



CASE COVER SHEET

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

PLANNING & ZONING CASE NO.

PLANNING & ZONING FEE

PLATTING APPLICATION

- MASTER PLAT
- PRELIMINARY PLAT
- FINAL PLAT
- REPLAT
- AMENDING OR MINOR PLAT
- PLAT REINSTATEMENT REQUEST

SITE PLAN APPLICATION

- SITE PLAN
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING

ZONING APPLICATION

- ZONING CHANGE
- SPECIFIC USE PERMIT
- PD DEVELOPMENT PLAN

OTHER APPLICATION

- TREE REMOVAL
- VARIANCE REQUEST/SPECIAL EXCEPTIONS

RECORD OF RECOMMENDATIONS, VOTING RECORDS, AND CONDITIONS OF APPROVAL

ARCHITECTURE REVIEW BOARD

PLANNING AND ZONING COMMISSION

CITY COUNCIL READING #1

CITY COUNCIL READING #2

CONDITIONS OF APPROVAL

NOTES



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

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CITY ENGINEER: _____

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:

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PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 108 W Interurban, Rockwall TX 75087

SUBDIVISION Rockwall OT LOT N BLOCK G

GENERAL LOCATION Alamo & Interurban

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Downtown CURRENT USE Business

PROPOSED ZONING Same PROPOSED USE Business

ACREAGE .16 LOTS [CURRENT] _____ LOTS [PROPOSED] _____

SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

<input checked="" type="checkbox"/> OWNER	<u>Rayway Properties</u>	<input type="checkbox"/> APPLICANT	_____
CONTACT PERSON	<u>Sharon Ray</u>	CONTACT PERSON	_____
ADDRESS	<u>1572 N. Munson</u>	ADDRESS	_____
CITY, STATE & ZIP	<u>Royse City, TX 75189</u>	CITY, STATE & ZIP	_____
PHONE	<u>214-546-8824</u>	PHONE	_____
E-MAIL	<u>Sharon@nutriservice.org</u>	E-MAIL	_____

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Sharon Ray [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

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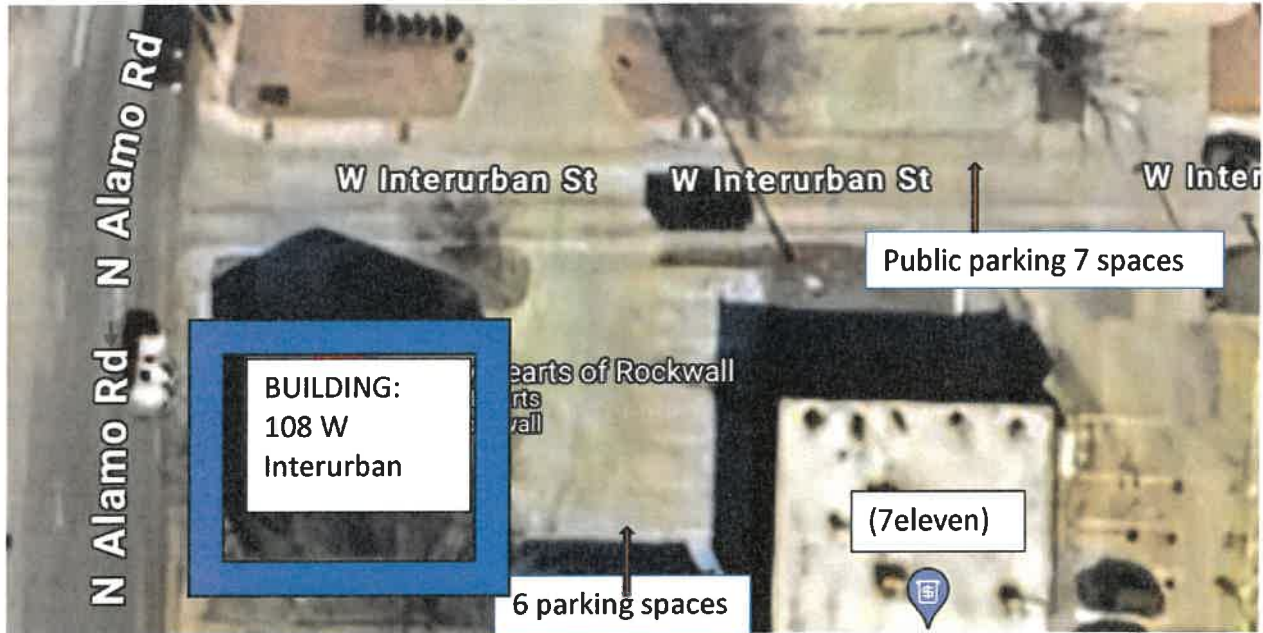
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OWNER'S SIGNATURE Sharon Ray

