

**Case No. 0318-02 Hooten Family Trust A:
Ordinance rezoning property at or near 6502 and 6630 Agnes Street
from "IL" Light Industrial District to the "IL/SP" Light Industrial
District with a Special Permit with conditions.**

WHEREAS, the Planning Commission has forwarded to the City Council its final report and recommendation regarding the application of Hooten Family Trust A ("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, April 18, 2018, during a meeting of the Planning Commission. The Planning Commission recommended approval of the change of zoning from the "IL" Light Industrial District to the "IL/SP" Light Industrial District with a Special Permit with conditions and on Tuesday, June 12, 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 Hooten Family Trust A ("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 a 145.15 Acre Tract of Land, comprised of portions of Tracts 1 and 2 of the 456.80 Acre V.M. Donigan Partition out of Sections 6 and 7, Range VI, H. L. Kinney Sectionized Lands, as referenced in a Partition and Settlement Deed, recorded in File Number 320003, Volume 501, Page 228, Deed Records of Nueces County, Texas and a 91.36 Acre Tract of Land, being all of a 91.56 Acre Tract of Land as referenced in a Partition and Settlement Deed, recorded in File Number 320003, Volume 501, Page 228, Deed Records of Nueces County, Texas, located on the north side of Agnes Street (State Highway 44), west of Hopkins Road, and east of Bronco Road. (the "Property"), from the "IL" Light Industrial District to the "IL/SP" Light Industrial District with a Special Permit with conditions (Zoning Map No. 054044), as shown in Exhibits "A" and "B". Exhibit A, which is a metes and bounds description of the Property, and Exhibit B, 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 is the wholesale storage and transfer of petroleum based products. No spherical tanks are permitted. All construction including the above ground fuel storage tanks shall be consistent with the attached site plan (Exhibit C), subject to adjustment as may be required to obtain a determination of no

hazard to air navigation and/or flight operations to/from the Corpus Christi International Airport (CCIA) from the Federal Aviation Administration (FAA).

2. **Fire Department Approval:** Development of the Property, including the storage of fuels and blending agents, shall comply with all Fire safety regulations.
3. **Storm Water Detention:**
 - a. The Owner shall construct and maintain necessary storm water facilities designed to a 25-year storm event in a manner that prevents water from standing for longer than 48 hours after the storm and shall remain completely dry between storms. Any storm water conveyance that traverses the Avigation and Hazard Easement shall be a concrete lined open channel. Any storm water detention and conveyance that is a wildlife attractant is prohibited.
 - b. Prior to obtaining building permits or beginning any construction, a Wildlife Hazard Study by a Wildlife Biologist indicating that the proposed storm water facilities in the site plan (Exhibit C) do not increase the potential of a wildlife strike to an aircraft in the approach and departure patterns of runway 18-36 must be submitted to the City's Director of Aviation.
4. **Federal Aviation Administration (FAA):** Prior to obtaining building permits or beginning any construction, a Notice of Proposed Construction or Alteration (Form 7460) shall be submitted and a determination rendered by the FAA of no hazard to air navigation and/or flight operations to/from the Corpus Christi International Airport (CCIA) regarding any construction at the site including each structure, tank, rail line, road, detention pond, lights, or temporary structures such as construction cranes on site.
5. **Corpus Christi International Airport (CCIA) Hazards:**
 - a. **Height:** The maximum height of any structure shall not exceed a 62.5:1 slope from the end of the nearest runway.
 - b. **Lighting:** All lighting shall be shielded toward the site and shall not conflict with airport flight operations.
 - c. **Other Airport Hazards:** No use or activity shall create electrical interference with navigational signals or radio communication between airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.
6. **Land Use Compatibility in Runway Protection Zone:** Excluding ground level rail, no structures including lighting may be constructed in the Runway Protection Zone of the Corpus Christi International Airport, as identified by FAA Advisory Circular AC 150/5300-13A.

