



# PLANNING AND ZONING CASE CHECKLIST

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

P&Z CASE # Z2019-007 P&Z DATE 4/9/2019 CC DATE 4/15/2019 APPROVED/DENIED \_\_\_\_\_  
ARCHITECTURAL REVIEW BOARD DATE \_\_\_\_\_ HPAB DATE \_\_\_\_\_ PARK BOARD DATE \_\_\_\_\_

ZONING APPLICATION	
<input checked="" type="checkbox"/>	SPECIFIC USE PERMIT
<input type="checkbox"/>	ZONING CHANGE
<input type="checkbox"/>	PD CONCEPT PLAN
<input type="checkbox"/>	PD DEVELOPMENT PLAN

SITE PLAN APPLICATION	
<input type="checkbox"/>	SITE PLAN
<input type="checkbox"/>	LANDSCAPE PLAN
<input type="checkbox"/>	TREESCAPE PLAN
<input type="checkbox"/>	PHOTOMETRIC PLAN
<input type="checkbox"/>	BUILDING ELEVATIONS
<input type="checkbox"/>	MATERIAL SAMPLES
<input type="checkbox"/>	COLOR RENDERING

PLATTING APPLICATION	
<input type="checkbox"/>	MASTER PLAT
<input type="checkbox"/>	PRELIMINARY PLAT
<input type="checkbox"/>	FINAL PLAT
<input type="checkbox"/>	REPLAT
<input type="checkbox"/>	ADMINISTRATIVE/MINOR PLAT
<input type="checkbox"/>	VACATION PLAT
<input type="checkbox"/>	LANDSCAPE PLAN
<input type="checkbox"/>	TREESCAPE PLAN

<input type="checkbox"/>	COPY OF ORDINANCE (ORD.# _____)
<input checked="" type="checkbox"/>	APPLICATIONS
<input checked="" type="checkbox"/>	RECEIPT
<input checked="" type="checkbox"/>	LOCATION MAP
<input checked="" type="checkbox"/>	HOA MAP
<input type="checkbox"/>	PON MAP
<input type="checkbox"/>	FLU MAP
<input type="checkbox"/>	NEWSPAPER PUBLIC NOTICE
<input type="checkbox"/>	500-FT. BUFFER PUBLIC NOTICE
<input type="checkbox"/>	PROJECT REVIEW
<input type="checkbox"/>	STAFF REPORT
<input type="checkbox"/>	CORRESPONDENCE
<input type="checkbox"/>	COPY-ALL PLANS REQUIRED
<input type="checkbox"/>	COPY-MARK-UPS
<input type="checkbox"/>	CITY COUNCIL MINUTES-LASERFICHE
<input type="checkbox"/>	MINUTES-LASERFICHE
<input type="checkbox"/>	PLAT FILED DATE _____
<input type="checkbox"/>	CABINET # _____
<input type="checkbox"/>	SLIDE # _____
<b>NOTES:</b> _____	
_____	
_____	
_____	
_____	
<b>ZONING MAP UPDATED</b> _____	



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 2019-007

**NOTE:** THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: \_\_\_\_\_

CITY ENGINEER: \_\_\_\_\_

Please check the appropriate box below to indicate the type of development request (Resolution No. 05-22) [SELECT ONLY ONE BOX]:

### Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre)<sup>1</sup>
- Preliminary Plat (\$200.00 + \$15.00 Acre)<sup>1</sup>
- Final Plat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- Replat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

### Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)<sup>1</sup>
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

### Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre)<sup>1</sup>
- Specific Use Permit (\$200.00 + \$15.00 Acre)<sup>1</sup>
- PD Development Plans (\$200.00 + \$15.00 Acre)<sup>1</sup>

### Other Application Fees:

- Tree Removal (\$75.00)

### Notes:

<sup>1</sup>: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, only the "base fee" is required.

## PROPERTY INFORMATION [PLEASE PRINT]

Address 2015 Kristy lane  
 Subdivision Bodin Industrial Tract Lot 1-F0 Block \_\_\_\_\_  
 General Location \_\_\_\_\_

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning L-1 Current Use Brewery & Tap Room  
 Proposed Zoning S.U.P. Proposed Use Outdoor Amusement  
 Acreage 1.2 Lots [Current] \_\_\_\_\_ Lots [Proposed] \_\_\_\_\_

**Required for Plats:** By checking the box at the left you agree to waive the statutory time limit for plat approval in accordance with Section 212.009 of the Local Government Code.

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

<input checked="" type="checkbox"/> Owner <u>Forrest B. Davis JR.</u>	<input checked="" type="checkbox"/> Applicant <u>Ruben Garcia or Brandon Mullins</u>
Contact Person _____	Contact Person <u>Ruben or Brandon</u>
Address <u>817 MEADOWBALE DR</u>	Address <u>2015 Kristy Lane</u>
City, State & Zip <u>Rowse City, TX 75189</u>	City, State & Zip <u>Rockwall, TX 75032</u>
Phone _____	Phone <u>(469) 693-7852 or</u>
E-Mail _____	E-Mail <u>Ruben@hemispherebrewing.com</u>

## NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Forrest B. Davis JR [Owner/Applicant Name] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner, or duly authorized agent of the owner, for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 2152, to cover the cost of this application, has been paid to the City of Rockwall on this the 14th day of March, 20 19. By signing this application I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

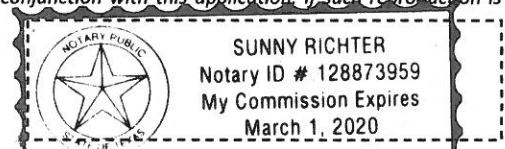
Given under my hand and seal of office on this the 14th day of March, 20 19.

Owner's/Applicant's Signature

Forrest B. Davis Jr

Notary Public in and for the State of Texas

[Signature]



My Commission Expires March 1, 2020



**DEVELOPMENT REVIEW COMMITTEE (DRC)  
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT**

Phone: (972) 771-7745

Email: [Planning@Rockwall.com](mailto:Planning@Rockwall.com)

**External Review:** Wayne Carter, Charter Communications  
Jim Friske, Charter Communications  
Dinah Wood, Atmos  
Randy Voight, Oncor  
Phillip Dickerson, Oncor  
Brian Duncan, AT&T  
Javier Fernandez, RISD  
Brenda Callaway, TXDOT  
Stephen Geiger, Farmer's Electric  
Frank Spataro, Farmer's Electric

**Internal Review:** Amy Williams, Engineering  
John Shannon, Building Inspections  
Ariana Hargrove, Fire  
Andy Hesser, Parks  
Andy Villarreal, Police

**From:** Planning & Zoning Department

**Date:** 3/15/2019

To assist the Planning Department in evaluating the attached request, we are sending it to you for your review and comments. Please return any comments and/or plan mark-ups to us within five (5) days. Internal staff will also be required to have all comments input into CRW no later than Friday, 03/22/2019. Planning staff will assemble all comments received in time for our regularly scheduled DRC meeting on 3/26/2019 at 2:00 p.m. The Planning and Zoning Commission work session will be held on 3/26/2019 at 6:00 p.m. You are welcome to attend both meetings. If you have any questions, please contact us at (972) 771-7745.

