

Ordinance amending the Unified Development Code (“UDC”), upon application by Michael Havelka on behalf of MHJ Development, LLC and Havelka Construction, Inc. (“Owners”), by changing the UDC Zoning Map in reference to 9.49 acres of land out of Lot 6, Tropic Estates, and out of Lots 10, 11, and 12, Section 53, Flour Bluff Encinal Farm and Garden Tracts (“Property”), from the “RM-1” Multifamily 1 District to the “RS-6” Single-Family 6 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 Michael Havelka on behalf of MHJ Development, LLC and Havelka Construction, Inc. (“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 17, 2015, during a meeting of the Planning Commission when the Planning Commission recommended approval of the requested “RS-6” Single-Family 6 District, and on Tuesday, July 14, 2015, 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 Michael Havelka on behalf of MHJ Development, LLC and Havelka Construction, Inc. (“Owners”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on 9.49 acres of land out of Lot 6, Tropic Estates, and out of Lots 10, 11, and 12, Section 53, Flour Bluff Encinal Farm and Garden Tracts, located along Caribbean Drive between Waldron Road and Jamaica Drive and along Jamaica Drive between Caribbean Drive and Glenoak Drive (“Property”), from the “RM-1” Multifamily 1 District to the “RS-6” Single-Family 6 District (Zoning Map No. 036028), 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	_____	Brian Rosas	_____
Rudy Garza	_____	Lucy Rubio	_____
Chad Magill	_____	Mark Scott	_____
Colleen McIntyre	_____	Carolyn Vaughn	_____
Lillian Riojas	_____		

The foregoing ordinance was read for the second time and passed finally on this the _____ day of _____, 20____, by the following vote:

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

PASSED AND APPROVED this the _____ day of _____, 20_____.

ATTEST:

Rebecca Huerta
City Secretary

Nelda Martinez
Mayor

**STATE OF TEXAS
COUNTY OF NUECES**

Field Notes of a 9.492 acres of land out of Lot 6, Tropic Estates, as shown in Volume 41, Page 55, Map Records Nueces County, Texas, and out of Lots 10, 11, and 12, Section 53, Flour Bluff Encinal Farm Garden Tract, as shown on a map recorded in Volume "A", Pages 41 – 42, Map Records Nueces County, Texas. Said 9.492 acre tract also being out of a 8.82 acre tract of land described in a deed recorded in Document No. 2005030996, Deed Records Nueces County, Texas. Said 9.492 acre tract being more particularly described as follows.

BEGINNING at a 5/8" iron rod found in the northwest right of way of Jamaica Drive, for the east corner of Lot 3, Tropic Estates Unit 2, as shown on a map recorded in Volume 28, Page 68, Map Records Nueces County, Texas, and for an outside corner of this survey.

THENCE North 61°24'06" West, a distance of 398.18 feet to a 5/8" iron rod set for an inside corner of this survey.

THENCE South 28°36'08" West, a distance of 55.22 feet to a 5/8" iron rod set for an inside corner of this survey.

THENCE South 61°12'16" East, a distance of 59.95 feet to a 5/8" iron rod set in the northwest line of said Lot 3 and for an outside corner of this survey.

THENCE with the northwest line of said Lot 3, South 28°41'50" West, a distance of 263.86 feet to a 5/8" iron rod set in the north right of way of Caribbean Drive, for the west corner of said Lot 3, and for the south corner of this survey.

THENCE with the north right of way of Caribbean Drive, North 61°23'14" West, a distance of 394.89 feet to a 2" iron pipe found for the south corner of Lot 2, Tropic Estates Unit 1, as shown on a map recorded in Volume 26, Page 12, Map Records Nueces County, Texas, and for the west corner of this survey.

THENCE North 28°36'46" East, a distance of 625.98 feet to a 5/8" iron rod set for an outside corner of this survey.

THENCE South 61°19'47" East, a distance of 54.25 feet to a 5/8" iron rod set for an inside corner of this survey.