7. **Avigation and Hazard Easement:** This ordinance does not waive any rights or authorize or grant any permissions to deviate from the conditions of the Avigation and Hazard Easement granted by the owner to the City. Owner and owner's successors and assigns are still obligated to comply with all requirements of the Avigation and Hazard Easement.
8. **Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, Building, and Fire Code Requirements.
9. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within 24 months of this ordinance unless a complete building permit application has been submitted. The Special Permit shall expire if the 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 7. 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



Job No. 41316.B8.00

March 22, 2018

91.36 Acre Tract (Gross)

89.68 Acres (Net)

STATE OF TEXAS
COUNTY OF NUECES

Fieldnotes, for a 91.36 Acre Tract of Land, being all of Tract 3 of the 456.80 Acre V.M. Donigan Partition out of Sections 6 and 7, Range VI, H. L. Kinney Sectionized Lands, shown by map, made by Blucher Engineering Co. dated January 1951, recorded in Volume 1, Page 49, Miscellaneous Map Records of Nueces County, Texas; same being all of a 91.56 Acre Tract of Land as referenced in a Partition and Settlement Deed, recorded in File Number 320003, Volume 501, Page 228, Deed Records of Nueces County, Texas; also being the same lands described as a 91.390 Acre Tract of Land, described in a Special Warranty Deed from The Frost National Bank, Independent Executor of the Estate of Charles Vartan Walker, deceased, to John P. Hooten, Trustee of the Hooten Family Trust, recorded in Document No. 2007061484, Official Public Records of Nueces County, Texas; the said 91.36 Acre Tract being more fully described as follows:

Beginning at a 60d Nail Found, on the North Right-of-Way Line of a 100.00 Foot Wide Texas Mexican Railroad, for the Southwest corner of a 145.18 Acre Tract, described in a Deed Without Warranty from William D. Walker, Personal Representative of the Estate of Mazie P. Walker, et al to John P. Hooten, Trustee of the Hooten Family Trust A U/T/D May 4, 1984, recorded in Document No. 2014037242, Official Public Records of Nueces County, Texas, for the Southeast corner the said 91.390 Acre Tract, and this Tract;

Thence, South 88°35'36" West, with the said North Right-of-Way Line, the south boundary line of Tract 3, of the said 456.80 Acre V.M. Donigan Partition, and the said 91.390 Acre Tract, 730.59 Feet, to a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CCTX" Set, for the Southwest corner of this Tract, from **Whence**, a 1 Inch Iron Pipe Found, for the Southwest corner of Tract 5, of the said 456.80 Acre V.M. Donigan Partition, bears South 88°35'36" West, 1457.50 Feet;

Thence, North 00°49'08" West, with the common boundary of Tracts 3 and 4, of the said 456.80 Acre V.M. Donigan Partition, the West boundary line of the said 91.390 Acre Tract, at 0.67 Feet, pass a 60D Nail Found, in all 5449.63 Feet, to a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CCTX" Set, for the Northwest corner of this Tract, from **Whence**, a 1-1/4 Inch Iron Pipe Found, for the Northwest corner of the said Tract 4, of the said 456.80 Acre V.M. Donigan Partition, bears South 89°39'56" West, 729.78 Feet;

Thence, North 89°39'56" East, with the North boundary line of the said 91.390 Acre Tract, of the said 456.80 Acre V.M. Donigan Partition, 731.79 Feet, to a 1-1/4 Inch Iron Pipe Found, for the Northwest corner of an 18.80 Acre Tract of the said Tract 2 of the said 456.80 Acre V.M. Donigan Partition, described as Tract II in Special Warranty Deed from Corpus Christi National Bank to Basic Equipment Co., recorded in Volume 2358, Page 892, Deed Records of Nueces County, Texas, for the Northeast corner of this Tract;

Thence, South 00°48'22" East, with the common boundary of Tracts 2 and 3, of the said 456.80 Acre V.M. Donigan Partition, at 1117.53 Feet, pass a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CCTX" Set, for the Southeast corner of the said 18.80 Acre Tract, in all 5435.95 Feet, to the Point of Beginning and, containing 91.36 Acres (3,979,537 Sq.Ft.) of Land, more or less.

