

Case No. 0221-01, Adhub, LLC.: (District 3) Ordinance rezoning property at or near 502 South Clarkwood Road (Farm to Market Road 2292) from the “RS-6” Single Family 6 District to the “IC/SP” Industrial Compatible District with a Special Permit

WHEREAS, with proper notice to the public, a public hearing was held during a meeting of the Planning Commission during which all interested persons were allowed to be heard;

WHEREAS, the Planning Commission has forwarded to the City Council its final report and recommendation regarding the application 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 during a meeting of the City Council, during which all interested persons were allowed to be heard;

WHEREAS, the City Council has determined that this rezoning is not detrimental to the public health, safety, or general welfare of the City of Corpus Christi and its citizens; and

WHEREAS, the City Council finds that this rezoning will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Corpus Christi.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:

SECTION 1. The Unified Development Code (“UDC”) and corresponding UDC Zoning Map of the City of Corpus Christi, Texas is amended by changing the zoning on the subject property described as being a 30.77 acre tract as described in a deed recorded in Volume 1911, Page 207, Deed Records Nueces County, Texas. Said 30.77 acre tract being out of the Thomas Gallagher (400) Acre Survey, Patent No. 359, Volume 37, Abstract No. 988, and also being out of a portion of Section 402, Beaty, Seale and Forwood Certificate No. 1739 as shown in Exhibit “A”:

from the “RS-6” Single-Family 6 District to the “IC/SP” Industrial Compatible District with a Special Permit.

The subject property is located at or near 502 South Clarkwood Road (Farm to Market Road 2292). Exhibit A, Exhibit A, which is the Metes and Bounds of the subject property with an associated map attached to and incorporated in this ordinance.

SECTION 2. The Special Permit granted in Section 1 of this ordinance is subject to the Owner following the conditions listed below:

1. **Height:** The maximum height of any structure shall not exceed 35 feet. Stacking containers shall not exceed three containers high.

2. **Buffer Yard**: The required buffer yard along the southern property line shall be 15-feet in width and must include a solid screening fence at least 6-feet in height along the property line.
3. **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 or temporary structures such as construction cranes on site.
4. **Time Limit**: In accordance with the UDC, this Special Permit shall be deemed to have expired within 12 months of this ordinance unless a complete building permit application has been submitted, and/or the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

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 including the penalties for violations as made and provided for in Article 10 of the UDC.

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 subject property that are in conflict with this ordinance are hereby expressly repealed.

SECTION 6. A violation of this ordinance, or requirements implemented under this ordinance, constitutes an offense punishable as provided in Article 1, Section 1.10.1 of the UDC, Article 10 of the UDC, and/or Section 1-6 of the Corpus Christi Code of Ordinances.

SECTION 7. Publication shall be made in the official publication of the City of Corpus Christi as required by the City Charter of the City of Corpus Christi.

SECTION 8. This ordinance shall become effective upon publication.

That the foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 2021, by the following vote:

Paulette M. Guajardo _____	John Martinez _____
Roland Barrera _____	Ben Molina _____
Gil Hernandez _____	Mike Pusley _____
Michael Hunter _____	Greg Smith _____
Billy Lerma _____	

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____ 2021, by the following vote:

Paulette M. Guajardo _____	John Martinez _____
Roland Barrera _____	Ben Molina _____
Gil Hernandez _____	Mike Pusley _____
Michael Hunter _____	Greg Smith _____
Billy Lerma _____	

PASSED AND APPROVED on this the _____ day of _____, 2021.

ATTEST:

Rebecca Huerta
City Secretary

Paulette M. Guajardo
Mayor

Exhibit A

STATE OF TEXAS COUNTY OF NUECES

EXHIBIT FOR REZONING PURPOSE ONLY

Field notes of a 30.77 acre tract as described in a deed recorded in Volume 1911, Page 207, Deed Records Nueces County, Texas. Said 30.77 acre tract being out of the Thomas Gallagher (400) Acre Survey, Patent No. 359, Volume 37, Abstract No. 988, and also being out of a portion of Section 402, Beaty, Seale and Forwood Certificate No. 1739. Said 30.77 acre tract being more particularly described as follows.

