

Ordinance amending the Unified Development Code (“UDC”), upon application by Corpus Christi Retail Venture, LP and Corpus Christi Area Council for the Deaf, Inc., on behalf of The City of Corpus Christi (“Owner”), by changing the UDC Zoning Map in reference to a 6.36 acre tract, out of a 7.245 acre public park, Mt. Vernon Subdivision Unit 3, from the “RS-6” Single-Family 6 District to the “CG-2” General Commercial District on Tract 1, and to the “CN-1” Neighborhood Commercial District on Tract 2; 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 The City of Corpus Christi (“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, November 2, 2016, during a meeting of the Planning Commission when the Planning Commission recommended approval of the change of zoning from the “RS-6” Single-Family 6 District to the “CG-2” General Commercial District on Tract 1, and to the “CN-1” Neighborhood Commercial District on Tract 2, and on Tuesday, November 15, 2016, 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 Corpus Christi Retail Venture, LP and Corpus Christi Area Council for the Deaf, Inc. on behalf of The City of Corpus Christi (“Owner”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on a 6.36 acre tract, out of a 7.245 acre public park, Mt. Vernon Subdivision Unit 3, located on the southeast corner of McArdle Road and Holmes Drive (the “Property”), from the “RS-6” Single-Family 6 District to the “CG-2” General Commercial District on Tract 1, and to the “CN-1” Neighborhood Commercial District on Tract 2 (Zoning Map No. 043036), as shown in Exhibits “A”, “B”, “C” and “D”. Exhibits A and C, which are metes and bounds descriptions of Tract 1 and Tract 2 of the Property, and Exhibits B and D, which are maps 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 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 also known as Plan CC, 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.

That the foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 2016, by the following vote:

Nelda Martinez	_____	Brian Rosas	_____
Rudy Garza	_____	Lucy Rubio	_____
Michael Hunter	_____	Mark Scott	_____
Chad Magill	_____	Carolyn Vaughn	_____
Colleen McIntyre	_____		

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____, 2016, by the following vote:

Dan McQueen	_____	Ben Molina	_____
Rudy Garza	_____	Lucy Rubio	_____
Paulette Guajardo	_____	Greg Smith	_____
Michael Hunter	_____	Carolyn Vaughn	_____
Joe McComb	_____		

PASSED AND APPROVED, this the _____ day of _____, 2016.

ATTEST:

Rebecca Huerta
City Secretary

Dan McQueen
Mayor



Job No. 43062.B6.00
November 7, 2016

**Tract 1
5.68 Acre
CG-2 Zoning Tract**

**STATE OF TEXAS
COUNTY OF NUECES**

Fieldnotes, for a 5.68 Acre Tract, of a 7.245 Acre Public Park, Mt. Vernon Subdivision Unit 3, a map of which is recorded in Volume 19, Pages 84, of the Map Records of Nueces County, Texas; said 5.68 Acre Tract being more fully described by metes and bounds as follows:

Beginning, at a 5/8 Inch Iron Rod Found, for an inner ell corner of Lot 2, Block 1, La Palmera Mall, a map of which is recorded in Volume 67, Page 258-263, of the said Map Records, the South corner of the said Public Park and this Tract;

Thence, North $61^{\circ}22'38''$ West, with a Northeast line of the said Lot 2 and the Northeast line of Block 9, Mt. Vernon Subdivision Unit, a map of which is recorded in Volume 19, Page 84, of the said Map Records, at 203.88 Feet, pass a 5/8 Inch Iron Rod Found, for the common corner of Lot 14 and Lot 15, said Block 9, at 330.16 Feet, pass a 5/8 Inch Iron Rod Found, for the common corner of Lot 16 and Lot 17, said Block 9, at 393.11 Feet, pass a 5/8 Inch Iron Rod Found, for the common corner of the said Lot 17 and Lot 18, said Block 9, in all 410.45 Feet, for the West corner of this Tract and the beginning of a non-tangent curve to the Right, having a delta of $04^{\circ}08'05''$, a radius of 2837.83 Feet, an arc length of 204.78 Feet, and a chord which bears North $32^{\circ}23'17''$ East, 204.73 Feet;

Thence, with the said non-tangent curve to the Right, 204.78 Feet, for the beginning of a non-tangent curve to the Left, having a delta of $05^{\circ}49'16''$, a radius of 3857.83 Feet, an arc length of 391.95 Feet, and a chord which bears North $31^{\circ}34'04''$ East, 391.78 Feet;

Thence, with the said curve to the Left, 391.95 Feet, to the Southwest boundary of a 0.2428 Acre Right-of-Way Easement, as described in Document No. 2003001406, of the Official Public Records of Nueces County, Texas, for the North corner of this Tract;