**Project Number:** Z2019-007  
**Project Name:** SUP for an Outdoor Stage  
**Project Type:** ZONING  
**Applicant Name:** RUBEN GARCIA  
**Owner Name:** DAVIS, FORREST B  
**Project Description:**



# RECEIPT

Project Number: Z2019-007  
Job Address: 2015 KRISTY LN  
ROCKWALL, TX 75032

Receipt Number: B84422

Printed: 3/18/2019 11:32 am

Fee Description	Account Number	Fee Amount
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ZONING

01-4280

\$ 203.00

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**Total Fees Paid:**

**\$ 203.00**

Date Paid: 3/18/2019 12:00:00AM

Paid By: Mingling Mouth

Pay Method: CHECK 3098

Received By: LM

## City of Rockwall Project Plan Review History



<b>Project Number</b> Z2019-007	<b>Owner</b> DAVIS, FORREST B	<b>Applied</b> 3/15/2019	<b>LM</b>
<b>Project Name</b> SUP for an Outdoor Commercial	<b>Applicant</b> RUBEN GARCIA	<b>Approved</b>	
<b>Type</b> ZONING		<b>Closed</b>	
<b>Subtype</b> SUP		<b>Expired</b>	
<b>Status</b> Staff Review		<b>Status</b>	
 <b>Site Address</b> 2015 KRISTY LN		<b>City, State Zip</b> ROCKWALL, TX 75032	
		<b>Zoning</b>	
<b>Subdivision</b> BODIN INDUSTRIAL	<b>Tract</b> 1-F0	<b>Block</b>	<b>Lot No</b> 1-F0
			<b>Parcel No</b> 3130-0000-0001-F0-OR
			<b>General Plan</b>

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	Russell McDowell	3/15/2019	3/22/2019	3/19/2019	4	APPROVED	
ENGINEERING (3/22/2019 11:55 AM SH) Detention is required for stage area.	Sarah Hager	3/15/2019	3/22/2019	3/22/2019	7	APPROVED	
FIRE	Ariana Hargrove	3/15/2019	3/22/2019				
PLANNING	David Gonzales	3/15/2019	3/22/2019	3/22/2019	7	COMMENTS	See comments

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed Status	Remarks
						<p>Hold a public hearing to discuss and consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B Davis Jr. for the approval of a Specific Use Permit (SUP) for outdoor commercial amusement/recreation in conjunction with an existing Craft/Micro Brewery on a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary.</p> <p>PLANNING COMMENTS - DAVID GONZALES– 03.21.2019</p> <p>All staff comments are to be addressed and resubmitted by Tuesday April 2, 2019. Please provide two (2) large copies [FOLDED] and one PDF version for a subsequent review by staff:</p> <p>Planning Department General Comments to be addressed/acknowledge are as follows:</p> <ul style="list-style-type: none"> <li>• On all future submittals please include the Case Number Z2019-007 on the lower right hand corner.</li> <li>• When provided, please review the SUP Draft Ordinance prior to the Planning &amp; Zoning public hearing scheduled for April 9, 2019 and return with red lined corrections and/or additions you feel may be necessary for staff review and consideration</li> </ul> <p>** Planning Staff additional comments to be considered by the P&amp;Z and City Council as conditions of approval:</p> <ol style="list-style-type: none"> <li>1. Approval of an SUP is required to allow for the outdoor commercial amusement/ recreation land use (i.e. stage venue - outdoors).</li> <li>2. Adherence to all Engineering and Fire Department standards shall be required</li> <li>3. Is the stage a permanent structure affixed to the ground or is this portable?</li> </ol> <p>*** Operational Conditions:</p> <ol style="list-style-type: none"> <li>1) The development and operation of a Commercial Amusement/Recreation (Outdoor) land use shall generally conform to the Concept Plan depicted in Exhibit 'B' of this ordinance;</li> <li>2) The Subject Property may be used for all permitted accessory uses, as well as, the use of an outdoor stage and venue that may include live music/entertainment, a Biergarten, and catered food vendors within the outdoor area as depicted in Exhibit 'B' of this ordinance; and,</li> <li>3) This Specific Use Permit (SUP) shall only be valid as an accessory use to the existing craft brewery. Should the subject property's land use designation change (i.e. other than a craft brewery) this SUP shall automatically expire.</li> </ol> <p>The following are scheduled meeting dates that you and/or your representative(s) are required to attend regarding the SUP request. If you have any questions regarding this case, please feel free to contact David Gonzales, AICP with the Planning Department at 972-771-7745.</p> <p>*** Meeting Dates to Attend***</p> <p>Planning - Work Session: March 26, 2019 (6:00 p.m.) [Applicant to present case to P&amp;Z for discussion]</p>

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed Status	Remarks
Planning - Public Hearing: April 9, 2019 (6:00 p.m.) [P&Z to take action (i.e. approve, approve with conditions, or deny, etc.)						
City Council - Public Hearing: April 15, 2019 (6:00 p.m.) [1st Reading of SUP Ordinance]						
City Council - Consent/Action Item: May 6, 2019 (6:00 p.m.) [2nd Reading of SUP Ordinance (if approved at 1st reading)]						

0 20 40 80 120 160 Feet

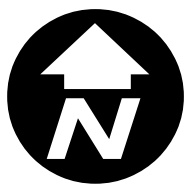
Z2019-007 - SUP FOR OUTDOOR COMMERCIAL AMUSEMENT  
ZONING - LOCATION MAP = 



## City of Rockwall




Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75032  
(P): (972) 771-7745  
(W): [www.rockwall.com](http://www.rockwall.com)

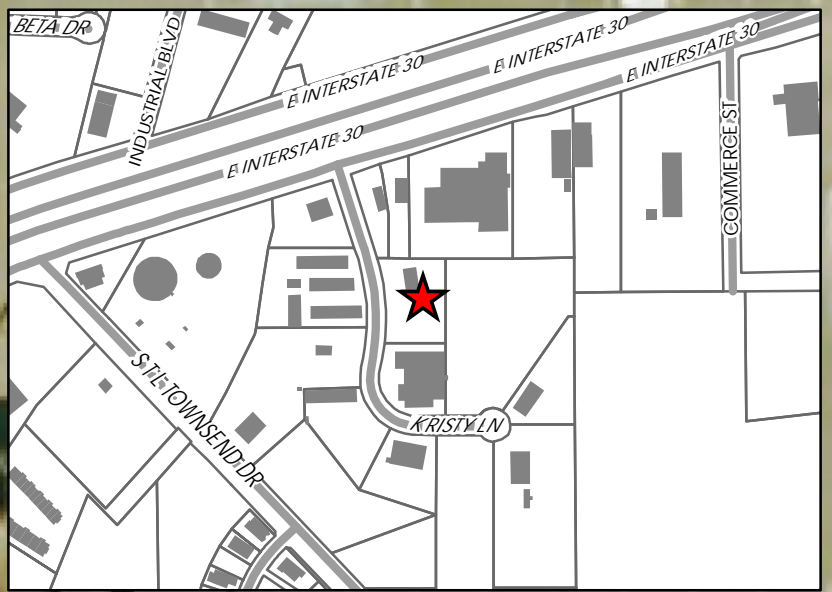
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





