SECTION 1. The Unified Development Code (“UDC”) and corresponding UDC Zoning Map of the City of Corpus Christi, Texas is amended by changing the zoning on the subject property being 0.62 acres out of Lot 2, Block 2, Noakes Partition, as described/shown in Exhibit “A”:

the **“RS-6” Residential Single-Family 6 District** to the **“CG-2” General Commercial District**.

The subject property is located at or near **11102 Up River Road**. Exhibit A, which is the Metes and Bounds of the subject property with an associated map, is attached to and incorporated in this ordinance.

SECTION 2. 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 including the penalties for violations as made and provided for in Article 10 of the UDC.

SECTION 3. 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 4. All ordinances or parts of ordinances specifically pertaining to the zoning of the subject property that are in conflict with this ordinance are hereby expressly repealed.

SECTION 5. A violation of this ordinance, or requirements implemented under this ordinance, constitutes an offense punishable by a fine not to exceed \$2,000.00 for each offense; as provided in Article 1, Section 1.10.1 of the UDC, Article 10 of the UDC, and/or Section 1-6 of the Corpus Christi Code of Ordinances.

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.

SECTION 7. This ordinance shall become effective upon publication.

Introduced and voted on the _____ day of _____, 2023.

PASSED and APPROVED on the _____ day of _____, 2023.

ATTEST:

Paulette Guajardo, Mayor

Rebecca Huerta, City Secretary

Exhibit A

LEGAL DESCRIPTION

BEING a 0.624 acre tract of land out of the Fred Steubing Survey, Abstract No. 808, situated in the City of Corpus Christi, Nueces County, Texas, being a portion of Lot 2, Block 2 of Noakes Partition, a subdivision of record in Volume 36, Page 16 of the Plat Records of Nueces County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found in the North right-of-way line of Up River Road (variable width right-of-way), being the Southwest corner of said Lot 2, Block 2, and being the Southeast corner of Lot 2, Block 3 of Noakes Partition, a subdivision of record in Volume 62, Page 50 of said Plat Records, from which an aluminum TxDOT monument found at the Southwest corner of Lot 3 of said Block 3 bears N61°16'49"W, a distance of 274.62 feet;

THENCE, N27°36'02"E, leaving the North right-of-way line of Up River Road, along the West line of said Lot 2, Block 2, being the common East line of said Lot 2, Block 3, a distance of 315.01 feet to the **POINT OF BEGINNING**, being the Northeast corner of said Lot 2, Block 3, and being an exterior ell corner in the East line of a called 22.125 acre tract of land conveyed to Rick's Homes, LLC by deed of record in Document Number 2019011202 of the Official Records of Nueces County, Texas;

THENCE, N27°36'02"E, continuing along the West line of said Lot 2, Block 2, being the common East line of said 22.125 acre tract, a distance of 154.29 feet to a 1/2 inch iron rod with green plastic cap stamped "EAGLE SURVEYING" set;

THENCE, S58°54'20"E, leaving the East line of said 22.125 acre tract, over and across said Lot 2, Block 2, a distance of 185.24 feet to a 1/2 inch iron rod with green plastic cap stamped "EAGLE SURVEYING" set in the East line of said Lot 2, Block 2, being the common West line of a called 3.139 acre tract of land conveyed to Neal Ward by deed of record in Document Number 2021029432 of said Official Records, from which a 2 inch iron pipe found at an angle point in the East line of said Lot 2, Block 2 bears N31°05'26"E, a distance of 2,919.24 feet;

THENCE, S31°05'26"W, along the East line of said Lot 2, Block 2 and the common West line of said 3.139 acre tract, a distance of 146.71 feet to a point, from which an aluminum TxDOT monument found in the North right-of-way line of Up River Road, being the Southeast corner of Lot 1-R of said Block 2, and being the Southwest corner of a called Tract 2 - 1.01 acre tract of land conveyed to Circle K Stores Inc. by deed of record in Document Number 2015047900 of said Official Records, bears S31°05'26"W, a distance of 315.73 feet;


THENCE, N61°16'49"W, leaving the West line of said 3.139 acre tract, over and across said Lot 2, Block 2, a distance of 175.99 feet to the **POINT OF BEGINNING**, and containing an area of 0.624 acres (27,163 square feet) of land, more or less.

This document was prepared under 22 Texas Administrative Code §138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Bearings are based on GPS observations utilizing the AllTerra RTK Network; North American Datum of 1983 (Adjustment Realization 2011).