SAVE and EXCEPT a 1.68 Acre Tract of Land, described in Warranty Deed (with Mineral Reservation) from The Hooten Family Trust to the City of Corpus Christi, recorded in Document No. 2012017673, Official Public Records of Nueces County, Texas.

Gross Acreage 91.36 Acres and a Net Acreage of 89.68 Acres.

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Save and Except
1.68 Acres

Fieldnotes, for a 1.68 Acre Tract of Land, out of Tract 3 of the 456.80 Acre V.M. Donigan Partition out of Sections 6 and 7, Range VI, H. L. Kinney Sectionized Lands, shown by map, made by Blucher Engineering Co. dated January 1951, recorded in Volume 1, Page 49, Miscellaneous Map Records of Nueces County, Texas; said 1.68 Acre Tract being the same lands described in Warranty Deed (with Mineral Reservation) from The Hooten Family Trust to the City of Corpus Christi, recorded in Document No. 2012017673, Official Public Records of Nueces County, Texas; the said 1.68 Acre Tract being more fully described as follows:

Commencing at a 60d Nail Found, on the North Right-of-Way Line of a 100.00 Foot Wide Texas Mexican Railroad, for the Southwest corner of a 145.18 Acre Tract, described in a Deed Without Warranty from William D. Walker, Personal Representative of the Estate of Mazie P. Walker, et al to John P. Hooten, Trustee of the Hooten Family Trust A U/T/D May 4, 1984, recorded in Document No. 2014037242, Official Public Records of Nueces County, Texas, for the Southeast corner a 91.390 Acre Tract of Land, described in a Special Warranty Deed from The Frost National Bank, Independent Executor of the Estate of Charles Vartan Walker, deceased, to John P. Hooten, Trustee of the Hooten Family Trust, recorded in Document No. 2007061484, Official Public Records of Nueces County, Texas;

Thence, North 00°48'22" West, with the common boundary line of Tracts 2 and 3, of the said 456.80 Acre V.M. Donigan Partition, and the said 91.390 Acre Tract and 145.18 Acre Tract, 451.20 Feet, to a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CCTX" Set, for the **Point of Beginning** and a corner of this Tract;

Thence, over and across the said 91.36 Acre Tract and Tract 3 as follows:

- South 88°38'28" West, 156.70 Feet, to a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CCTX" Set;
- South 01°21'32" East, 404.34 Feet, to a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CCTX" Set, for the Southeast corner of this Tract;
- South 88°38'28" West, 100.00 Feet, to a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CCTX" Set, for the Southwest corner of this Tract;
- North 01°21'32" West, 792.00 Feet, to a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CCTX" Set, for the Northwest corner of this Tract;
- North 88°38'28" East, 65.00 Feet, to a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CCTX" Set, for the Northeast corner of this Tract;
- South 01°21'36" East, 57.00 Feet, to a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CCTX" Set;
- South 01°21'32" East, 290.66 Feet, to a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CCTX" Set;
- North 88°38'28" East, 192.08 Feet, to a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CCTX" Set;

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Thence, South 00°48'22" East, 40.00 Feet, to the Point of Beginning and, containing 1.68 Acres (73,308 Sq.Ft.) of Land, more or less.

Grid Bearings and Distances shown hereon are referenced to the Texas Coordinate System of 1983, Texas South Zone 4205, and are based on the North American Datum of 1983(2011) Epoch 2010.00.

Unless this fieldnotes description, including preamble, seal and signature, appears in its entirety, in its original form, surveyor assumes no responsibility for its accuracy. *Also reference accompanying sketch of tract described herein.*



URBAN ENGINEERING

James D. Carr
James D. Carr, R.P.L.S.
License No. 6458

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