# Legend

-  Seating Area
-  Music
-  Overall Site

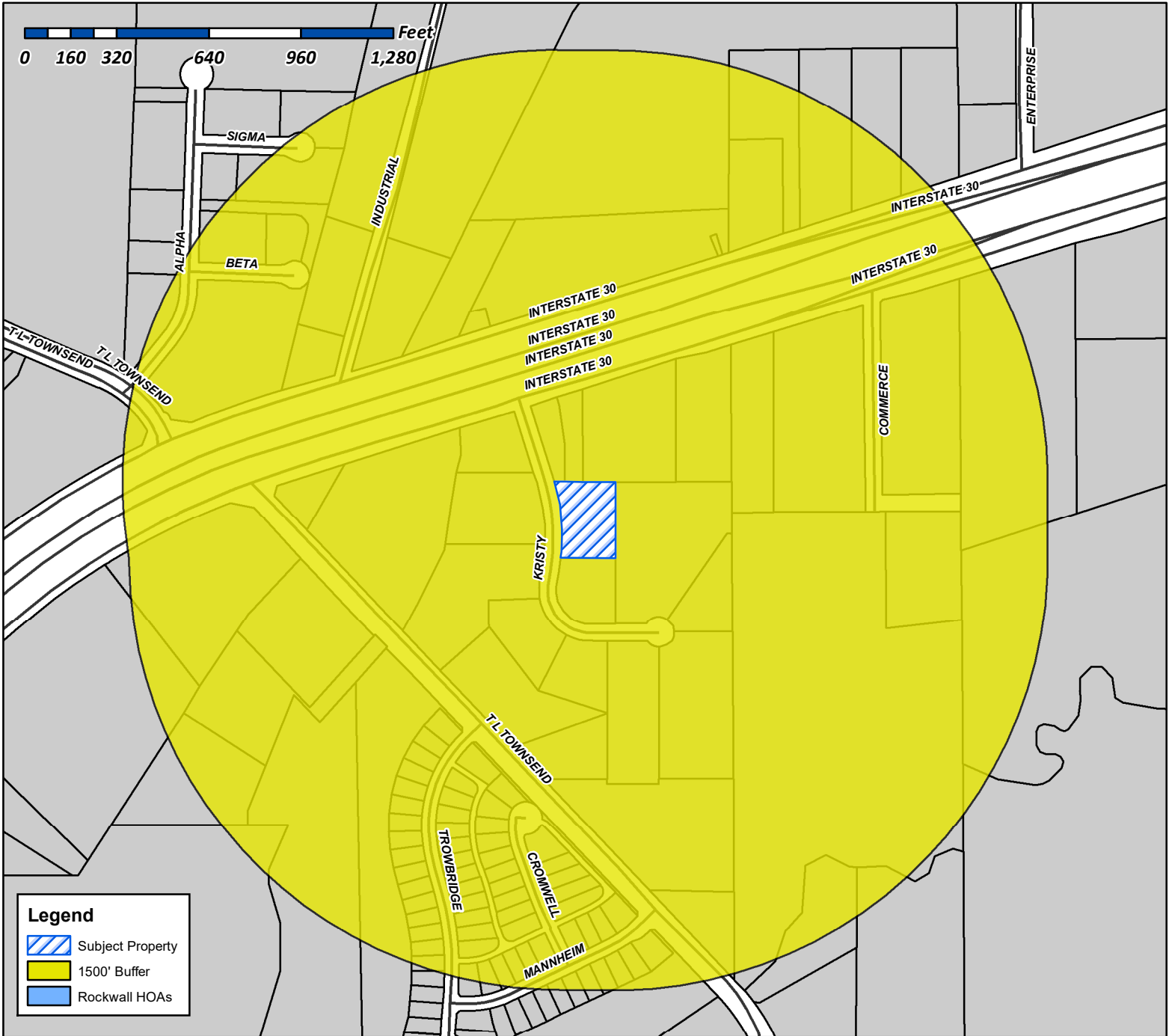




# City of Rockwall

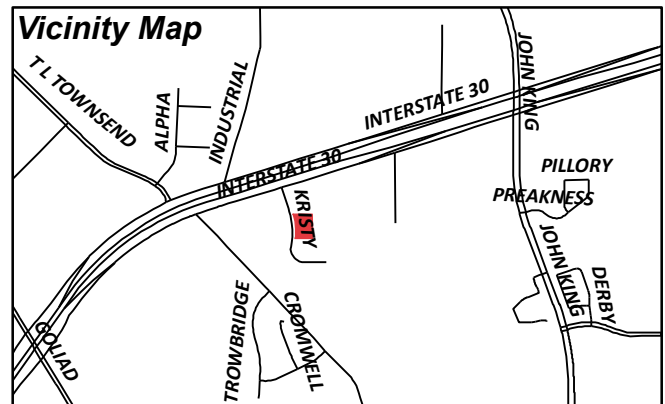
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**Case Number:** Z2019-007  
**Case Name:** SUP for Commercial Amusement  
**Case Type:** Zoning  
**Zoning:** Light Industrial (LI) District  
**Case Address:** 2015 Kristy Lane

**Date Created:** 3/18/2019  
**For Questions on this Case Call** (972) 771-7745

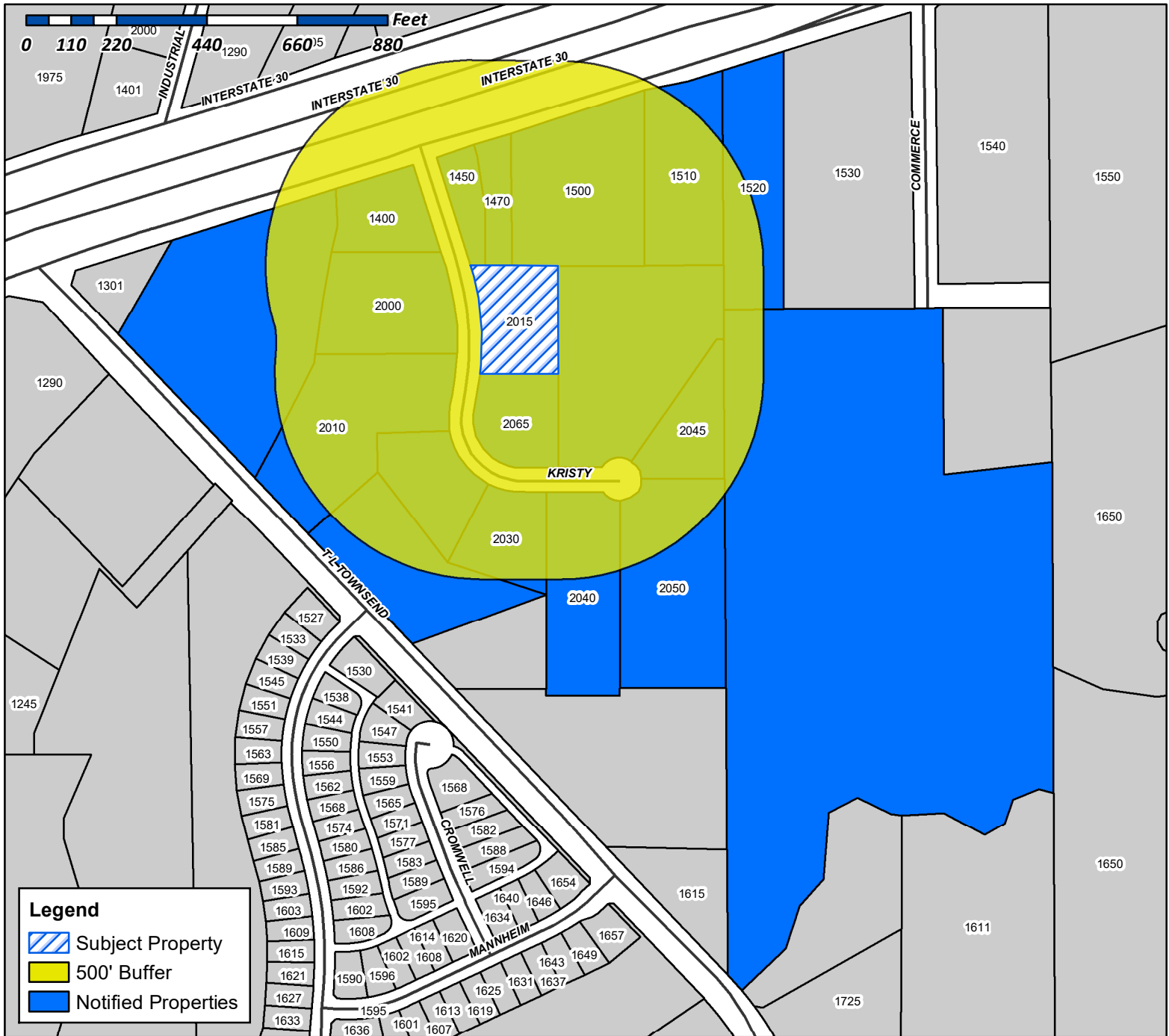




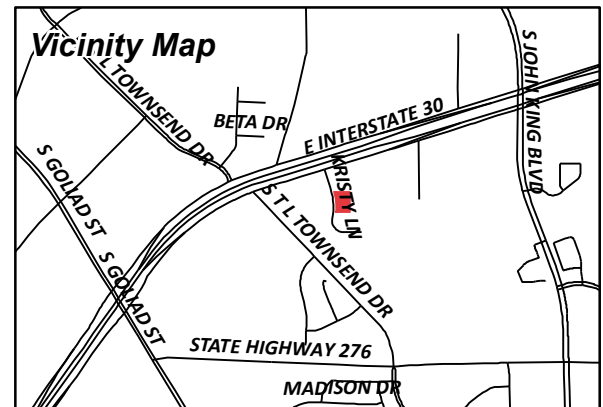
# City of Rockwall

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

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**Case Number:** Z2019-007  
**Case Name:** SUP for Outdoor Commercial Amusement  
**Case Type:** Zoning  
**Zoning:** Light Industrial (LI) District  
**Case Address:** 2015 Kristy Lane



**Date Created:** 3/21/2019  
**For Questions on this Case Call (972) 771-7745**



# NOTICE OF PUBLIC HEARING

## CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

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

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

**Case No. Z2019-007: SUP for an Outdoor Commercial Amusement**

*Hold a public hearing to discuss and consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B. Davis Jr. for the approval of a Specific Use Permit (SUP) for outdoor commercial amusement/recreation in conjunction with an existing Craft/Micro Brewery on a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary.*

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 4/9/2019 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 4/15/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

**Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087**

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **4/15/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



**MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:**  
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development-cases)

--- PLEASE RETURN THE BELOW FORM -----

**Case No. Z2019-007: SUP for an Outdoor Commercial Amusement**

Please place a check mark on the appropriate line below:

- I am in favor of the request for the reasons listed below.
- I am opposed to the request for the reasons listed below.

