PLANNING COMMISSION FINAL REPORT

Case No.: 1116-02 HTE No. 16-10000039

Planning Commission Hearing Date: November 16, 2016

Applicant & Legal Description	Representative: Cliff Atnip Applicant: Elaine Hoffman Owner: Lu Keiu Thi Location: 5333 and 5337 South Staples Street. Legal Description: Gardendale No. 2, Block 4, Lot 20-B and Lot 21, located on the northwest corner of South Staples Street and Curtis Clark Drive.								
Zoning Request	 From: "CN-1" Neighborhood Commercial District To: "CG-2" General Commercial District Area: 0.8584 acres Purpose of Request: To demolish existing improvements and redevelop the corner. The applicant is considering a small retail center, standalone restaurant, or bar. 								
		Existing Zoning District	Existing Land Use	Future Land Use					
g and	Site	"CN-1" Neighborhood Commercial District	Commercial	Commercial					
Existing Zoning and Land Uses	North	"CG-2" General Commercial District	Commercial	Commercial					
ing Z _and	South	"CG-2" General Commercial District	Commercial	Commercial					
Exist	East	"CG-2" General Commercial District	Commercial	Commercial					
-	West	"RS-6" Single Family Residential District	Vacant	Low Density Residential					
ADP, Map & Violations	Area Development Plan: The subject property is located within the boundaries of the Southside Area Development Plan (ADP) and is planned for commercial uses. The proposed rezoning to the "CG-2" General Commercial District is consistent with the adopted Plan CC Future Land Use map and with the Southside ADP. Map No.: 043035 Zoning Violations: None								
Transportation	Transportation and Circulation : The subject property has approximately 205 feet of street frontage along South Staples Street, which is an "A2" Secondary Arterial street. The maximum average daily trips for an "A2" is 20,000 to 32,000. The subject property also has approximately 235 feet of street frontage along Curtis Clark Drive, which is a Local Residential street. The maximum average daily trips for a Local Residential street is 500.								

Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	South Staples Street	"A2" Secondary Arterial Divided Street	100' ROW 54' paved	96' ROW 64' paved	38,801
	Curtis Clark Drive	Residential Street	50' ROW 28' paved	60' ROW 35' paved	Information Unavailable

Staff Summary:

Requested Zoning:

The applicant is requesting a change of zoning from the "CN-1" Neighborhood Commercial District to "CG-2" General Commercial District for redeveloping the property.

Development Plan:

The applicant proposes to rezone the subject lot, which is a part of Gardendale No. 2, to the "CG-2" General Commercial District. The lot is 0.8584 acres. The purpose of the rezoning is to demolish the existing improvements and redevelop the corner into a retail center, standalone restaurant, or bar.

Existing Land Uses & Zoning:

To the north, south, and east of the subject property the zoning is "CG-2" General Commercial with commercial uses. The lot to the west is zoned "R-6" Single Family Residential and is vacant.

AICUZ:

The subject property is not located in one of the Navy's Air Installation Compatibility Use Zones (AICUZ).

Plat Status: The subject property is platted.

Plan CC & Area Development Plan Consistency: The subject property is located within the boundaries of the Southside ADP. The proposed rezoning to the "CG-2" General Commercial District is consistent with Plan CC and the Future Land Use Map which identifies the area as Commercial. Additionally, the following are pertinent elements of Plan CC and the Southside ADP that should be considered:

- Be business-friendly. Establish a climate that attracts new industries and supports business growth and entrepreneurship as well as streamlined regulations that also protect environmental resources and quality of life. (Plan CC, Principles, page 14)
- Promote interconnected neighborhoods with appropriate transitions between lowerintensity and higher-intensity land uses. (Plan CC, Goal 3, Strategy 4, page 51.)

- Support the separation of high-volume traffic from residential areas or other noise sensitive land uses. Encourage the design of commercial centers in a manner that minimizes the impacts of automobile intrusion, noise and visual blight on surrounding areas (Plan CC, Goal 3, Strategy 5, page 51.)
- High-intensity commercial and industrial areas should be buffered to provide transition from low-density residential areas through the existence of:
 - A) Main roads;
 - B) Public and institutional buildings;
 - C) Open space;
 - D) Scale of design; and
 - E) Other transitional land uses.
 - (Southside Area Development Plan, Policy Statement B.6)
- Preserve and protect the residential nature of the Gardendale Neighborhood from Curtis Clark south to Cain Drive and from Everhart east to Staples.
 - A) Prevent the development of non-residential uses into the interior of the neighborhood; and
 - B) Limit intrusion of new commercial or expansion of existing commercial development along the western and eastern edges of the neighborhood parallel to Everhart and Staples Streets (Southside Development Plan, Policy Statement B.10)
- Limited commercial expansion will be allowed along the west and east sides behind the Staples Street and Everhart Road commercial corridors. Sensitivity to the remaining residential neighborhood will likely be achieved by limiting expansion of commercial development to the following conditions
 - A) Total depth of commercial development between the street row line (Staples or Everhart Road) and the neighborhood shall generally not exceed 300';
 - B) Require replatting to combine lots in order to access Staples Street or Everhart Road;
 - C) A standard screening fence and tree planting buffer will be required between the commercial properties and the remaining residential neighborhood. This buffer will be consistent with the requirements in the "B-1A" Neighborhood Business Zoning district; and
 - D) Implementation of this policy should be on a case by case basis through special permit and replatting process.
 (Southside Area Development Plan, Policy Statement B.11)

Department Comments:

- The proposed rezoning does not encroach past the established line of existing "CG-2" General Commercial District.
- The rezoning to "CG-2" General Commercial District would be consistent with existing uses fronting Staples Street.
- The Unified Development Code contains provisions that would protect neighboring residential property through the use of setbacks, screening, and cutoff lights.

