

Ordinance amending the Unified Development Code (“UDC”) upon application by Saratoga Highway Properties, LLC (“Owner”), by changing the UDC Zoning Map in reference to a 3.38-acre tract of land out of Lot 1, Block 3, Cimarron Center, from the “CN-1” Neighborhood Commercial District to the “CG-2” General Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause, penalties, and publication.

WHEREAS, the Planning Commission has forwarded to the City Council its reports and recommendations regarding the application of Saratoga Highway Properties, 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, October 10, 2012, during a meeting of the Planning Commission, and on Tuesday, November 13, 2012, 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. The Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on a 3.38-acre tract of land out of Lot 1, Block 3, Cimarron Center (the “Property”), located on the southwest corner of Dunbarton Oak Drive and Cimarron Boulevard from the “CN-1” Neighborhood Commercial District to the “CG-2” General Commercial District (Zoning Map No. 048038), 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 survey of the property, are attached to and incorporated in this ordinance by reference as if fully set out herein in their entirety.

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 in conflict with this ordinance are hereby expressly repealed.

SECTION 6. A violation of this ordinance, or requirements implemented under this ordinance, constitutes an offense punishable as provided in Article 1, Section 1.10.1, and Article 10 of the UDC.

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.

That the foregoing ordinance was read for the first time and passed to its second reading on this the 13th day of November, 2012, by the following vote:

Joe Adame	_____	David Loeb	_____
Chris N. Adler	_____	John E. Marez	_____
Kelley Allen	_____	Nelda Martinez	_____
Larry Elizondo	_____	Mark Scott	_____
Priscilla G. Leal	_____		

PASSED TO ITS SECOND READING ON THIS THE 13th DAY OF NOVEMBER, 2012.

ATTEST:

Armando Chapa
City Secretary

Joe Adame
Mayor

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____, 2012, by the following vote:

Nelda Martinez	_____	Chad Magill	_____
Kelley Allen	_____	Colleen McIntyre	_____
Rudy Garza Jr.	_____	Lillian Riojas	_____
Priscilla G. Leal	_____	Mark Scott	_____
David Loeb	_____		

PASSED AND APPROVED, this the _____th day of _____, 2012.

ATTEST:

Armando Chapa
City Secretary

Nelda Martinez
Mayor

**FIELDNOTE DESCRIPTION
FOR
3.38 ACRES OF LAND**

THE STATE OF TEXAS §

COUNTY OF NUECES §

BEING 3.38 acres of land, same being a portion of that tract of land conveyed by Monica R. Mejia to Saratoga Highway Properties, LLC. by Instrument No. 2010036245 with an effective date of September 27, 2010, same being a portion of Lot 1, Block 3, Cimarron Center, as recorded in Volume 67, Pages 442 and 443 of the Map Records of Nueces County, Texas, said 3.38 acres of land being more fully described by metes and bound as follows:

BEGINNING at a point at the most southern corner of said Lot 1, Block 3 of Cimarron Center, same being the northeast corner of Lot 1, Block 6 of Cimarron Estates as recorded in Volume 65, Pages 70 - 72 of the Map Records of Nueces County, Texas, said point being the most southern corner of the herein described tract of land;

THENCE, N. 61° 21' 29" W., a distance of 894.86 feet along the common lot line between said Lot 1, Block 3 of Cimarron Center and said Lot 1, Block 6 of Cimarron Estates to a point, said point being the most western corner of the herein described tract of land;

THENCE, N. 28° 38' 25" E., a distance of 283.90 feet to a point in the southwest right-of-way line of Dunbarton Oak Drive (75' in width), said point being the most northern corner of the herein described tract of land;

THENCE, along the southwest right-of-way line of Dunbarton Oak Drive which is in a curve to the right having a radius of 785.00 feet, an arc distance of 270.81 feet (Chord Bearing and Distance: S. 50° 15' 41" E., 269.47') to the Point of Tangency of said curve, said point being a corner of the herein described tract of land;

THENCE, S. 40° 22' 40" E., a distance of 365.48 feet along the southwest right-of-way line of Dunbarton Oak Drive to the Point of Curvature of a curve to left, said point being a corner of the herein described tract of land;

THENCE, along the southwest right-of-way line of Dunbarton Oak Drive which is in a curve to the left having a radius of 647.00 feet, an arc distance of 237.32 feet (Chord Bearing and Distance: S. 50° 53' 09" E., 236.00') to the Point of Tangency of said curve, said point being a corner of the herein described tract of land;

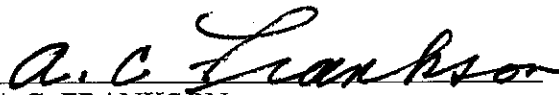
THENCE, S. 61° 23' 39" E., a distance of 37.11 feet along said Dunbarton Oak Drive southwest right-of-way line to a point, said point being the Point of Curvature of a curve to the right, said point being a corner of the herein described tract of land;

EXHIBIT A

THENCE, along said curve to the right, same being said Dunbarton Oak Drive southwest right-of-way line, said curve having a radius of 20.00 feet and an arc distance of 31.43 feet (Chord Bearing and Distance: S. 16° 22' 30" E., 28.29') to the Point of Tangency of said curve, said point being the most eastern corner of the herein described tract of land;

THENCE, S. 28° 38' 40" W., a distance of 38.31 feet along the northwest right-of-way line of Cimarron Boulevard to the Point of Beginning, containing within these metes and bounds 3.38 acres of land.

These fieldnotes were prepared based on a Plat of Lot 1, Block 3, Cimarron Center as recorded in Volume 67, Page 442 and 443 of the Map Records of Nueces County, Texas, and was not staked on the ground.