COMMENCING at the intersection of the south right of way of Agnes Street and the east right of way of South Clarkwood Road, (A.K.A. Farm to Market 2292), **THENCE** with the east right of way of South Clarkwood Road, South 00°28'00" East, a distance of 820 feet to a 3/8" iron rod in the east right of way of South Clarkwood Road, for the southwest corner of a 100 foot drainage ditch, for the northwest corner of this tract and for the **POINT of BEGINNING**.

THENCE with the common line of said 100 foot drainage ditch and this tract, North 89°22'00" East, a distance of 1217.48 feet to a 5/8" iron rod for the southeast corner of said 100 foot drainage ditch, in the west line of the 1.25 acre City of Corpus Christi tract as described in a deed recorded in Volume 1429, Page 367, Deed Records Nueces County, Texas, and for the northeast corner of this tract.

THENCE with the common line of said 1.25 acre tract and this tract, South 00°43'00" East, a distance of 1,103.07 feet to a 5/8" iron rod in the west line of said 1.25 acre tract, for the northeast corner of the 15.87 acre Yiu, Inc. tract as described in a deed recorded in Document No. 2008010684, Official Records Nueces County, Texas, and for the southeast corner of this tract.

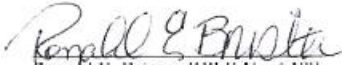
THENCE with the common line of said 15.87 acre tract and this tract, South 89°22'00" West, a distance of 1212.67 feet to a 5/8" iron rod in the east right of way of South Clarkwood Road, for the northwest corner of said 15.87 acre tract, and for the southwest corner of this tract.

THENCE with the common line of the east right of way of South Clarkwood Road and this tract, North 00°28'00" West, a distance of 1103.07 feet to the **POINT of BEGINNING**, and containing 30.77 acres of land, more or less.

Notes:

- 1.) Bearings are based on recorded deeds for 30.77 acre tract Volume 1911, Page 207, Deed Records Nueces County, Texas.
- 2.) This metes and bounds description was made in office using the deed for the 30.77 acre tract described above.
- 3.) Exhibit for rezoning purpose only.

I, Ronald E. Brister do hereby certify that this exhibit of the property legally described herein is correct to the best of my knowledge and belief.


Ronald E. Brister, RPLS No. 5407
Date: December 1, 2020.



Job No. 202819

EXHIBIT FOR REZONING
A 30.77 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN VOLUME 1911, PAGE 207, DEED RECORDS NUECES COUNTY, TEXAS. SAID 30.77 ACRE TRACT BEING OUT OF THE THOMAS GALLAGHER (400) ACRE SURVEY, PATENT NO. 359, VOLUME 37, ABSTRACT NO. 988, AND ALSO BEING OUT OF A PORTION OF SECTION 402, BEATY, SEALE AND FORWOOD CERTIFICATE NO. 1739.