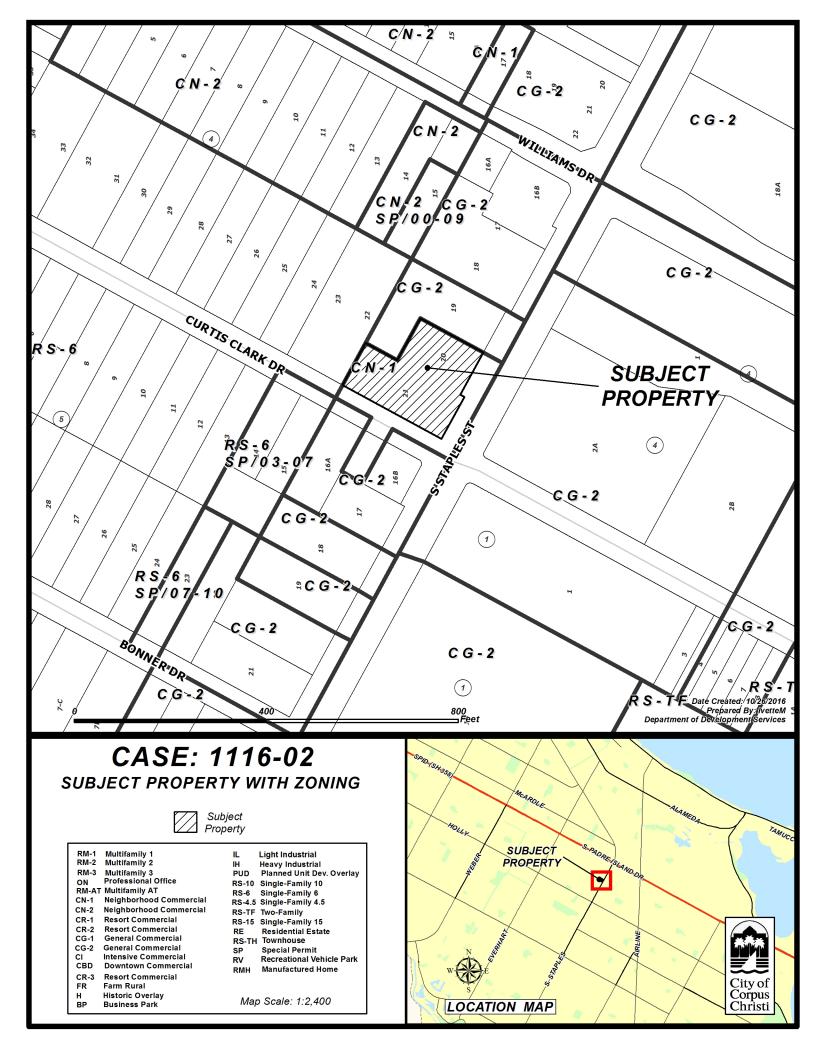
<u>Planning Commission and Staff Recommendation (November 16, 2016)</u>: Approval of the change of zoning from the "CN-1" Neighborhood Commercial District to "CG-2" General Commercial District.

Vote Res For: 6 Opposed Absent:	I: 0
Public Notification	Number of Notices Mailed – 16 within 200' notification area; 4 outside notification area As of January 5, 2017: In Favor – 0 (inside notification area); 1 (outside notification area) In Opposition Pol (inside notification area); 0 (outside notification area) For 0.00% in opposition.
Attachme	ents: 1. Location Map (Existing Zoning & Notice Area)

1. Location Map (Existing Zoning & Notice Area)

2. Application

3. Returned Opposition/Support (if any)



			16-1000039
	CORPUS CHAPIS		REZONING APPLICATION
	40 ×	Ŋ	Case No.: 043035
	5.5	Office Use Only	PC Hearing Date:Proj.Mgr:
	1852 Development Services Dept.	Use	Hearing Location: City Hall, Council Chambers, 1201 Leopard Street
	P.O. Box 9277 Corpus Christi, Texas 78469-9277	ffice	Hearing Time: 5:30 p.m. * A MAXIMUM OF FIVE REZONINGS CASES ARE SCHEDULED PER HEARING.
	(361) 826-3240 Located at 2406 Leopard Street	0	* INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.
1.			-MAN Contact Person : ELAINE HOFFMAN
	Mailing Address: 582.6		
	city: CORPUS CH	715	<u>, 1</u> State: <u>TX</u> ZIP: <u>78405</u> Phone: (<u>361</u>) <u>851-1000</u>
	E-mail:	-	Cell: (361) 765-932
2.	Property Owner(s):	KEI	W THI (HELEN) Contact Person :
	Mailing Address: 533		
	City: CORPUS C	HRL	571_State: Tx_ZIP: 78411_Phone: ()
	E-mail: <u>MA</u>		Cell: (<u>361) 876-8588</u>
3.	Subject Property Address:	533	3 STAPLES Area of Request (SF/acres): 37,3905F
			Proposed Zoning & Use: CG-2
			9-0004-0210 AND 2709-0004-0200
	Subdivision Name:)en]	ALE # 2 B Block: 4 Lot(s): 20B
	Legal Description if not platted:		
4.	Submittal Requirements:		
	•	Date He	eld; with City Staff
	Land Use Statement IF APPLICABLE:	🗌 Dis	closure of Interest 🛛 🔲 Copy of Warranty Deed
		est is in	consistent with Future Land Use Plan)
			ibit if property includes un-platted land (sealed by RPLS) Lien Holder Authorization
-	Appointment of Agent Form if		
	as or on b	ehalf of	us Christi with a <i>complete</i> application for review; that I am authorized to initiate this rezoning the Property Owner(s); and the information provided is accurate.
	ner or Agent's Signature		Applicant's Signature
<u> </u>	Killer L	<u>u 7</u>	Applicant's Printed Name
	ner or Agént's Printed Name	10.00	
Of	fice Use Only: Date Received:	10-5	ADP: 95
			$\frac{1}{27.50} + \text{Sign Fee} \underline{20.00} = \text{Total Fee} \underline{1127.50}$
No	Signs Required@ \$1	usign	Sign Posting Date:

KIDEVELOPMENTSVCSISHAREDILAND DEVELOPMENT/APPLICATION FORMS/REZONING/ZONING APPLICATION 2015 DOC

Form Revised 5/12/2015

LAND USE STATEMENT

 State the purpose of the request and include applicable background information as to the development plan for the property, i.e., usage of property, number and square footage(s) of existing and/or proposed building(s)/unit(s), building(s)/unit(s) height, parking plans/spaces, phasing schedule of development, number of employee(s) associated with the office, business or industrial development, hours of operation, modification or demolition plans for existing structure(s), type, area and setback of signage, etc.

APPLICANT, HAS A PURCHASE CONTRACT ON THE SUBJECT SITE. THEY INITEND TO DEMOLISH THE EXISTING IMPROVEMENTS AND REDEVELOP THE CORNER. OPTIONS THEY ARE LOOKING AT ARE A SMALL RETAIL CENTER OR SINGLE STAND ALONE RESTAURANT OR BAR.

Identify the existing land uses adjoining the area of request:

North - CARLASH CLARK I South - CURTIS East - STAPLES West - CAR WACH ACANTLAND

C USERSITANYAR 000/DESKTOP/DAILY USE/ANNIKA/LAND USE STATEMENT FOR ZONING DOC

APPOINTMENT OF AGENT

As owner of the subject property, I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent:	CLI	FF ATNI	2		
Mailing Address:	700	EVERH	ARI	-	
City: COP	PUS	CHRISTI	State:	IX	Zip: 78411
Home Phone: (36)	992-	322 (Business Phone:	361 B5	4 44480	ell: (36) 510-4232

I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to:

Be the point of contact between myself and the City of Corpus Christi; make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; consent to legally binding modifications; conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me.