THENCE North 28°36'46" East, a distance of 416.33 feet to a drill hole found in the southwest line of Lot 26, Block 1, South Sea Islands, as shown on a map recorded in Volume 46, Pages 118 - 119, Map Records Nueces County, Texas, and for the north corner of this survey.

THENCE South 61°22'31" East, a distance of 342.74 feet to a point in the northwest right of way of Jamaica Drive for an outside corner of this survey.

THENCE with the northwest line of said Lot 5, South 28°44'42" West, a distance of 316.54 feet to a 5/8" iron rod found for the west corner of said Lot 5, and for an inside corner of this survey.

THENCE with the southwest line of said Lot 5, South 61°15'34" East, a distance of 337.82 feet to a 5/8" iron rod found in the northwest right of way of Jamaica Drive, for an outside corner of this survey.

THENCE with the northwest right of way of Jamaica Drive, South 28°41'36" West, a distance of 50.15 feet to a 5/8" iron rod found for an outside corner of this survey.

THENCE North 61°18'00" West, a distance of 338.12 feet to a 5/8" iron rod found for the north corner of Lot 4R, Tropic Estates, as shown on a map recorded in Volume 33, Page 29, Map Records Nueces County, Texas, and for an inside corner of this survey.

THENCE South 28°43'17" West, a distance of 86.24 feet to a 5/8" iron rod set in the northwest line of said Lot 4R, for an outside corner of this survey.

THENCE North 61°25'13" West, a distance of 35.22 feet to a 5/8" iron rod set for an inside corner of this survey.

THENCE South 28°40'40" West, a distance of 219.47 feet to a 5/8" iron rod set for an inside corner of this survey.

THENCE South 61°24'24" East, a distance of 373.32 feet to a 5/8" iron rod found in the northwest right of way of Jamaica Drive, for the south corner of the 0.69 acre Joe and Joanne Cyr tract, and for an outside corner of this survey.

THENCE with the northwest right of way of Jamaica Drive, South 28°41'36" West, a distance of 50.30 feet to the **POINT of BEGINNING**, and containing 9.492 acres of land, more or less.

Notes:

1.) Bearings are based on Global Positioning System NAD 83 (93) 4205 Datum.

I, Ronald E. Brister do hereby certify that this survey of the property legally described herein is correct to the best of my knowledge and belief.

Ronald E. Brister

Ronald E. Brister, RPLS No. 5407
Date: June 26, 2015.



Job No. 14179



GRAPHIC SCALE



(IN FEET)
1 inch = 80 ft.

