

**Case No. 0218-03 William B. Miller, Jr.:  
Ordinance rezoning property at or near 6000 Yorktown Boulevard  
from “RS-6” Single-Family 6 District to the “IL” Light Industrial  
District (Tract 1) and “CN-1/SP” Neighborhood Commercial District  
with a Special Permit (Tract 2).**

**WHEREAS**, the Planning Commission has forwarded to the City Council its final report and recommendation regarding the application of William B. Miller, Jr. (“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, a public hearing was held on Wednesday, June 27, 2018, during a meeting of the Planning Commission. The Planning Commission recommended approval of the change of zoning from the “RS-6” Single-Family 6 District to the “IL” Light Industrial District (Tract 1) and “CN-1/SP” Neighborhood Commercial District with a Special Permit (Tract 2) and on Tuesday, July 31, 2018, 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 William B. Miller, Jr. (“Owner”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on a property described as being 1.067 acre tract being out of a 4.686 acre tract out of Lot 12, Section 10, Flour Bluff and Encinal Farm and Garden Tracts (Tract 1) and being described as 3.618 acre tract being out of a 4.686 acre tract out of Lot 12, Section 10, Flour Bluff and Encinal Farm and Garden Tracts (Tract 2), (the “Property”), from the “RS-6” Single-Family 6 District to the “IL” Light Industrial District (Tract 1) and “CN-1/SP” Neighborhood Commercial District with a Special Permit (Tract 2) (Zoning Map No. 044031), as shown in Exhibits “A”, “B”, and “C”. Exhibit A and B, are metes and bounds descriptions of the Property, and Exhibit C, 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 Special Permit granted in Section 1 of this ordinance is subject to the Owner following the conditions listed below:

1. **Uses:** The only uses authorized by this Special Permit other than uses permitted by right in the base zoning district are as defined by the Unified Development Code (UDC) in Section 5.1.5.B “Warehouse and Freight Movement” except bus barn, coal and coke storage and sales, milk distributing station, the stockpiling of sand, gravel, or other aggregate materials, Section 5.1.4.H “Self-Service Storage”, and Section 5.1.4.I “Vehicle Sales and Service” except auto rental, auto upholstery shop, bicycle and watercraft rental, boat and recreational vehicle sales, camper shell sales and service,

manufactured home sales, repair and service of RVs, boats, and light and medium trucks, vehicles sales or leasing facilities, and vehicle service, heavy.

2. **Setback:** A setback at a minimum of 20 feet shall be maintained from any residential property. No buildings or storage shall be allowed within the setback. The existing screening fence shall be maintained in good condition.
3. **Outdoor Storage:** Any outdoor storage occurring within 50 feet of a property line shared with a residential use shall not exceed 20 feet in height.
4. **Dumpsters:** No dumpsters or refuse receptacles shall be located within 20 feet of any property line shared with a residential use.
5. **Landscaping:** If the use of outdoor storage or an addition to the existing building occurs, landscaping shall be installed in accordance with the requirements of the Unified Development Code (UDC) along Yorktown Boulevard.
6. **Lighting:** All lighting must be shielded and directed away from abutting residences and nearby streets. Cut-off shields are required for all lighting. No light projection is permitted beyond the property line.
7. **Noise:** Noise regulations shall be subject to Section 31-3 of the Municipal Code. Outside paging, speakers, telephone bells, or similar devices are prohibited.
8. **Hours of Operation:** The hours of operation shall be daily from 6:00 AM to 9:00 PM.
9. **Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, Building, and Fire Code Requirements.
10. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within twenty-four (24) months of this ordinance, unless a complete building permit application has been submitted or, a certificate of occupancy or UDC compliance has been issued. The Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

**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 6.** Publication shall be made in the City's official publication as required by the City's Charter.