Four horizontal grey bars for providing reasons for the response.

**Name:**

Grey bar for entering the name.

**Address:**

Grey bar for entering the address.

**Tex. Loc. Gov. Code, Sec. 211.006 (d)** If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

**PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE**

SELF CECIL E & ALICE E  
REVOCABLE LIVING TRUST  
1105 SWALLOWTAIL DR  
MADISON, WI 53717

CURRENT RESIDENT  
1400 I30  
ROCKWALL, TX 75032

RICK BENTLEY PROPERTIES LLC  
1450 E I-30  
ROCKWALL, TX 75087

SARO PARTNERS LLC  
1450 T L TOWNSEND  
ROCKWALL, TX 75032

CURRENT RESIDENT  
1470 I30  
ROCKWALL, TX 75032

MULTI-METAL & MFG CO, INC  
1500 E INTERSTATE 30  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1510 E I30  
ROCKWALL, TX 75032

CURRENT RESIDENT  
1520 E I30  
ROCKWALL, TX 75032

CURRENT RESIDENT  
2000 KRISTY LN  
ROCKWALL, TX 75032

CURRENT RESIDENT  
2010 KRISTY LN  
ROCKWALL, TX 75032

CURRENT RESIDENT  
2015 KRISTY LN  
ROCKWALL, TX 75032

CURRENT RESIDENT  
2030 KRISTY LN  
ROCKWALL, TX 75032

CURRENT RESIDENT  
2040 KRISTY LN  
ROCKWALL, TX 75032

CURRENT RESIDENT  
2045 KRISTY LN  
ROCKWALL, TX 75032

CURRENT RESIDENT  
2050 KRISTY LN  
ROCKWALL, TX 75032

MOORE MICHAEL E & MARIJANE  
2065 KRISTY LANE  
ROCKWALL, TX 75032

MOORE MICHAEL E & MARIJANE  
2065 KRISTY LN  
ROCKWALL, TX 75032

REDI MIX LLC  
331 N MAIN STREET  
EULESS, TX 76039

CSIHAR JAMES J  
592 S.E. VOKERT'S TERRACE  
PORT SAINT LUCIE, FL 34983

OWENS REAL ESTATE INVESTMENTS LLC  
7156 HUNT LN  
ROCKWALL, TX 75087

BODIN CONCRETE LP  
PO BOX 109  
ROWLETT, TX 75030

HAWN HOLDINGS LC  
PO BOX 1688  
ROCKWALL, TX 75087

COPPER CANYON HOMES LLC  
PO BOX 1870  
ROCKWALL, TX 75087

ROCKWALL CREDIT SERVICES L C  
PO BOX 1870  
ROCKWALL, TX 75087

DAVIS FORREST B  
PO BOX 826  
FATE, TX 75132

COLLIN G PROPERTIES LTD  
PO BOX 847  
ROCKWALL, TX 75087

THACKER DENNIS ALAN TESTAMENTARY TRUST  
AND  
LINDA THACKER LAHOOD AND JOSHUA ALAN  
THACKER  
PO BOX 8693  
GREENVILLE, TX 75404



March 14, 2019

Re: S.U.P (Special Use Permit) @ Hemisphere Brewing Company  
2015 Kristy Lane  
Rockwall, Texas 75032

To Whom It May Concern:

We are requesting for a Special Use Permit @ Hemisphere Brewing Company for an outdoor stage and Biergarten for the following purpose.

- Live Outdoor Entertainment
- Rockwall Community & Charity Events
- Special Engagements such as; weddings, birthday parties, corporate events and private parties.
- Social gatherings during normal business hours.

We are honored and proud to be part of the Rockwall community. Our goal is to continue to provide a “destination” location for visitors from all over the US.

Sincerely,

A blue ink signature of Brandon Mullins, written in a cursive style.

A blue ink signature of Ruben Garcia, written in a cursive style.

Brandon Mullins & Ruben Garcia  
Owners

Hemisphere Brewing Company

Tel: (972) 722-4535

Email: [brandon@hemispherebrewing.com](mailto:brandon@hemispherebrewing.com)

Email: [ruben@hemispherebrewing.com](mailto:ruben@hemispherebrewing.com)

[www.hemispherebrewing.com](http://www.hemispherebrewing.com)

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *COMERCIAL AMUSEMENT/RECREATION (OUTDOOR)* LAND USE IN CONJUNCTION WITH AN EXISTING CRAFT BREWERY ON A 1.215-ACRE PARCEL OF LAND, ADDRESSED AS 2015 KRISTY LANE AND BEING IDENTIFIED AS LOT 1-F, BODIN INDUSTRIAL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, a request has been made by Ruben Garcia and Brandon Mullins for the approval of a Specific Use Permit (SUP) for a *Commercial Amusement/Recreation (Outdoor)* land use for the purpose of establishing an outdoor stage and venue in conjunction with an existing craft brewery on a 1.215-acre parcel of land, zoned Light Industrial (LI) District, identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, addressed as 2015 Kristy Lane, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

**SECTION 1.** That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Commercial Amusement/Recreation (Outdoor)* land use as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [Ordinance No. 04-38] on the *Subject Property*, and

**SECTION 2.** That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in *Section 1.1, Land Use Schedule*, of Article IV, *Permissible Uses*, and *Section 5.02, Light Industrial (LI) District*, of Article V, *District Development Standards*, of the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall as heretofore amended, as amended herein

by the granting of this zoning change, and as may be amended in the future, and shall be subject to the following additional conditions:

## 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Commercial Amusement/Recreation (Outdoor)* land use on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- 1) The development and operation of a *Commercial Amusement/Recreation (Outdoor)* land use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance;
- 2) The *Subject Property* may be used for all permitted accessory uses, as well as, the use of an *outdoor stage and venue* that may include live music/entertainment, a Biergarten, and catered food vendors within the outdoor area as depicted in *Exhibit 'B'* of this ordinance; and,
- 3) This Specific Use Permit (SUP) shall only be valid as an accessory use to the existing craft brewery. Should the subject property's land use designation change (*i.e. other than a craft brewery*) this SUP shall automatically expire.

## 2.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- 1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

**SECTION 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this



ordinance shall remain in full force and effect.

**SECTION 7.** That this ordinance shall take effect immediately from and after its passage;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 6<sup>TH</sup> DAY OF MAY, 2019.**

\_\_\_\_\_  
Jim Pruitt, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: March 15, 2019

