

**Case No. 1118-01 Kyle McGee:  
Ordinance rezoning property at or near 6402 Holly Road from the  
“CG-2” General Commercial District to the “CG-2/SP” General  
Commercial District with a Special Permit**

**WHEREAS**, the Planning Commission has forwarded to the City Council its final report and recommendation regarding the application of Kyle McGee (“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, November 14, 2018, during a meeting of the Planning Commission. The Planning Commission recommended approval of the change of zoning from the “CG-2” General Commercial District to the “CG-2/SP” General Commercial District with a Special Permit and on Tuesday, January 15, 2019, 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 Kyle McGee (“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 0.02 acres out of Lot 1A, Tract 1, Candlewood Annex, located on the north side of Holly Road, east of Airline Road, and west of Woodbend Drive (the “Property”), from “CG-2” General Commercial District to the “CG-2/SP” General Commercial District with a Special Permit (Zoning Map No. 042034), as shown in Exhibits “A” and “B”. Exhibit A, 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. **Use:** The only use permitted under this Special Permit, other than those permitted by right in the “CG-2” General Commercial District, is a wireless telecommunication facility of 120-feet in height.
2. **Access:** Access and placement shall be as per the site plan setback.
3. **Telecommunications Tower Standards:** The wireless communication tower is subject to all requirements of Section 5.5 of the Unified Development Code (UDC). These standards pertain to setbacks, screening, landscaping, and lighting.
4. **Other Requirements:** The Special Permit conditions listed herein do not preclude compliance with other applicable UDC, Building, and Fire Code Requirements.

5. **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, 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.

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That the foregoing ordinance was read for the first time and passed to its second reading on this the \_\_\_\_\_ day of \_\_\_\_\_, 2019, by the following vote:

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

Michael Hunter \_\_\_\_\_

Roland Barrera \_\_\_\_\_

Ben Molina \_\_\_\_\_

Rudy Garza \_\_\_\_\_

Everett Roy \_\_\_\_\_

Paulette M. Guajardo \_\_\_\_\_

Greg Smith \_\_\_\_\_

Gil Hernandez \_\_\_\_\_

That the foregoing ordinance was read for the second time and passed finally on this the \_\_\_\_\_ day of \_\_\_\_\_ 2019, by the following vote:

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

Michael Hunter \_\_\_\_\_

Roland Barrera \_\_\_\_\_

Ben Molina \_\_\_\_\_

Rudy Garza \_\_\_\_\_

Everett Roy \_\_\_\_\_

Paulette M. Guajardo \_\_\_\_\_

Greg Smith \_\_\_\_\_

Gil Hernandez \_\_\_\_\_

PASSED AND APPROVED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ATTEST:

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

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

# Exhibit A

## 30' x 30' LEASE AREA (AS-SURVEYED)

A portion of the Kyle McGee and Lisa D. McGee tract as Tract 1 in Candlewood Annex described in Volume 34, Page 36 as recorded in Map Records Office for Nueces County, Texas, situated in Candlewood Annex in said County and being more particularly described as follows:  
 COMMENCING at a 5/8" rebar found marking the Southwest corner of said Tract 1 and on the Northerly right-of-way line of Holly Road, Thence along the Westerly line of said tract, N 28°15'23" E a distance of 266.25 feet to a point; Thence leaving said Westerly line, S 61°44'16" E a distance of 190.98 feet to a set 5/8" rebar and the POINT OF BEGINNING; Thence S 61°44'16" E a distance of 30.00 feet to a set 5/8" rebar; Thence S 28°15'44" W a distance of 30.00 feet to a set 5/8" rebar; Thence N 61°44'16" W a distance of 30.00 feet to a set 5/8" rebar; Thence N 28°15'44" E a distance of 30.00 feet to the POINT OF BEGINNING. Containing 900.00 square feet (0.02 acres) of land more or less.




### SURVEYOR'S CERTIFICATION

I certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Texas to the best of my knowledge, information, and belief.

*William H. Somerville, III*  
 William H. Somerville, III  
 Texas License No. 6094

PROJECT NO. 18-10022

 <b>ENGINEERING GROUP, INC.</b>	<b>SMW Engineering Group, Inc.</b> 158 Business Center Drive Birmingham, Alabama 35244 Ph: 205-252-6985 www.smweng.com		<b>TYPE OF SURVEY</b> EXHIBIT																		
	<b>CLIENT</b> APC TOWERS 3000 AERIAL CENTER PARKWAY SUITE 110 MORRISVILLE, NC 27560		<b>REVISIONS</b>																		
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10/30/18	JR	AAK	1"=50'																		

# Exhibit B

