

Zoning Case No. 1119-03, Morteza Shafinury and Abdolrhim Aminzadeh (District 5). Ordinance rezoning property at or near 7121 Saratoga Boulevard (State Highway 357) from the “RM-1” Multifamily 1 District and “CG-2” General Commercial District to the “CG-2/SP” General Commercial 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 appear and 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 appear and 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 Lot 1, Block 1, Brandywine South Unit 1 as shown in Exhibit “A”:

from the “RM-1” Multifamily 1 District and “CG-2” General Commercial District to the “CG-2/SP” General Commercial District with a Special Permit.

The subject property is located at or near 7121 Saratoga Boulevard (State Highway 357). Exhibit A, which is a map of the subject property attached to and incorporated in this ordinance.

SECTION 2. The Special Permit granted in Section 1 of this ordinance is subject to the Owner following the conditions listed below:

1. **Uses:** The only uses authorized by this Special Permit other than uses permitted by right in the base zoning district are as defined by the Unified Development Code (UDC) in Section 5.1.4.I “Vehicle Sales and Service”, Section 5.1.5.A “Light Industrial

Service, except Fuel storage (above ground), Section 5.1.5.B “Warehouse and Freight Movement” except bus barn, coal and coke storage and sales, milk distributing station, the stockpiling of sand, gravel, or other aggregate materials, and in Section 5.1.5.D “Wholesale Trade” except Farm Equipment and machinery sales and repair, Earth moving and heavy construction equipment sales and repair, Greenhouse (Wholesale), and Truck sales and repair (Heavy load vehicles).

2. **Buffer Yard:** A 10-foot wide buffer yard and 5 buffer yard points shall be required along the southern, eastern, and western property boundaries.
3. **Outdoor Storage:** Any outdoor storage is prohibited.
4. **Lighting:** All lighting must be shielded and directed away from adjacent properties and nearby streets. Cut-off shields are required for all lighting. No light projection is permitted beyond the property line.
5. **Noise:** Noise regulations shall be subject to Section 31-3 of the Municipal Code. Outside paging, speakers, telephone bells, or similar devices are prohibited.
6. **Hours of Operation:** The hours of operation shall be daily from 6:00 AM to 9:00 PM.
7. **Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, Building, and Fire Code Requirements.
8. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within twenty-four (24) months of this ordinance, unless a complete building permit application has been submitted or, a certificate of occupancy or UDC compliance has been issued. 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 _____, 2020, by the following vote:

| | | | |
|----------------------|-------|----------------|-------|
| Joe McComb | _____ | Michael Hunter | _____ |
| Roland Barrera | _____ | Ben Molina | _____ |
| Rudy Garza | _____ | Everett Roy | _____ |
| Paulette M. Guajardo | _____ | Greg Smith | _____ |
| Gil Hernandez | _____ | | |

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____ 2020, by the following vote:

| | | | |
|----------------------|-------|----------------|-------|
| Joe McComb | _____ | Michael Hunter | _____ |
| Roland Barrera | _____ | Ben Molina | _____ |
| Rudy Garza | _____ | Everett Roy | _____ |
| Paulette M. Guajardo | _____ | Greg Smith | _____ |
| Gil Hernandez | _____ | | |

PASSED AND APPROVED on this the _____ day of _____, 2020.

ATTEST:

Rebecca Huerta
City Secretary

Joe McComb
Mayor

