

Ordinance amending the Unified Development Code, upon application by The Clower Company on behalf of Cimarron Company, by changing the UDC Zoning Map in reference to a 4.08-acre tract of land out of Lot 1, Section 21, Flour Bluff and Encinal Farm and Garden Tracts from the “FR” Farm Rural District to the “CN-1” Neighborhood Commercial District, and by changing the UDC Zoning Map in reference to a 4.842-acre tract of land out of Lots 1 and 2, Section 21, Flour Bluff and Encinal Farm and Garden Tracts from the “FR” Farm Rural District to the “RM-1” Multifamily 1 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 The Clower Company on behalf of Cimarron Company (“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 “CN-1” Neighborhood Commercial District on approximately four acres at the intersection of Lipes and Cimarron Boulevards and the Planning Commission recommended denial of the “CN-1” Neighborhood Commercial District on the remaining acreage and, in lieu thereof, approval of the “RM-2” Multifamily 2 District, and on Tuesday, October 13, 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 The Clower Company on behalf of Cimarron Company (“Owner”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on a 4.08-acre tract of land out of Lot 1, Section 21, Flour Bluff and Encinal Farm and Garden Tracts, located on the southeast corner of Lipes Boulevard and Cimarron Boulevard (the “CN-1 Tract”), from the “FR” Farm Rural District to the “CN-1” Neighborhood Commercial District, resulting in a change to the Future Land Use Map from medium density residential to commercial uses, and by changing the zoning on a 4.842-acre tract of land out of Lots 1 and 2, Section 21, Flour Bluff and Encinal Farm and Garden Tracts, located 573.14 feet east of Cimarron Boulevard on the south side of Lipes Boulevard (the “RM-1 Tract”), from the “FR” Farm Rural District to the “RM-1” Multifamily 1 District, not resulting in a change to the Future Land Use Map (Zoning Map No. 043031), as shown in Exhibits “A,” “B,” and “C.” Exhibit A, which is a metes and bounds description of the CN-1 Tract, Exhibit B, which is a metes and bounds description of the RM-1 Tract, and Exhibit C, which is a

map to accompany the metes and bounds descriptions, 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

BASS & WELSH ENGINEERING
Engineering Firm Reg. No. F-52
Surveying Firm Reg. No. 100027-00
P.O. Box 6397
Corpus Christi, TX 78466-6397

August 31, 2015
15040 CN-1M&B.doc

CN-1 Zoning Tract

STATE OF TEXAS §

COUNTY OF NUECES §

Description of a 4.080 acre tract of land, more or less, a portion of Lot 1, Section 21, Flour Bluff and Encinal Farm and Garden Tracts, a map of which is recorded in Volume "A", Pages 41 – 43, Map Records, Nueces County, Texas, and being a portion of a 10.00 acre tract of land described by deed recorded at Volume 1843, Page 231, Deed Records of said county, said 4.080 acre tract as further described by metes and bounds as follows:

BEGINNING at the point of intersection of the southeast right-of-way line of Cimarron Boulevard and the southwest right-of-way line of Lipes Boulevard for the northernmost corner of the tract herein described, said northernmost corner bears S61°00'00"E 66.50' and S29°00'00"W 20.00' from the common corner of Sections 10, 11, 20 and 21, said Flour Bluff and Encinal Farm and Garden Tracts;

THENCE S61°00'00"E 573.14' along a line 20.00' southwest of and parallel to the center line of Lipes Boulevard (common line between said Sections 20 and 21) to a point for the easternmost corner of the tract herein described;

THENCE S29°00'00"W 310.00' to a point for the southernmost corner of the tract herein described in the southwest boundary line of said 10.00 acre tract of land;

THENCE N61°00'00"W 576.59' along said southwest boundary line of 10.00 acre tract of land to a point for the westernmost corner of the tract herein described in a southeast right-of-way line of said Cimarron Boulevard;

THENCE N35°33'37"E 30.20' along said southeast right-of-way line of Cimarron Boulevard to a point for westerly corner of the tract herein described and southeasterly right-of-way corner of said Cimarron Boulevard;

THENCE N29°00'00"E 280.00' along a line 66.50' southeast of and parallel to said center line of Cimarron Boulevard (the common line between said Sections 10 and 21) to the POINT OF BEGINNING, a sketch showing said 4.080 acre tract of land being attached hereto as Exhibit "C".



Nixon M. Welsh
Nixon M. Welsh, R.P.L.S.

