

1  
2  
3  
4  
5  
6  
7  
8

**CITY OF SEABROOK  
ORDINANCE NO. 2016-18**

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

**AMENDMENT TO THE OFFICIAL ZONING MAP TO  
REZONE APPROXIMATELY 4.69 ACRES EAST OF BAYPORT BOULEVARD  
AND WEST OF OLD HIGHWAY 146 FROM C-2 (MEDIUM COMMERCIAL)  
TO LI (LIGHT INDUSTRIAL).**

25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SEABROOK WHICH IS PART OF THE SEABROOK CITY CODE OF ORDINANCES, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 2, "ADMINISTRATION", SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING 4.69 ACRES OF RESERVE A, BLOCK 1, BAYPORT LOGISTICS CENTER PHASE 2, ABSTRACT 52 OF THE RITSON MORRIS SURVEY, HARRIS COUNTY, TEXAS, AS MORE PARTICULARLY DESCRIBED IN ATTACHMENT A, FROM C-2 MEDIUM COMMERCIAL DISTRICT TO LI, LIGHT INDUSTRIAL DISTRICT; REQUIRING THAT THE ZONING MAP BE AMENDED TO REFLECT THIS AMENDMENT; MAKING SPECIFIC FINDINGS RELATING TO REZONING OF SUCH TRACT; PROVIDING A PENALTY IN AN AMOUNT OF NOT MORE THAN \$2,000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH, AND PROVIDING FOR SEVERABILITY.**

**WHEREAS** WMF Investments, as Owner, has applied on behalf of Gulf Winds International, Applicant, for a zoning change for 4.69 acres of land consisting of Reserve A, Block 1, Bayport Logistics Center Phase 2, of Abstract 52 of the Ritson Morris Survey, Harris County, Texas, located along Bayport Boulevard and Old Highway 146, as more specifically described in Attachment A, (the "Property"); and

**WHEREAS**, all public notices have been published, mailed and provided in accordance with State statute and Appendix A of the City Code of Ordinances, ("Code"); and

**WHEREAS**, the Planning and Zoning Commission and the City Council have conducted, in the time and manner required by law and the City Code, a public hearing on such request, allowing all persons attending to be heard on the question of whether the changes of the uses being requested would affect the public health, safety, or general welfare of the citizens of Seabrook; and

**WHEREAS**, the Planning and Zoning Commission recommended this zoning change at its meeting of July 21, 2016, and has made its final report;

45           **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF**  
46 **THE CITY OF SEABROOK, STATE OF TEXAS:**

47  
48 **SECTION 1. FINDINGS.**

49  
50           The facts and matters set forth in the preamble of this Ordinance are hereby found  
51 to be true and correct. The representations of Owner/Applicant, Gulf Winds International,  
52 (as referenced in the application and submittals for zone change from C2 to LI, final  
53 report/minutes from the Planning & Zoning Commission, and Owner's/Gulf Winds  
54 International representations to the City Council), are incorporated by reference, which  
55 City Council is specifically relying upon in granting Owner's request for this zone  
56 change, together with the corresponding requirements for compliance with the Code, as  
57 provided hereafter.

58  
59 **SECTION 2. AMENDMENT TO THE SEABROOK CITY CODE AND TO THE**  
60 **OFFICIAL ZONING MAP.**

61  
62           The Seabrook City Code of Ordinances, Appendix A, "Comprehensive Zoning",  
63 Article 2, "Administration", Section 2.05, "Official Zoning Map" is hereby amended by  
64 rezoning 4.69 acres of land/property, consisting of Reserve A, Block 1, Bayport Logistics  
65 Center Phase 2, of Abstract 52, Ritson Morris Survey, of Harris County, Texas, located  
66 along and east of Bayport Boulevard and to the west of Old Highway 146 from C-2  
67 Medium Commercial District to LI Light Industrial District as more particularly  
68 described in Attachment A, which is incorporated by reference, conditioned upon strict  
69 compliance with the Code.

70  
71           Upon passage of this Ordinance, the official zoning map of the City of Seabrook  
72 shall be amended to reflect this change.

73  
74 **SECTION 3. INCORPORATION INTO THE CODE; PENALTY CLAUSE.**

75  
76           This Ordinance is hereby incorporated and made a part of the Seabrook City  
77 Code. Violation of this Ordinance is subject to the penalty section of said Code  
78 including, Section 11.06, "Criminal Enforcement" which provides that any person who  
79 shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor  
80 and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of  
81 violation shall constitute a separate offense.

82  
83 **SECTION 4. REPEAL OF CONFLICTING ORDINANCES.**

84  
85           All ordinances or parts of ordinances in conflict or inconsistent with this  
86 Ordinance are hereby expressly repealed.