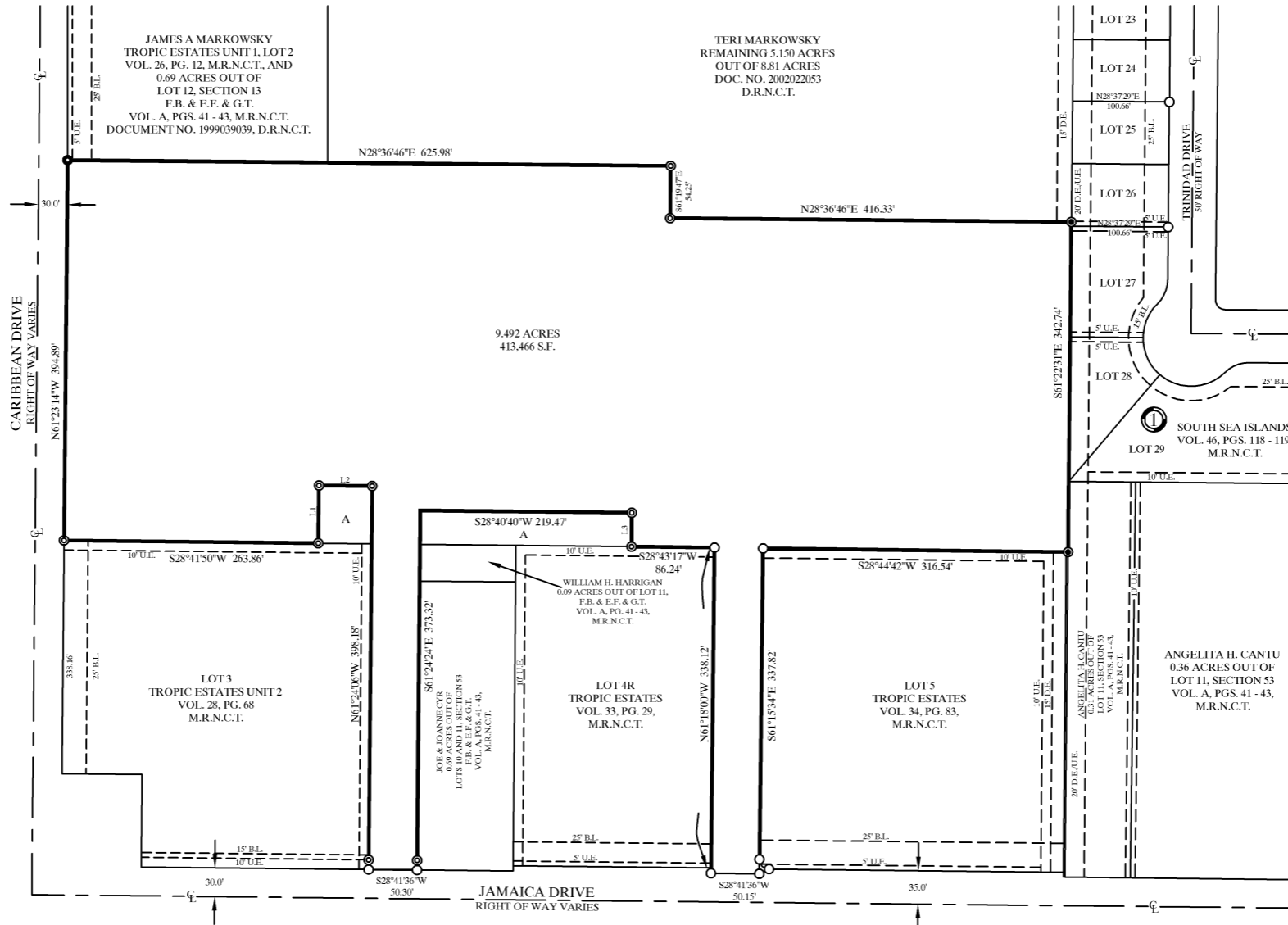
EXHIBIT OF A 9.492 ACRE TRACT

BEING AN EXHIBIT OF 9.492 ACRES OF LAND OUT OF LOT 6, TROPIC ESTATES, AS SHOWN IN VOLUME 41, PAGE 55, MAP RECORDS NUECES COUNTY, TEXAS, AND OUT OF LOTS 10, 11, AND 12, SECTION 53, FLOUR BLUFF ENCINAL FARM GARDEN TRACT, AS SHOWN ON A MAP RECORDED IN VOLUME 7A, PAGES 41 - 42, MAP RECORDS NUECES COUNTY, TEXAS, SAID 9.492 ACRE TRACT ALSO BEING OUT OF A 8.82 ACRE TRACT OF LAND DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2005030996, DEED RECORDS NUECES COUNTY, TEXAS.



Brister Surveying

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Firm Registration No. 10072800



LINE DATA TABLE

- L1: S61°12'16"E 59.95'
- L2: S28°36'08"W 55.22'
- L3: N61°25'13"W 35.22'

ADJOINER TABLE

- A: LARRY R. MARSHALL
0.25 ACRES OUT OF LOT 6
TROPIC ESTATES
VOL. 41, PG. 55
M.R.N.C.T.

- ⊙ = SET 5/8" IRON ROD
- ⊕ = FOUND DRILL HOLE
- ⦿ = FOUND 2" IRON PIPE
- = FOUND 5/8" IRON ROD
- = PROPERTY CORNER

Exhibit "B"