I understand that the City of Corpus Christi will deal only with a fully authorized agent. At any time it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications related to this application are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, I agree to hold harmless and indemnify the City of Corpus Christi, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter. If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have the legal authority to make this binding appointment on behalf of the entity, and every reference herein to "I", "my", or "me" is preference to the entity.

*Signature of Agent:	_ Title: 7	Date: 9-22-16
*Signature of Property Owner:		
*Signature of Property Owner: Printed/Typed Name of Property Owner:		_ Date:
*Signature of Property Owner: Printed/Typed Name of Property Owner:	_ Title:	Date:

*Application must be signed by the individual applicant, each partner of a partnership, or by an authorized officer of a corporation or association.

D.W Brown APPOINTMENT OF AGENT2-19-09 doc

STI	REET: 700 F	to do business with the City to <u>answered</u> . If the question is no <u>IFFATT</u> CITY: on OPartnership OSole (17112, as amended, rovide the following in applicable, answer with	<u>RISTI ZIP: 78411</u>
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	•	• • •		i having an "ownership interest"
••	constituting 3% or	r more of the ownership in the	bove named "firm".	
	Name		Job Title and C	City Department (if known)
		/) D 	
	/			
2.		of each "official" of the C r more of the ownership in the		having an "ownership interest"
	Name	/	Title	
3.		of each "board member" of th r more of the ownership in the		sti having an "ownership interest"
	Name		Board, Commi	ssion, or Committee
	State the nemes o	f and ampleura at officer of	in an	City of Corpus Christi who worked
4.	on any matter rela		ict and has an "owne	City of Corpus Christi who worked ership interest" constituting 3% or
	Name	/	Consultant	
		/		
		/		
l w	certify that all inform ithheld disclosure of	ation provided is true and correct	at supplemental stater	tatement, that I have not knowingly ments will be promptly submitted to ccur.
Cer	tifying Person: (Prir	CLIFF ATHIP nt Name)	\overline{n}	Title: <u>AGENT</u> Date: <u>9-22-16</u>
Sig	nature of Certifying I	Person:	the?	Date: 9-22-16
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DISCLOSURE OF INTERESTS

City of Corpus Christi Ordinance 17112, as amended, requires all persons or firms seeking to do business with the City to provide the following information. <u>Every question must be</u> <u>answered</u>. If the question is not applicable, answer with "NA".

NAME:		E HOFFM					
STREET:	5826	BEAR LN.	CITY:	STAPUS CH	RISTI	ZIP:	78405
FIRM is:)Corporation (Sole Owner	Association	Other_		
		DIS		UESTIONS			

If additional space is necessary, please use the reverse side of this page or attach separate sheet.

1. State the names of each "employee" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name

a

Job Title and City Department (if known)

2.	State th	e r	names	of	each	"official"	of	the	City	of	Corpus	Christi	having	an	"ownership	interest"
	constitu	ting	ј 3% <mark>ог</mark>	mo	ore of t	the owners	ship	o in t	he ab	ove	e named '	"firm".				

Name	Title
nja	

3. State the names of each "board member" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name

Board, Commission, or Committee

a

4. State the names of each employee or officer of a "consultant" for the City of Corpus Christi who worked on any matter related to the subject of this contract and has an "ownership interest" constituting 3% or more of the ownership in the above named "firm".

Name

Consultant

C

CERTIFICATE

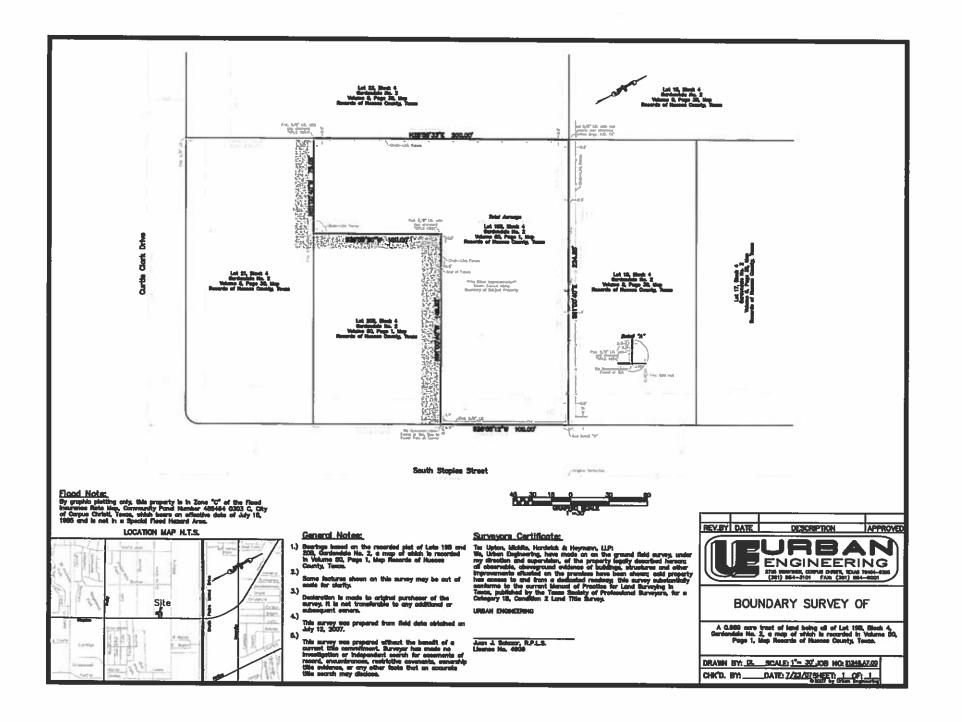
I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Corpus Christi, Texas as changes occur.