87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132

**SECTION 5. SEVERABILITY.**

In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**SECTION 6. NOTICE**

The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

PASSED AND APPROVED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

PASSED, APPROVED, AND ADOPTED on second and final reading this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

By: \_\_\_\_\_  
Glenn Royal  
Mayor

ATTEST:

By: \_\_\_\_\_  
Robin Hicks, TRMC  
City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Steven L. Weathered  
City Attorney



# ATTACHMENT B

## RESTRICTED RESERVE 'A', BLOCK 1 BAYPORT LOGISTICS CENTER, PHASE TWO 204,295 square feet / 4.6900 acres

Survey of all that certain 204,295 square feet (4.6900 acres) being RESTRICTED RESERVE 'A' in BLOCK 1 of BAYPORT LOGISTICS CENTER, PHASE TWO, a subdivision of that certain 16.9058 acres tract or parcel of land situated in the RITSON MORRIS SURVEY, Abstract Number 52, Harris County, Texas, said 16.9058 acres tract being that same tract described in a Special Warranty Deed from Carter Interests, Ltd., et al, to Gulf Winds International, Inc. recorded under Clerk's File Number 20130626129 and being out of and a part of a called 19.4174 acres tract described in a Warranty Deed from Vannie E. Cook, Jr. to John B. Carter, Jr. recorded under Clerk's File Number D486035, all being of record in the Official Public Records of Real Property of Harris County, Texas, said 204,295 square feet (4.6900 acres) being more particularly described by metes and bounds as follows;

**COMMENCING** at 5/8 inch iron rod found for the Northeasterly corner of said 19.4174 acres tract of land, said point being at the intersection of the North line of said RITSON MORRIS SURVEY, with the Westerly line of Old Highway 146, a variable width public roadway right-of-way;

**THENCE** S 17°06'30" W, along the Easterly line of said 19.4174 acres tract of land and the Westerly line of said Old Highway 146, a distance of 629.96 feet to a 5/8 inch iron rod with cap stamped 'GRULLER SURVEYING' found for corner and being the **POINT OF BEGINNING** of the herein described **RESTRICTED RESERVE 'A'**;

**THENCE** S 17°06'30" W, continuing along and with the Westerly line of said Old Highway 146, a distance of 101.15 feet to an iron rod with cap stamped 'SOUTH TX SURVEYING' said point also being the Northeast corner of a called 2.500 acres tract described in a Warranty Deed from John B. Carter, et al to Global Natural Resources Corporation of Nevada recorded under Clerk's File Number L573188 in the Official Public Records of Real Property of Harris County, Texas;

**THENCE** S 86°54'30" W, a distance of 295.00 feet to a 5/8 inch iron rod with cap stamped 'SOUTH TX SURVEYING' found for interior corner, said point also being the Northwest corner of said 2.500 acres tract;

**THENCE** S 17°06'30" W, a distance of 393.35 feet to a 5/8 inch iron rod with cap stamped 'SOUTH TX SURVEYING' found for corner, said point also being the Southwest corner of said 2.500 acres tract, being at the South line of said 19.4174 acres tract, and being at the North line of Lot One (1), Block One (1) of SH 146 BUSINESS PARK, a Subdivision in Harris County, Texas, according to the map or plat thereof recorded under Film Code No. 618282 of the Map Records of Harris County, Texas;

**THENCE** S 86°54'30" W, a distance of 294.35 feet to a 5/8 inch iron rod with cap stamped 'SOUTH TX SURVEYING' found for Southwest corner of both the herein described tract and of said 19.4174 acres tract, said point also being the Northwest corner of said Lot 1, Block 1 and being at the Easterly line of Texas State Highway 146, a variable width public roadway right-of-way;

**THENCE N 02°09'30" W**, along the Easterly line of said Texas State Highway 146, a distance of 62.91 feet to a 5/8 inch iron rod with cap stamped 'SOUTH TX SURVEYING' found for the beginning of a tangent curve to the left;

**THENCE** in a Northwesterly direction along said curve to the left having a radius of 5917.98 feet, an arc distance of 401.32 feet, the chord of which curve bears N 04°06'04" W, 401.25 feet, to a 5/8 inch iron rod with cap stamped 'GRULLER SURVEYING' found for corner and being the Northeasterly corner of the herein described RESTRICTED RESERVE 'A';

**THENCE N 86°54'20" E**, a distance of 766.14 feet to the **POINT OF BEGINNING** and containing within said boundaries a calculated area of 204,295 square feet (4.6900 acres) of land.