

**Case No. 1118-02 Charles L. Kosarek, Jr and Dane Casey Holdings,
LLC: Ordinance rezoning property at or near 6001 Crosstown
Expressway (State Highway 286) from the “RS-6” Single-Family 6
District and “ON” Neighborhood Office District to the “ON”
Neighborhood Office District, the “CN-1” Neighborhood Commercial
District, and the “CC” Commercial Compatible District**

WHEREAS, the Planning Commission has forwarded to the City Council its final report and recommendation regarding the application of Charles L. Kosarek, Jr and Dane Casey Holdings, LLC (“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, January 9, 2019, 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 and “ON” Neighborhood Office District to the “ON” Neighborhood Office District, the “CN-1” Neighborhood Commercial District, and the “CC” Commercial Compatible District and on Tuesday, February 12, 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 Charles L. Kosarek, Jr and Dane Casey Holdings, LLC (“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 28.29 acres out of Lot 2, Section 7, Bohemian Colony Lands, located on the west side of the Crosstown Expressway, south of Holly Road, and north of Saratoga Boulevard (State Highway 357) (the “Property”), from the “RS-6” Single-Family 6 District and “ON” Neighborhood Office District to the “ON” Neighborhood Office District (Tract 1), the “CN-1” Neighborhood Commercial District (Tract 2), and the “CC” Commercial Compatible District (Tract 3) (Zoning Map No. 049037), as shown in Exhibits “A”, “B”, and “C”. Exhibit A, is a metes and bounds description and map of Tract 1 of the Property, and Exhibit B, is a metes and bounds description and map of Tract 2 of the Property, and Tract C, is a metes and bounds description and map of Tract 3 of the Property. All are attached to and incorporated in this ordinance by reference as if fully set out herein in their entireties.

SECTION 2. The official UDC Zoning Map of the City is amended to reflect changes made to the UDC by Section 1 of this ordinance.

SECTION 3. 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 4. 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 5. 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.

K:\DevelopmentSvcs\SHARED\ZONING CASES\2019\1118-02 Charles L. Kosarek, Jr and Dane Casey Holdings, LLC\Council Documents\Ordinance_1118-02 Charles L. Kosarek, Jr and Dane Casey Holdings, LLC.docx

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



Job No. 4916.B8.05
December 6, 2018

Exhibit A
18.19 Acre
Zoning Tract

STATE OF TEXAS
COUNTY OF NUECES

Fieldnotes, for a 18.19 Acre Zoning Tract, situated in Lot 2, Section 7, Bohemian Colony Lands, a map of which is recorded in Volume A, Page 48, Map Records of Nueces County, Texas; said 18.19 Acre Zoning Tract being over and across Share Number Two "Tract B" and Share Number Three "Tract C", as described in a Partition Deed, recorded in Document Number 2017012959, Official Public Records of Nueces County, Texas; said 18.19 Acre Zoning Tract being more fully described as follows:

Commencing, at a 5/8 Inch Iron Rod with plastic cap stamped "Bass & Welsh Engineering" Found, on the Northwest Right-of-Way line of Crosstown Expressway, for a common corner of Share Number Three "Tract A", of the said Partition Deed and the said Tract B, from **Whence** a TxDot Monument Found (Type II), for a corner of the said Tract B, bears South 29°49'47" West, 59.40 Feet;

Thence, North 61°53'45" West, with the common boundary line of the said Tract A and the said Tract B, 296.84 Feet, to the **Point of Beginning**;

Thence, South 29°21'57" West, over and across the said Tract B and Tract C, 548.73 Feet, to the beginning of a circular curve to the Left, having a delta of 8°35'14", a radius of 3,234.98 Feet, an arc length of 484.84 Feet, and a chord which bears South 74°58'12" West, 484.38 Feet;

Thence, with the said circular curve to the Left, 484.84 Feet, to the common boundary line of a 7.24 Acre Tract of land described in a Warranty Deed from to Morteza Shafinury and Mostafa Bighamian, as recorded in Document Number 2014009539, said Official Public Records, and the said Tract C;

Thence, North 61°53'45" West, with the said common boundary line, 631.23 Feet, to the West corner of the said Tract C;

S:\Surveying\4916\B805\OFFICE\METES AND BOUNDS\FN4916B805_20181205_ON DISTRICT.DocxPage 1 of 2

OFFICE: (361)854-3101 2725 SWANTNER DR. • CORPUS CHRISTI, TEXAS 78404 FAX (361)854-6001
www.urbaneng.com
TBPE Firm # 145 • TBPLS Firm # 10032400

