



PLANNING & ZONING PACKET

March 20, 2023

PLANNING & ZONING COMMISSION AGENDA

Notice is hereby given that the Rockport Planning & Zoning Commission will hold a meeting on Monday, March 20, 2023, at 5:30 p.m. The meeting will be held in person at the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas. Members of the public can view the meeting via live stream at

<https://www.youtube.com/@rockporttxgov>

Public participation is valued and citizens wishing to express their views on agenda items can electronically submit a citizen participation form in order to register to speak by going to <https://rockport.seamlessdocs.com/f/BoardsCitizenParticipation> or scanning the QR code to the right. Using the same form, citizens can also provide written comments to the Community Planner by 4:00 p.m. on the day of the meeting. The Chair will read the comments and they will be summarized in the minutes of the meeting.



The matters to be discussed and acted upon are as follows:

Opening Agenda

1. Call meeting to order.

Public Hearing

2. Conduct a Public Hearing to consider a request to rezone property located at 1806 Highway 35 North; also known as Villa Del Palmas, Units A, B, C and D, City of Rockport, Aransas County, Texas to R-6 (Hotel/Motel District) to allow the use of short-term rentals; currently zoned R-5 (2nd Multi-Family Dwelling District).

Regular Agenda

3. Deliberate and act on approval of the regular meeting minutes of March 6, 2023.
4. Deliberate and act on a request to rezone property located at 1806 Highway 35 North; also known as Villa Del Palmas, Units A, B, C and D, City of Rockport, Aransas County, Texas to R-6 (Hotel/Motel District) to allow the use of short-term rentals; currently zoned R-5 (2nd Multi-Family Dwelling District).
5. Adjournment

Special Accommodations

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (361) 729-2213 ext. 225 or fax (361) 790-5966 or e-mail citysec@cityofrockport.com for further information.

Braille is not available. The City of Rockport reserves the right to convene into executive session under Government Code §§ 551.071-551.074 and 551.086.

In accordance with the requirements of Texas Government Code Section 551.127, a member of the governing body may participate in this meeting from a remote location. A quorum of the governing body as well as the presiding officer shall be physically present at the above posted location, which shall be open to the public. Those participating remotely shall be visible and audible to the public for all open portions of the meeting. A member of a governmental body who participates in a meeting remotely as provided by law, shall be counted as present at the meeting for all purposes.

Certification

I certify that the above notice of meeting was posted on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas on Friday, March 17, 2023, by 5:00 p.m. and on the City's website at www.cityofrockport.com. I further certify that the following News Media were properly notified of this meeting as stated above: *The Rockport Pilot* and *Corpus Christi Caller Times*.

Carey Dietrich

Carey Dietrich,
Asst Director Building & Development
Community Planner

PLANNING & ZONING COMMISSION AGENDA
Regular Meeting: Monday, March 20, 2023

AGENDA ITEM: 2

Conduct a Public Hearing to consider a request to rezone property located at 1806 Highway 35 North; also known as Villa Del Palmas, Units A, B, C and D, City of Rockport, Aransas County, Texas to R-6 (Hotel/Motel District) to allow the use of short-term rentals; currently zoned R-5 (2nd Multi- Family Dwelling District).

SUBMITTED BY: Asst Director Bldg & Planning / Community Planner - Carey Dietrich

APPROVED FOR AGENDA:

BACKGROUND: Property owner, Caleb Glomb wishes to rezone his property located at 1805 Hwy 35 N, otherwise known as Villa Del Palmas, from R5 (2nd Multi Family Dwelling District) to R6 (Hotel / Motel District) in order to utilize the units as short term rentals.

A public notice regarding this item was published in The Rockport Pilot in the Saturday, March 11, 2023 edition and mailed out to twenty (20) property owners within a 200-foot radius of the property. No letters For or Against the request have been received at this time.

Please see the accompanying zoning change request application and Section 118-23 of the Code of Ordinances for detail information.

