

Ordinance amending the Unified Development Code (“UDC”), upon application by Dalia Ayala Holdings, LLC and Gonzalez Family Partnership, Ltd. (“Owners”), by changing the UDC Zoning Map in reference to 7.61 acres out of Lots 17, 18, 31 and 32, Section 11, Flour Bluff and Encinal Farm and Garden Tracts, 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 of Dalia Ayala Holdings, LLC and Gonzalez Family Partnership, Ltd. (“Owners”), 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, June 4, 2014, during a meeting of the Planning Commission, and on Tuesday, July 8, 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 Dalia Ayala Holdings, LLC and Gonzalez Family Partnership, Ltd. (“Owners”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on 7.61 acres out of Lots 17, 18, 31 and 32, Section 11, Flour Bluff and Encinal Farm and Garden Tracts, located on the east side of South Staples Street, approximately 300 feet north of Corsica Road (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. 044032), as shown in Exhibits “A.1”, “A.2” and “A.3.” Exhibits A.1 and A.2, which are a metes and bounds description of the Property (Tract 1 and Tract 2), and Exhibit A.3, 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

LEGAL DESCRIPTION

3.63 ACRE TRACT

A **3.63** ACRE TRACT OF LAND OUT OF A 19.65 ACRE TRACT OF LAND AS RECORDED IN DOCUMENT NUMBER 2009030350, DEED RECORDS, NUECES COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING at a calculated point at the intersection of the easterly right-of way line of South Staples Street and the southerly line of a 35.933 acre tract, as recorded in Document Number 2008011575, Official Public Records, Nueces County, Texas, for a corner of the herein described tract;

THENCE South 61°01'40" East, departing said easterly right-of-way line, and with said southerly line, a distance of 400.00 feet to a calculated point, for a corner of the herein described tract;

THENCE South 27°58'45" West, a distance of 395.90 feet to a calculated point on the northerly line of a 5.497 acre tract, as recorded in Document Number 2003024403, Official Public Records, Nueces County, Texas, for a corner of the herein described tract;

THENCE North 61°01'45" West, with said northerly line, a distance of 399.87 feet to a calculated point on the aforementioned easterly right-of-way line of South Staples Street, for a corner of the herein described tract;

THENCE North 27°57'38" East, with said easterly right-of-way line, a distance of 395.92 feet to the **POINT OF BEGINNING** and containing 158,314 square feet or 3.63 acres of land.

NOTE: THIS DESCRIPTION WAS PREPARED IN HOUSE WITHOUT A FIELD SURVEY OF THE PROPERTY DESCRIBED HEREON AND IS FOR DESCRIPTIVE PURPOSES ONLY. ALL BEARINGS ARE BASED ON DEED BEARINGS AS RECORDED IN DOCUMENT NUMBER 2009030350, DEED RECORDS, NUECES COUNTY, TEXAS.

Stacey King Mora

Stacey King Mora, RPLS
Registered Professional Land Surveyor
Texas Registration No. 6166
Naismith Engineering, Inc.
TBPE F#355 TBPLS#100395-00



Date May 9, 2014

LEGAL DESCRIPTION

3.98 ACRE TRACT

A **3.98 ACRE TRACT OF LAND OUT OF A 19.65 ACRE TRACT OF LAND AS RECORDED IN DOCUMENT NUMBER 2009030350, DEED RECORDS, NUECES COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS:**

BEGINNING at a calculated point which bears South 61°01'40" East, a distance of 400.00 feet from the intersection of the easterly right-of way line of South Staples Street and the southerly line of a 35.933 acre tract, as recorded in Document Number 2008011575, Official Public Records, Nueces County, Texas, for a corner of the herein described tract;

THENCE South 61°01'40" East, with said southerly line, a distance of 438.38 feet to a calculated point on the westerly line of a 12.00 acre tract, as recorded in Document Number 2012038800, Official Public Records, Nueces County, Texas, for a corner of the herein described tract;

THENCE South 27°58'45" West, with said westerly line, a distance of 395.89 feet to a calculated point on the northerly line of a 5.497 acre tract, as recorded in Document Number 2003024403, Official Public Records, Nueces County, Texas, for a corner of the herein described tract;

THENCE North 61°01'45" West, with said northerly line, a distance of 438.38 feet to a calculated point, for a corner of the herein described tract;

