

## **ORDINANCE NO. 2169**

**AN ORDINANCE REZONING AN APPROXIMATELY 4.81 ACRE TRACT OF LAND, COMPRISING BLOCK 1, LOTS 4A AND 6, BLOCK 5, LOT 4, AND BLOCK 2, LOTS 1 AND 2; FROM P, PROFESSIONAL OFFICE DISTRICT, TO C-R, RETAIL COMMERCIAL DISTRICT, AT THE REQUEST OF SAN PATRICIO/JALISCO JOINT VENTURE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; ESTABLISHING A PENALTY AND SPECIFICALLY NEGATING A REQUIREMENT OF A CULPABLE MENTAL STATE; PROVIDING AND ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION**

**WHEREAS** San Patricio/Jalisco Joint Venture, the owner of a 4.81-acre tract of land more particularly described in Exhibit "A", has requested that the property be rezoned from "P, Professional Office District" to "C-R, Retail Commercial District"; and,

**WHEREAS** the Planning and Zoning Commission has conducted a Public Hearing according to law and recommended that the request be granted by the City Council; and,

**WHEREAS** the City Council has conducted a Public Hearing according to law and determined that the request meets the criteria for approval established by the Comprehensive Plan and Unified Development Ordinance; and,

**WHEREAS** no formal written protest was filed by adjacent property owners and a simple majority vote is required to approve both readings of this ordinance.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND, TEXAS:**

**SECTION 1:** The request of San Patricio/Jalisco Joint Venture, is hereby granted. The property is hereby rezoned from "P, Professional Office District" to "C-R, Retail Commercial District", a legal description of which is labelled Exhibit "A", attached hereto, and incorporated herein.

**SECTION 2:** The Official Zoning Map of the City of Portland is hereby amended to reflect that the 2.76 acres described in Exhibit "A" is hereby rezoned from R-6, Single-Family Residential District, to C-R, Commercial Retail District.

**SECTION 3:** If any provision, section, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is, for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof, or provisions or regulations contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof, and all provisions of this Ordinance are declared severable for that purpose.

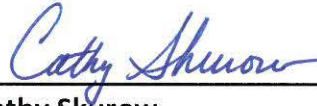
**SECTION 4:** Any previously adopted ordinance, resolution, rule, regulation, or policy in conflict with this Ordinance is hereby repealed.

**SECTION 5:** Any person who violates this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine not exceeding five hundred dollars (\$500.00). Each and every day that a violation of this Ordinance occurs shall constitute a separate offense. The culpable mental state required by Chapter 6.02, Texas Penal Code, is specifically negated and dispensed with and a violation is a strict liability offense.

**SECTION 6:** This Ordinance shall be published after second reading hereof by publishing the caption thereof in the official newspaper with a statement the public may view the Ordinance in the Office of the City Secretary. This Ordinance shall be effective from and after the publication provided herein.

**PASSED** and **APPROVED** on second reading this 5<sup>th</sup> day of June 2018.

**CITY OF PORTLAND**



Cathy Skurow  
Mayor

**ATTEST:**



Annette Hall  
City Secretary





Job No. 8738.B8.03

May 5, 2018

**Exhibit A**  
**4.81 Zoning Tract**

**STATE OF TEXAS**  
**COUNTY OF SAN PATRICIO**

**Fieldnotes**, for a 4.81 Acre Tract of Land, comprising of a portion of Tracts "B" and "C", of Section P, George H. Paul Company's Subdivision of the Coleman Fulton Pasture Company's Lands, a map of which is recorded in Volume 1, Page 32, Map Records of San Patricio County, Texas, portions of Lot 2, Block 5 (Drainage R.O.W.), Reliant Park Subdivision and Reliant Drive as shown on the recorded plat of Reliant Park Subdivision, a map of which is recorded in Instrument No. 579874, Envelope: 1374, Tube: 5-4, said Map Records, and a portion of Reliant Drive and all of Lot 3, Block 5 (Drainage R.O.W.), Reliant Park Subdivision, as shown on the recorded plat of Reliant Park Subdivision, a map of which is recorded in Instrument No. 606480, Envelope: 1459, Tube: 32-2, said Map Records; said 4.81 Acre Tract, being more fully described by metes and bounds as follows:

**Commencing**, at a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CCTX" Found, on the Northeast Right-of-Way line of Reliant Drive, a 60 Foot Wide public roadway, for the South corner of Lot 3, Block 1, Reliant Park Subdivision, a map of which is recorded in Instrument No. 579874, Envelope: 1374, Tube: 5-4, said Map Records;

**Thence**, North 60°07'07" West, with the common boundary line of the said Lot 3 and Northeast Right-of-Way line, 89.69 Feet, to the **Point of Beginning**, and East corner of this Tract,

**Thence**, South 29°52'53" West, over and across the said Reliant Drive, at 60.00 Feet, pass the Northeast boundary line of the said Lot 2, Block 5, from **Whence** a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CCTX" Found, for the East corner of Lot 2, bears South 60°07'07" East 89.69 Feet, in all 160.00 Feet, to the common boundary line of the said Lot 2, and the Northeast Right-of-Way line of Buddy Ganem Drive (F.M. 3239), a 120.00 Foot Wide public roadway, for the South corner of this Tract;

**Thence**, North 60°07'07" West, with the said Northeast Right-of-Way line, the Southwest boundary line of the said Lot 2, at 89.69 Feet, pass a 5/8 Inch Iron Rod Found, for the South corner of the said Lot 3, Block 5, and West corner of the said Lot 2, in all 712.68 Feet, for the West corner of this Tract;

**Thence**, over and across the said Tracts B and C, with the boundary of this Tract as follows:

- North 29°52'53" East, 320.00 Feet;
- South 60°07'07" East, 183.00 Feet;



- North 29°52'53" East, 75.00 Feet;
- South 60°07'07" East, 75.00 Feet;
- South 29°52'53" West, 40.00 Feet;
- South 60°07'07" East, 250.00 Feet;

**Thence**, South 29°52'53" West, at 15.00 Feet, pass a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CCTX" Found, for the North corner of Lot 4, Block 1, Reliant Park Subdivision, a map of which is recorded in the said Instrument Number 606480, in all 195.00 Feet, to the said Northeast Right-of-Way line of Reliant Drive, for the West corner of the said Lot 4, for an inner ell corner of this Tract;

**Thence**, South 60°07'07" East, with the common boundary line of the said Reliant Drive, Lot 4, and Lot 3, said Block 1, at 115.00 Feet pass a 5/8 Inch Iron Rod with red plastic cap stamped "URBAN ENGR CCTX" Found, for the South corner of the said Lot 4, the West corner of the said Lot 3, said Block 1, in all 204.68 Feet, to the **Point of Beginning**, containing 4.81 Acres (209,685 Square Feet) of Land, more or less.

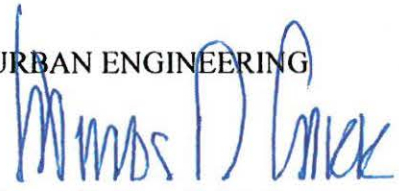
Grid Bearings and Distances shown hereon are referenced to the Texas Coordinate System of 1983, Texas South Zone 4205, and are based on the North American Datum of 1983(2011) Epoch 2010.00.

*4.81 Acre Tract is located within the City limits of Portland, Texas and a subdivision based on this description is in violation of the current City of Portland subdivision ordinance.*

Unless this fieldnote 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, R.P.L.S.  
 License No. 6458

