

Case No. 0918-02 Rakesh Patel:
Ordinance rezoning property at or near 15621 and 15625 South Padre Island Drive from “CR-2/IO” Resort Commercial District with the Island Overlay to the “CR-2/IO/SP” Resort Commercial District with the Island Overlay and a Special Permit.

WHEREAS, the Planning Commission has forwarded to the City Council its final report and recommendation regarding the application of Rakesh Patel, Lina Patel, and Daxa Kumar (“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, September 19, 2018, during a meeting of the Planning Commission. The Planning Commission recommended denial of the change of zoning from the “CR-2/IO” Resort Commercial District with the Island Overlay to the “IL” Light Industrial District, in lieu thereof, approval of the “CR-2/IO/SP” Resort Commercial District with the Island Overlay and a Special Permit (SP) with conditions and on Tuesday, October 23, 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 Rakesh Patel, Lina Patel, and Daxa Kumar (“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 Lots 5A and 6A, Block 15, Padre Island located on the west side of South Padre Island Drive, south of Whitecap Boulevard, and north of Encantada Avenue (the “Property”), from the “CR-2/IO” Resort Commercial District with the Island Overlay to the “CR-2/IO/SP” Resort Commercial District with the Island Overlay and with a Special Permit (Zoning Map No. 029024), as shown in Exhibits “A” and “B”. Exhibit A, which is a map of the property, and Exhibit B, which is a site plan, 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, food locker, household moving and general freight storage, milk distributing station, produce and storage warehouse, truck or transfer terminal, and warehouse used for storage of retail goods.

2. **Outdoor Storage**: Outdoor storage is permitted and must remain screened at all times. Storage includes trailers, construction equipment, aggregate materials, and other items related to a landscaping business. Piles of loose aggregate materials shall be no taller than 6-feet in height. Any dumpsters must be screened from view of the public.
3. **Screening Fence**: A solid screening fence at minimum of six (6) feet shall be installed and maintained to provide a visual barrier around the perimeter of the property.
4. **Landscaping**: Landscaping shall be installed in accordance with the requirements of the Unified Development Code (UDC) along South Padre Island Drive (Park Road 22).
5. **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.
6. **Noise**: Noise regulations shall be subject to Section 31-3 of the Municipal Code. Outside paging, speakers, telephone bells, or similar devices are prohibited.
7. **Hours of Operation**: Business may only be conducted daily between the hours of 6:00 AM to 9:00 PM. All deliveries must occur within these operating hours.
8. **Other Requirements**: The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, Building, and Fire Code Requirements.
9. **Island Overlay**: The construction or installation of a storage shed as identified shall be exempt from the conditions of the Island Overlay as described in Section 6.4 of the Unified Development Code (UDC). Construction or installation of an office shall conform to the requirements of the Island Overlay.
10. **Time Limit**: In accordance with the UDC, this Special Permit shall be deemed to have expired within twelve (12) months of this ordinance, unless a complete building permit application has been submitted, a certificate of occupancy or a letter of UDC compliance has been issued, and 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