Certifying Person:	Elgine	R. Ho	ffman	Title:	
	(Print Name)			1	
Signature of Certify	ing Person: 🧘	laine	B. Hof	man Date:	10/5/16

KIDEVELOPMENTSVCSISHAREDILAND DEVELOPMENTAPPLICATION FORMSIREZONINGIDISE OF INTERESTS STATEMENT_5.12 2015 DOC

ST	REET: 5333	to do business with the City f <u>answered</u> . If the question is r <u>ENLLA</u> <u>STAPLES</u> on OPartnership Sole	TERESTS ace 17112, as amended, requires all persons or firms seeking b provide the following information. Every question must be of applicable, answer with "NA". CATCALS CHRISTI CONS JRE QUESTIONS			
lf a	dditional space is n		e side of this page or attach separate sheet.			
	State the names	of each "employee" of the	City of Corpus Christi having an "ownership interest"			
	_	r more of the ownership in th				
	Name		Job Title and City Department (if known)			
		/				
2.	State the names constituting 3% o	of each "official" of the (r more of the ownership in th	City of Corpus Christi having an "ownership interest" e above named "firm".			
	Name	1	Title			
		-/				
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3. State the names of each "board member" of the City of Corpus Christi having an "ownersh constituting 3% or more of the ownership in the above named "firm".						
	Name	/	Board, Commission, or Committee			
		/				
		/				
4. State the names of each employee or officer of a "consultant" for the City of Corpus Christi who work on any matter related to the subject of this contract and has an "ownership interest" constituting 3% more of the ownership in the above named "firm".						
	Name		Consultant			
	-					
l W	certify that all inforn /ithheld disclosure o	nation provided is true and corre f any information requested; an	RTIFICATE ect as of the date of this statement, that I have not knowingly that supplemental statements will be promptly submitted to risti, Texas as changes occur.			
Ce	rtifving Person:		Title:			
<u>G</u> EI	(Pri	nt Name)				
Sia	nature of Certifying	Person:	Date:			
(Print Name) Signature of Certifying Person: Date: Date: K\DEVELOPMENTSVCS\SHARED\LAND DEVELOPMENTAPPLICATION FORMS\REZONING\DISCLOSURE OF INTERESTS STATEMENT_5 12 2015 DOC						
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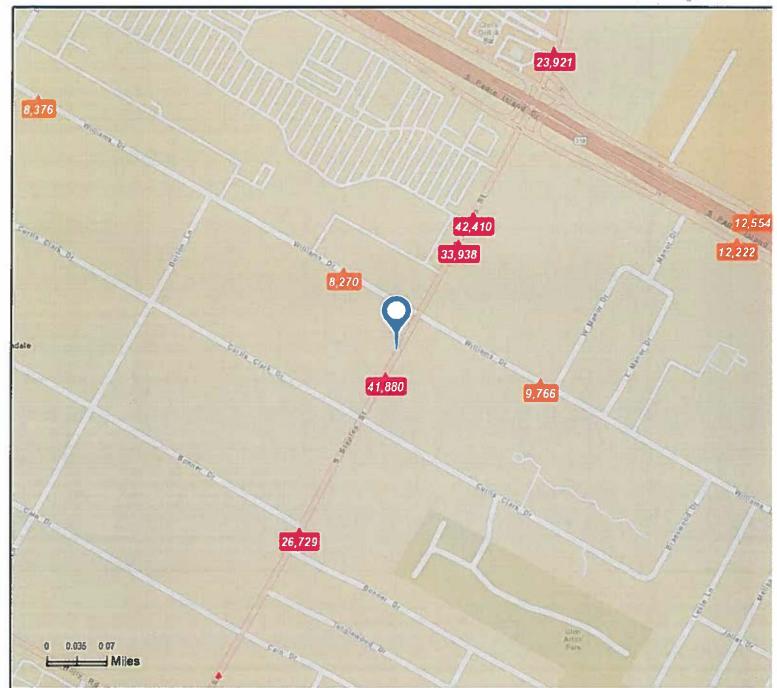






5333 S Staples St, Corpus Christi, Texas, 78411 Rings: 1, 3, 5 mile radii

Prepared by E Latitude 27.704 Longitude -97.372





Source: © 2016 Kallbrate Technologies

Average Daily Traffic Volume Up to 6,000 vehicles per day ▲6,001 - 15,000 **▲15,001 - 30,000 30,001 - 50,000** ▲50,001 - 100,000 More than 100,000 per day



DOC# 890118

SPECIAL WARRANTY DEED

THE STATE OF TEXAS § S COUNTY OF NUECES §

HSIN-HUI LU ("Grantor"), for valuable consideration paid to Grantor by KIEU-THI LU ("Grantee"), whose address is P. O. Box 1315, Aransas Pass, Texas 78335, the receipt and sufficiency of such consideration being acknowledged, GRANTS, SELLS and CONVEYE, to Grantee an undivided one-half (1/2) of Grantor's rights, titles and interests in and to Lot 20B and part of Lot 21, Block 4, Gardendale No. 2, a subdivision of the City of Corpus Christi, Nueces County, Texas, as described on the attached Exhibit A, to which reference is here made for all purposes, together with all and singular the rights and appurtenances pertaining thereto including any right, title and interest of Grantor in and to (i) adjacent streets, alleys or rights-of-way, and (ii) the permanent improvements and fixtures located thereon (the "Property");

TO HAVE AND TO HOLD such undivided one-half (1/2) interest in the Property, together with all and singular the rights and appurtenances thereto in any manner belonging, unto Grantee and Grantee's heirs, legal representatives and assigns, forever; and Grantor binds Grantor and Grantor's heirs to WARRANT AND FOREVER DEFEND such undivided one-half (1/2) interest in the Property unto Grantee and Grantee's heirs, legal representative, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through and under Grantor only, and not otherwise.

Dated: January <u>3</u>, 1994.

GRANTOR:

ni Alupa

HSÍN-HIU LU

Page 1 of 2

11

THE STATE OF TEXAS COUNTY OF NUECES

This instrument was acknowledged before me on January $3^{\prime\prime}$, 1994, by Hsin-Hiu Lu.



Xas State

(Type or Print Name)

My Commission Expires

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Page 2 of 2

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TRACT I:

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Lot Twenty B (20B). Block Four (4), GARDENDALE NO. 2., a Subdivision of the City of Corpus Christi. Texas, as shown by the map or plat thereof recorded in Volume 50, Page 1, Map Records of Nucces County, Texas, to which reference is here made for all pertinent purposes.

