

Ordinance amending the Unified Development Code (“UDC”), upon application by Vincent Gerard and Associates on behalf of Darlene Lee (“Owner”) by changing the UDC Zoning Map in reference Lot 1, Block 3B, Kaler Addition from the “IL” Light Industrial District to the “IL/SP” Light Industrial District with a Special Permit; 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 Vincent Gerard and Associates on behalf of Darlene Lee (“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 26, 2015, during a meeting of the Planning Commission when the Planning Commission recommended approval of the requested “IL/SP” Light Industrial District with a Special Permit, and on Tuesday, September 29, 2015, during a meeting of the City Council, during which all interested persons were allowed to appear and be heard;

WHEREAS, with proper notice to the public, a public hearing was held on Wednesday, August 26, 2015, during a meeting of the Board of Adjustment when the Board of Adjustment approved a requested variance to reduce the required 1.5 times the height setback for a cell tower (187.5 feet to 162 feet) from a residential use; 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 Vincent Gerard and Associates on behalf of Darlene Lee (“Owner”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning of Lot 1, Block 3B, Kaler Addition, located along the south side of Up River Road between Savage Lane and North Navigation Boulevard (the “Property”), from the “IL” Light Industrial District to the “IL/SP” Light Industrial District with a Special Permit (Zoning Map No. 050046), as shown in Exhibit “A” and Exhibit “B”. Exhibit A, which is a location map of the Property and Exhibit “B”, which is a Site Plan, are attached to and incorporated in this ordinance by reference as if fully set out herein in their entireties.

SECTION 2. The Special Permit granted in Section 1 of this ordinance is subject to the Owner complying with the following conditions in addition to the minimum UDC requirements for the “IL” Light Industrial District.

1. **Use** – The only use permitted under this special Permit, other than those permitted by right in the “IL” Light Industrial District, is the wireless telecommunication facility of 125 feet in height.

2. **Access and Placement** – Access and placement shall be as per the site plan and as approved by the Board of Adjustment.
3. **Time Limit** – This special Permit shall expire in one (1) year if applicable construction permits are not applied for.
4. **Setbacks** – Required setbacks shall be as per the UDC and as per Board of Adjustment approval.
5. **Other Requirements** – The Special Permit conditions listed herein do not preclude compliance with other applicable UDC and Building Code requirements.

SECTION 3. The official UDC Zoning Map of the City is amended to reflect changes made to the UDC by Section 1 of this ordinance.

SECTION 4. 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 5. 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 6. 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 7. 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:

