



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of April 15, 2025
Second Reading for the City Council Meeting of April 29, 2025

DATE: March 21, 2025

TO: Peter Zaroni, City Manager

FROM: Michael Dice, Development Services Department
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<p>Rezoning for a property at or near 820 Naval Air Station Drive</p>
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CAPTION:

Zoning Case No. ZN8561, ADR Investments, LLC. (District 4). Ordinance rezoning a property at or near 820 Naval Air Station (NAS) Drive from the "CG-1" General Commercial District to the "CG-1/SP" General Commercial 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 conditionally allow a contractor's shop without outdoor storage.

BACKGROUND AND FINDINGS:

The subject property is a vacant and undeveloped 0.4-acre parcel out of District 4 in Flour Bluff. It is located along the north side of the freeway segment of NAS (Naval Air Station) Drive. The parcel is within the Military Compatibility Area Overlay District (MCAOD) of the TRUAX field at NAS-CC, outside of any clear or accident potential zones; however, it is within the light, vertical obstruction, and noise safety subzones of the base.

Except for the right-of-way along the southern boundary of the subject property, the parcel lies within a "CG-1" General Commercial District southwest of Scotland Drive and northeast of South Padre Island Drive. A special permit to the north property allows specific warehouse and freight movement activities without outside storage. There are also some low-density residential and vacant uses. The property to the east and south of the parcel and NAS Drive have a current commercial land use. The property special permit dating to 1983 on the parcel to the east may be inactive.

The applicant requests a special permit for a contractor's shop without outdoor storage.

The base “CG-1” General Commercial District permits restaurants, educational facilities, medical facilities, commercial parking, offices, retail sales and services, vehicle sales and services, and water-oriented uses.

With the nearby naval base, properties in the surrounding area have been assigned a future land use designation of Transition Aviation Special District to transition away from residential uses, which allows the congregation of people near bases, to non-residential uses to ensure compatibility of land uses between military and civilian operations.

During the permitting process, zoning reviews are conducted to ensure that development compatibility is achieved; through the prescription of Unified Development Code required buffer yard width and points (UDC §7.9.5, 7.9.6), increased setbacks due to height (UDC §4.2.8.D), limitations on hours of operations with certain site features (UDC §7.2.7.B.1.a), and visual barriers such as landscaping (UDC §7.3.10) and walls to buffer noise generators (UDC §7.9.8.B).

Public Input Process:

Number of Notices Mailed: 9 notices were mailed within the 200-foot notification area, and 0 outside the notification area.

As of March 14, 2025

In Favor 0 inside notification area 0 outside notification area	In Opposition 0 inside notification area 0 outside notification area
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A total of 0.00% of the 200-foot notification area is in opposition.

ALTERNATIVES:

None.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

RECOMMENDATION (March 5, 2025):

Planning Commission and Staff recommend approval of the change of zoning from the “CG-1” General Commercial District to the “CG-1/SP” General Commercial District with a Special Permit. The Special Permit will be subject to the following conditions:

1. **Use:** The only use allowed on the subject property other than uses permitted in the base zoning district is a light industrial service use, specifically, a building, heating, plumbing, or electrical contractor’s shop, except for storage yard.
2. **Landscaping:** Landscaping must be provided in accordance with Article 7.3 Landscaping of the Unified Development Code.
3. **Dumpster:** All solid waste shall be confined in a dumpster screened from street, public, and neighboring views. No dumpster is permitted within the front street yard. Screening for the dumpster must be composed of a solid or opaque material that matches or compliments the building material of the principal structure.
4. **Outside Storage and Display:** Outside storage and display is prohibited.
5. **Screening & Buffer Yard:** A 10-foot-wide buffer yard and 5 points shall be required along the property boundaries adjacent to residential zoning districts.
6. **Lighting:** All lighting shall be shielded, and pole lights shall be of the fully cut-off type. All light fixtures within 50 feet of the property boundaries adjacent to

residential zoning districts shall be no greater than 15 feet in height.

7. **Building Height:** The building height requirement shall adhere to UDC Section 4.2.8.C Modification of Height Regulations.
8. **Hours of Operation:** The hours of operation shall be limited from 8:00 AM to 05:00 PM. Customer access after 05:00 PM shall be prohibited.
9. **Noise:** Noise regulations shall be subject to Section 31-3 of the Municipal Code.
10. **Other Requirements:** The conditions listed herein do not preclude compliance with other applicable UDC and Building and Fire Code Requirements.
11. **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: 7

Against: 0

Absent: 2

Abstained: 0

LIST OF SUPPORTING DOCUMENTS:

Ordinance

Presentation - Aerial Map

Planning Commission Final Report