TRACT II: Being a tract of land remaining out of Lot 21, Block 4, Gardendale No. 2, Lot Twenty-one (21), Block Four (4), GARDENDALE NO. 2, a Subdivision of the City of Corpus Christi, Texas, as shown by the map or plat thereof recorded in is made for all pertinent purposes and being more particularly described by metes and bounds as follows, to-wit:

Beginnning at the most westerly corner of said Lot 21, Block 4, for the most Westerly corner of this tract and the Point of Beginning, also being the most southerly corner of Lot 22, Block 4, said Gardendale No. 2;

THENCE N 28 degrees 59' 20' E. along the common line between Lot 21 and Lot 22, said Block 4, a distance of 100.00 feet to the most northerly corner of said Lot 21, Block 4, for the most northerly corner of this tract;

THENCE S 61 degrees 00' 40" E a distance of 224.41 feet to a point in the present westerly boundary line of the right-of-way of Staples Street, as widened, for the post sagiarly corner of this tract, also being the most northerly corner of the right-of-way described in deed of record in Volume 1432, Page 126 of the Deed Records of Nucces County, Texas;

THENCE S 29 degrees 00' 00" W. along the westerly boundary line of the right-of-way of said Staples Street, as widened, a distance of 90.00 feet to a point, the Point of Curvature of a curve to the right whose radius is 10.0 feet, whose central angle is 89 degrees 59' 20", and whose tangent is 10.0 feet, for a southerly corner of this tract:

THENCE, in a southwesterly direction, along said curve, a distance of 15.71 feet to a point in the northerly boundary line of the right-of-way of Curtis Clark Drive and in the southerly boundary line of said Lot 21, for a southerly corner of this tract, also being the Point of Tangency of said curve;

THENCE N 61 degrees 00' 40" W, along the northerly boundary line of the right-of-way pf. said Curtis Clark Drive and along the southerly boundary line of said Lot 21. Block 4, a distance of 214.39 feet to the point of beginning.

JACINTO COMPAN

GF#	93-	11-093 NB
AMO	JNT:	11.00
PAGE	ES:	3
		TITLE COMPANY

Any prevision Service which consists the Sale. Result or one of the described REAL FROMENTY Successes of Ances, Color, Religion, Sen, Handhene, Fundial States or National Origin, in invalid and unredisconsiste under FEDERAL LAW, 3/12/89.

FILED FOR RECORD DOC# 890118 \$13 01-03-1994 11:49:44 ERNEST M. BRIONES NUECES COUNTY

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STATE OF TEXAS COUNTY OF NUECES I haveby carsity that this instrument was FILED in File Neutober Sequence on the date and at the time stamped bersin by site, and must duty RECORDED, in the Otticial Public Records of Mutcas County, Texas an

JAN 3 1994

Minton Kenn COLANTY CLERK MUECES COUNTY, TEXAS

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Doc# 2006022760

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WARRANTY DEED WITH VENDOR'S LIEN

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

DATE: A 2006

GRANTOR: CHI-PEN HO and LEU LI-CHI HO

GRAMILE: KIEU THI LU

ORANTEES MAILING ADDRESS:

5010 Wooldridge, Corpus Christi, Texas 78413

CONSIDERATION:

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The sum of \$535,000.00 paid to Grantor by VALUEBANK TEXAS (herein called the "Leader"), as evidenced by a note of even date herewith in such amount, executed by Grantce payable to the order of Lender, which note bears interest and is payable as therein provided, the payment of which note is secured by the superior tile and a vendor's lien herein and hereby expressly retained on the hereafter described Property and herein and hereby expressly transferred and essigned, without recourse, to Lender, and Lender's successors and assigns; and for Ten Dollars and other valuable consideration, the receipt and sufficiency of which is acknowledged. The note payable to Lender is additionally secured by a dood of trust of even date herewith in favor of Lender covering the Property.

PROPERTY: 'The following described Land:

Tract I:

Lot Twenty-B (20B), Block Four (4), GARDENDALE NO. 2, a Subdivision of the City of Corpus Christi, Nucces County, Texas, as shown by the map or plat thereof recorded in Volume 50, Page 1, Map Records of Nucces County, Texas, to which reference is here made for all pertinent purposes.

Tract II:

Being a tract of land remaining out of Lot 21, Block 4, Gardendale No. 2, Corpus Christi, Nueces County, Texas, more particularly described on Exhibit A atlached hereto.

Fogether with and including all of the Orantor's right, title and interest in and to the rights and appurtenances in any way belonging or appurtenant to said Land, including, without Hmitation: (i) any improvements on said Land; (ii) strips and gores, if any, adjacent or contiguous to the Land; (iii) any land lying in ur under the hed of any street, alley, road, creek or stream running through, abutting or adjacent to the Land; (iv) any riparian rights appurtenant to the Land relating to surface or subsurface waters; and (v) casementa, rights of ingress and egress and reversionary interests benefitting or serving the Land (the Land and other appurtenant rights being referred to herein as the "Property").

RESERVATIONS FROM AND EXCEPTIONS TO CONVEY ANCE AND WARRANLY,

This conveyance is subject to the following matters to the extent that such are presently in force and effect and affect the Property:

 All casements, rights-of-way and restrictive covenants, if any, of record with the County Clerk of the County in which the Property in Incated;

- (2) Taxes for the current year, the payment of which Granice assumer;
- (3) All mineral estate reservations and conveyances (including assignations or reservations of royalty interests) by Grantor and by Grantor's prodecessors in title as shown by the records of the County Clerk of the County in which the Property is located; and the rights of the owner of any partition of the mineral estate and the rights of any leaves or other person claiming an interest in oil, gas and other minerals under oil, gas and mineral leases or other documents as such is shown by the records of the County Clerk of the County is which the Property is located.

GRANT OF PROPERTY:

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. •

Grantor, for the Consideration and subject to the Reservations From and Exceptions to Conveyance and Warranty, GRANTS, SELLS, and CONVEYS to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold unto Grantee, Grantee's beirs, executors, administrators, successors, and assigns forever. Grantur binds Granter and Grantee's heirs, executors, administration, and successors to warrant and forever thereof all and singular the Property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever fawfully claiming or to claim the same or any part thereof, except as to the Reservations From and Exceptions to Convegance and Warranty.

Grantor has excented and delivered this deed and has granted, sold and conveyed the above property, and Grantee has accepted this deed and has purchased the property, AS IS, WHERE IS, AND WITH ALL FAUETS, AND WITHOUT ANY REPRESENTATIONS OR WARRANTIES WHATNOWVER, EXPRESS OR INDIALED, WRITTEN OR ORAL, IT HEING THE INTENTION OF GRANTOR AND GRANTEE TO EXPRESSLY NEGATE AND EXCLUDE ALL REPRESENTATIONS AND WARRANTIES AS TO FITNESS OR CONDITION, INCLUDING, BUT NOT LIMITED TO, ALL IMPLIED WARRANTIES OF MERCHANTABILITY, CONDITION, HABITABILITY AND FITNESS FOR ANY PARTICULAR USE OR PURPOSE, ALL WARRANTIES AS TO FITNESS OR CONDITION CREATED BY ANY ALTEMATION OF FACT OR PROMISE OR BY ANY DESCRIPTION OF THE PROPERTY, AND ALL (TITHER WARRANTIES AND REPRESENTATIONS WHATSOFWER AS TO FITNESS OR CONDITION, Except the warranty of the expressly set forth herein.

The vendor's lien against and superior title to the property are retained until each note described is fully paid according to its terms, at which time this deed shall become absolute.

When the context requires, singular mouns and pronouns include the plural.