That the foregoing ordinance was read for the first time and passed to its second reading on this the \_\_\_\_\_ day of \_\_\_\_\_, 2018, by the following vote:

Joe McComb	_____	Ben Molina	_____
Rudy Garza	_____	Everett Roy	_____
Paulette Guajardo	_____	Lucy Rubio	_____
Michael Hunter	_____	Greg Smith	_____
Debbie Lindsey-Opel	_____		

That the foregoing ordinance was read for the second time and passed finally on this the \_\_\_\_\_ day of \_\_\_\_\_, 2018, by the following vote:

Joe McComb	_____	Ben Molina	_____
Rudy Garza	_____	Everett Roy	_____
Paulette Guajardo	_____	Lucy Rubio	_____
Michael Hunter	_____	Greg Smith	_____
Debbie Lindsey-Opel	_____		

PASSED AND APPROVED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

ATTEST:

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

\_\_\_\_\_  
Joe McComb  
Mayor

STATE OF TEXAS  
COUNTY OF NUECES

Tract 1

Field notes of a 1.067 acre tract being out of a 4.686 acre tract out of Lot 12, Section 10, Flour Bluff and Encinal Farm and Garden Tracts, as shown on a map recorded in Volume A, Pages 41 – 43, Map Records of Nueces County, Texas, said 4.686 acre tract also being out of the 47.31 acre Del Mar Distributing tract, described in a deed recorded in Volume 1660, Page 107, Deed Records of Nueces County, Texas, said 4.686 acre tract also being a portion of a 2.42 acre tract described in a deed recorded in Volume 2331, Page 862, deed Records of Nueces County, Texas. Said 1.067 acre tract being more particularly described as follows:

**BEGINNING** at a point in the common line of the northeast right of way of Yorktown Boulevard and said 4.686 acre tract, for an interior corner of a 3.618 acre tract surveyed this day by Brister Surveying, and for the south corner of this survey, from **WHENCE** a 5/8" re-bar set in the northeast right of way of Yorktown Boulevard, for the west corner of the 2.15 acre Charles L. Benys tract, described in a deed recorded in Document No. 2013032477, Deed Records of Nueces County, Texas, for the south corner of said 4.686 acre tract, and for the south corner of said 3.618 acre tract, bears South 61°24'40" East, a distance of 4.61 feet.

**THENCE** with the common line of said 3.618 acre tract and this survey, North 28°40'49" East, a distance of 214.61 feet to a point, for an interior corner of said 3.618 acre tract, and for the east corner of this survey.

**THENCE** with the common line of said 3.618 acre tract and this survey, North 61°26'20" West, a distance of 216.63 feet to a point, for an interior corner of said 3.618 acre tract, and for the north corner of this survey.

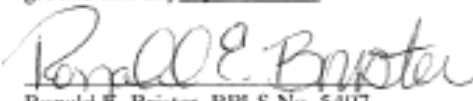
**THENCE** with the common line of said 3.618 acre tract and this survey, South 28°41'22" West, a distance of 214.50 feet to a point in the common line of the northeast right of way of Yorktown Boulevard and said 4.686 acre tract, for an exterior corner of said 3.618 acre tract, and for the west corner of this survey.

**THENCE** with the common line of the northeast right of way of Yorktown Boulevard, said 4.686 acre tract, and this survey, South 61°24'40" East, a distance of 216.67 feet to the **POINT of BEGINNING** of this tract, and containing 1.067 acres of land, more or less.

Notes:

- 1.) Bearings are based on Global Positioning System NAD 83 (93) 4205 Datum.
- 2.) A Map of equal date accompanies this Metes and Bounds description.
- 3.) Set 5/8" re-bar = re-bar set with yellow plastic cap labeled Brister Surveying.

I, Ronald E. Brister do hereby certify that this survey of the property legally described herein was made on the ground this day April 3, 2018 and is correct to the best of my knowledge and belief.



Ronald E. Brister, RPLS No. 5407

Date: June 27, 2018.



Job No. 181143h

Exhibit A

STATE OF TEXAS  
COUNTY OF NUECES

## Tract 2

Field notes of a 3.618 acre tract being out of a 4.686 acre tract out of Lot 12, Section 10, Flour Bluff and Encinal Farm and Garden Tracts, as shown on a map recorded in Volume A, Pages 41 – 43, Map Records of Nueces County, Texas, said 4.686 acre tract also being out of the 47.31 acre Del Mar Distributing tract, described in a deed recorded in Volume 1660, Page 107, Deed Records of Nueces County, Texas, said 4.686 acre tract also being a portion of a 2.42 acre tract described in a deed recorded in Volume 2331, Page 862, deed Records of Nueces County, Texas. Said 3.618 acre tract being more particularly described as follows:

**BEGINNING** at a 5/8" re-bar set in the northeast right of way of Yorktown Boulevard, for the north corner of a 0.31 acre tract conveyed to the City of Corpus Christi, described in a deed recorded in Document No. 2010003681, Deed Records of Nueces County, Texas, for the west corner of said 4.686 acre tract, and for the west corner of this survey.