FISCAL ANALYSIS: N/A

RECOMMENDATION: No action required. Public hearing only.



PUBLIC HEARING
Planning & Zoning Commission
and City Council

NOTICE is hereby given that the Planning & Zoning Commission will hold a Public Hearing on Monday, March 20, 2023, at 5:30 p.m. and the Rockport City Council will hold a Public Hearing on Tuesday, March 28, 2023 at 6:30 p.m., at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, to consider a request to rezone property located at 1806 Highway 35 North; also known as Villa Del Palmas, Units A, B, C and D, City of Rockport, Aransas County, Texas to R-6 (Hotel/Motel District) to allow the use of a short term rental; currently zoned R-5 (2nd Multi- Family Dwelling District).

Members of the public can view the meeting remotely via live stream at the address that will be provided on the Planning & Zoning Commission Agenda of March 20, 2023, and the City Council Agenda of March 28, 2023, and posted on the City's website www.cityofrockport.com.

Public participation is valued and citizens wishing to express their views during the Public Hearing can electronically submit a Citizen Participation Form in order to register to speak by going to <https://rockport.seamlessdocs.com/f/CouncilCitizenParticipation>, or if attending the meeting in person register at the meeting before the meeting begins. Using the same form, citizens can also provide written comments to the City Planner by 3:00 p.m. on the day of the Planning & Zoning Commission meeting or to the City Secretary by 4:00 p.m. on the day of the City Council meeting. The comments will be read and summarized in the minutes of the meeting.

The City encourages citizens to participate and make their views known at the Public Hearings. For further information on this request, please contact the Building Department at (361) 790-1125.

POSTED the 7th day of March 2023 on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, and on the website www.cityofrockport.com.

PUBLISHED in *The Rockport Pilot* in the Saturday, March 11, 2023, Edition, in accordance with the City of Rockport Code of Ordinances.

CITY OF ROCKPORT, TEXAS


Teresa Valdez, City Secretary

PLANNING AND ZONING COMMISSION MINUTES

On this the 6th day of March 2023, the Planning and Zoning Commission held a Meeting at 5:30 p.m., at Rockport Service Center, 2751 SH 35 Bypass, Rockport, Texas and notice of meeting giving time, date and subject having been posted as described in V.T.C.A., Government Code § 551.041.

Members Present

Ruth Davis – Chair
Warren Hassinger – Vice Chairman
Tom Blazek
Patty Impens
Kim Hesley – Secretary
Ric Young

Members Absent

W. Kent Howard

Staff Members Present

Mike Donoho, Director
Tommy Saucedo, IT
Belinda Garcia, Administrative Coordinator

Guest(s) Present

One (1)

Open Meeting

1. Meeting called to order at 5:30 p.m.

Regular Agenda

2. Deliberate and act on approval for the regular meeting minutes of February 20, 2023.

MOTION: Vice Chair Hassinger motion to approve the minutes. Member Blazed seconded.
Passed unanimous.

3. Deliberate and act on a Replat submitted by property owner Sam and Javanda Bernal, located at 1605 & 1607 Jenkins Street; also known as Denver Heights, Block 28, pt of Lots 4, 5, 6, 7, 8 and all of Lots 9 and 10, City of Rockport, Aransas County, Texas.

MOTION: Secretary Henley motion to approve. Member Young seconded **APPROVED**

4. Deliberate and act on a Replat submitted by property owner Kyle Alston, located at 500 & 522 East King Street: also known as Lots 4-R and 5, Block 1, Simon Oaks, City of Rockport, Aransas County, Texas.

MOTION: Member Blazek motion to approve. Member Young seconded. **APPROVED**

- 5 Discussion, consideration, and action regarding the process for conducting public hearings as Pre-Section 118-26 of the Rockport Code of Ordinances.