A.C. FRANKSON
Registered Professional Land Surveyor
Texas Registration No. 2239

DATED: 9-11-12



EXHIBIT A

LINE LIST

- L1: S61°21'29"E 557.68'
- L2: S61°21'29"E 136.67'

CURVE DATA

- C8: Δ = 21°00'24"
R = 785.00'
L = 287.81'
Ch = 550°52'52"E
286.20'
- C9: Δ = 21°00'59"
R = 647.00'
L = 237.32'
Ch = 550°53'09"E
236.00'
- C10: Δ = 90°02'19"
R = 20.00'
L = 31.43'
Ch = 516°22'30"E
28.29'
- C11: Δ = 19°45'57"
R = 785.00'
L = 270.81'
Ch = 550°15'38"E
269.47'

LEGEND

- D.E. DRAINAGE EASEMENT
- MRNCT MAP RECORDS, NUECES COUNTY, TEXAS
- R.O.W. RIGHT OF WAY
- U.E. UTILITY EASEMENT
- Y.R. YARD REQUIREMENT
- ZONING LIMITS

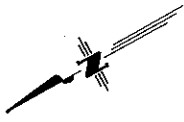
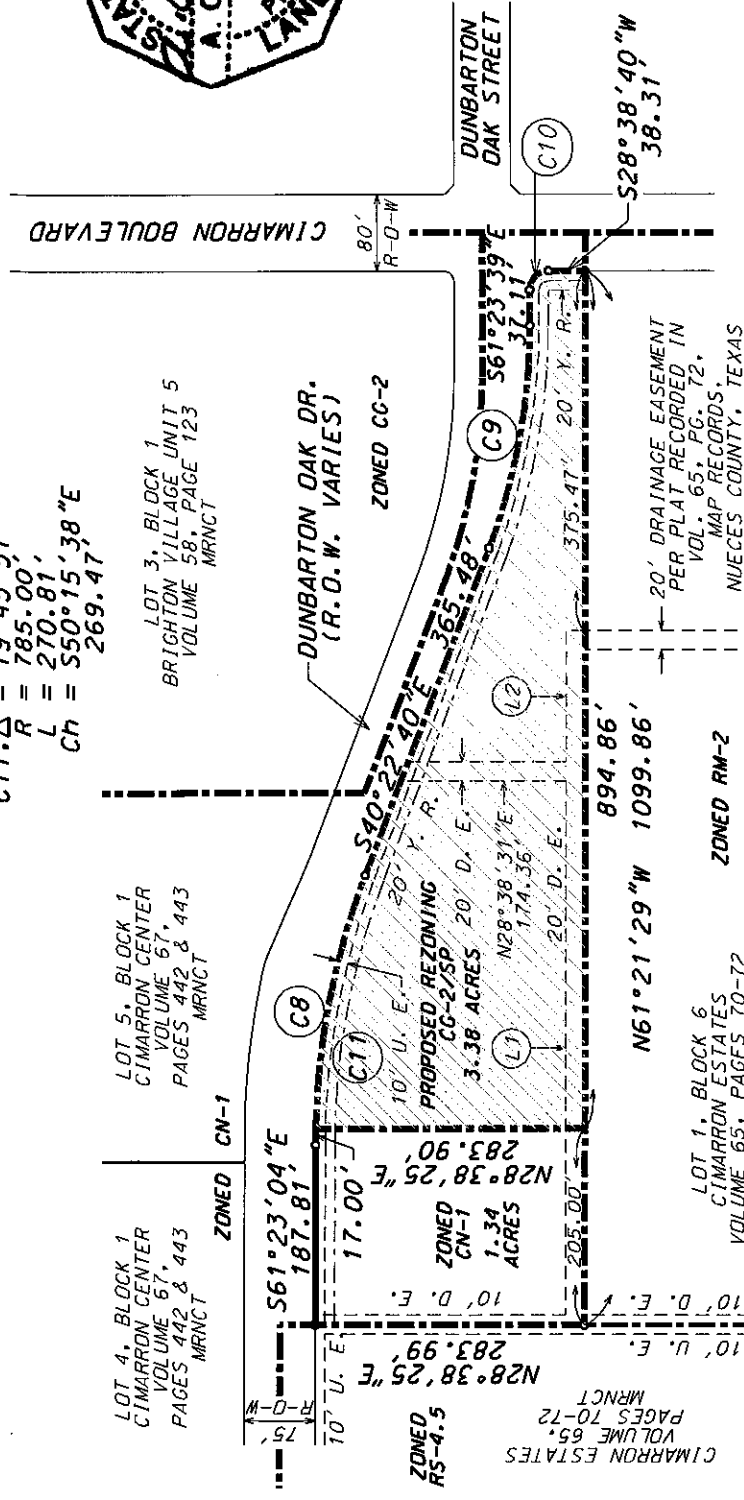
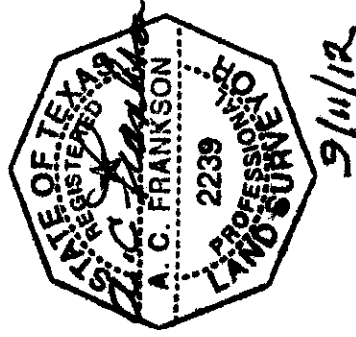


EXHIBIT B



ZONING PLAT

LOT 1, BLOCK 3,
CIMARRON CENTER
VOLUME 67, PAGES 442 & 443
MAP RECORDS, NUECES COUNTY, TEXAS
CORPUS CHRISTI, TEXAS

SCALE: 1" = 200'