EXHIBIT "A"

BASS & WELSH ENGINEERING
Engineering Firm Reg. No. F-52
Surveying Firm Reg. No. 100027-00
P.O. Box 6397
Corpus Christi, TX 78466-6397

August 31, 2015
15040 RM-2 M&B.doc

RM-1 Zoning Tract

STATE OF TEXAS §

COUNTY OF NUECES §

Description of a 4.842 acre tract of land, more or less, a portion of Lots 1 and 2, Section 21, Flour Bluff and Encinal Farm and Garden Tracts, a map of which is recorded in Volume "A", Pages 41 – 43, Map Records, Nueces County, Texas, and being a portion of a 10.00 acre tract of land described by deed recorded at Volume 1843, Page 231, Deed Records of said county, said 4.842 acre tract as further described by metes and bounds as follows:

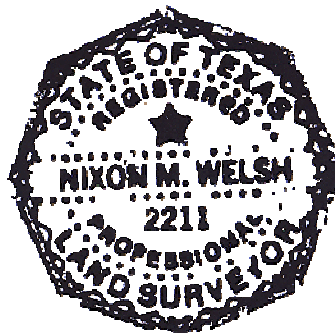
BEGINNING at the point of intersection of the southwest right-of-way line of Lipes Boulevard and the common southeast boundary line of said 10.00 acre tract and of said Lot 2 for the easternmost corner of the tract herein described;

THENCE along the southeast boundary line of said Lot 2, being along the southeast boundary line of said 10.00 acre tract, S29°00'00"W 310.00' to a point for the southernmost corner of the tract herein described and southernmost corner of said 10.00 acre tract of land;

THENCE N61°00'00"W 680.36' along the southwest boundary line of said 10.00 acre tract of land to a point for the westernmost corner of the tract herein described;

THENCE N29°00'00"E 310.00' to a point in said southwest right-of-line of Lipes Boulevard for the northernmost corner of the tract herein described;

THENCE S61°00'00"E 680.36' along a line 20.00' southwest of and parallel to the center line of Lipes Boulevard (common line between said Sections 20 and 21) to the POINT OF BEGINNING, a sketch showing said 4.842 acre tract of land being attached hereto as Exhibit "C".



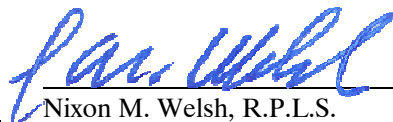

Nixon M. Welsh, R.P.L.S.

EXHIBIT "B"

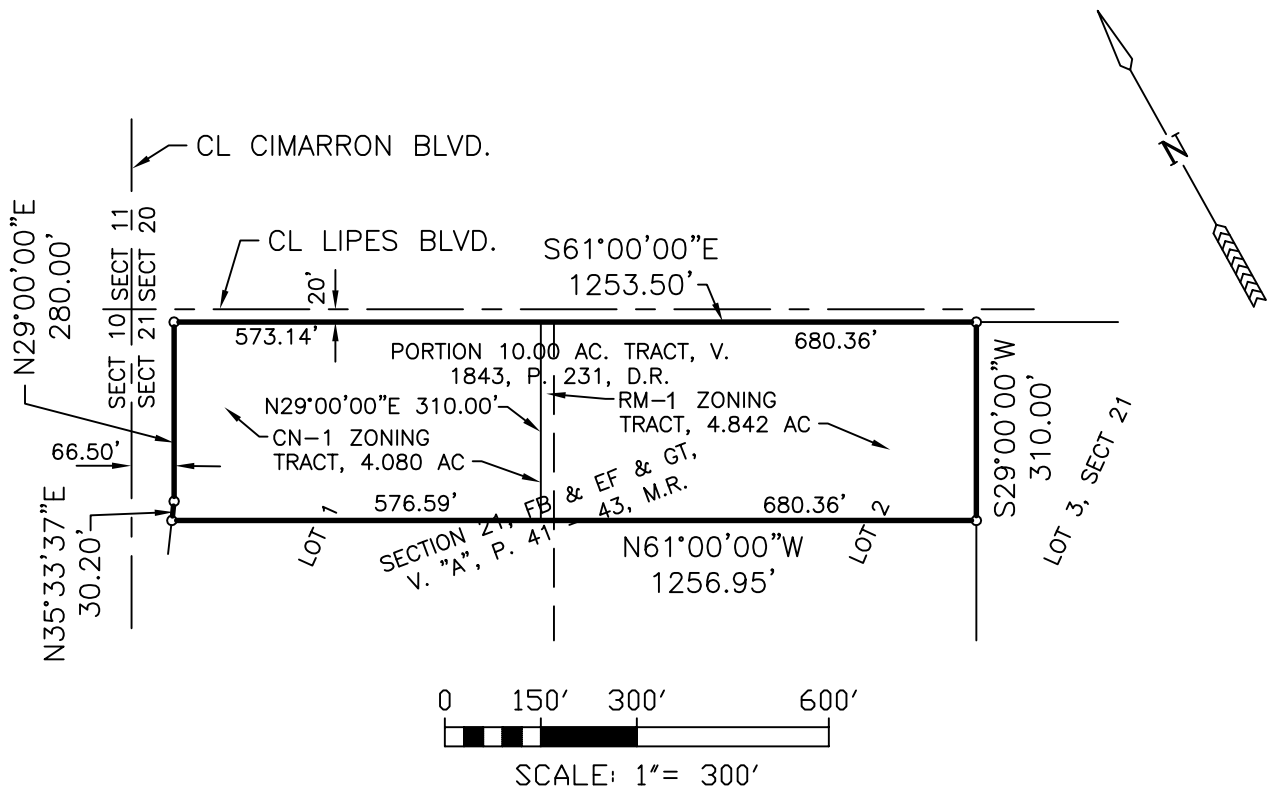


EXHIBIT "C"
SKETCH TO ACCOMPANY
METES AND BOUNDS DESCRIPTION
 1" = 300'