MOTION: Secretary Hesley motion to recommend to Council to return to Joint Public Hearing for any item requiring a Public Hearing before Planning and Zoning. Vice Chair Hassinger seconded. **APPROVED**

6. Adjournment 5:59 Member Young motion for adjournment. Vice Chair Hassinger seconded. **Passed**

Prepared by:

Approved by:

Belinda Garcia, Assistant to Director

Ruth Davis, Chair

Kim Hesley, Secretary

Planning & Zoning AGENDA
Regular Meeting: Monday, March 20, 2023

AGENDA ITEM: 4

Deliberate and act on a request to rezone property located at 1806 Highway 35 North; also known as Villa Del Palmas, Units A, B, C and D, City of Rockport, Aransas County, Texas to R-6 (Hotel/Motel District) to allow the use of short-term rentals; currently zoned R-5 (2nd Multi-Family Dwelling District).

SUBMITTED BY: Carey Dietrich - Asst. Director Building & Development /Community Planner

BACKGROUND: Property owner, Caleb Glomb wishes to rezone his property located at 1805 Hwy 35 N, otherwise known as Villa Del Palmas, from R5 (2nd Multi Family Dwelling District) to R6 (Hotel / Motel District) in order to utilize the units as short term rentals.

A public notice regarding this item was published in The Rockport Pilot in the Saturday, March 11, 2023 edition and mailed out to twenty (20) property owners within a 200-foot radius of the property. No letters For or Against the request have been received at this time.

Please see the accompanying zoning change request application and Section 118-13 of the Code of Ordinances for detail information.

RECOMMENDATION: Staff recommends approval of a request to rezone property located at 1806 Highway 35 North; also known as Villa Del Palmas, Units A, B, C and D, City of Rockport, Aransas County, Texas to R-6 (Hotel/Motel District) to allow the use of short-term rentals; currently zoned R-5 (2nd Multi- Family Dwelling District).



CITY OF ROCKPORT
ZONING AND LAND DEVELOPMENT APPLICATION

INSTRUCTION: Please fill out completely. If more space is needed, attach additional pages. Please print or use typewriter.

- A. REQUESTING: Rezoning ☒ Conditional Permit ☐
Planned Unit Development (P.U.D.) by Conditional Permit ☐
- B. ADDRESS AND LOCATION OF PROPERTY _____
1806 SH. 35 N.
- C. CURRENT ZONING OF PROPERTY: R5
- D. PRESENT USE OF PROPERTY: RESIDENTIAL - TOWN HOMES
- E. ZONING DISTRICT REQUESTED: R6
- F. CONDITIONAL USE REQUESTED: _____
- G. LEGAL DESCRIPTION: (Fill in the one that applies)
- Lot or Tract VILLA DEL PALMAS Block _____
 - Tract _____ of the _____
Survey as per metes and bounds (field notes attached)
 - If other, attach copy of survey or legal description from the Records of
Aransas County or Appraisal District.
- H. NAME OF PROPOSED DEVELOPMENT (if applicable) _____
- I. TOTAL ACREAGE OR SQ. FT. OF SITE(S): _____
- J. REASON FOR REQUEST AND DESCRIPTION OF DEVELOPMENT:
(Please be specific)

K. OWNER'S NAME: (Please print) CALEB GLOMB
ADDRESS: 2150 DOUBLE FILE TRACE
CITY, STATE, ZIP CODE: LIBERTY HILL, TX. 78642
PHONE NO 512-705-1435

L. REPRESENTATIVE: (If Other Than Owner) _____
ADDRESS: _____
CITY, STATE, ZIP CODE: _____
PHONE NO _____

NOTE: Do you have property owner's permission for this request?
YES ☒ NO ☐

M. FILING FEE:

REZONING	\$150.00 + \$10.00 PER ACRE
PLANNED UNIT DEVELOPMENT	\$200.00 + \$10.00 PER ACRE
P.U.D. REVISION	\$200.00 + \$10.00 PER ACRE
CONDITIONAL PERMIT	\$150.00 + \$10.00 PER ACRE

(Make check payable to the City of Rockport)

- Submit application and filing fee to the Department of Building & Development, City of Rockport; 2751 S.H. 35 Bypass, Rockport, Texas 78382.

