



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of June 25, 2024
Second Reading for the City Council Meeting of July 16, 2024

DATE: May 31, 2024

TO: Peter Zaroni, City Manager

FROM: Al Raymond, Development Services Department
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**Rezoning for a property at or near
635 Yorktown Boulevard**

CAPTION:

Zoning Case No. ZN8185, Toreros Investment II LLC (District 4). Ordinance rezoning a property at or near 635 Yorktown Boulevard from the “FR” Farm Rural District to the “CC/SP” Commercial Compatible District with a Special Permit; Providing for a penalty not to exceed \$2,000 and publication. (Planning Commission and Staff recommend approval. Applicant originally requested a zoning change to the “R-MH” Manufactured Home District. Applicant consents to staff’s recommendation).

SUMMARY:

This item is to rezone the property to bring the property into compliance as a manufactured home park with the additional commercial compatible uses.

BACKGROUND AND FINDINGS:

The subject property is a nonconforming manufactured home park. The property owner expressed the desire to come into compliance via rezoning for the mobile home park use (approximately 5.65 acres), but also requested additional uses for the remaining property (approximately 2.5 acres) to include commercial uses not permitted in the “R-MH” Manufactured Home District. The applicant reached out to the Community Planning Liaison Office from Naval Air Station (NASCC). The rezoning request has been discussed with NASCC and reviewed by the Technical Review Committee to ensure protection of the NASCC mission and prevent further encroachment into the APZ-II.

The operational paths for the Waldron Field NOLF impact development from the eastern boundary of the property (See Attachment A – AICUZ Map in staff’s report) This portion of Flour Bluff (west of Sweet Bay Drive, south of Yorktown Boulevard, and south of the Oso Bay) has largely remained undeveloped. The southern-half of the site is within the APZ-II and is the densest residential use within the area southwest of the naval base. Low-density residential uses along the block face along the west side Waldron Road and south of Yorktown Boulevard exist.

The predominant use for the remaining parcels is agricultural. An area-wide rezoning in 1983 rezoned most of the lands around the base to districts with large lot development requirements; and a considerable amount of land around the base are owned by the United States government, especially those within the clear zone overlays, and were an effort to control development around the naval base.

To the north, properties are zoned “RS-6” with public semi-public uses. To the south, properties are zoned “RE” and are vacant. To the east, properties are zoned “RS-6” and “R-MH” and are vacant. To the west, properties are zoned “FR” and uses are vacant and public semi-public.

The proposed rezoning is consistent with many elements and goals of Plan CC; however, is inconsistent with the FLUM’s designation of Low-Density Residential.

Public Input Process

Number of Notices Mailed: 7 notices were mailed within the 200-foot notification area, and 3 outside the notification area.

As of June 21 , 2024:

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:

Planning Commission and Staff recommended approval of the change of zoning from the “FR” Farm Rural District to the “CC/SP” Commercial Compatible District with a Special Permit on May 15, 2024. The Special Permit will be subject to the following conditions:

1. **Uses:** The only uses authorized by this Special Permit other than those permitted in the base zoning district are as follows:
 - a. **Boat Storage** (UDC §4.5.2 Self-Service Storage Uses)
 - b. **Recreational Vehicle Park** (UDC §6.1 Recreational Vehicle Park District)
2. **Master Site Plan:** The owners shall develop the property in accordance with the attached Site Plan.
3. **Military Compatibility Area Overlay District (MCAOD):**
 - a. Additional encroachment of uses and/or structures beyond the site plan into the Accident Potential Zone II (APZ-II) of the Air Installation Compatibility Use Zone (AICUZ) as part of the MCAOD is prohibited.
 - b. Recreational Vehicle sites located within APZ-II are permitted to remain in their current location. No additional recreational vehicle sites are permitted to encroach into APZ-II.

4. **Buffer Yard:** A type A buffer yard consisting of a solid screening fence 6 feet in height must be constructed, maintained, and remain in place between abutting residential zoning districts.
5. **Lighting:** Lighting must be compliant with the MCAOD overlay. LED or internally illuminated lighting is prohibited.
6. **Time Limit:** Per 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. This Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

Vote Results

For: 7

Against: 0

Absent: 0

Abstained: 1

LIST OF SUPPORTING DOCUMENTS:

Ordinance

Presentation - Aerial Map

Planning Commission Final Report