Thence, North 28°36'28" East, 369.46 Feet, to a North corner of the said Tract C, on the South Right-of-Way line of Martin Street, a 60 Foot wide public Roadway, shown in Los Encinos School Tract, as recorded in Volume 68, Page 576, said Map Records, for the beginning of a circular curve to the Left, having a delta of 54°47'37", a radius of 59.01 Feet, an arc length of 56.44 Feet, and a chord which bears North 56°00'34" East, 54.31 Feet;

Thence, with the said South Right-of-Way line, the said Tract C and the said circular curve to the Left, 56.44 Feet;

Thence, North 28°36'32" East, with the Southeast Right-of-Way line of the said Martin Street, at 19.07 Feet pass a 5/8 Inch Iron Rod Found, for a common corner of the said Tract B and said Tract C, in all 462.35 Feet, to a 5/8 Inch Iron Rod Found with red plastic cap stamped "URBAN ENGR CCTX" Found, for a common corner of the said Tract A and said Tract B;

Thence, South 61°53'45" East, with the common boundary line of the said Tract A and said Tract B, 964.05 Feet, to the **Point of Beginning**, containing 18.19 Acres (792,370 SqFt) 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.*

"This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."



URBAN ENGINEERING

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

S:\Surveying\4916\B805\OFFICE\METES AND BOUNDS\FN4916B805_20181205_ON DISTRICT.DocxPage 2 of 2

OFFICE: (361)854-3101 2725 SWANTNER DR. • CORPUS CHRISTI, TEXAS 78404 FAX (361)854-6001
www.urbaneng.com
TBPE, Firm # 145 • TBPLS Firm # 10032400

General Notes:

- 1.) 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. (Record Bearing/Distance)
- 2.) Some features shown on this Survey may be out of scale for clarity.
- 3.) This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Exhibit B Sketch to Accompany

Fieldnotes, for a 18.19 Acre Zoning Tract, situated in Lot 2, Section 7, Behrman Colony Lands, a map of which is recorded in Volume A, Page 48, Map Records of Nueces County, Texas, said 18.19 Acre Zoning Tract being over and across Shore Number Two "Tract B" and Shore Number Three "Tract C", as described in a Partition Deed, recorded in Document Number 2017012959, Official Public Records of Nueces County, Texas.

REMAINDER OF A 45.316 ACRE
TRACT DOC. NO. 2014045952
O.P.R.N.C.T.
OWNER: SEASIDE BUILDERS, LLC



LINE	BEARING	DIST.	AREA
1	N 28°36'28" E	369.46'	12.809 ACRES
2	N 61°53'45" W	631.23'	12.809 ACRES
3	S 29°21'57" W	548.73'	12.809 ACRES
4	S 61°53'45" E	964.05'	12.809 ACRES
5	N 28°36'32" E	462.35'	12.809 ACRES
6	N 61°53'45" W	631.23'	12.809 ACRES
7	S 29°21'57" W	548.73'	12.809 ACRES
8	S 61°53'45" E	964.05'	12.809 ACRES
9	N 28°36'32" E	462.35'	12.809 ACRES
10	N 61°53'45" W	631.23'	12.809 ACRES
11	S 29°21'57" W	548.73'	12.809 ACRES
12	S 61°53'45" E	964.05'	12.809 ACRES
13	N 28°36'28" E	369.46'	12.809 ACRES

- LEGEND:
- 5/8" INCH IRON ROD WITH RED PLASTIC CAP STAMPED
 - 5/8" INCH IRON ROD WITH CAP STAMPED
 - BRASS AND WELSH ENGINEERING FOUND
 - TWOOT MONUMENT FOUND (TYPE II)

7.24 ACRE TRACT
(OWNER: MORTIEZA SHAFINURY and MOSTAFA BIGHAMIAN)
(DOC. NO. 2014008539, O.P.R.N.C.T.)



S:\Surveying\14916\8805\EX49168805_20181129_SRP_ON DISTRICT 2.dwg

DATE: DEC. 6, 2018
SCALE: 1"=200'
JOB NO.: 4916.88.05
SHEET: 1 OF 1
DRAWN BY: C.SRP
info@urbanengineering.com
© 2018 by Urban Engineering