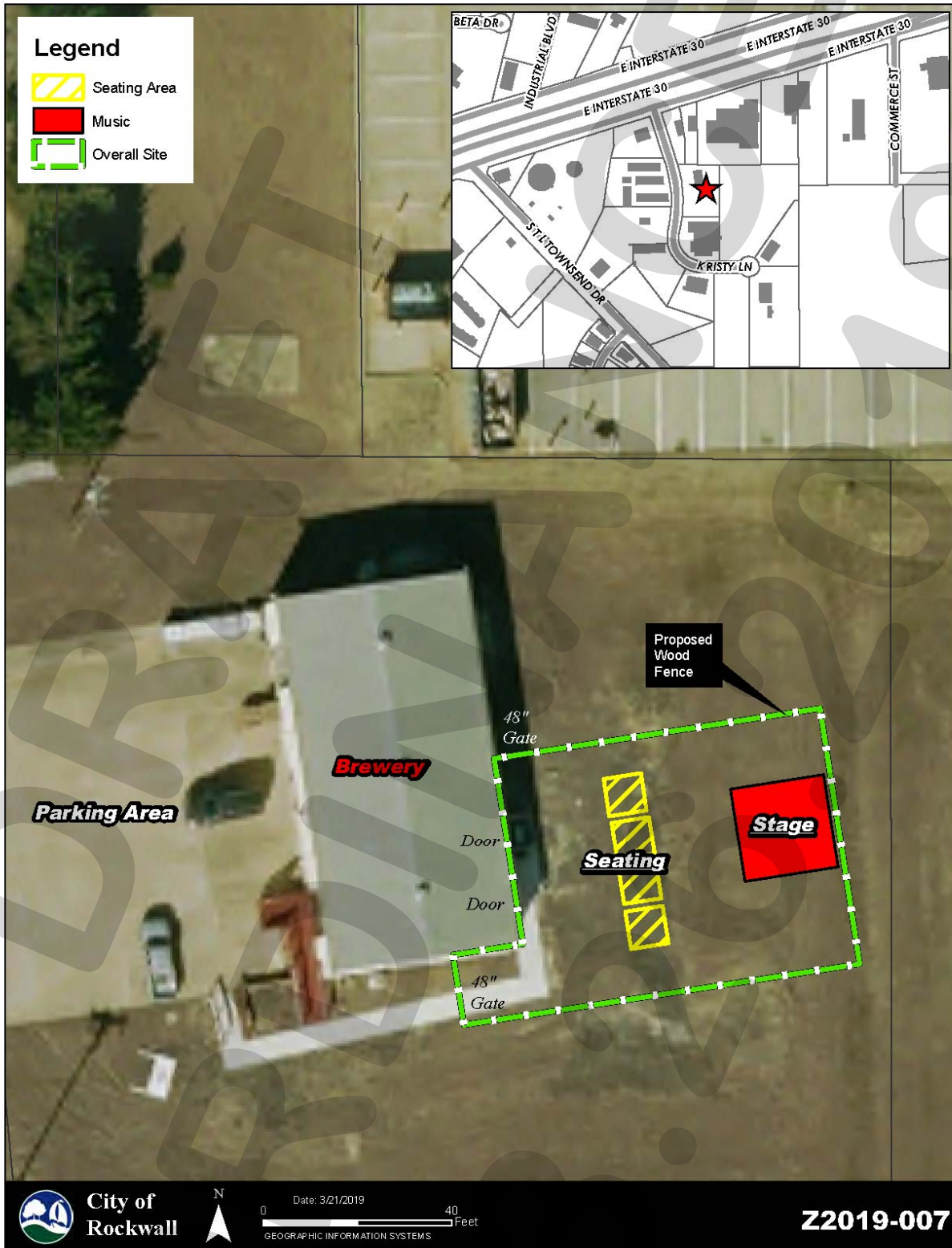
2<sup>nd</sup> Reading: May 6, 2019

**Exhibit 'A':**  
**Legal Description:**

*Lot 1-F, Bodin Industrial Addition*



Exhibit 'B':  
Concept Plan





# CITY OF ROCKWALL

## PLANNING AND ZONING COMMISSION CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

---

**TO:** Planning and Zoning Commission  
**DATE:** April 9, 2019  
**APPLICANT:** Ruben Garcia and Brandon Mullins of *Hemisphere Brewing Company*  
**CASE NUMBER:** Z2019-007; *SUP for Commercial Amusement/Recreation (Outdoor)*

---

### **SUMMARY**

Hold a public hearing to discuss and consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B. Davis Jr. for the approval of a Specific Use Permit (SUP) for *outdoor commercial amusement/recreation* in conjunction with an existing Craft/Micro Brewery on a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary.

### **BACKGROUND**

The subject property is a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition. The subject property is situated within the IH-30 Overlay (IH-30 OV) District and addressed as 2015 Kristy Lane. The property was annexed on May 5, 1980 by *Ordinance No. 80-06*. According to the City's historic zoning maps, the subject property has been zoned Light Industrial (LI) District since at least May 16, 1983. Currently, the property is being used as a brewery (*i.e. Hemisphere Brewing Company*), which is a by-right land use within the Light Industrial (LI) District. Hemisphere Brewing Company obtained their Certificate of Occupancy (CO) on November 17, 2014.

### **PURPOSE**

The applicants, Ruben Garcia and Brandon Mullins, have submitted a request for a Specific Use Permit (SUP) to allow a *Commercial Amusement/Recreation (Outdoor)* land use in conjunction with an existing craft/microbrewery located within a Light Industrial (LI) District. The applicant is requesting to operate an outdoor entertainment area that includes a stage and seating areas. This will be located at the rear of the property and will be enclosed by an eight (8)-foot wooden fence.

### **ADJACENT LAND USES AND ACCESS**

The subject property is located at 2015 Kristy Lane. The land uses adjacent to the subject property are as follows:

**North:** Directly north of the subject property are three (3) businesses (*i.e. Rite Co. Collision, Asnet, Inc., & Multi-Metal & MFG Co., Inc.*) on a 3.77-acres of land that front IH-30. All of these properties are zoned Light Industrial (LI) District. Beyond these properties is IH-30.

**South:** Directly south of the subject property is a business (*i.e. Excel Metal Finishing*) addressed as 2065 Kristy Lane, which is situated a one (1)-acre parcel of land. This property is zoned Light Industrial (LI) District.

**East:** Directly east of the subject property is a 3.543-acre parcel of land that is vacant. This property is zoned Light Industrial (LI) District.

West: Directly west of the subject property are two (2) businesses (*i.e. Rockwall Mini Storage & Bodin Concrete*) on 4.0681-acres of land. Both of these properties are zoned Light Industrial (LI) District.

### **CHARACTERISTICS OF THE REQUEST**

The applicants have stated that they would like the opportunity to expand their operations by including an outdoor stage and Biergarten venue for the purpose of incorporating live entertainment, charity events, special events (*i.e. corporate events, birthday parties, weddings, etc.*) and social gatherings into their existing operations. Due to the hours of operation as regulated for a brewery by the Texas Alcoholic Beverage Commission (TABC), the applicants would be able to host these events during the hours of 8:00 a.m. – 12:00 a.m. Monday through Saturday and 10:00 a.m. – 12:00 a.m. on Sunday. Additionally, the applicants have provided a concept plan for the *Commercial Amusement/Recreation (Outdoor)* use [*i.e. outdoor venue*], which shows that the *Commercial Amusement/Recreation (Outdoor)* area will be located at the rear of the facility. The concept plan indicates the location of the outdoor stage area, proposed seating areas, and an eight (8)-foot high wood fence that will enclose this area.

### **CONFORMANCE WITH THE CITY'S CODES**

According to Section 1.1, *Land Use Schedule*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC), a *Commercial Amusement/Recreation (Outdoor)* land use requires approval of a Specific Use Permit (SUP) in a Light Industrial (LI) District. Staff has included language providing for the expiration of the SUP should the land use designation change (*i.e. other than a craft brewery*). This has been included as a condition of approval.

According to Section 2.1.5.2, *Recreation, Entertainment and Amusement Use Conditions*, of Article IV, *Permissible Uses* of the Unified Development Code (UDC), an “(o)utdoor commercial recreational and amusement uses shall be no closer than 300 feet to residentially zoned land unless such setback is reduced or waived by the planning and zoning commission and city council.” In this case, the subject property is more than 300-feet from a residentially zoned property and is in conformance with the UDC.

### **STAFF ANALYSIS**

Based on the applicant's request, it should be noted that the subject property is situated within the Bodin Industrial Addition, which is primarily zoned Light Industrial (LI) District. It should also be noted that the hours of operation are limited by the Texas Alcoholic Beverage Commission (TABC) for a brewery. As a note, the required number of parking spaces for any facility is calculated based on land use and the square footage of the facility. In this case, the *Commercial Amusement/Recreation (Outdoor)* use is not considered an indoor use; therefore, no additional parking spaces are required.

Included in the attached packet is the applicant's letter requesting the Specific Use Permit (SUP), a concept plan depicting the outdoor venue, and a draft ordinance containing regulations for the proposed land use. Based on staff's review, the applicant's request does appear to be in conformance with these requirements; however, the approval of a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

### **NOTIFICATIONS**

On March 29, 2019, staff mailed 27 notices to property owners and residents within 500-feet of the subject property. Staff did not send a neighborhood notification as there are no Home Owners Associations (HOA's)/or neighborhood groups participating in the Neighborhood Notification Program within 1,500-feet of the subject property. Additionally, staff posted a sign on the subject property as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received two (2) notices in favor of the applicant's request.