Thence, South $64^{\circ}05'01''$ East, with the Southwest line of the said 0.2428 Acre Right-of-Way Easement, 411.44 Feet, for the Northeast corner of this Tract, from whence a 5/8 Inch Iron Rod Found, for the North corner of the said Lot 2, bears North $28^{\circ}38'09''$ East, 1.43 Feet,;

Thence, South $28^{\circ}38'09''$ West, 17.57 Feet, for the beginning of a non-tangent curve to the Right, having a delta of $05^{\circ}51'03''$, a radius of 2783.79 Feet, an arc length of 284.27 Feet, and a chord which bears South $31^{\circ}34'04''$ West, 284.14 Feet;

Thence, with the said curve to the Right, 284.27 Feet, for a corner of this Tract and the beginning of a non-tangent curve to the Left, having a delta of $04^{\circ}36'14''$, a radius of 3911.83 Feet, an arc length of 314.33 Feet, and a chord which bears South $32^{\circ}09'53''$ West, 314.25 Feet;

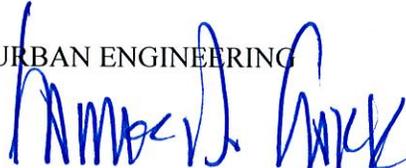
Thence, with the said non-tangent curve to the Left, an arc length of 314.33 Feet, to the Point of Beginning, containing 5.68 Acres (247,416 Sq. Ft.) of Land, more or less.

Bearings based on GPS, NAD83, State Plane Coordinate System, Texas South Zone 4205.

Unless this fieldnote 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 tract described herein.



URBAN ENGINEERING

James D. Carr, R.P.L.S.
License No. 6458

Legend:

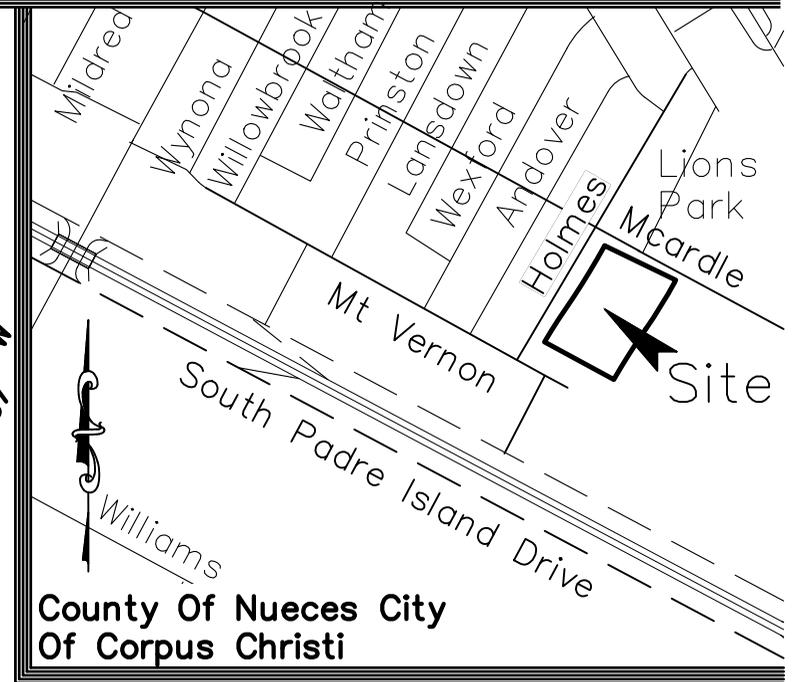
- 3/4 Inch Iron Pipe Found
- 5/8 Inch Iron Rod Found
- 5/8 Inch Iron Rod with plastic cap stamped "URBAN ENGR CCTX" Set
- 5/8 Inch Iron Rod with yellow plastic cap stamped "BRISTER SURVEYING" Found
- ⊕ Drill Hole Found

$\Delta=5^{\circ}49'16''$
 $R=3857.83'$
 $L=391.95'$
 $T=196.14'$
 $CB=N31^{\circ}34'04''E$
 $CL=391.78'$

$\Delta=4^{\circ}08'04''$
 $R=2837.83'$
 $L=204.78'$
 $T=102.43'$
 $CB=N32^{\circ}23'17''E$
 $CL=204.73'$

$\Delta=5^{\circ}51'03''$ ($\Delta=5^{\circ}51'00''$)
 $R=2783.79'$ ($R=2783.79'$)
 $L=284.27'$ ($L=284.23'$)
 $T=142.26'$ ($T=142.24'$)
 $CB=S31^{\circ}35'08''W$
 $CL=284.14'$

$\Delta=4^{\circ}36'14''$ ($\Delta=4^{\circ}35'44''$)
 $R=3911.83'$ ($R=3911.84'$)
 $L=314.33'$ ($L=313.75'$)
 $T=157.25'$ ($T=156.96'$)
 $CB=S32^{\circ}09'53''W$
 $CL=314.25'$



Location Map N.t.s.