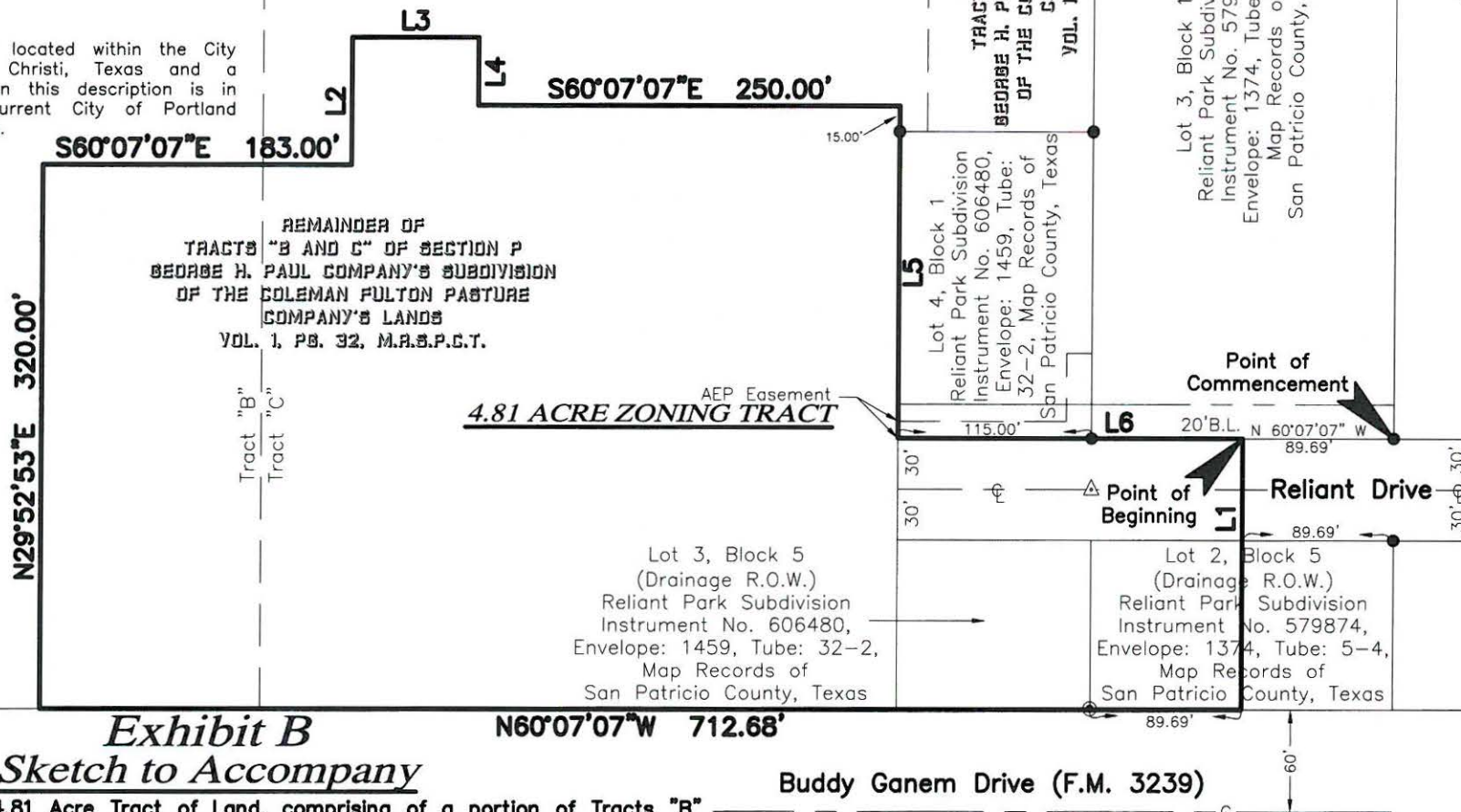
**Legend:**

- 5/8 Inch Iron rod with red plastic cap stamped "URBAN ENGR CCTX" Found
- △ MAG Nail with Washer Found
- ⊙ 5/8 Inch Iron Rod Found

**General Notes:**

4.81 Acre Tract is located within the City limits of Corpus Christi, Texas and a subdivision based on this description is in violation of the current City of Portland subdivision ordinance.

LINE	BEARING	DISTANCE
L1	S29°52'53"W	160.00'
L2	N29°52'53"E	75.00'
L3	S60°07'07"E	75.00'
L4	S29°52'53"W	40.00'
L5	S29°52'53"W	195.00'
L6	S60°07'07"E	204.68'



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**URBAN  
ENGINEERING**

TBPE FIRM NO. 145, TBPLS FIRM NO. 10032400  
2725 SWANTNER DR., CORPUS CHRISTI, TX 78404  
PHONE: 361.854.3101 WWW.URBANENG.COM

DATE: May 3, 2018  
SCALE: 1"=100'  
JOB NO.: 08738.B8.03  
SHEET: 1 of 2  
DRAWN BY: CTS  
urbansurvey1@urbaneng.com  
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# Location Map



DATE: May 3, 2018  
SCALE: 1"=800'  
JOB NO.: 08738.B8.03  
SHEET: 2 of 2  
DRAWN BY: CTS  
Orbansurvey1@urbaneng.com  
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