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Heidy Snyder

HEIDY O SNYDER
Notary Public
State of Texas
ID # 13407082-3
My Comm. Expires 11-17-2026

MY COMMISSION EXPIRES 11-17-2026

Variance Request for 108 W Interurban, Rockwall, TX 75087



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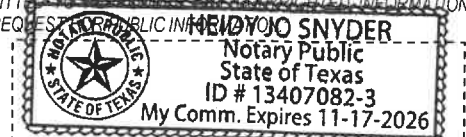
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0 5 10 20 30 40 Feet

MIS2024-006: Exception to the Parking Requirements for 108 W. Interurban Street

W INTERURBAN ST

205

DT

Case Location Map = 



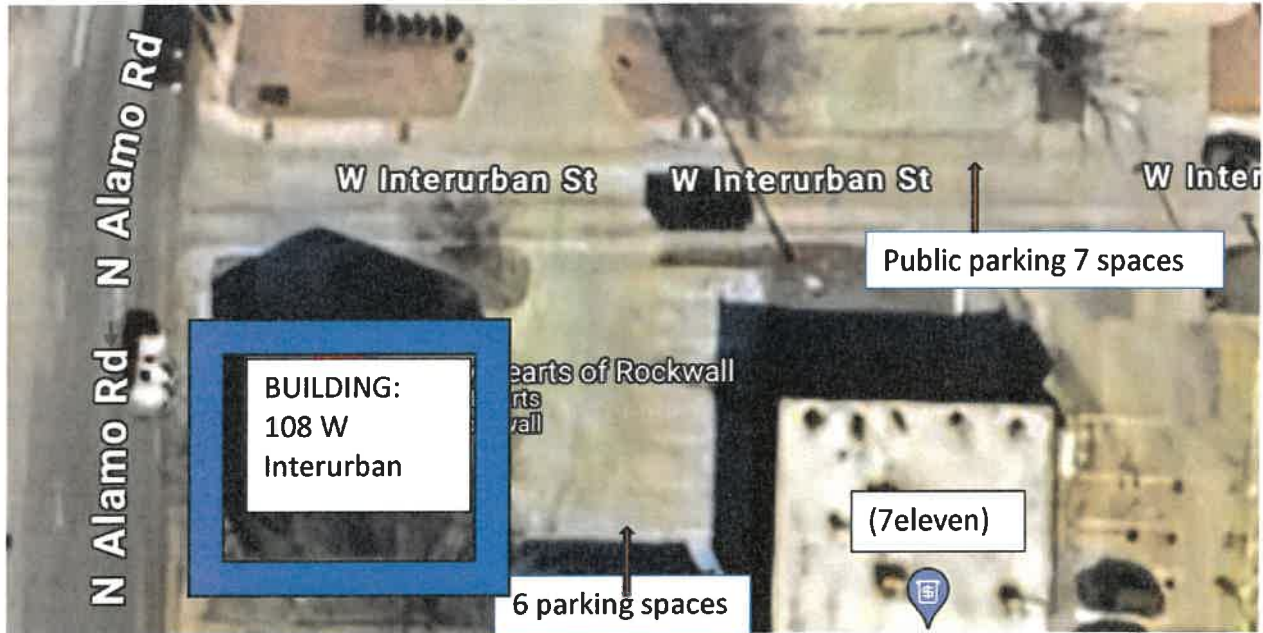
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Planning and Zoning Commission