Exhibit

Sketch to Accompany

FIELDNOTES for a 5.68 Acre Tract, out of a 7.245 Acre Public Park, Mt. Vernon Subdivision Unit 3, a map of which is recorded in Volume 19, Pages 84, of the Map Records of Nueces County, Texas.



DATE: November 7, 2016
 SCALE: 1"=100'
 JOB NO.: 43062.B6.00
 SHEET: 1 of 1
 DRAWN BY: XG
 urbansurvey1@urbaneng.com
 ©2016 by Urban Engineering

Exhibit B



Job No. 43062.B6.00
November 7, 2016

Tract 2
0.68 Acre
CN-1 Zoning Tract

STATE OF TEXAS
COUNTY OF NUECES

Fieldnotes, for a 0.68 Acre Tract, of a 7.245 Acre Public Park, Mt. Vernon Subdivision Unit 3, a map of which is recorded in Volume 19, Pages 84, of the Map Records of Nueces County, Texas; said 0.68 Acre Tract being more fully described by metes and bounds as follows:

Commencing, at a 5/8 Inch Iron Rod Found, for an inner ell corner of Lot 2, Block 1, La Palmera Mall, a map of which is recorded in Volume 67, Page 258-263, of the said Map Records, the South corner of the said Public Park and this Tract;

Thence, North 61°22'38" West, with a Northeast line of the said Lot 2 and the Northeast line of Block 9, Mt. Vernon Subdivision Unit, a map of which is recorded in Volume 19, Page 84, of the said Map Records, at 203.88 Feet, pass a 5/8 Inch Iron Rod Found, for the common corner of Lot 14 and Lot 15, said Block 9, at 330.16 Feet, pass a 5/8 Inch Iron Rod Found, for the common corner of Lot 16 and Lot 17, said Block 9, at 393.11 Feet, pass a 5/8 Inch Iron Rod Found, for the common corner of the said Lot 17 and Lot 18, said Block 9, in all 410.45 Feet, for the **Point of Beginning**;

Thence, North 61°22'38" West, continuing with the Northeast line of the said Block 9, 50.02 Feet, to a 3/4 Inch Iron Pipe Found, on the Southeast line of Holmes Street (50 Foot Wide Right-of-Way), being the North corner of Lot 18, said Block 9, for the Southwest corner of the said Public Park and this Tract, and the beginning of a non-tangent curve to the Right, having a delta of 04°09'51", a radius of 2887.83 Feet, an arc length of 209.88 Feet, and a chord which bears North 32°22'25" East, 209.83 Feet;

Thence, with the said non-tangent curve to the Right, 209.88 Feet, to a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CC TX" Set, on the said Southeast line of Holmes Street, for the beginning of a non-tangent curve to the Left, having a delta of 05°47'07", a radius of 3807.83 Feet, an arc length of 384.49 Feet, and a chord which bears North 31°35'09" East, 384.32 Feet;

Thence, with the said curve to the Left, at 70.43 Feet, pass a 3/4 Inch Iron Pipe Found, in all 384.49 Feet, to a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CC TX" Set, for the West corner of a 0.2428 Acre Right-of-Way Easement, as described in Document No. 2003001406, of the Official Public Records of Nueces County, Texas, for the North corner of this Tract;

Thence, South 64°05'01" East, with the Southwest line of the said 0.2428 Acre Right-of-Way Easement, 50.06 Feet, for the Northeast corner of this Tract, and the beginning of a curve to the Right, having a delta of 05°49'16", a radius of 3857.83 Feet, an arc length of 391.95 Feet, and a chord which bears South 31°34'04" West, 391.78 Feet;

Thence, with the said curve to the Right, an arc length of 391.95 Feet, for a corner of this Tract, and the beginning of a curve to the left having a delta of 04°08'04", a radius of 2837.83 Feet, an arc length of 204.78 Feet, and a chord which bears South 32°23'17" West, 204.73 Feet;

Thence, with the said curve to the Left, an arc length of 204.78 Feet, to the Point of Beginning, containing 0.68 Acres (29,778 Sq. Ft.) of Land, more or less.

Bearings based on GPS, NAD83, State Plane Coordinate System, Texas South Zone 4205.

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