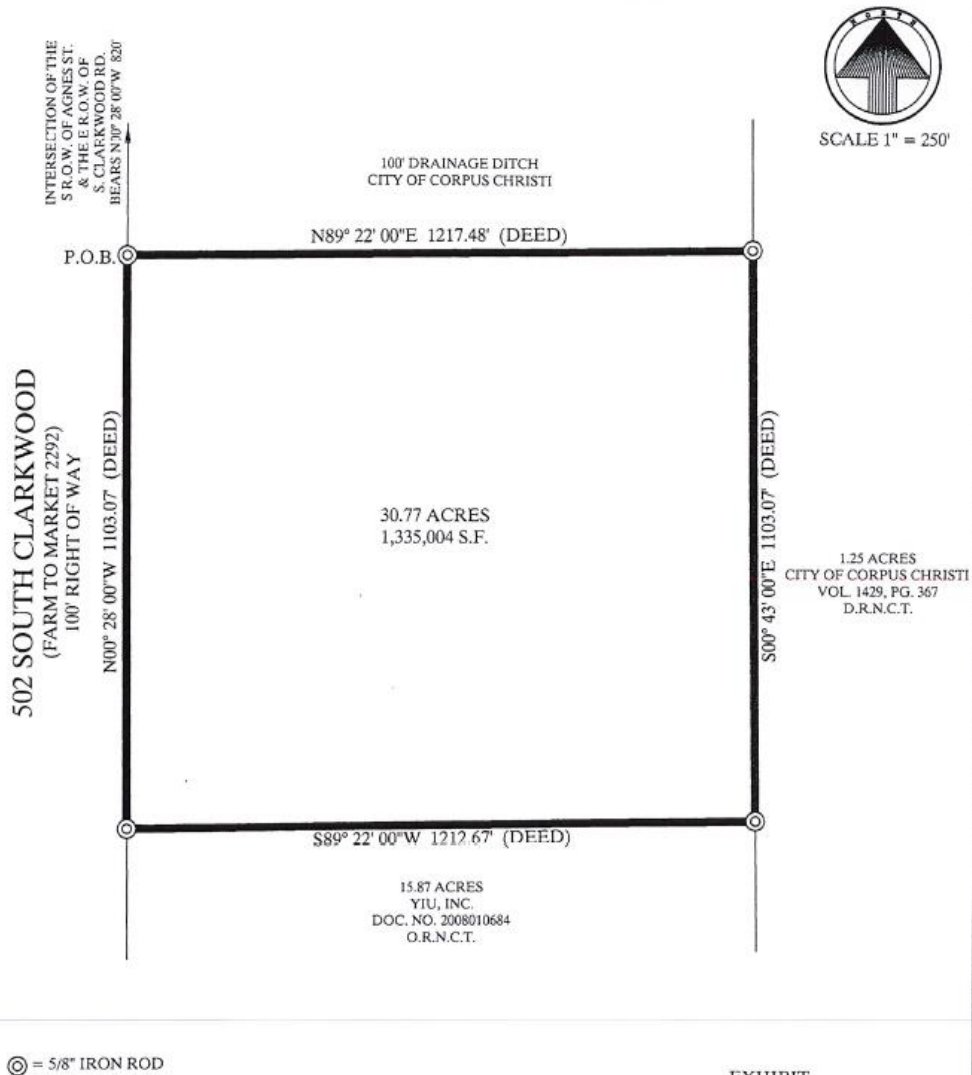


EXHIBIT _____ PAGE 2 OF 2



Brister Surveying

4455 South Padre Island Drive Suite 51
Corpus Christi, Texas 78411
Off 361-850-1800
Fax 361-850-1802
Bristersurveying@corpuslwebc.com
Firm Registration No. 10072800

NOTES:

- 1.) TOTAL AREA IS 30.77 ACRES.
- 2.) BEARINGS ARE BASED ON RECORDED DEED FOR 30.77 ACRE TRACT, VOLUME 1911, PAGE 207, DEED RECORDS NUECES COUNTY, TEXAS.
- 3.) A METES AND BOUNDS DESCRIPTION OF EQUAL DATE ACCOMPANIES THIS EXHIBIT.



THIS EXHIBIT DOES NOT INCLUDE THE RESEARCH, INVESTIGATION, OR LOCATIONS OF ALL SERVITUDES, EASEMENTS, RIGHT OF WAYS, OR UTILITIES ON THIS PROPERTY.

I, RONALD E. BRISTER DO HEREBY CERTIFY THAT THIS EXHIBIT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Ronald E. Brister
RONALD E. BRISTER R.P.L.S. NO. 5407

SURVEY DATE: DECEMBER 1, 2020

JOB NO. 202819