	Chi-Patio Chi-Patio Liu Lichi Ho
STATE OF TEXAS	5
COUNTY OF NUECES	
This instrument was acknowledged beli 2006, by CHI-PEN HO and LIU LI-CHI HO. PAM MOSLEY Notary Public State of Taxas	Nutery Public, State of Texas
4 Wy Comm. Exp. 01/23/20	∞} ~>
FN1009064EaGendendalAE208/W0VL-618-11-23-doc	·1-0

Charge & Return To: San Jacinto 701e Services 5028 Hiclly Road Controls Constit Texas 78411 Controls Constit Texas 78411 Controls Constitution Controls Constitution Constitut

FXHIBIT A

TRACT III

Being a tract of land remaining out of Lot Twenty-one (21), Block Four (4), GARDENDALE NO. 2, a Subdivision of the City of Corpus Christi, Nucces County, Texas, as shown by the map or plat thereof recorded in Volume 6, Page 39, Map Records of Nusces County, Texas, io which reference is have made for all pertinent purposes, and being more particularly described by mains and bounds as follows, to-wil:

BEGINNING at the most westerly corner of said Lot 21, Block 4, for the most westerly corner of this tract and the POINT OF BEGINNING, also being the most southarly corner of Lot 22, Block 4, sale Gardendale Ne. 2;

THENCE, N 28 degrees 59' 20" E, along the common line between Let 21 and Lot 22, said Block 4, a distance of 100.00 foot to the most northerly corner of said Lot 21, Block 4, for the most nertherly corner of this tract;

THENCE, S 61 degrees 00' 40" E, a distance of 224,41 feet to a point in the present westerly boundary line of the right of way of Staples Street, as widened, for the most easterly corner of this tract, also being the most northerly corner of the right of way described in deed of record in Volume 1432, Page 126, of the Deed Records of Nutces County, Tesas;

THENCE, 5 29 degrees 00' 00" W, along the westerly boundary line of the right of way of said Staples Street, as statives, 5.5 degrees or we we away the weakery boundary are of the right of way of said dispersions, 5 widened, a distance of 90.00 feet to a point, the point of curvature of a curva to the right whose radius is 10.0 feet, whose esotral angle is 89 degrees 59° 20°, and whose (angest is 10.0 feet, for the southerly corper of this tract;

THENCE, in a southwesterly direction, along said curve, a distance of IS.71 feet to a point in the northerly boundary line of the sight of way of Cartis Clark Drive and in the southerly boundary line of said Lot 21, for a southerly corner of this tract, also being the point of tangency of said curve;

"FHENCE, N 61 degrees 60° 40° W, along the northerly boundary lise of the right of way of said Cartie Clark Drive and along the southerly boundary lies of said Lot 21, Block 4, a distance of 214.39 feet to the POINT OF BEGINNING.

> STATE OF TEXAS COUNTY OF NUECES Thereby cartly that this instrument was FiLED in File Number Servence on the date and at the time stamped hereix by the, and was our RECORDED, in the Official Public Records of Hueces Courty, Texas

Dun 2 Benn COUNTY CLERK NUECES COUNTY, TEVAS

Any provision nersin which associes the Sale, Rental or use of the described REAL PROPERTY because of Anee, Color, Religion, Sar, Handicap, Fernilal Status or Harlonal Origin, is invalid and unerdorceable under FEDERAL LAW, 3/12/89

200602276

Charge & Return To: San Jacinto Title Services 5026 Holly Road Corpus Christi, Teres 78411 Ph: 381-935-2004 GF#: 048502592 Amt S. Pages.

This instrument is being re-filed to include Exhibit A.

06-2592. BOOM BEESEPETE 35

WARRANTY DEED WITH VENDOR'S LIEN

Doc# 2006036933

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

DATE	2006 L
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GRANTOR: CHI-PEN HO and LIU/LI-CIUIIO

GRANTEE: KIEU THI LU

1.1

GRANTER'S MAILING ADDRESS

5010 Woohlridge, Corpus Christi, Texas 78413

CONSIDERATION:

The sum of \$535,000.00 paid to Granter by VALUEDANK TEXAS (herein called the "Lender"), as evidenced by a note of even date herewith in such amount, executed by Grantee payable to the order of Lender, which note bears interest and is payable as therein provided, the payment of which note is secured by the superior title and a vendor's lien herein and hereby expressive retained on the hereafter described Property and herein and hereby expressive transferred and assigned, without recourse, in Lender, and Lender's successors and assigns; and for 'fen Dollars and other valuable consideration, the receipt and sufficiency of which its acknowledged. The note payable to 1, ender is additionally secured by a deed of trust of even sinte herewith in favor of Lender envering the Property.

PROPERTY: The following described Land:

Truct I:

Last Twenty-B (208), Block Four (4), GARDENDALF. NO. 2, a Subdivision of the City of Corpus Christl, Nucces County, Texas, as shown by the map or plut thereof recorded in Volume 50, Page 1, Map Records of Nucces County, Texas, to which reference is here made for all pertinent purposes.

Trigill: Being a tract of land remaining out of Lot 21, Block 4, Gardendale No. 2, Corpus Christi, Nueces County, Texas, more particularly described on Exhibit A statched hereto.

Together with and including all of the Grantuc's right, tills and interest in and to the rights and appurtenences in any way belonging or appurtment to said Land, including, without limitation: (i) any improvements on said Land; (ii) strips and gores, if any, adjacent or contiguous to the Land; (iii) any land lying in or under the bed of any street, alkey, road, creek or stream running through, abuting or adjacent to the Land; (iv) any riparian rights appurtenant to the Lund relating to surface or subsurface waters; and (v) essements, rights of ingress and egress and reversionary interests benefitting or serving the Land (the Land and other appurtenant rights being referred to herein as the "Property").

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

This conveyance is subject to the following matters to the extent that such are presently in force and effect and affect the Property:

 All essements, rights-of-way and restrictive covenants, if any, of record with the County (Tark of the County in which the Property is focated;

- (2) Taxes for the current year, the payment of which Grantee assumes;
- (3) All mineral estate reacrvations and conveyances (including assignments or reservations of royalty interests) by Grantor and by Grantor's prodecessors in title as shown by the records of the County Clerk of the County in which the Property is located; and the rights of the owner of any purion of the mineral estate and the rights of any lesses or other person claiming an interest in oil, gas and other mineral state and the clointy Clerk of the County as such is shown by the records of the County Clerk of the County in which the Property is incated.