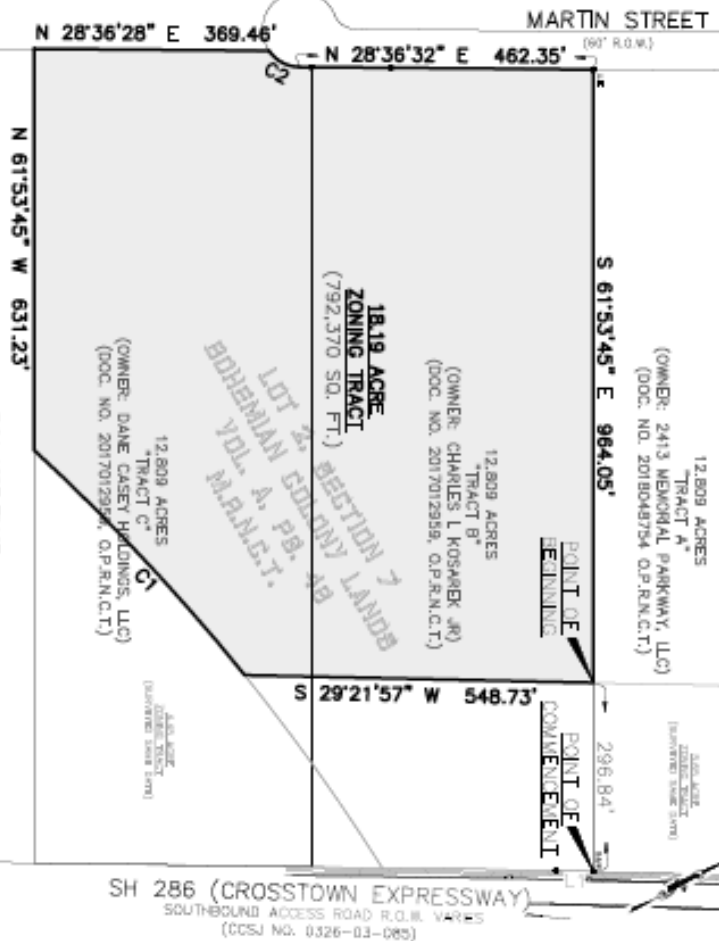


Exhibit B



Job No. 4916.B8.05
Revised: December 6, 2018

Exhibit A 5.65 Acre Zoning Tract

STATE OF TEXAS
COUNTY OF NUECES

Fieldnotes, for a 5.65 Acre Zoning Tract, situated in Lot 2, Section 7, Bohemian Colony Lands, a map of which is recorded in Volume A, Page 48, Map Records of Nueces County, Texas; said 5.65 Acre Zoning Tract being over and across Share Number One "Tract A", Share Number Two "Tract B" and Share Number Three "Tract C", as described in a Partition Deed, recorded in Document Number 2017012959, Official Public Records of Nueces County, Texas; said 5.65 Acre Zoning Tract being more fully described as follows:

Commencing, at a TxDot Monument Found (Type II), on the Northwest Right-of-Way line of Crosstown Expressway, for the East corner of the said Tract A;

Thence, South 29°49'47" West, with the common boundary line of the said Crosstown Expressway and the said Tract A, 50.00 Feet, to the **Point of Beginning**;

Thence, South 29°49'47" West, with the said common boundary line, 390.75 Feet, to a 5/8 Inch Iron Rod with plastic cap stamped "Bass & Welsh Engineering" Found, for a common corner of the said Tract A and the said Tract B;

Thence, South 29°50'14" West, with the common boundary line of the said Crosstown Expressway and the said Tract B, 59.40 Feet, to TxDot Monument Found (Type II), for a corner of the said Tract B;

Thence, South 28°56'02" West, continuing with the said common boundary line, 272.69 Feet, to a point, for the beginning of a circular curve to the Left, having a delta of 6°36'09", a radius of 3,234.98 Feet, an arc length of 372.79 Feet, and a chord which bears South 82°33'53" West, 372.58 Feet;

Thence, over and across the said Tract B, Tract C and with the said circular curve to the Left, 372.79 Feet;

S:\Surveying\4916\B805\OFFICE\METES AND BOUNDS\FN4916B805_20181130_CN-1 DISTRICT_5.65AC.Docx
Page 1 of 2

OFFICE: (361)854-3101 2725 SWANTNER DR. • CORPUS CHRISTI, TEXAS 78404 FAX (361)854-6001
www.urbaneng.com
TBPE Firm # 145 • TBPLS Firm # 10032400

Thence, North 29°21'57" East, over and across the said Tract A, said Tract B and said Tract C, 939.54 Feet, to a point, for the North corner of this Zoning Tract;

Thence, South 61°52'10" East, over and across the said Tract A, 300.00 Feet, to the **Point of Beginning**, containing 5.65 Acres (246,247 SqFt) 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.*

"This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."