## **CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Specific Use Permit (SUP) for a Commercial Amusement/Recreation (*Outdoor*) in conjunction with an existing craft/microbrewery, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and summarized as follows:
  - a) The development and operation of a *Commercial Amusement/Recreation (Outdoor)* land use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of the proposed draft ordinance;
  - b) The *Subject Property* may be used for all permitted accessory uses, as well as, the use of an *outdoor stage and venue* that may include live music/entertainment, a Biergarten, and catered food vendors within the outdoor area as depicted in *Exhibit 'B'* of the proposed draft ordinance;
  - c) This Specific Use Permit (SUP) shall only be valid as an accessory use to the existing craft brewery. Should the subject property's land use designation change (*i.e. other than a craft brewery*) this SUP shall automatically expire; and,
- (2) Any construction resulting from the approval of this zoning change 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.

## City of Rockwall Project Plan Review History



<b>Project Number</b> Z2019-007	<b>Owner</b> DAVIS, FORREST B	<b>Applied</b> 3/15/2019	LM
<b>Project Name</b> SUP for an Outdoor Commercial	<b>Applicant</b> RUBEN GARCIA	<b>Approved</b>	
<b>Type</b> ZONING		<b>Closed</b>	
<b>Subtype</b> SUP		<b>Expired</b>	
<b>Status</b> Staff Review		<b>Status</b>	
 <b>Site Address</b> 2015 KRISTY LN		<b>City, State Zip</b> ROCKWALL, TX 75032	
		<b>Zoning</b>	
<b>Subdivision</b> BODIN INDUSTRIAL	<b>Tract</b> 1-F0	<b>Block</b>	<b>Lot No</b> 1-F0
			<b>Parcel No</b> 3130-0000-0001-F0-OR
			<b>General Plan</b>

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	Russell McDowell	3/15/2019	3/22/2019	3/19/2019	4	APPROVED	
ENGINEERING (3/22/2019 11:55 AM SH) Detention is required for stage area.	Sarah Hager	3/15/2019	3/22/2019	3/22/2019	7	APPROVED	
FIRE	Ariana Hargrove	3/15/2019	3/22/2019				
PLANNING	David Gonzales	3/15/2019	3/22/2019	3/22/2019	7	COMMENTS	See comments

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed Status	Remarks
						<p>Hold a public hearing to discuss and consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B Davis Jr. for the approval of a Specific Use Permit (SUP) for outdoor commercial amusement/recreation in conjunction with an existing Craft/Micro Brewery on a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary.</p> <p>PLANNING COMMENTS - DAVID GONZALES– 03.21.2019</p> <p>All staff comments are to be addressed and resubmitted by Tuesday April 2, 2019. Please provide two (2) large copies [FOLDED] and one PDF version for a subsequent review by staff:</p> <p>Planning Department General Comments to be addressed/acknowledge are as follows:</p> <ul style="list-style-type: none"> <li>• On all future submittals please include the Case Number Z2019-007 on the lower right hand corner.</li> <li>• When provided, please review the SUP Draft Ordinance prior to the Planning &amp; Zoning public hearing scheduled for April 9, 2019 and return with red lined corrections and/or additions you feel may be necessary for staff review and consideration</li> </ul> <p>** Planning Staff additional comments to be considered by the P&amp;Z and City Council as conditions of approval:</p> <ol style="list-style-type: none"> <li>1. Approval of an SUP is required to allow for the outdoor commercial amusement/ recreation land use (i.e. stage venue - outdoors).</li> <li>2. Adherence to all Engineering and Fire Department standards shall be required</li> <li>3. Is the stage a permanent structure affixed to the ground or is this portable?</li> </ol> <p>*** Operational Conditions:</p> <ol style="list-style-type: none"> <li>1) The development and operation of a Commercial Amusement/Recreation (Outdoor) land use shall generally conform to the Concept Plan depicted in Exhibit 'B' of this ordinance;</li> <li>2) The Subject Property may be used for all permitted accessory uses, as well as, the use of an outdoor stage and venue that may include live music/entertainment, a Biergarten, and catered food vendors within the outdoor area as depicted in Exhibit 'B' of this ordinance; and,</li> <li>3) This Specific Use Permit (SUP) shall only be valid as an accessory use to the existing craft brewery. Should the subject property's land use designation change (i.e. other than a craft brewery) this SUP shall automatically expire.</li> </ol> <p>The following are scheduled meeting dates that you and/or your representative(s) are required to attend regarding the SUP request. If you have any questions regarding this case, please feel free to contact David Gonzales, AICP with the Planning Department at 972-771-7745.</p> <p>*** Meeting Dates to Attend***</p> <p>Planning - Work Session: March 26, 2019 (6:00 p.m.) [Applicant to present case to P&amp;Z for discussion]</p>



Type of Review / Notes	Contact	Sent	Due	Received	Elapsed Status	Remarks
Planning - Public Hearing: April 9, 2019 (6:00 p.m.) [P&Z to take action (i.e. approve, approve with conditions, or deny, etc.)						
City Council - Public Hearing: April 15, 2019 (6:00 p.m.) [1st Reading of SUP Ordinance]						
City Council - Consent/Action Item: May 6, 2019 (6:00 p.m.) [2nd Reading of SUP Ordinance (if approved at 1st reading)]						

0 20 40 80 120 160 Feet

Z2019-007 - SUP FOR OUTDOOR COMMERCIAL AMUSEMENT  
ZONING - LOCATION MAP = 






## City of Rockwall

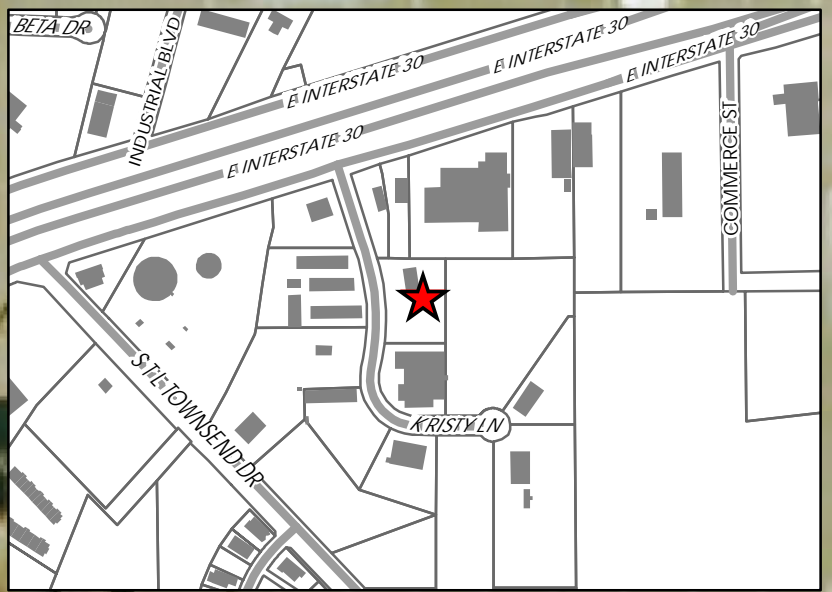
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75032  
(P): (972) 771-7745  
(W): [www.rockwall.com](http://www.rockwall.com)