**THENCE** with the common line of said 4.686 acre tract and this survey, North 28°35'19" East, at a distance of 5.00 feet pass a 5/8" re-bar set, for the south corner of Lot 1, Block 2, King's Point Unit 3, as shown on a map recorded in Volume 64, Pages 231 – 233, Map Records of Nueces County, Texas, from **WHENCE** a 5/8" re-bar found in the common line of the southeast right of way of Loire Boulevard and the northwest line of Lot 1, Block 2, bears North 61°24'40" West a distance of 334.84 feet, **THENCE** North 28°35'20" East, a distance of 20.94 feet, and in all a total distance of 378.00 feet to a point in the southeast line of Lot 1, Block 2, for the west corner of Lot 12, Block 2, for the north corner of said 4.686 acre tract, and for the north corner of this survey, from **WHENCE** a 5/8" re-bar for south corner of Lot 9, Block 2, bears North 28°35'19" East, a distance 125.58 feet.

**THENCE** with the common line of the southwest line of Lot 12, Block 2, said 4.686 acre tract, and this survey, South 61°24'40" East, at a distance of 0.20 feet pass a 5/8" re-bar found, at a distance of 539.80 feet pass a 5/8" re-bar found, and in all a total distance of 539.96 feet to a point in the common line of Lots 11 and 12, Section 10 and the northwest line of Lot 13, Block 4, King's Point Unit 5, Volume 64, Pages 7 – 8, Map Records of Nueces County, Texas, for the south corner of Lot 20, Block 2, for the east corner of said 4.686 acre tract, and for the east corner of this survey, from **WHENCE** a 5/8" re-bar found for the east corner of Lot 26, Block 2, North 28°35'19" East, a distance of 546.29 feet.

**THENCE** with the common line Lots 11 and 12, Section 10, Lot 13, Block 4, said 4.686 acre tract, and this survey, South 28°35'19" West, a distance of 378.00 feet to 5/8" re-bar set in the northeast right of way of Yorktown Boulevard, for the west corner of the 2.15 acre Charles L. Benys tract, described in a deed recorded in Document No. 2013032477, Deed Records of Nueces County, Texas, for the south corner of said 4.686 acre tract, and for the south corner of this survey.

**THENCE** with the common line of the northeast right of way of Yorktown Boulevard, said 4.686 acre tract, and this survey, North 61°24'40" West, a distance of 4.61 feet to a point in the common line of the northeast right of way of Yorktown Boulevard and said 4.686 acre tract, for the south corner of a 1.067 acre tract surveyed this day by Brister Surveying, and for an exterior corner of this survey.

**THENCE** with the common line of said 1.067 acre tract and this survey, North 28°40'49" East, a distance of 214.61 feet to a point, for the east corner of said 1.067 acre tract, and for an interior corner of this survey.

**THENCE** with the common line of said 1.067 acre tract and this survey, North 61°26'20" West, a distance of 216.63 feet to a point, for the north corner of said 1.067 acre tract, and for an interior corner of this survey.

**THENCE** with the common line of said 1.067 acre tract and this survey, South 28°41'22" West, a distance of 214.50 feet to a point in the common line of the northeast right of way of Yorktown Boulevard and said 4.686 acre tract, for the west corner of said 1.067 acre tract, and for an exterior corner of this survey.

**THENCE** with the common line of the northeast right of way of Yorktown Boulevard, said 4.686 acre tract, and this survey, North 61°24'40" West, a distance of 318.68 feet to the **POINT OF BEGINNING** of this tract, and containing 3.618 acres of land, more or less.

Notes:

- 1.) Bearings are based on Global Positioning System NAD 83 (93) 4205 Datum.
- 2.) A Map of equal date accompanies this Metes and Bounds description.
- 3.) Set 5/8" re-bar = re-bar set with yellow plastic cap labeled Brister Surveying.

I, Ronald E. Brister do hereby certify that this survey of the property legally described herein was made on the ground this day April 3, 2018 and is correct to the best of my knowledge and belief.

  
Ronald E. Brister, RPLS No. 5407  
Date: June 27, 2018.



## Exhibit B

Job No. 181143a