URBAN ENGINEERING

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

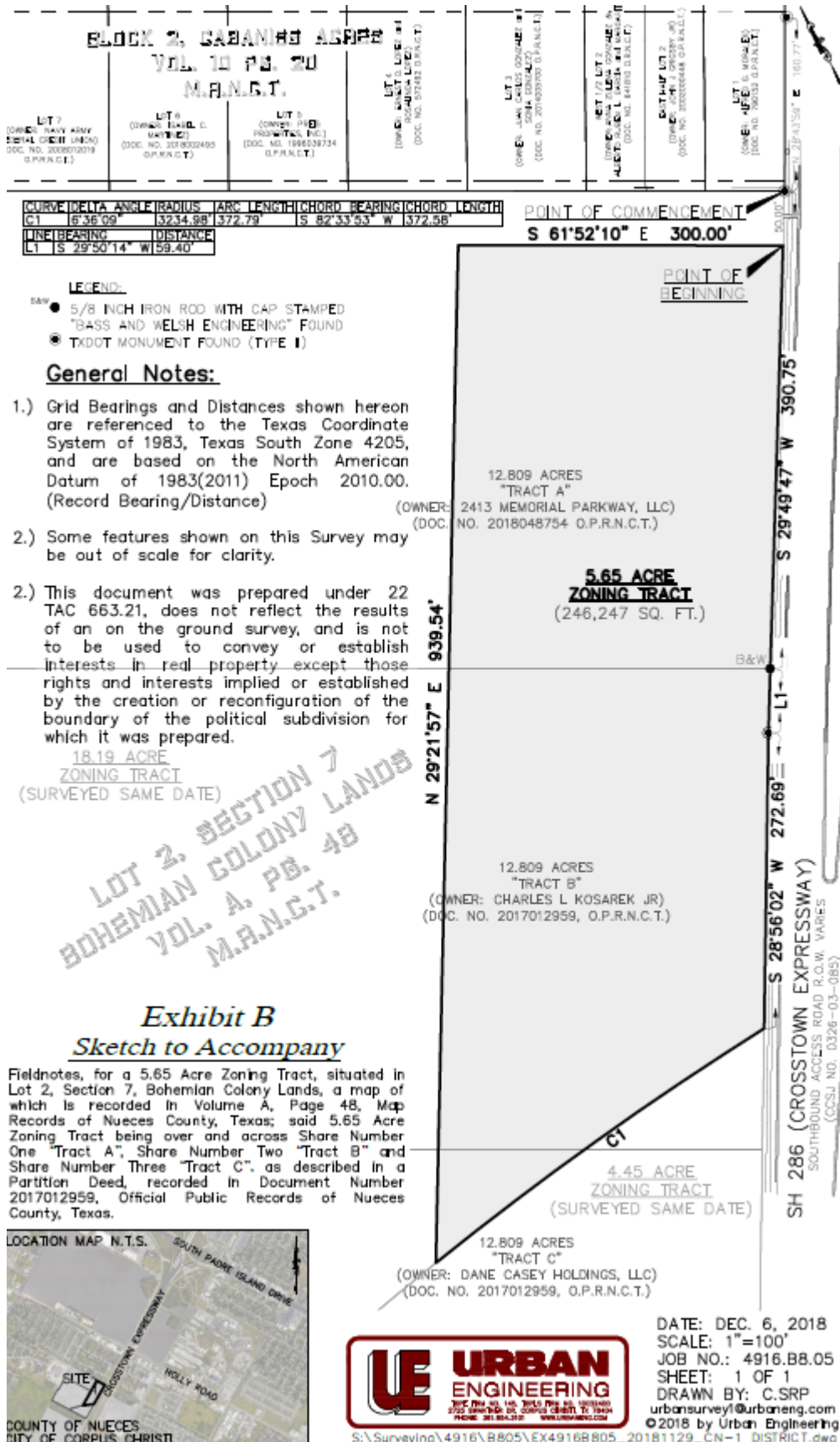


Exhibit C



Job No. 4916.B8.05
December 6, 2018

Exhibit A 4.45 Acre Zoning Tract

STATE OF TEXAS
COUNTY OF NUECES

Fieldnotes, for a 4.45 Acre Zoning Tract, situated in Lot 2, Section 7, Bohemian Colony Lands, a map of which is recorded in Volume A, Page 48, Map Records of Nueces County, Texas; said 4.45 Acre Zoning Tract being over and across Share Number Two "Tract B" and Share Number Three "Tract C", as described in a Partition Deed, recorded in Document Number 2017012959, Official Public Records of Nueces County, Texas; said 4.45 Acre Zoning Tract being more fully described as follows:

Commencing, at a 5/8 Inch Iron Rod with plastic cap stamped "Bass & Welsh Engineering" Found, on the Northwest Right-of-Way line of Crosstown Expressway, for a common corner of the Share Number One "Tract A", of the said Partition Deed and the said Tract B;