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



# Legend

-  Seating Area
-  Music
-  Overall Site

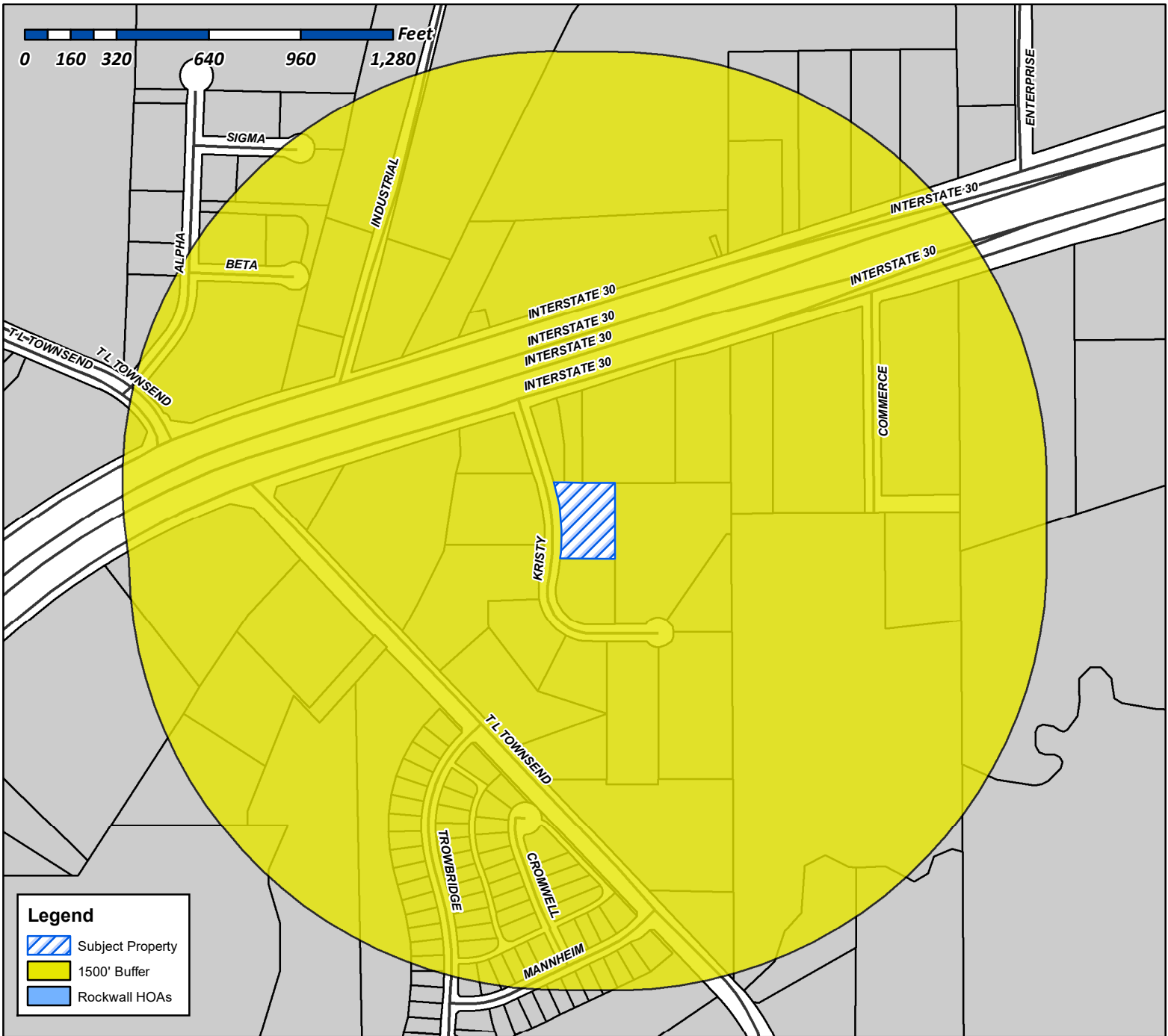




# City of Rockwall

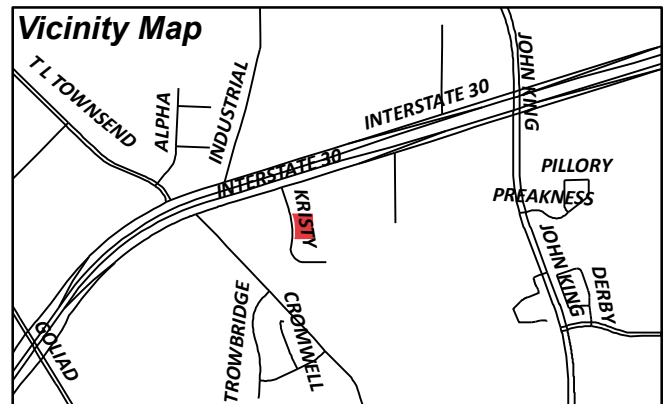
Planning & Zoning Department  
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**Case Number:** Z2019-007  
**Case Name:** SUP for Commercial Amusement  
**Case Type:** Zoning  
**Zoning:** Light Industrial (LI) District  
**Case Address:** 2015 Kristy Lane

**Date Created:** 3/18/2019  
**For Questions on this Case Call** (972) 771-7745

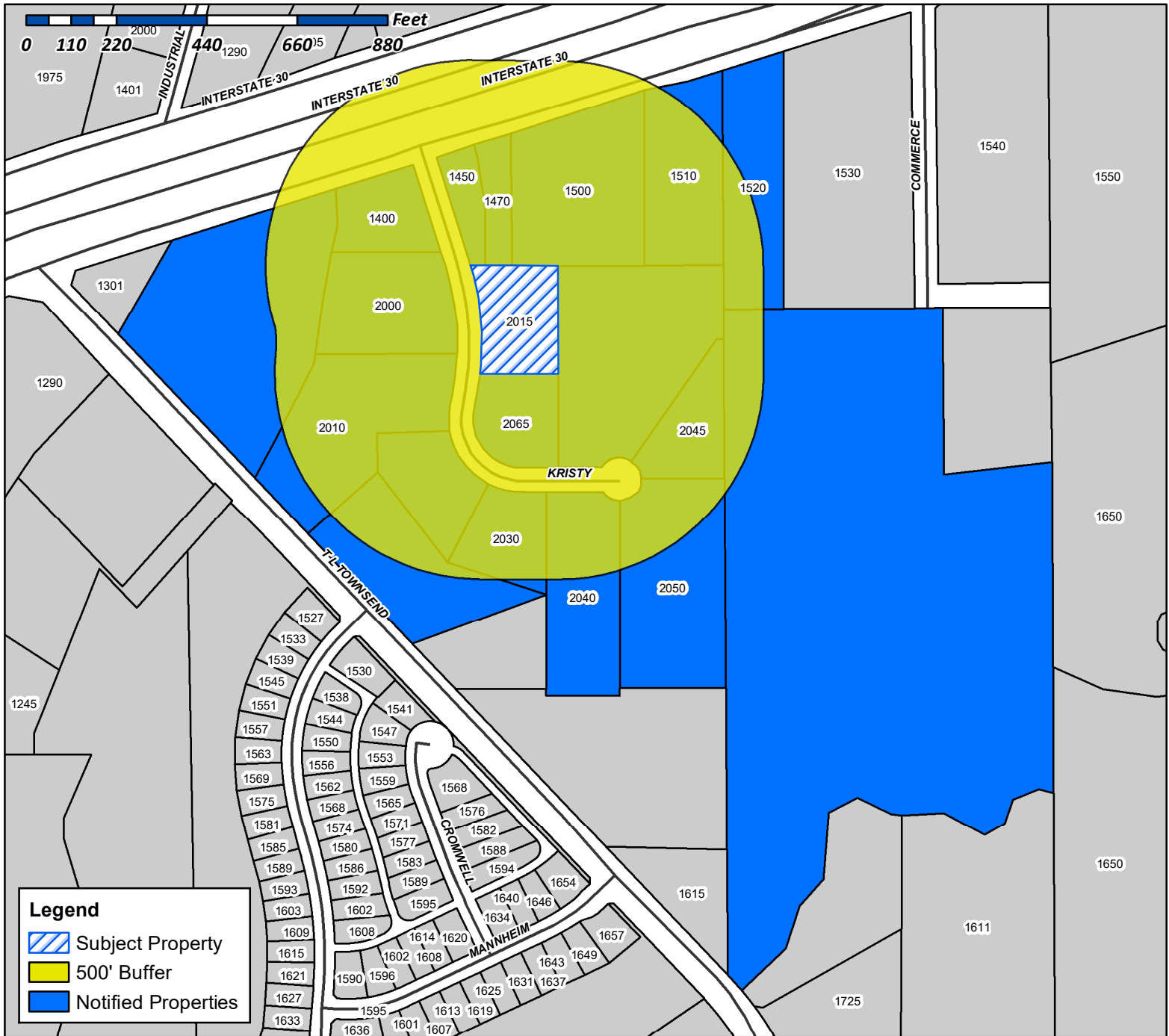




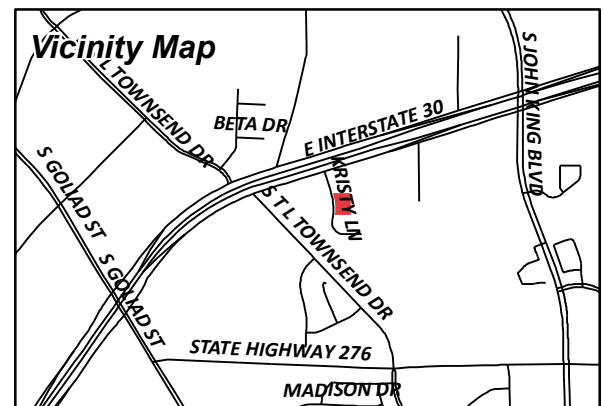
# City of Rockwall

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**Case Number:** Z2019-007  
**Case Name:** SUP for Outdoor Commercial Amusement  
**Case Type:** Zoning  
**Zoning:** Light Industrial (LI) District  
**Case Address:** 2015 Kristy Lane