GRANT OF PROPERTY:

۰,

Grantor, for the Consideration and subject to the Reservations From and Exceptions to Conveyance and Warranty, GRANTS, SELLS, and CONVEYS to Grantee the Property, together with all and singular thu rights and appurtenances thereto in any way belonging, us have and to hold unto Grantee, Grantee's heirs, executors, administrators, successors, and assigns freever. Grantor binds Grantor and Grantur's beirs, executors, administrators, successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations From and Exceptions to Conveyance and Warranty

Genetor has executed and delivered this deed and has granted, aold and conveyed the above property, and Grantee has accepted this deed and has purchased the property. AS IS, WHERE IS, AND WITH ALL FAULTS, AND WITHOUT ANY REPRESENTATIONS OR WARRANTIES WHATNOKVIR, EXPRESS OR IMPLIED, WRITTEN OR ORAL, IT BEING THE INTENTION OF GRANTUR AND GRANIEE TO EXPRESSLY NEGATE AND EXCLUDE ALL REPRESENTATIONS AND WARRANTIES AS TO FITNESS OR CONDITION, INCLUDING, BUT NOT LIMPTED TO, ALL IMPLIED WARRANTIES OF MERCIANTABILITY, CONDITION, HABITABILITY AND FITNESS FOR ANY PARTICULAR USE OR FURPOSE, ALL WARRANTIES AS TO FITNESS OR CONDITION CREATED BY ANY AFFIRMATION OF FACT OR IROMISE OR BY ANY DESCRIPTION OF THE PROPERTY, AND ALL OTHER WARRANTIES AND REPRESENTATIONS WHATSOEVER AS TO FITNESS OR CONDITION, except the warranty of lite expressly set forth barelin.

The vendor's lice against and superior title to the property are retained until each note described is fully paid according to its terms, at which time this deed shall become absolute.

When the context requires, singular nouns and pronouns include the plural.

	Chi-Pen Hu Chi-Pen Hu Liu Li-Chi Hu	PG
STATE OF TEXAS	5 4	
COUNTY OF NUECES	\$ \$	
This instrument was acknowledge 2006, by CHI-PRN HO and LU LI-CHI H	How Bandhole	-
PAM MOSLE Notary Public State of Taxa My Corren. Exp. 01/2		
PAPPRALL data datable 1.200/WDVL-118-11-13 doc	-2-	

Charge & Return To: San Jacinto 709 Services 9026 Holly Road Constants (Vast) Texas 78411 Constants Anut 3 Pages

FXHIBIT A

TRACT II:

. .

Being a tract of land remaining out of Lot Twenty-one (21), Block Bour (4), GARDENDALE NO. 2, a Sabdivities of meng a tract of tand remaining out of Los awenty-one (21), bases pour (4), traction to 20, a constraine of the City of Corpus Christi, Nueces County, Texes, as shown by the map or plat thereof recorded in Volume 8, Page 38, Map Records of Nueses County, Texes, to which reference is here made for all periformit purposes, and being more particularly described by meles and boards as follows, to-wit:

BECINNING at the most westerly corner of said Lot 21, Block 4, for the most westerly corner of this tract and the POINT OF BEGINNING, also being the most southerly corner of Lot 22, Block 4, said Gardendale No. 2;

THENCE, N 28 degrees 59' 20" E, along the common line between Let 31 and Lot 22, said Block 4, a distance of 100.00 feet to the most northerly corner of this traci;

THENCE, 5 61 degrees 00' 48" E, a distance of 224.41 feet to a point in the present westerly boundary line of the right of way of Staples Streat, as widened, for the most easterly corner of this tract, also being the most nurtherly corner of the right of way described in deed of record in Volume 1432, Page 126, of the Deed Mecords of Nurces County, Teras;

THENCE, S 29 degrees 60' 00" W, slong the westerly boundary line of the right of way of said Sieples Street, at widened, a distance of 90.00 feet to a point, the point of curvature of a curva to the right whose radius is 10.0 feet, whose central angle is 89 degrees 59' 20", and whose tangent is 10.0 feet, for the southerly corner of this tract;

THENCE, in a southwesterly direction, along said curve, a distance of J5.71 feet to a point in the periherly boundary line of the right of way of Cartis Clark Drive and in the weatherly boundary line of said Lot 21, for a southerly carace of this tract, also being the point of tangency of said curve;

THENCE, N 61 degrees 00' 40" W, along the pertherty boundary line of the right of way of said Curtis Clark Drive and along the southerly boundary line of said Lot 21, Block 4, a distance of 214.39 feet to the POINT OF BPCINNING.

STATE OF TEXAS

COUNTY OF NUECES I hereby centry that this instrument was Fill ED in File Name Services on the date and at the time standard terrain by ma was oury RECORDED, in the Oficial Fubic Records of Nueces Courty, Texas w & Binge COUNTY CLERK NUECES COUNTY, TEXAS

Any provision hardin which leastleff the Sala, Rental of use of the described REAL PEOPERTY because of Ruce, Color, Religion, San, Handjook, Familial Status of National Origin, is Invalid and uperformable under FEDERAL LAW, 3/12/80

barge & Return To: an Jacinto Title Services 026 Holly Read lorpus Christi, Teras 78411 h: 261-995-2004 iF#__068503592____ unt: S. lages.

EXHIBIT "A"

A description of a 0.8562 acre tract of land being Lot Twenty-B (20B), Block Four (4), GARDENDALE NO. 2, a Subdivision of the City of Corpus Christi, Nueces County, County, Texas, as shown by the map or plat thereof recorded in Volume 50, Page 1, Map Records of Nueces County, Texas; and a portion of Lot Twenty-one (21), Block Four (4), GARDENDALE NO. 2, a Subdivision of the City of Corpus Christi, Nueces County, Texas, as shown by the map or plat thereof recorded in Volume 8, Page 38, Map Records of Nueces County, Texas, to which reference is here made for all pertinent purposes, and being more particularly described as follows:

BEGINNING at the common northeast corner of Lot 20B and the southeast corner of Lot 19B, Gardendale No. 2, recorded in Volume 50, Page 1, Map Records, Nueces County, Texas, a 5/8" iron rod found, said point also being on the northwest right-of-way line of South Staples Street, for the POINT OF BEGINNING and the northeast corner of this tract;

THENCE, along said right-of-way, S 29 deg. 00' 00" W, 189.42 feet to a 5/8" iron rod found, said point being the start of a curve tot he right having a central angle of 90 deg. 07' 53" and a radius of 9.27 feet, for the southeast corner of this tract;

THENCE, along said curve, 14.58 feet to a 5/8" iron rod found, said point being on the northerly right-of-way line of Curtis Clarke Drive, for a corner of this tract;

THENCE, along said right-of-way line, N 61 deg. 07' 21" W, 215.84 feet to a 5/8" iron rod found, said point being on the common southwest corner of Lot 21 and the southeast corner of Lot 22, said Block 4, for the southwest corner of this tract;

THENCE, along the common boundary line of said Lot 21 and Lot 22, N 29 deg. 07' 04" E, 99.90 feet to a 5/8" iron rod found, said point being the common northwest corner of Lot 21 and the southwest corner of Lot 19B, said Block 4, for the northwest corner of this tract;

THENCE, along the common boundary line of said Lot 21 and Lot 19B, S 60 deg. 53' 53" E, 75.05 feet to a 5/8" iron rod found, said point being the southwest corner of Lot 20B, for a corner of this tract;

THENCE, along the common boundary line of said Lot 20B and Lot 19B, N 29 deg. 09' 03" E, 99.94 feet to a 5/8" iron rod found, said point being the northwest corner of Lot 20B, for a corner of this tract;

THENCE, continuing along said common boundary line of Lot 20B and Lot 19B, S 60 deg. 48' 47" E, 149.55 feet to the POINT OF BEGINNING.