FROM: Ryan Miller, *Director Planning and Zoning*

DATE: April 30, 2024

SUBJECT: MIS2024-006; *Major Waiver to the Parking Requirements for 108 W. Interurban Street*

On March 28, 2024, Tiny Hearts, a sonogram facility, applied for a Certificate of Occupancy (Case No. CO2024-62). During staff's review of the property, it was discovered that a chiropractor's office and an accountant/CPA were already operating within the same building and lacked Certificates of Occupancy (CO). Staff should note, that these businesses were operating legally prior to staff requiring all businesses -- *regardless of access* -- to obtain a Certificate of Occupancy (CO), and that neither business has or had direct access to the exterior of the building. Based on this, staff offered free Certificates of Occupancy (CO) to these existing businesses for the purpose of determining the parking requirements for each land use operating on the subject property. Based on the submitted applications, it was determined that the existing uses occupying the building required four (4) of the six (6) parking spaces on site (*i.e. the existing office building has six [6] parking spaces, one [1] of which is a handicapped parking space in accordance with the requirements of the Unified Development Code [UDC]*). Following this determination, on April 19, 2024, Sharon and Allan Ray of Rayway Properties submitted a development application requesting the approval of a *Waiver* to the parking requirements for 108 W. Interurban Street.

According to *Table 5: Parking Requirement Schedule* of the Unified Development Code (UDC), the required parking for the CPA office is calculated at 1/300 SF (*i.e. for General Office*) and equates to two (2) spaces, with the remainder of the building (*i.e. the chiropractor and sonogram facility*) being calculated at 1/200 SF (*i.e. for Medical Office*) and equating to seven (7) parking spaces. This means that the building is deficient by three (3) parking spaces for all three (3) tenants (*i.e. 2 spaces + 7 spaces = 9 required spaces – 6 existing spaces = 3 needed parking spaces*). According to Subsection 04.07, *Downtown (DT) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(o)ff-street and on-street facilities shall be provided as required by Article 06, *Parking and Loading*, of the Unified Development Code (UDC) ... [however] on-street parking which is directly in front of the development site may be counted toward the parking requirement for the development." In this case, there are seven (7) on-street parking spaces on the north side of W. Interurban Street, approximately 50-feet from the drive approach of the subject property. While these parking spaces are not directly in front of the subject property, staff should point out that there is only one (1) other building (*i.e. Dirkse and Associates*) along W. Interurban Street that would have a claim to these seven (7) parking spaces, and that this building has a sufficient number of parking spaces on-site to accommodate their land use (*i.e. a General Office*). In addition, the applicant has stated that the chiropractor's office and *Tiny Hearts* have alternating hours of operation and do not typically operate during the same time periods.

Based on this, it is reasonable to assume that there is sufficient parking in the area to accommodate all of the proposed and existing businesses. Typically, waivers to the parking requirements are determined by the City Council through a *Major Waiver*; however, in this case the applicants request deals with two (2) aspects of the Downtown (DT) District ordinance: [1] if the parking lot is in close enough in proximity to the subject property to be determined to meet the parking requirements, and [2] if the shared parking request is reasonable. Both of these types of requests are considered to be administrative decisions in nature and can be ruled upon by the Planning and Zoning Director. In past cases, it has been the practice of the Planning and Zoning Director to defer these rulings to the Planning and Zoning Commission on the basis that they are interpretations of the design standards and would fall under a *Minor Waiver*, which is in the Planning and Zoning Commission's purview based on the ordinance. Based on this practice, the Planning and Zoning Director is bringing the request to the Planning and Zoning Commission, but feels obligated to state that in staff's opinion the applicant's request does appear to merit approval. Additionally, staff has provided the applicant's letter with a detailed concept plan within the packet. Should the Planning and Zoning Commission have any questions, staff will be available at the April 30, 2024 Planning and Zoning Commission meeting.