Signed: 
(Owner or Representative)

(FOR CITY USE)

Received by: _____ Date: _____ Fees Paid: \$ _____

Submitted Information (____ accepted) (____ rejected) by: _____

If rejected, reasons why: _____

Receipt No. _____



INSTRUCTIONS CITY OF ROCKPORT

1. Complete the application form and return it to the Building & Development Department, 275 S.H. 35 Bypass, Rockport, TX with the required filling fee.
2. Official notice of a public hearing to consider the request will be posted on the City Hall bulletin board and published in the official city newspaper at least 15 days prior to the hearing. The owner/applicant and any representative will be notified of the hearing date by mail.
3. The public hearing will be held jointly before the Planning & Zoning Commission & City Council. After which the Planning & Zoning Commission will hold a separate meeting at a posted time and place.
4. Recommendations for the Planning & Zoning Commission will be submitted to the City Council. The City Council will make final determination at their next available meeting.
5. We suggest that the applicant or a representative be present at the public hearings, at the Planning & Zoning meeting and at the City Council meeting to answer any questions that might arise.



EVENT CALENDAR
RE-ZONING – CONDITIONAL USE – PUD
(Refer to City of Rockport Zoning Ordinance for specific details)

WEEK 1

Submit application of Re-zoning, Conditional Permit or PUD (Planned Unit Development).

Submit survey with legal description, if required.

Submit request for street/alley closures, if any.

WEEK 2

WEEK 3

Joint Public Hearing with City Council* and Planning and Zoning Commission.

Public Hearing on street/alley closures, if any.

WEEK 4

Planning and Zoning Commission Meeting (no public hearing).

WEEK 5

City Council* receives report from Planning and Zoning Commission; possible first reading of Ordinance to Re-zone.

City Council* takes action on request for road closures, if any.

WEEK 6

WEEK 7

City Council* meeting; possible second (and final) reading of ordinance to rezone.

If re-zoning and road closures granted, submit request to plat or re-plat property to the Planning and Zoning Commission (generally, one meeting, no public hearing required, except for true re-plat – then 15 day advertisement for public hearing).

Submit tree plan (tree survey or site plan with trees is okay) to Tree Committee (one meeting, no public hearing required).

After approval received for re-zoning, road closures re-plat and tree plan- REQUEST BUILDING PERMIT. Approximately two weeks for review of construction plans, drainage, utilities, etc. before Building Permit issued (longer if tree plan is submitted with application for building permit).

STAFF REPORT

Building & Development Services | Carey Dietrich, Community Planner
 2751 SH 35 Bypass, Rockport, TX 78362
 Phone: (361) 790-1125, x. 226 | Email: communityplanner@cityofrockport.com

**PROPERTY ADDRESS/LOCATION**

1806 Hwy 35 N

APPLICANT/PROPERTY OWNER

Caleb Glomb, Owner

PUBLIC HEARING DATE

P&Z - Monday, Monday, March 20, 2023
 CC – Tuesday, March 28, 2023

P&Z DATE

Monday, March 20, 2023

CITY COUNCIL DATE(S)

1st Reading - Tuesday, March 28, 2023
 2nd Reading – Tuesday, April 11, 2023

BRIEF SUMMARY OF REQUEST

Property owner, Caleb Glomb wishes to rezone his property located at 1805 Hwy 35 N, otherwise known as Villa Del Palmas, from R5 (2nd Multi Family Dwelling District) to R6 (Hotel / Motel District) in order to utilize the units as short term rentals.

A public notice regarding this item was published in The Rockport Pilot in the Saturday, March 11, 2023 edition and mailed out to twenty (20) property owners within a 200-foot radius of the property. No letters For or Against the request have been received at this time.