Containing 0.8562 acres, more or less.

NOTE: The Company is prohibited from insuring the area or quantity of the land described

herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof. This Company does not represent that the above described acreage or square footage is true and correct.

S IATE OF TEXAS COUNTY OF NUECES I hereby cartily that this instrument was FILED in File Number Sequence on the date and at the time stamped herein by me, and was duly RECORDED. In the Official Public Records of Nueces County, Texas



Dun & Bener COUNTY CLERK NUECES COUNTY, TEXAS

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of Race, Color, Religion, Sex, Handicap, Familial Status or National Origin, is Invalid and unenforceable under FEDERAL LAW, 3/12/89

Charge & Return To: San Jacinto Title Services 5026 Holiy Road Corpus Christi, Texas 78411 Ph: 361-380-2004 GF#: <u>Die 6503597</u> Amt: \$_____ Pages_____



Persons with disabilities planning to attend this meeting, who may require special services, are requested to contact the Development Services Department at least 48 hours in advance at (361) 826-3240. <u>Personas con incapacidades</u>, que tienen la intención de asistir a esta junta y que requieren servicios especiales, se les suplica que den aviso 48 horas antes de la junta llamando al departamento de servicios de desarrollo, al número (361) 826-3240.

If you wish to address the Commission during the meeting and your English is limited, please call the Development Services Department at (361) 826-3240 at least 48 hours in advance to request an interpreter be present during the meeting. Si usted desea diriginse a la commission durante la junta y su inglés es limitado, favor de llamar al departamento de servicios de desarrollo al número (361) 826-3240 al menos 48 horas antes de la junta para solicitar un intérprete ser presente durante la junta.

CITY PLANNING COMMISSION PUBLIC HEARING NOTICE Rezoning Case No. 1116-02

<u>Lu Keiu Thi</u> has petitioned the City of Corpus Christi to consider a change of zoning from the <u>"CN-1"</u> <u>Neighborhood Commercial District</u> to the <u>"CG-2" General Commercial District</u>. The property to be rezoned is described as:

Gardendale No. 2, Block 4, Lot 20-B and Lot 21; located on the northwest corner of South Staples Street and Curtis Clark Drive.

The Planning Commission may recommend to City Council approval or denial, or approval of an intermediate zoning classification and/or Special Permit. Approval of a change of zoning, if inconsistent with the City's Comprehensive Plan, will also have the effect of amending the Comprehensive Plan to reflect the approved zoning.

The Planning Commission will conduct a public hearing for this rezoning request to discuss and formulate a recommendation to the City Council. The public hearing will be held on <u>Wednesday, November 16, 2016,</u> during one of the Planning Commission's regular meetings, which begins at <u>5:30 p.m.</u>, in the City Council Chambers, 1201 Leopard Street. You are invited to attend this public hearing to express your views on this rezoning request. For more information, please call (361) 826-3240.

TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE DEVELOPMENT SERVICES DEPARTMENT, P. O. BOX 9277, CORPUS CHRISTI, TEXAS 78469-9277. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

NOTE: In accordance with the Planning Commission By-Laws, no discussion shall be held by a member or members of this Commission with an applicant or appellant concerning an application or appeal, either at home or office, or in person, by telephone call or by letter.

Printed Name: Llaine

Address: 5826

(YIN FAVOR () IN OPPOSITION

City/State: Corpus Christy TX Phone: 361 - 851-1000

REASON:

Croperty Owner

SEE MAP ON REVERSE SIDE Property Owner ID: HTE# 16-10000039

Case No. 1116-02 Project Manager: Laura Sheldon

City of Corpus Christi Development Services Dept. P.O. Box 9277 Corpus Christi, Texas 78469

Elaine Hoffman 5826 Bear Lane Corpus Christi, TX 78405 C/N - 2 5 è 0000340617 NOV 2분 S 4W . POSTAGE >> PITNEY BOWES C'N -2 2 CG-2 12 5 CG-2 9 CN /2 WILLEAMSOR 2 \$ 3 O 3 2 Ō 2 24 8 2 5 2 C N G - 2 \$ <mark>5</mark>5 D 12/840534408 * ż 2 CG-2-2 G - 2 2 CURTIS CLARK DR 2 RS-6 SUBJECT 0 PROPERTY 12 S'STABUES ST t: RS-6 SPI03-07 0 4 2 💈 C.G - 2 2 4 CG • 2 2 R S 6 8 S R/07 CG -10 G.G - 2 C G - 2 BONN HEA BOWNER CG-2 R'DR 2 RS 0 C.G~ Created /s0729/2018 Probared By: volteM Processing Services s-4 2 800 Department of Der CASE: 1116-02 SUBJECT PROPERTY WITH ZONING a lake Subject Property SUBJECT Light Industrial Heavy Industrial Planned Unfl Dev. Overlay RM-1 Multifamily 1 RM-2 Multifamily 2 IL. PROPERTY H RM-3 Multilamny -Professional Office RM-AT Multifamly AT CH-1 Neighborhood Commercial CR-2 Resort Commercial CR-2 Resort Commercial CG-1 General Commercial CG-2 General Commercial CG-2 General Commercial CG-1 General Commercial CG-2 General Commercial CG-2 General Commercial RM-3 Multifamily 3 ON Professional Office PUD Planned Unit Dev. Overlay RS-10 Single-Family 10 RS-4 Single-Family 16 RS-45 Single-Family 6 RS-17 Teo-Family RS-15 Single-Family 15 RE Residential Estate RS-TH Townboute SP Special Permit RY Rocreational Vehicle Park RSH Manulactured Home PUD 7 Resort Commercial Form Rural Historic Overlay Business Park CR-3 FR H BP **City of** Corpus Christi Map Scale: 1:2,400 LOCATION MAP