

Zoning Case 1123-01



Birdie Waldron LLC
District 4

Rezoning for a property at or near
3409 Waldron Road
From the "RS-6" Single-Family 6
To the "RS-6/SP" Single-Family 6 District with a
Special Permit



Zoning and Land Use

Proposed Use:

Adaptive Reuse (former church) to allow for a fitness center and an indoor sports venue.

Area Development Plan (ADP):

Flour Bluff ADP (June 22, 2021)

Future Land Use Map:

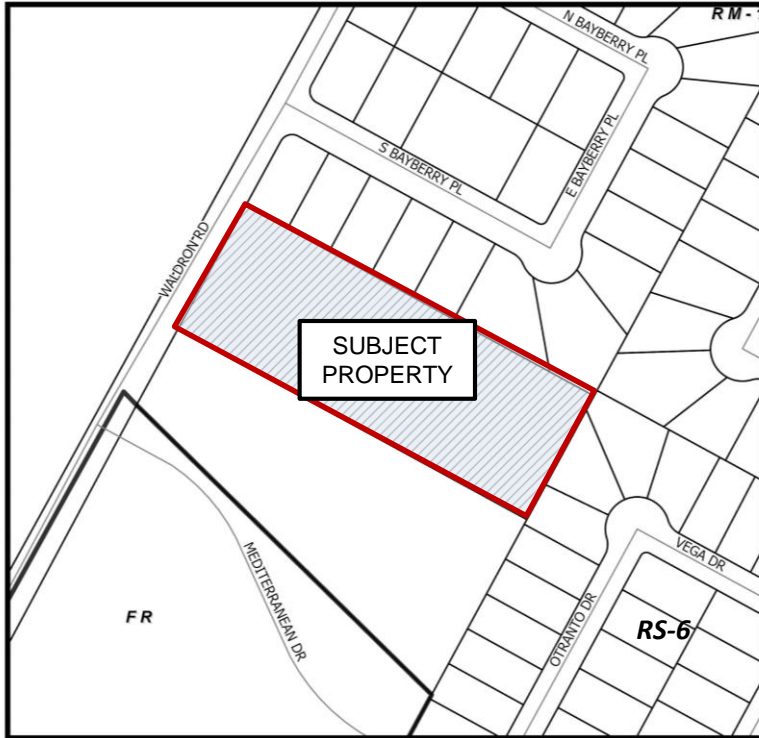
Medium-Density Residential

Existing Zoning:

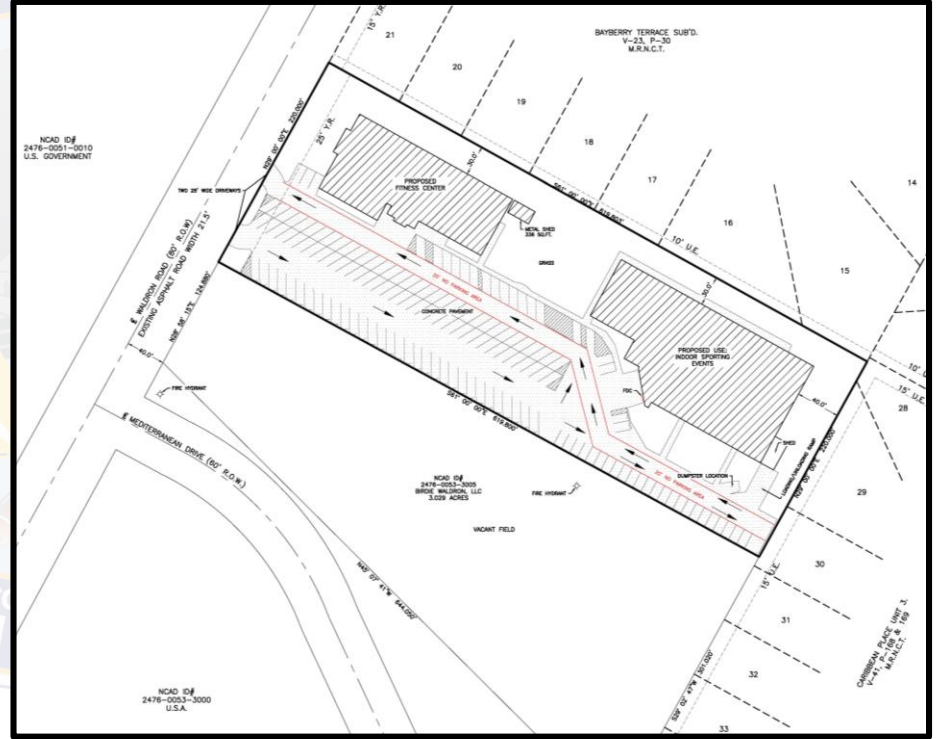
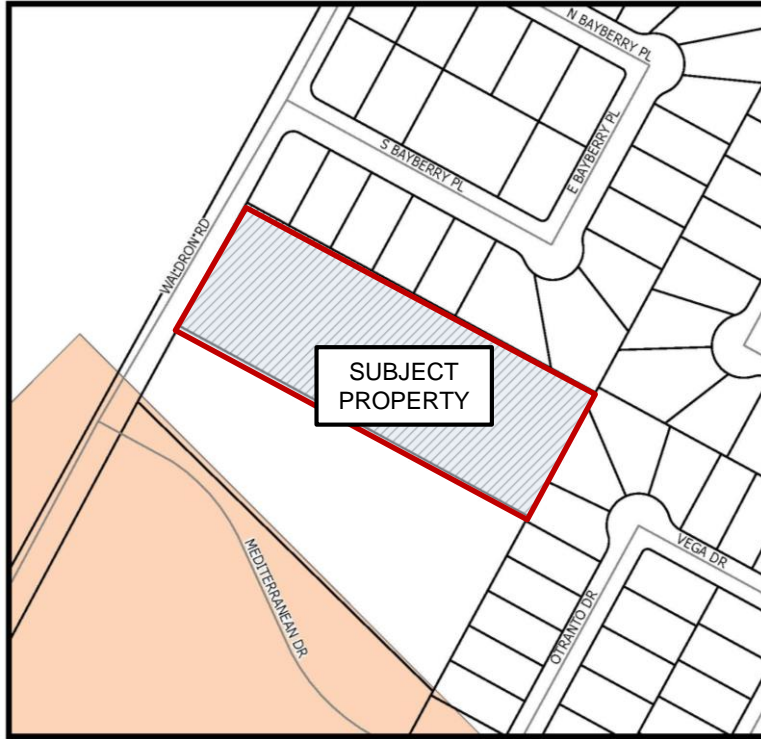
“RS-6” Single-Family 6 District