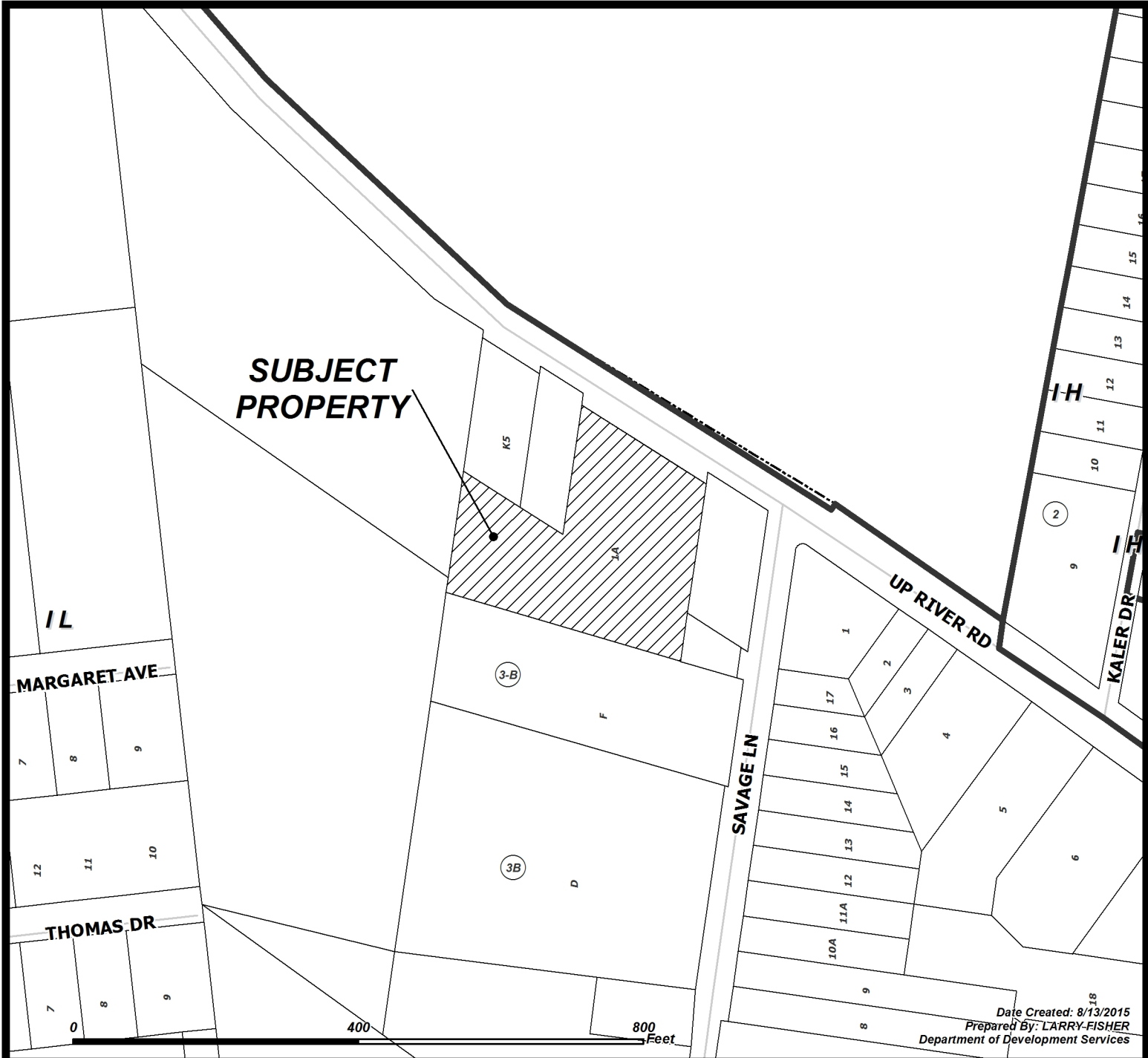
Nelda Martinez	_____	Brian Rosas	_____
Rudy Garza	_____	Lucy Rubio	_____
Chad Magill	_____	Mark Scott	_____
Colleen McIntyre	_____	Carolyn Vaughn	_____
Lillian Riojas	_____		

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

ATTEST:

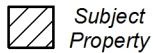
Rebecca Huerta
City Secretary

Nelda Martinez
Mayor



CASE: 0815-05

SUBJECT PROPERTY WITH ZONING



RM-1 Multifamily 1	IL Light Industrial
RM-2 Multifamily 2	IH Heavy Industrial
RM-3 Multifamily 3	PUD Planned Unit Dev. Overlay
ON Professional Office	RS-10 Single-Family 10
RM-AT Multifamily AT	RS-6 Single-Family 6
CN-1 Neighborhood Commercial	RS-4.5 Single-Family 4.5
CN-2 Neighborhood Commercial	RS-TF Two-Family
CR-1 Resort Commercial	RS-15 Single-Family 15
CR-2 Resort Commercial	RE Residential Estate
CG-1 General Commercial	RS-TH Townhouse
CG-2 General Commercial	SP Special Permit
CI Intensive Commercial	RV Recreational Vehicle Park
CBD Downtown Commercial	RMH Manufactured Home
CR-3 Resort Commercial	
FR Farm Rural	
H Historic Overlay	
BP Business Park	