DEVELOPMENT APPLICATION

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MIS2024-006: Exception to the Parking Requirements for 108 W. Interurban Street

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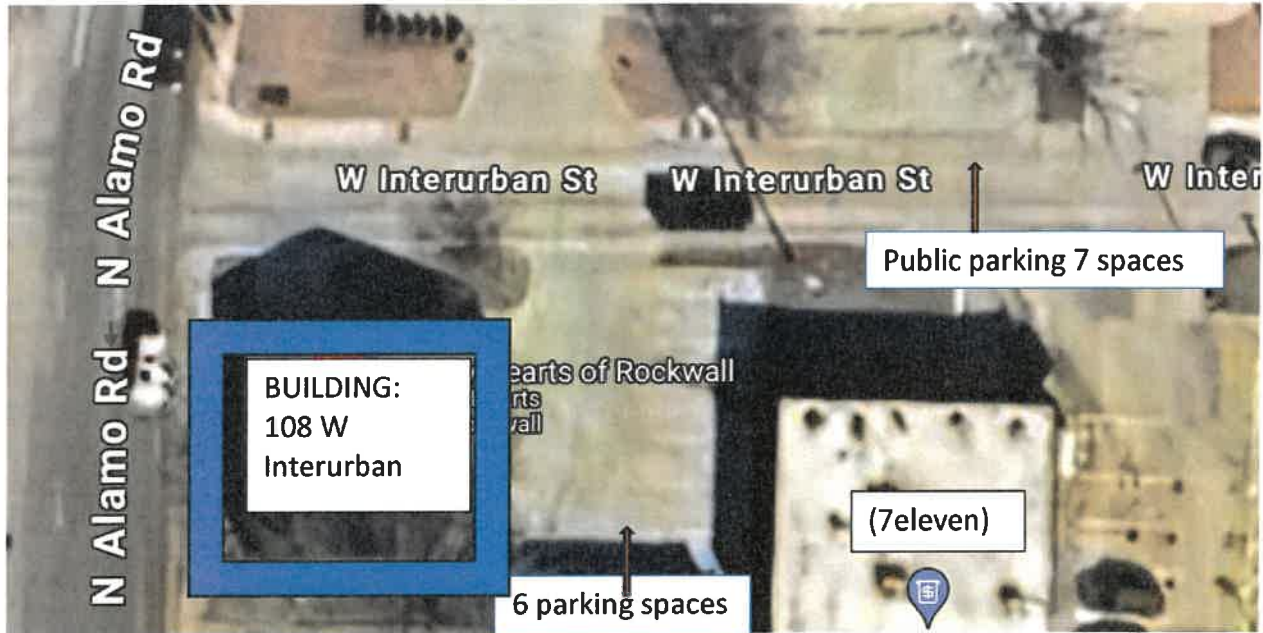
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May 17, 2024

TO: Sharon Ray
Rayway Properties
1572 N. Munson
Royse City, TX 75189

FROM: Bethany Ross
City of Rockwall Planning and Zoning Department
385 S. Goliad Street
Rockwall, TX 75087

SUBJECT: MIS2024-006; *Exception to the Parking Requirements.*

Sharon:

This letter serves to notify you that the above referenced case (*i.e. Miscellaneous Case*) that you submitted for consideration by the City of Rockwall was approved by the Planning and Zoning Commission on April 30, 2024. The following is a record of all recommendations, voting records and conditions of approval:

Staff Recommendations

- (1) Any construction resulting from the approval of this Miscellaneous Case shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Commission

On April 30, 2024, the Planning and Zoning Commission approved a motion to approve the *Exception* by a vote of 5-0, with Commissioners Llewellyn and Conway absent.

Should you have any questions or concerns regarding your case, please feel free to contact me a (972) 772-6488.

Sincerely,

A handwritten signature in black ink that reads "Bethany Ross". The signature is written in a cursive, flowing style.

Bethany Ross, *Planner*
City of Rockwall Planning and Zoning Department