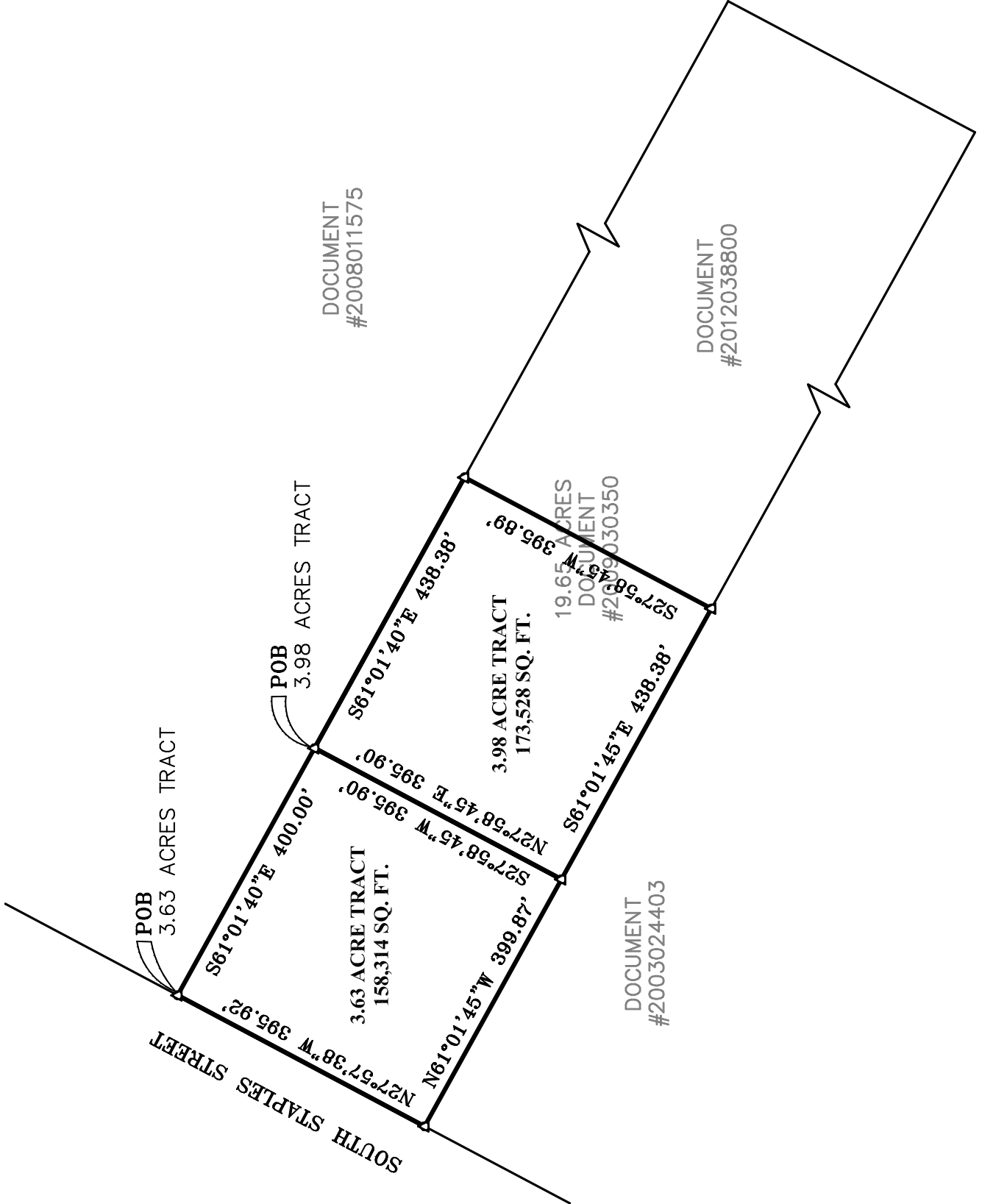
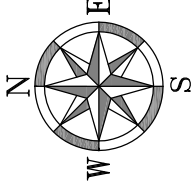
THENCE North 27°58'45" East, a distance of 395.90 feet to the **POINT OF BEGINNING** and containing 173,528 square feet or 3.98 acres of land.

NOTE: THIS DESCRIPTION WAS PREPARED IN HOUSE WITHOUT A FIELD SURVEY OF THE PROPERTY DESCRIBED HEREON AND IS FOR DESCRIPTIVE PURPOSES ONLY. ALL BEARINGS ARE BASED ON DEED BEARINGS AS RECORDED IN DOCUMENT NUMBER 2009030350, DEED RECORDS, NUECES COUNTY, TEXAS.

Stacey King Mora
Stacey King Mora, RPLS
Registered Professional Land Surveyor
Texas Registration No. 6166
Naismith Engineering, Inc.
TBPE F#355 TBPLS#100395-00



Date May 8, 2014



LEGEND:

△ = CALCULATED POINT

NOTE: THE EXHIBIT SHOWN HEREON IS A DESCRIPTIVE SKETCH ONLY IS. THE BEARINGS SHOWN HEREON ARE BASED ON AND REFERENCED TO DOCUMENT NUMBER 2009030350.

METES AND BOUNDS DESCRIPTION TO ACCOMPANY THIS EXHIBIT.

NEI **NaismithEngineering, Inc**
ENGINEERING ■ ENVIRONMENTAL ■ SURVEYING
 TBPE FIRM #355 TBPLS #100395-00
 4501 GOLLIHAR RD. CORPUS CHRISTI, TEXAS 78411 PH. NO. 361-814-9900

EXHIBIT "B"

A 3.63 ACRE TRACT & A 3.98 ACRE TRACT
 OUT OF A 19.65 ACRE TRACT OF LAND
 DOCUMENT NUMBER 2009030350, DEED RECORDS,
 NUJECES COUNTY, TEXAS

Drawn By: MWA	Appr. By: SKM	Scale: 1"=200'	Dwg. No.: 9294	Sheet
Checked By: SKM	Project No.: 9294	Date: 04-24-14	Rev: 0	1

Exhibit A.3