Thence, South 29°49'47" West, with the common boundary line of the said Crosstown Expressway and the said Tract B, 59.40 Feet, to a TxDot Monument Found (Type II), for a corner of the said Tract B;

Thence, South 28°56'02" West, continuing with the said common boundary line, 272.69 Feet, to the **Point of Beginning**;

Thence, South 28°56'02" West, continuing with the said common boundary line and the Southeast boundary line of the said Tract C, 547.80 Feet, to the East corner of a 7.24 Acre Tract of land described in a Warranty Deed from to Morteza Shafinury and Mostafa Bighamian, as recorded in Document Number 2014009539, said Official Public Records;

Thence, North 61°53'45" West, with the common boundary line of the said 7.24 Acre Tract, and the said Tract C, 648.72 Feet, to the beginning of a circular curve to the Right, having a delta of 15°11'23", a radius of 3,234.98 Feet, an arc length of 857.62 Feet, and a chord which bears North 78°16'17" East, 855.11 Feet;

S:\Surveying\4916B805\OFFICE\METES AND BOUNDS\FN4916B805_20181130_CC DISTRICT.DocxPage 1 of 2

OFFICE: (361)854-3101 2725 SWANTNER DR. • CORPUS CHRISTI, TEXAS 78404 FAX (361)854-6001
www.urbaneng.com
TBPE Firm # 145 • TBPLS Firm # 10032400

Thence, over and across the said Tract B, Tract C and with the said circular curve to the Right, 857.62 Feet, to the **Point of Beginning**, containing 4.45 Acres (193,859 SqFt) 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.*

"This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."



URBAN ENGINEERING

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

S:\Surveying\4916\B805\OFFICE\METES AND BOUNDS\FN4916B805_20181130_CC DISTRICT.DocxPage 2 of 2

OFFICE: (361)854-3101 2725 SWANTNER DR. • CORPUS CHRISTI, TEXAS 78404 FAX (361)854-6001
www.urbaneng.com
TBPE, Firm # 145 • TBPLS Firm # 10032400

General Notes:

- 1.) 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. (Record Bearing/Distance)
- 2.) Some features shown on this Survey may be out of scale for clarity.
- 3.) This document was prepared under 22 TAC 563.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

LINE	BEARING	DISTANCE
L1	S 29°49'47" W	59.40'

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	15°11'23"	3234.98'	857.62'	N 78°16'17" E	855.11'

LEGEND:

- 5/8 INCH IRON ROD WITH CAP STAMPED "BASS AND WELSH ENGINEERING" FOUND
- TXDOT MONUMENT FOUND (TYPE II)

18.19 ACRE
ZONING TRACT
(SURVEYED SAME DATE)

18.19 ACRES
ZONING TRACT
(SURVEYED SAME DATE)

LOT 2, SECTION 7
BOHEMIAN COLONY LANDS
VOL. A, PG. 48
M.A.N.C.T.

C1

12.809 ACRES
"TRACT C"
(OWNER: DANE CASEY HOLDINGS, LLC)
(DOC. NO. 2017012959, O.P.R.N.C.T.)

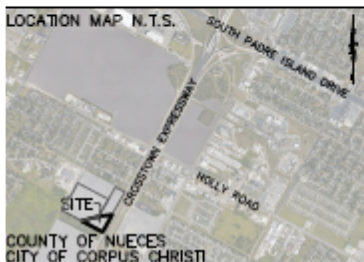
4.45 ACRE
ZONING TRACT
(193,859 SQ. FT.)

N 61°53'45" W 648.72'

7.24 ACRE TRACT
(OWNER: MORTEZA SHAFINURY and MOSTAFA BIGHAMIAN)
(DOC. NO. 2014009539, O.P.R.N.C.T.)

Exhibit B

Sketch to Accompany



Fieldnotes, for a 4.45 Acre Zoning Tract, situated in Lot 2, Section 7, Bohemian Colony Lands, a map of which is recorded in Volume A, Page 48, Map Records of Nueces County, Texas; said 4.45 Acre Zoning Tract being over and across Share Number Two "Tract B" and Share Number Three "Tract C", as described in a Partition Deed, recorded in Document Number 2017012959, Official Public Records of Nueces County, Texas.



DATE: DEC. 6, 2018
SCALE: 1"=100'
JOB NO.: 4916.B8.05
SHEET: 1 OF 1
DRAWN BY: C.SRP
urbansurvey1@urbaneng.com
© 2018 by Urban Engineering
129_SRP_CC_DISTRICT.dwg

S:\Surveying\4916\B805\EX4916B805_20181129_SRP_CC DISTRICT.dwg