

**Ordinance amending the Unified Development Code (“UDC”), upon application by Fantozzi, Ltd. (“Owner”), by changing the UDC Zoning Map in reference to Lot 4, Block 1, Wal-Mart Subdivision, from the “CG-2” General Commercial District to the “CG-2/SP” General Commercial 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 Fantozzi, Ltd. (“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, January 13, 2016, during a meeting of the Planning Commission when the Planning Commission recommended denial of the change of zoning to the “IL” Light Industrial District and, in lieu thereof, approval of the “CG-2/SP” General Commercial District with a Special Permit for limited industrial uses, subject to a site plan and nine conditions, and on Tuesday, February 9, 2016, 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 Fantozzi, Ltd. (“Owner”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on Lot 4, Block 1, Wal-Mart Subdivision, located on the north side of Leopard Street between Violet Road and Hart Road (the “Property”), from the “CG-2” General Commercial District to the “CG-2/SP” General Commercial District with a Special Permit (Zoning Map No. 062050), as shown in Exhibits “A” and “B”. Exhibit A, which is a map of the Property, and Exhibit B, which is a site plan of the property, 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 meeting the requirements of the following nine conditions:

1. **Uses.** All uses allowed in the “CG-2” General Commercial District, plus the following uses from the use categories “Warehouse and Freight Movement,” “Wholesale Trade,” and “Light Industrial Service Uses” are permitted within the existing building of approximately 57,000 square feet in its existing footprint, including loading/unloading dock areas as shown in Exhibit B:
  - a. Household moving and general freight storage
  - b. Produce and storage warehouse
  - c. Warehouse used for storage of retail goods

- d. Building materials storage and sales
  - e. Building, heating, plumbing or electrical contractor's shop or storage
  - f. Uses similar in nature and intensity to the uses listed as determined by the Director of Development Services.
2. **Screening:** A solid screening fence in accordance with UDC requirements shall be installed along the south property line of the adjacent property to the north.
  3. **Outdoor Storage:** Outdoor storage shall be limited to five percent of the site and shall not be located within 200 feet of the Leopard Street right-of-way. Any outdoor storage shall be screened per UDC requirements except that chain link fencing with privacy slats shall not be considered an acceptable screen.
  4. **Landscaping:** The Owner shall install landscaping to achieve 5,760 square feet of landscape area and 115 points. Included in such landscaping shall be a landscaped visual screen of the parking lot along the Leopard Street right-of-way per UDC Section 7.3.11. However, compliance with the installation of landscape islands in the parking lot is not required. The Owner shall submit a landscape plan in accordance with UDC Section 7.3.16 "Landscape Plan Submittal Requirements" for the City's review and approval and install such landscaping within one year from approval of a certificate of occupancy. The Owner must ensure that all landscaping is kept in a healthy and growing condition at all times.
  5. **Noise:** All activities must be conducted in accordance with the City's Noise Ordinance.
  6. **Hours of Operation:** 7 AM to 6 PM
  7. **Ingress/Egress:** Infrastructure plans shall be submitted for review and approval to improve access points, in accordance with the City's adopted standards and specifications, to safely accommodate the traffic that may be generated by the proposed uses. Changes to existing access points may be required including possible closure of one access point if warranted to improve traffic movements onto and off the site.
  8. **Time Limit:** The Special Permit shall expire in 24 months after approval of this ordinance unless a complete building permit application has been submitted, or if no building permit is required, a certificate of occupancy has been issued.
  9. **Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, and Building and Fire 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.** The change of zoning does not result in an amendment to the Future Land Use Map, an element of the Comprehensive Plan.