MAP SOURCE: Pictometry

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-5 – 2 nd Multi-Family Dwelling District	Currently unoccupied – originally 24 Unit apartment complex	N – B-1 (General Business District) S – B-1 (General Business District) and R-2B (Zero Lot Line Single Family Dwelling District) E – B-1 (General Business District) W – R-1 (1st Single Family Dwelling District)	Repair/remodel of Units, Parking Modifications, and addition of swimming Pool	

STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

COMPATIBILITY with the ZONING ORDINANCE

The Current Future Land Use Map suggests Residential Use

PROPERTY HISTORY

The property was known as Villa Del Palmas but ceased operation and use of the apartment complex after August 25, 2017:

ATTACHMENTS
(CIRCLE)

SUBMITTED PLANS

**PUBLIC HEARING PETITION/
APPLICATION FORM**

LEGAL NOTICE

LEGAL DESCRIPTION

PUBLIC COMMENTS

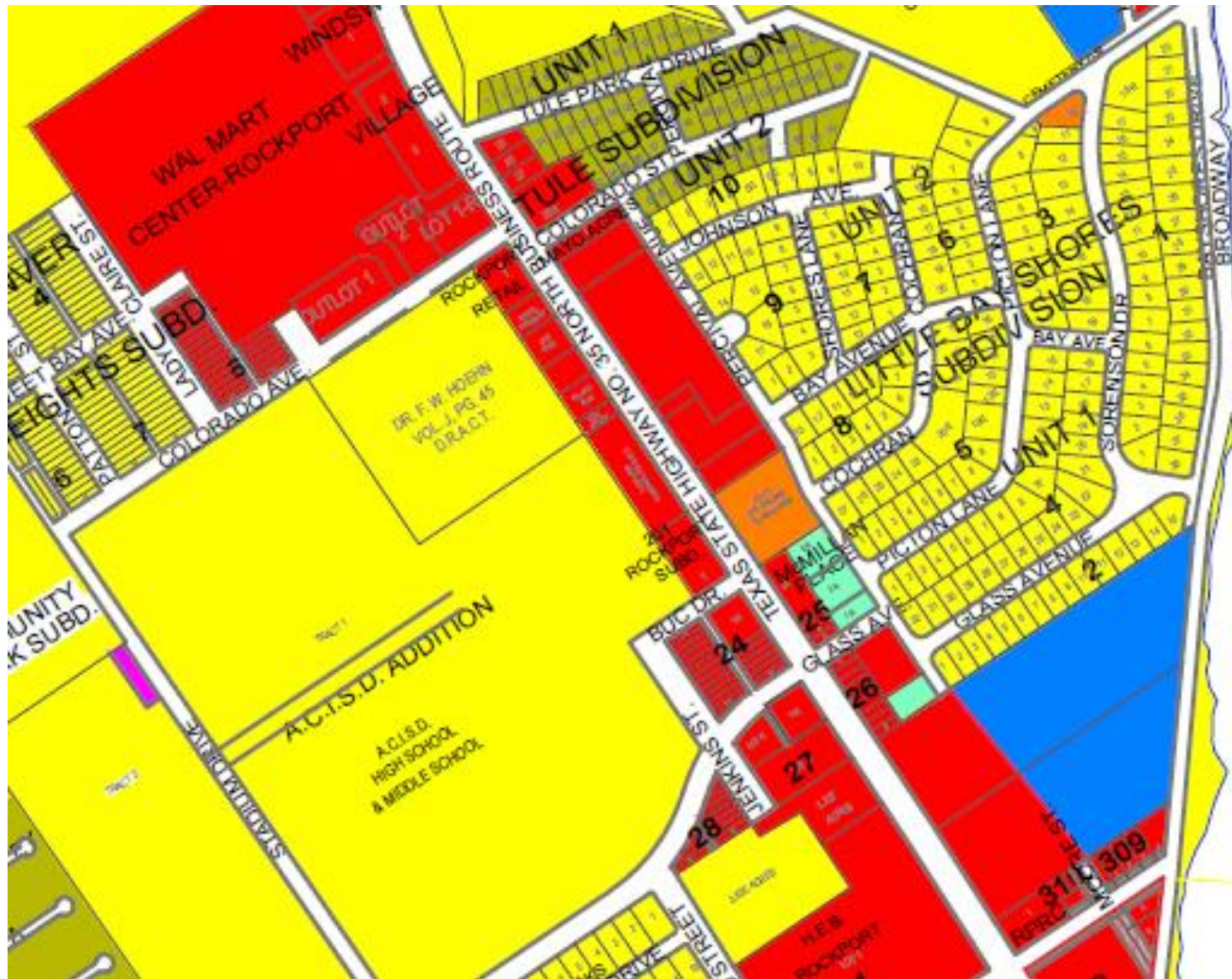
AGENCY COMMENTS

RESPONSE TO STANDARDS

OTHER (DESCRIBE)

<u>Property ID</u>	<u>Property Owner</u>	<u>Situs Address</u>	<u>Mailing Address</u>	<u>City</u>	<u>State</u>	<u>ZIP</u>
34923	Industrial Ready LLC	1806 Hwy 35 N APT D-6	1250 Lost Valley Rd	Dripping Springs	Tx	78620
24163	Christopher & Karra Crowley	1820 Hwy 35 N	P O Box 296	Rockport	Tx	78381
69060	S F Rockport Propertiesa LLC	1910 Hwy 35 N	2675 CR NW 1081	Sulphur Buff	Tx	75481
