

**Case No. 0422-02, Behmann Brothers Foundation (District 3): Ordinance rezoning property at or near 602 Saratoga Boulevard from the “FR” Farm Rural District to the “RS-4.5” Single-Family 4.5 District (Tract 1) and from the “FR” Farm Rural District to the “RE/SP” Estate Residential District with a Special Permit.**

**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 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 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 described as:

Tract 1: 80.84-acre tract of land out of Lots 1, 2, 3, 4, 5, and 6 of the William J. Robertson Farm Tracts, as shown in Exhibit “A.”

From the “FR” Farm Rural District to the “RS-4.5” Single-Family 4.5 District.

Tract 2: 78.73-acre tract of land out of Lots 1, 2, 3, and 4 of the William J. Robertson Farm Tracts, as shown in Exhibit “A.”

From the “FR” Farm Rural District to the “RE/SP” Estate Residential District with a Special Permit.

The subject property is located at or near 602 Saratoga Boulevard. Exhibit A, which is the Metes and Bounds of the subject properties and Exhibit B which is an associated illustration which are attached to and incorporated in this ordinance.

**SECTION 2.** That the Special Permit granted in Section 1 of this Ordinance is subject to the following conditions:

1. **Density:** The only use permitted under this Special Permit, other than those permitted by right in the “RE” Estate Residential District is the use of single-family residential homes at a maximum density of 4 dwelling units per acre.
2. **Development Standards:** Each single-family property shall be designed in accordance with the “RS-4.5” Single-Family 4.5 District standards listed in Section 4.3.3 of the Unified Development Code (UDC).
3. **Stormwater:** Any surface detention and/or retention storm water ponds must drain within 48 hours.
4. **Open Space:** 10% of the property must be designated as an open space. Land located within the Special Flood Hazard Area (SFHA) is not eligible to be considered as open space
5. **Flood Hazard Areas:** Single-family homes may not be constructed on property designated as a Special Flood Hazard Area as per the latest approved floodplain map.
6. **Other Requirements:** The conditions listed herein do not preclude compliance with other applicable UDC and Building and Fire Code Requirements.
7. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within 12 months of this ordinance unless a complete building permit application has been submitted, and the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

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

**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 subject property that are 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 of the UDC, Article 10 of the UDC, and/or Section 1-6 of the Corpus Christi Code of Ordinances.

**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.

**SECTION 8.** This ordinance shall become effective upon publication.

That the foregoing ordinance was read for the first time and passed to its second reading on this the \_\_\_\_\_ day of \_\_\_\_\_, 2022, by the following vote:

Paulette Guajardo _____	John Martinez _____
Roland Barrera _____	Ben Molina _____
Gil Hernandez _____	Mike Pusley _____
Michael Hunter _____	Greg Smith _____
Billy Lerma _____	

That the foregoing ordinance was read for the second time and passed finally on this the \_\_\_\_\_ day of \_\_\_\_\_ 2022, by the following vote:

Paulette Guajardo _____	John Martinez _____
Roland Barrera _____	Ben Molina _____
Gil Hernandez _____	Mike Pusley _____
Michael Hunter _____	Greg Smith _____
Billy Lerma _____	

PASSED AND APPROVED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

ATTEST:

\_\_\_\_\_  
Rebecca Huerta  
City Secretary

\_\_\_\_\_  
Paulette Guajardo  
Mayor

Exhibit A

**EXHIBIT "A"**

**TRACT 1 OF 2**

**STATE OF TEXAS  
COUNTY OF NUECES**

Field notes for a 80.840 acre tract of land out of Lots 1, 2, 3, 4, 5, and 6 of the William J. Robertson Farm Tracts, a subdivision of Nueces County, as shown on the map thereof recorded in Volume 3, Page 31 of the Map Records of Nueces County, Texas, and being more particularly described as Tract 1 in the General Warranty Deed with Vendor's Lien recorded under Document No. 2005063946 of the Official Public Records of Nueces County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8 inch diameter iron rod found at the intersection of the northerly right of way line of State Highway 357 and the easterly boundary line of Lot 4 of the William J. Robertson Farm Tracts, a subdivision of Nueces County, as shown on the map thereof recorded in Volume 3, Page 31 of the Map Records of Nueces County, Texas, for the POINT OF COMMENCEMENT;

THENCE, N 16° 42' 31" W, a distance of 423.94 feet to the southeast corner of this tract and the POINT OF BEGINNING;

THENCE, N 61° 45' 32" W, a distance of 2768.31 feet to the southwest corner of this tract;

THENCE, N 28° 34' 17" E, a distance of 1690.49 feet to the northwest corner of this tract;

THENCE, S 44° 55' 54" E, a distance of 2883.48 feet to the northeast corner of this tract;

THENCE, S 28° 20' 14" W, a distance of 855.74 feet to the POINT OF BEGINNING, and containing 80.840 acres of land, more or less.

Notes:

- 1.) Bearings are based on Global Positioning System NAD 83 Zone 4205 Datum
- 2.) A map of equal date accompanies this Metes and Bounds description.

I, Fred C. Hayden, Jr., do hereby certify that this survey of the property legally described herein was made on the ground this 18<sup>th</sup> day of May, 2022, and is correct to the best of my knowledge and belief.



Fred C. Hayden, Jr., RPLS No. 4486



**EXHIBIT "A"**  
**TRACT 2 OF 2**

**STATE OF TEXAS**  
**COUNTY OF NUECES**

Field notes for a 78.737 acre tract of land out of Lots 1, 2, 3, and 4 of the William J. Robertson Farm Tracts, a subdivision of Nueces County, as shown on the map thereof recorded in Volume 3, Page 31 of the Map Records of Nueces County, Texas, and being more particularly described as Tract 1 in the General Warranty Deed with Vendor's Lien recorded under Document No. 2005063946 of the Official Public Records of Nueces County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8 inch diameter iron rod found at the intersection of the northerly right of way line of State Highway 357 and the easterly boundary line of Lot 4 of the William J. Robertson Farm Tracts, a subdivision of Nueces County, as shown on the map thereof recorded in Volume 3, Page 31 of the Map Records of Nueces County, Texas, for the POINT OF COMMENCEMENT;

THENCE, N 16° 42' 31" W, a distance of 423.94 feet to a point;

THENCE, N 28° 20' 14" E, a distance of 855.74 feet to the southeast corner of this tract and the POINT OF BEGINNING;

THENCE, N 44° 55' 54" W, a distance of 2883.48 feet to the southwest corner of this tract;

THENCE, N 28° 34' 17" E, a distance of 599.87 feet to the northwest corner of this tract;

THENCE, S 77° 47' 53" E, a distance of 706.77 feet to an exterior corner of this tract;

THENCE, S 60° 20' 05" E, a distance of 610.43 feet to an interior corner of this tract;

THENCE, S 72° 47' 41" E, a distance of 622.06 feet to an exterior corner of this tract;

THENCE, S 67° 31' 34" E, a distance of 863.93 feet to the northeast corner of this tract;

THENCE, S 28° 20' 14" W, a distance of 1820.59 feet to the POINT OF BEGINNING, and containing 78.737 acres of land, more or less.

Notes:

- 1.) Bearings are based on Global Positioning System NAD 83 Zone 4205 Datum
- 2.) A map of equal date accompanies this Metes and Bounds description.

I, Fred C. Hayden, Jr., do hereby certify that this survey of the property legally described herein was made on the ground this 10<sup>th</sup> day of May, 2022, and is correct to the best of my knowledge and belief.

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Fred C. Hayden, Jr., RPLS No. 4486



# Exhibit B

