

Ordinance amending the Unified Development Code (“UDC”), upon application by Balusek-Frankson on behalf of Fox Tree and Landscape Nursery, Inc. (“Owner”), by changing the UDC Zoning Map in reference to 2.968 acres out of Lot 1, Encino Park, from the “FR” Farm Rural District to the “CG-2” General Commercial 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 Balusek-Frankson on behalf of Fox Tree and Landscape Nursery (“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, August 12, 2015, during a meeting of the Planning Commission when the Planning Commission recommended approval of the requested “CG-2” General Commercial District, and on Tuesday, September 8, 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 Balusek-Frankson on behalf of Fox Tree and Landscape Nursery (“Owner”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on 2.968 acres out of Lot 1, Encino Park, located south of Northwest Boulevard (FM 624) between River Hill Drive and County Road 69, from the “FR” Farm Rural District to the “CG-2” General Commercial District (Zoning Map No. 068050), 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 Zoning Map 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. The Future Land Use Map is hereby amended from a designation of medium density residential uses to commercial uses.

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

**FIELDNOTE DESCRIPTION
FOR
2.968 ACRES OF LAND**

THE STATE OF TEXAS §

COUNTY OF NUECES §

BEING 2.968 acres of land situated in Lot 1 of Encino Park as recorded in Volume 59, Page 116 of the Map Records of Nueces County, Texas.

BEGINNING at a point in the western line of said Lot 1 of Encino Park, said point bears S. 10° 00' 00" W., a distance of 600.00 feet from an existing 5/8 inch iron rod in the south right-of-way line of Northwest Boulevard marking the northwest corner of Encino Park, said point being the northwest corner of the herein described tract of land;

THENCE, S. 84° 09' 00" E., a distance of 140.86 feet to a point in the common line of said Lot 1 of Encino Park and Lot 2A, Martin Plaza as recorded in Volume 58, Page 75 of the Map Records of Nueces County, Texas, said point marking the northeast corner of the herein described tract of land;

THENCE, S. 10° 00' 00" W., (base bearing) a distance of 920.30 feet along said common line of Lot 1, Encino Park and Lot 2A, Martin Plaza to a point at the southeast corner of Encino Park and the herein described tract of land;

THENCE, N. 84° 09' 00" W., a distance of 140.86 feet along the south line of said Encino Park to the southwest corner of Encino Park and the herein described tract of land;

THENCE, N. 10° 00' 00" E., a distance of 25.50 feet to an existing 5/8 inch reference iron rod and CONTINUEING 894.80 feet for a TOTAL DISTANCE OF 920.30 feet along the west line of Encino Park to the PLACE OF BEGINNING, containing within these metes and bounds 2.968 acres of land.

I hereby certify that the above fieldnote description is based on the recorded plat of Encino Park and is true and correct to the best of my knowledge and belief.



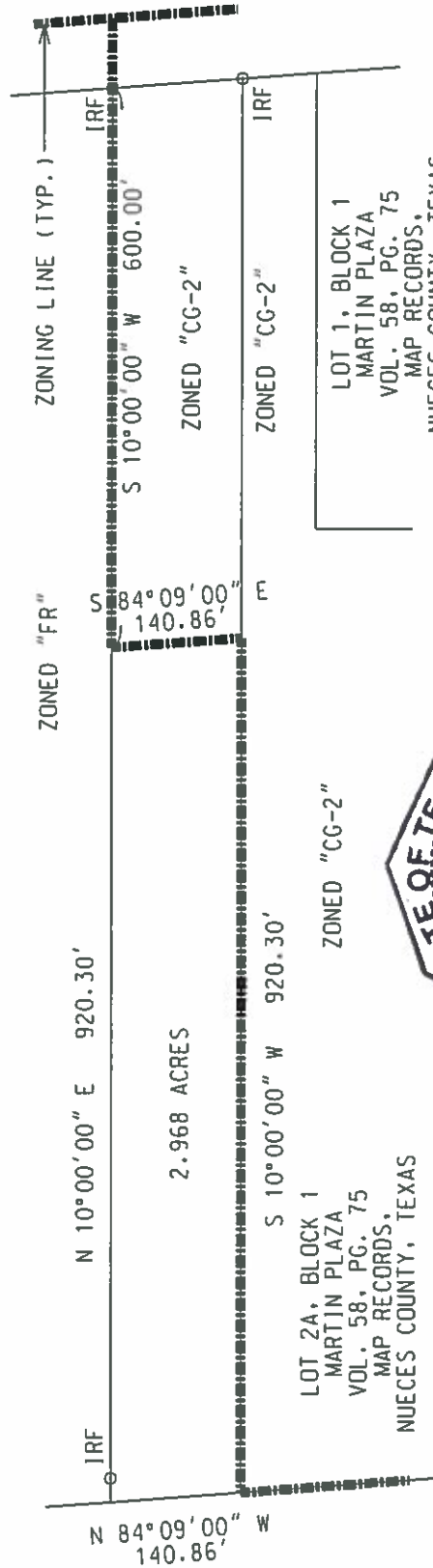
A. C. FRANKSON
Registered Professional Land Surveyor
Texas Registration No. 2239

7-14-15
Dated





NORTHWEST BOULEVARD - F. M. 624



SCALE: 1" = 200'

ZONING PLAT
2.968 ACRES SITUATED IN
LOT 1, ENCINO PARK
VOLUME 59, PAGE 116
MAP RECORDS, NUECES COUNTY, TEXAS
CORPUS CHRISTI, TEXAS

Exhibit "B"