

Ordinance amending the Unified Development Code (“UDC”), upon application by ZEBA, LLC (“Owner”), by changing the UDC Zoning Map in reference to a 5.864-acre tract of land out of Tract 11 of the Partition of the Estate of John B. Harney, from the “RS-6” Single-Family 6 District to the “CG-2” General Commercial 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 of ZEBA, LLC (“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, March 26, 2014, during a meeting of the Planning Commission, and on Tuesday, April 22, 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 ZEBA, LLC (“Owner”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on a 5.864-acre tract of land out of Tract 11 of the Partition of the Estate of John B. Harney, located between Leopard Street and Interstate Highway 37, approximately 1,200 feet east of Callicoatte Road (the “Property”), from the “RS-6” Single-Family 6 District to the “CG-2” General Commercial District (Zoning Map No. 063050), 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, 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

5.864 ACRES

ALL that certain tract or parcel of land situated in Nueces County, Texas, same lying within the Corporate City Limits of Corpus Christi, Texas, same being out of Tract 11 of The Partition of The Estate of John B. Harney as recorded in Volume 6, Page 29 of the Map Records of Nueces County, Texas, same being a portion of the property called 6.3785 acres and as recorded in Document No. 2008015117 of the Gift Warranty Deed Records of Nueces County, Texas, and being more particularly described by metes and bounds as follows, to wit:

BEGINNING at a one inch iron pipe found for the South corner of this tract, same lying NORTH 37 degrees 29 minutes 00 seconds EAST 40.09 feet from the South corner of said Tract 11, same lying in the Northeast right-of-way margin of Leopard Street;

THENCE, along said Northeast right-of-way margin of Leopard Street, NORTH 56 degrees 26 minutes 03 seconds WEST 298.81 feet to a ¼ inch iron pipe found for the Southwest corner of this tract, same being the South corner of Lot 1, Block F, Hart Addition as recorded in Volume 57, Page 153 of the Map Records of Nueces County, Texas;

THENCE, along the common boundary line of this tract with said Lot 1, Block F, NORTH 37 degrees 29 minutes 14 seconds EAST 300.38 feet to a ¼ inch iron pipe found for an interior corner of this tract, same being the East corner of said Lot 1, Block F, same being the South corner of a 0.50 acre tract as described and conveyed in a Warranty Deed under Clerk's File No. 2000025065 of the Official Public Records of Nueces County, Texas;

THENCE, along the Southeast boundary line of said 0.50 acre tract, NORTH 37 degrees 22 minutes 24 seconds EAST 72.31 feet to a 5/8 inch iron rod found for an interior corner of this tract, same being the East corner of said 0.50 acre tract;

THENCE, along the Northeast boundary line of said 0.50 acre tract, NORTH 56 degrees 20 minutes 32 seconds WEST 299.64 feet to a 5/8 inch iron rod found for the West corner of this tract, same lying in the Northwest boundary line of said Tract 11, same lying in the Southeast boundary line of a 5.126 acre tract out of Tract 12 of said John B. Harney partition and recorded in Volume 1625, Page 506 of the Deed Records of Nueces County, Texas;

THENCE, along the common boundary line of this tract with said 5.126 acre tract, NORTH 37 degrees 38 minutes 12 seconds EAST 177.48 feet to a 5/8 inch iron rod found for the North corner of this tract, same being the East corner of said 5.126 acre tract, same lying in the South right-of-way margin of Interstate Highway 37;

THENCE, along said South right-of-way margin of Interstate Highway 37, SOUTH 68 degrees 15 minutes 30 seconds EAST 620.56 feet to a 5/8 inch iron rod found for the East corner of this tract, same being the North corner of a 4.386 acre tract out of Tract 10 of said John B. Harney partition;

THENCE, along the common boundary line of this tract with said 4.386 acre tract, SOUTH 37 degrees 31 minutes 53 seconds WEST 678.13 feet to the point of beginning and containing 5.864 acres of land.

I hereby certify that this survey as reflected in the above Field Notes and attached plat conforms to the current Texas Surveyors Association Standards and Specifications for a Category IA, Condition II Land Survey.

Dated this the 5 day of MARCH, 2014.


Ronald A. Voss,
Registered Professional Land Surveyor No.2293



SCALE 1" = 60'

INTERSTATE HIGHWAY 37 EXPRESSWAY

[(S 68° 15' 30" E 620.40'] 620.56')
BASIS OF BEARINGS

5.126 AC. OF TRACT 12 HARNEY PARTITION V. 1625, P. 506 (D.R.N.C.T.)

4.386 AC. OF TRACT 10 HARNEY PARTITION

5.864 AC.

6.362 AC. TOTAL OUT OF TRACT 11

BROKEN SCALE (TYP.)

(N 37° 38' 12" E 250.24')
(N 37° 29' 00" E 250.90')
(72.76) (177.48)

(N 56° 20' 32" W 299.64')

0.498 AC.

SET 5/8" I.R.

(N 56° 17' 30" W 300.00')
(N 56° 25' 28" W 300.00')

2.061 AC.
HART ADDITION
LOT 1, BLOCK F
V. 57, P. 153 (M.R.N.C.T.)

(N 37° 29' 14" E 300.38')
(N 37° 29' 00" E 300.00')
FD. 3/4" I.P. (72.31)

(S 37° 29' 00" W 680.00')
(S 37° 31' 53" W 678.13')

FD. 3/4" I.P.

FD. 3/4" I.P.

FD. 1" I.P.

(N 56° 17' 30" W 298.64')
(N 56° 26' 03" W 298.81')

(N 37° 29' 00" E 40.09')

S. COR. OF TRACT 11

TO CALICOATTE ROAD

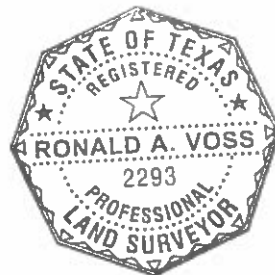
LEOPARD STREET (AKA STATE HIGHWAY NO. 9)

This property lies within Zone C, according to FIRM 85, which is NOT within the 100 year Flood Plain.

I, Ronald A. Voss, a Registered Professional Land Surveyor, do hereby certify that this survey was made on the ground of the property shown hereon under my direction and supervision; that it is my knowledge and belief; that there are no apparent encroachments or overlapping of improvements with the deed lines except as shown hereon. This Survey was performed without the benefit of a Title Policy or Title Opinion.

NOT VALID WITHOUT ORIGINAL SIGNATURE AND ORIGINAL SEAL.

Registered Professional Land Surveyor State of Texas No. 2293



NOTES:
(1.) Found 5/8" I.R. @ all lot corners unless noted otherwise.
(2.) House Ties are to the foundation.

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DATE: 02/04/2014
REVISION: 03/05/2014
CREW: RS & DL
OFFICE: RV & OA
GF#: -
JOB#: 14-1241

6.362 Acres Out of Tract 11 of The Partition of The Estate of John B. Harney
Volume 6, Page 29, (M.R.N.C.T.) & As in Doc. No. 2008015117 (G.W.D.R.N.C.T.)
Corpus Christi, Nueces County, Texas

KEY: // WOOD FENCE
[RECORDED] X WIRE FENCE
(MEASURED) V VINYL FENCE

VOSS ENGINEERING, INC.

ENGINEERING & LAND SURVEYING
6838 GREENWOOD DRIVE, CORPUS CHRISTI, TEXAS 78415
PHONE: 361.854.6202 FAX: 361.853.4696

Exhibit "B"