8821562	Wilkerson Tandy W Jr Trust #1	1825 Percival Ave	307 Troy Dr	Corpus Chrisiti	Tx	78412
8821564	Wilkerson Tandy W Jr Trust #1	1825 Percival Ave	307 Troy Dr	Corpus Chrisiti	Tx	78412
26306	Moya Garcia	1901 Bay Ave	1901 Bay Ave	Rockport	Tx	78382
26294	Thomas & Sheryl Engleman	1902 Cochran Ln	1902 Cochran Ln	Rockport	Tx	78382
26295	Cochran Series of Alpha Juliet LLC	1904 Cochran Ln	447 Linam Lane	Cedar Creek	Tx	78612
26275	Mary Ritter	1901 Cochran Ln	1901 Cochran Ln	Rockport	Tx	78382
26274	Alan & Jody Turner	1903 Cochran Ln	1723 Tamarack Dr	Dallas	Tx	75228
26244	Donald Henze Sr	1902 Picton Ln	4485 Mickey Rd Lot 1	San Antonio	Tx	78223
70287	Linda Collins	1711 Percival Ave	1701 Percival Ave	Rockport	Tx	78382
56200	Jeffrey & Gloria Wolfson	1716 Hwy 35 N	3407 Viceroy CT	The Villages	Fl	32163
57289	Roma Realty LTD	1729 Hwy 35 N	P O Box 1326	Portland	Tx	78374
67467	Priscilla Wilkerson	1732 Buc Dr	300 Concord Plaza Dr	San Antonio	Tx	78216
24140	Four Friends Properties LLC	1905 Hwy 35 N	4141 S Alameda St	Corpus Chrisiti	Tx	78411
26305	Reese S Rozzell	1903 Bay Ave	P O Box 1407	Rockport	Tx	78382
26245	Lisa McCoy	1904 Picton Ln	1904 Picton Ln	Rockport	Tx	78382
26273	Letha Kieffer	1905 Cochran Ln	1905 Cochran Ln	Rockport	Tx	78382
26296	Kevin Shanklin	1906 Cochran Ln	910 County Rd 126A	Kingsland	Tx	78639

ZONING MAP



LITTLE BAY

FUTURE LAND USE MAP



LITTLE BAY