Adjacent Land Uses:

- North: Low-Density Residential (Zoned “RS-6”)
- South: Vacant (Zoned “RS-6”)
- East: Low-Density Residential (Zoned “RS-6”)
- West: Public/Semi-Public (Zoned RS-6)



AICUZ Map and Site Plan



Public Notification

- 30 Notices mailed inside the 200-foot buffer
- 2 Notices mailed outside the 200-foot buffer

Notification Area

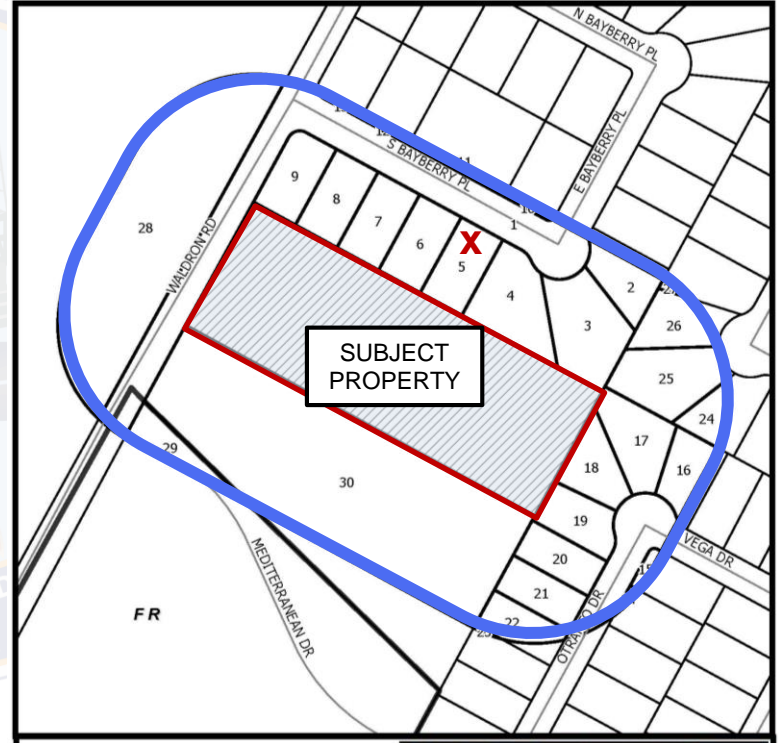


Opposed: 1 (2.16%)

Separate Opposed Owner(s) (1)



In Favor: 0 (0.00%)



*Notified property owner's land in SQF/ Total square footage of all property in the notification area = Percentage of public opposition.

Staff Analysis and Recommendation

- The proposed rezoning is consistent with many goals of *Plan CC* and the FLUM's designation of Medium-Density Residential.
- The subject property is within the light and vertical obstruction subzones of the NOLF Waldron's MCAOD overlay; however, it is outside any of its accident potential zones.
- The Waldron and TRUAX fields have driven the development patterns in the Flour Bluff area. Outside of both airfields' safety zones, the predominant land use is residential with general commercial uses concentrated along South Padre Island Drive, and limited neighborhood commercial districts scattered throughout the South Flour Bluff area. A need for zoning districts that can host neighborhood services, as implicitly voiced by the residents of the area was addressed under the Flour Bluff ADP vision theme of a Strong Local Economy. The proposed development can supplement the availability of daily necessities services and community facilities.
- Staff determined that the proposed development met the special permit criteria of a proposed use consistent with Plan CC, that complements and is compatible with surrounding uses, and is limited in adverse impacts.
 - The requested amendment is compatible with the present zoning and conforming uses of nearby property and to the character of the surrounding area.
 - The zoning map amendment will not have a negative impact upon the surrounding neighborhood.

PLANNING COMMISSION AND STAFF RECOMMEND APPROVAL

Special Permit Conditions

The Special Permit to be granted is subject to the following conditions:

1. **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 permit is prohibited.
2. **Parking:** Parking shall be required at a ratio of 1:280 Parking Ratio.
3. **Landscaping:** Vehicular screening shall be the only required landscaping as per UDC (Unified Development Code) Section 7.3.11 *Landscaping Specification Applicable for all Zones*.
4. **Dumpster:** Refuse containers must be provided in a place accessible to collection vehicles and must be screened from streets 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 5 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.