



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of January 9, 2024
Second Reading for the City Council Meeting of January 18, 2024

DATE: January 9, 2024

TO: Peter Zaroni, City Manager

FROM: Al Raymond, Development Services Department
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**Rezoning for a property at or near
3409 Waldron Road**

CAPTION:

Zoning Case No. 1123-01, Birdie Waldron LLC (District 4). Ordinance rezoning a property at or near 3409 Waldron Road from the “RS-6” Single-Family District to the “RS-6/SP” Single-Family District with a Special Permit; Providing for a penalty not to exceed \$2,000 and publication. (Planning Commission and Staff recommend approval).

SUMMARY:

This item is to rezone the property to allow for commercial uses, specifically a fitness center and an indoor sports venue.

BACKGROUND AND FINDINGS:

The subject property is a 3.13-acre parcel and the former site of the Cornerstone Church in South Flour Bluff, east of the NOLF (Naval Outlying Field) Waldron airfield and Waldron Road, north of Mediterranean Drive, and South of Caribbean Drive.

The nearby NOLF Waldron and TRUAX airfields were established in Flour Bluff prior to the annexation of the area, with Medium-Density Residential uses becoming the predominant use over the years. The area wide rezoning of 1983, in tandem with the 1978 AICUZ (Air Installations Compatibility Use Zones) study regarding incompatible uses around the base, classified most of the lands around the base for agriculture. General commercial districts in the Flour Bluff area are located along South Padre Island Drive; with neighborhood commercial districts limited and scattered.

The subject property is zoned “RS-6” Single-Family 6 District with a Public/Semi-Public use and is within the MCAOD’s (Military Compatibility Area Overlay District) light and vertical obstruction subzones. To the north and east of the subject property are “RS-6” Single-Family 6 zoned, low-density, residential subdivisions; Bayberry Terrace and Caribbean Place Unit 3 respectively. The vacant and undeveloped parcel to the south is

owned by the applicant and may be developed into a soccer field at a later date. NOLF Waldron airfield is to the west of the subject property and is zoned “RS-6” Single-Family 6 District.

The applicant is requesting a special permit to convert (adaptive reuse) the former Cornerstone Church facilities into a fitness center and an indoor sports venue. Development Services, thus far, is in receipt of the interior demolition permits for the future 12,500 square feet fitness center and 22,400 square feet venue.

The “RS-6” Single-Family 6 District provides for orderly suburban residential development and redevelopment. A limited number of public and civic uses are allowed, subject to the restrictions necessary to preserve and protect the single-family character of the neighborhood.

Public Input Process

Number of Notices Mailed:

30 within the 200-foot notification area, and 2 outside the notification area.

As of January 5, 2024:

In Favor: 0 inside notification area 0 outside notification area	In Opposition: 1 inside notification area 0 outside notification area
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A total of 2.16% of the 200-foot notification area is in opposition.

ALTERNATIVES:

None.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

RECOMMENDATION:

Planning Commission and Staff recommended approval of the change of zoning from the “RS-6” Single-Family 6 District to the “RS-6/SP” Single-Family 6 District with a Special Permit on November 29, 2023. The Special Permit will be subject to the following conditions.

- Uses:** The only uses authorized by this Special Permit other than uses permitted in the base zoning district are a fitness center and an indoor sports venue. Expansion of the uses granted by this special permit is prohibited.
- Parking:** Parking shall be required at a ratio of 1:280 Parking Ratio.
- Landscaping:** Vehicular screening along Waldron Road shall be the only required landscaping as per UDC (Unified Development Code) Section 7.3.11 *Landscaping Specification Applicable for all Zones.*
- Dumpster:** Refuse containers must be provided in a place accessible to collection vehicles and must be screened from street rights-of-way and views from adjacent residential properties. Screening must be composed of a solid or opaque material that matches or compliments the building material.

5. **Buffer Yard:** A type A buffer yard consisting of at least 10 feet and 5 points shall be installed, maintained, and remain in place along the north and east property boundaries as long as residential districts or uses are adjacent.
6. **Lighting:** All lighting must be shielded, directed away from adjacent residences, and nearby streets. Freestanding pole lights are not allowed within 50 feet of the property line of residential zoning districts. No light source shall exceed a height of 15 feet. Lighting must be compliant with the MCAOD (Military Compatibility Area Overlay District) overlay. LED or internally illuminated lighting are prohibited.
7. **Signage:** One freestanding sign shall be allowed. The freestanding sign must be a monument sign, which shall not exceed 8 feet in height and 32 square feet in area. Existing signs are allowed to be maintained per UDC Section 9.3.
8. **Hours of Operation:** The hours of operation shall be limited from 7:00 AM to 10:00 PM. Customer access to the facility shall be prohibited after 10:00 PM.
9. **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 the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

Vote Results

For:8

Against: 0

Absent: 0

LIST OF SUPPORTING DOCUMENTS:

Ordinance

Presentation - Aerial Map

Planning Commission Final Report