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a Registered Professional Land Surveyor under the laws of the State of Texas

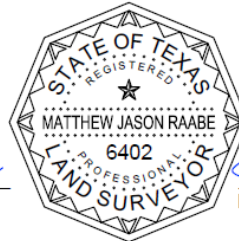
PAGE 1 OF 2



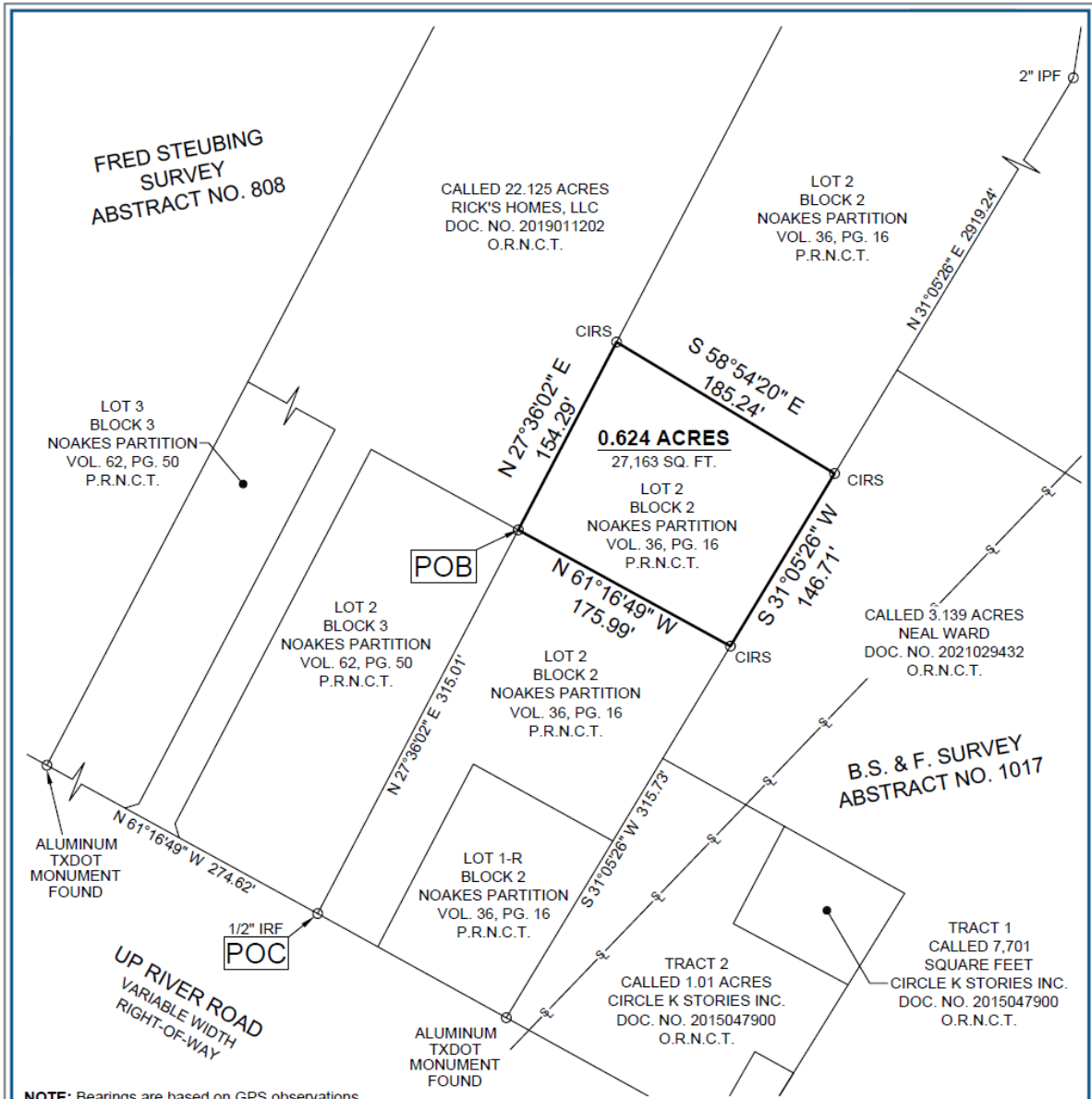
EAGLE SURVEYING, LLC
 222 S. ELM STREET
 SUITE: 200
 DENTON, TX 76201
 (940) 222-3009
 TX FIRM # 10194177

JOB NUMBER	DRAWN BY	DATE
2303.057-02	HSB	05/09/2023

Matthew Raabe
 Matthew Raabe
 R.P.L.S. # 6402



05-16-23
 Date

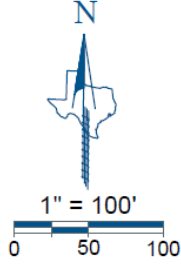


NOTE: Bearings are based on GPS observations utilizing the AllTerra RTK Network; North American Datum of 1983 (Adjustment Realization 2011).

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LEGEND	
O	BOUNDARY MONUMENTATION
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
CIRS	1/2" CAPPED IRON ROD SET "EAGLE SURVEYING"
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
VOL.	VOLUME
PG.	PAGE
DOC. NO.	DOCUMENT NUMBER
O.R.N.C.T.	OFFICIAL RECORDS, NUECES COUNTY, TEXAS
P.R.N.C.T.	PLAT RECORDS, NUECES COUNTY, TEXAS
— —	SURVEY ABSTRACT LINE

JOB NUMBER	DRAWN BY	DATE
2303.057-02	HSB	05/09/2023