**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:

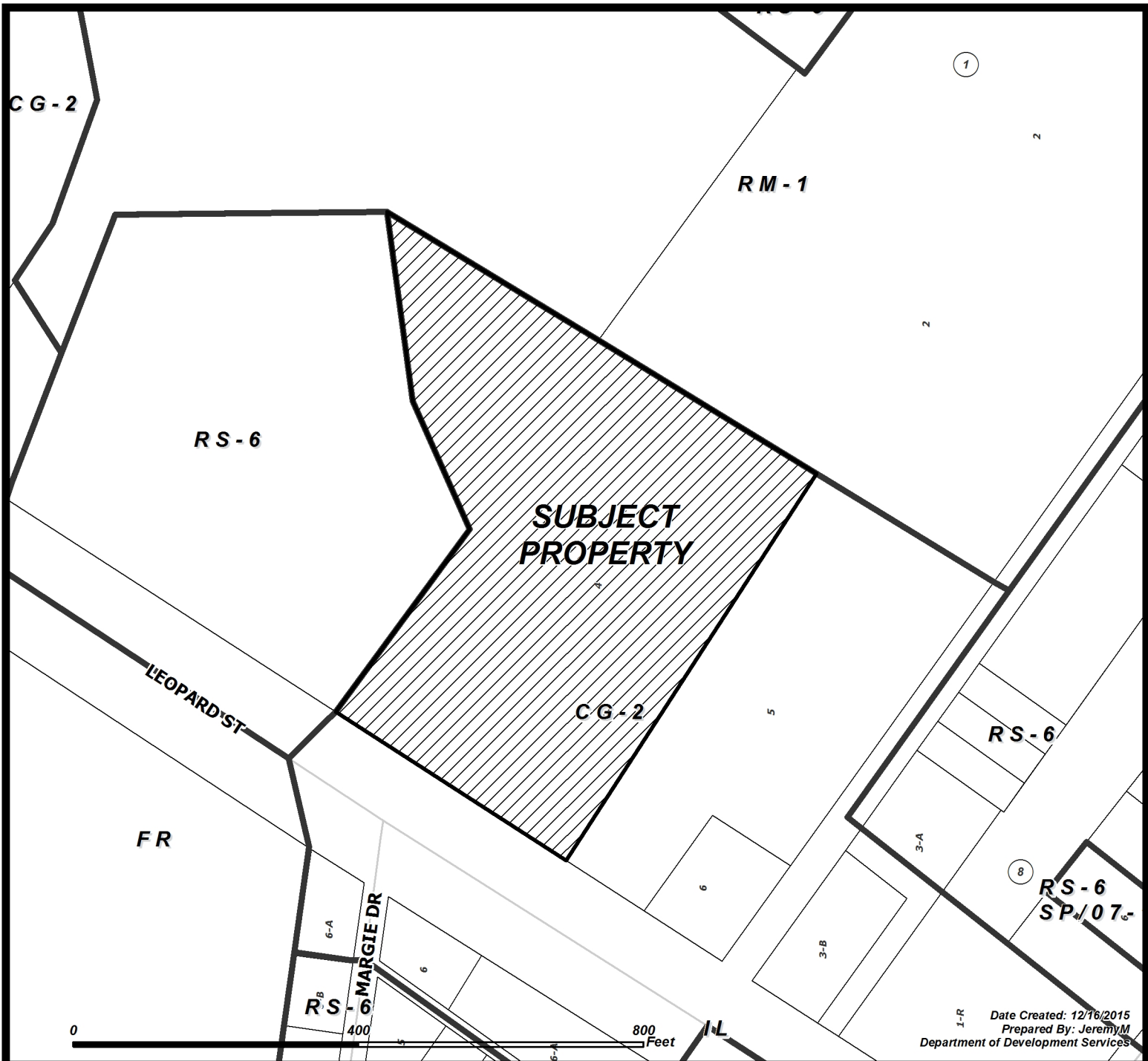
Nelda Martinez	_____	Brian Rosas	_____
Rudy Garza	_____	Lucy Rubio	_____
Chad Magill	_____	Mark Scott	_____
Colleen McIntyre	_____	Carolyn Vaughn	_____
Lillian Riojas	_____		

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

ATTEST:

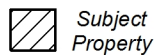
\_\_\_\_\_  
Rebecca Huerta  
City Secretary

\_\_\_\_\_  
Nelda Martinez  
Mayor



## CASE: 0116-03

### 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	