**Date Created:** 3/21/2019  
 For Questions on this Case Call (972) 771-7745



# NOTICE OF PUBLIC HEARING

## CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

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

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

**Case No. Z2019-007: SUP for an Outdoor Commercial Amusement**

*Hold a public hearing to discuss and consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B. Davis Jr. for the approval of a Specific Use Permit (SUP) for outdoor commercial amusement/recreation in conjunction with an existing Craft/Micro Brewery on a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary.*

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 4/9/2019 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 4/15/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

**Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087**

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **4/15/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



**MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:**  
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development-cases)

--- PLEASE RETURN THE BELOW FORM -----

**Case No. Z2019-007: SUP for an Outdoor Commercial Amusement**

Please place a check mark on the appropriate line below:

- I am in favor of the request for the reasons listed below.
- I am opposed to the request for the reasons listed below.

Four horizontal grey bars for providing reasons for the response.

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

**Tex. Loc. Gov. Code, Sec. 211.006 (d)** If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

**PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE**

SELF CECIL E & ALICE E  
REVOCABLE LIVING TRUST  
1105 SWALLOWTAIL DR  
MADISON, WI 53717

CURRENT RESIDENT  
1400 I30  
ROCKWALL, TX 75032

RICK BENTLEY PROPERTIES LLC  
1450 E I-30  
ROCKWALL, TX 75087

SARO PARTNERS LLC  
1450 T L TOWNSEND  
ROCKWALL, TX 75032

CURRENT RESIDENT  
1470 I30  
ROCKWALL, TX 75032

MULTI-METAL & MFG CO, INC  
1500 E INTERSTATE 30  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1510 E I30  
ROCKWALL, TX 75032

CURRENT RESIDENT  
1520 E I30  
ROCKWALL, TX 75032

CURRENT RESIDENT  
2000 KRISTY LN  
ROCKWALL, TX 75032

CURRENT RESIDENT  
2010 KRISTY LN  
ROCKWALL, TX 75032

CURRENT RESIDENT  
2015 KRISTY LN  
ROCKWALL, TX 75032

CURRENT RESIDENT  
2030 KRISTY LN  
ROCKWALL, TX 75032

CURRENT RESIDENT  
2040 KRISTY LN  
ROCKWALL, TX 75032

CURRENT RESIDENT  
2045 KRISTY LN  
ROCKWALL, TX 75032

CURRENT RESIDENT  
2050 KRISTY LN  
ROCKWALL, TX 75032

MOORE MICHAEL E & MARIJANE  
2065 KRISTY LANE  
ROCKWALL, TX 75032

MOORE MICHAEL E & MARIJANE  
2065 KRISTY LN  
ROCKWALL, TX 75032

REDI MIX LLC  
331 N MAIN STREET  
EULESS, TX 76039

CSIHAR JAMES J  
592 S.E. VOKERT'S TERRACE  
PORT SAINT LUCIE, FL 34983

OWENS REAL ESTATE INVESTMENTS LLC  
7156 HUNT LN  
ROCKWALL, TX 75087

BODIN CONCRETE LP  
PO BOX 109  
ROWLETT, TX 75030

HAWN HOLDINGS LC  
PO BOX 1688  
ROCKWALL, TX 75087

COPPER CANYON HOMES LLC  
PO BOX 1870  
ROCKWALL, TX 75087

ROCKWALL CREDIT SERVICES L C  
PO BOX 1870  
ROCKWALL, TX 75087

DAVIS FORREST B  
PO BOX 826  
FATE, TX 75132

COLLIN G PROPERTIES LTD  
PO BOX 847  
ROCKWALL, TX 75087

THACKER DENNIS ALAN TESTAMENTARY TRUST  
AND  
LINDA THACKER LAHOOD AND JOSHUA ALAN  
THACKER  
PO BOX 8693  
GREENVILLE, TX 75404



# NOTICE OF PUBLIC HEARING CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

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

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

**Case No. Z2019-007: SUP for an Outdoor Commercial Amusement**

Hold a public hearing to discuss and consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B. Davis Jr. for the approval of a Specific Use Permit (SUP) for outdoor commercial amusement/recreation in conjunction with an existing Craft/Micro Brewery on a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary.

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385 S. Goliad Street  
Rockwall, TX 75087**

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Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:  
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development-cases)

--- PLEASE RETURN THE BELOW FORM ---

**Case No. Z2019-007: SUP for an Outdoor Commercial Amusement**

Please place a check mark on the appropriate line below:

- I am in favor of the request for the reasons listed below.
- I am opposed to the request for the reasons listed below.

Name: **CHRIS LEWIS / OWNER RENEGADE CUSTOMS**  
 Address: **2015 KRISTY LN., ROCKWALL, TX 75082**

**Tex. Loc. Gov. Code, Sec. 211.006 (d)** If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE





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You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

**Case No. Z2019-007: SUP for an Outdoor Commercial Amusement**

Hold a public hearing to discuss and consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B. Davis Jr. for the approval of a Specific Use Permit (SUP) for outdoor commercial amusement/recreation in conjunction with an existing Craft/Micro Brewery on a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 4/9/2019 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 4/15/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

**Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087**

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **4/15/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



**MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:**  
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development-cases)

--- PLEASE RETURN THE BELOW FORM ---

**Case No. Z2019-007: SUP for an Outdoor Commercial Amusement**

Please place a check mark on the appropriate line below:

- I am in favor of the request for the reasons listed below.
- I am opposed to the request for the reasons listed below.

*Good for Business!*

Name:

*Linda Latford*

Address:

*1760 IH30 East  
Rockwall Texas 75087*

**Tex. Loc. Gov. Code, Sec. 211.006 (d)** If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A COMERCIAL AMUSEMENT/RECREATION (OUTDOOR) LAND USE IN CONJUNCTION WITH AN EXISTING CRAFT BREWERY ON A 1.215-ACRE PARCEL OF LAND, ADDRESSED AS 2015 KRISTY LANE AND BEING IDENTIFIED AS LOT 1-F, BODIN INDUSTRIAL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, a request has been made by Ruben Garcia and Brandon Mullins for the approval of a Specific Use Permit (SUP) for a *Commercial Amusement/Recreation (Outdoor)* land use for the purpose of establishing an outdoor stage and venue in conjunction with an existing craft brewery on a 1.215-acre parcel of land, zoned Light Industrial (LI) District, identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, addressed as 2015 Kristy Lane, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

**SECTION 1.** That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Commercial Amusement/Recreation (Outdoor)* land use as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [Ordinance No. 04-38] on the *Subject Property*, and

**SECTION 2.** That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in *Section 1.1, Land Use Schedule*, of Article IV, *Permissible Uses*, and *Section 5.02, Light Industrial (LI) District*, of Article V, *District Development Standards*, of the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall as heretofore amended, as amended herein

by the granting of this zoning change, and as may be amended in the future, and shall be subject to the following additional conditions:

## 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Commercial Amusement/Recreation (Outdoor)* land use on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- 1) The development and operation of a *Commercial Amusement/Recreation (Outdoor)* land use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance;
- 2) The *Subject Property* may be used for all permitted accessory uses, as well as, the use of an *outdoor stage and venue* that may include live music/entertainment, a Biergarten, and catered food vendors within the outdoor area as depicted in *Exhibit 'B'* of this ordinance; and,
- 3) This Specific Use Permit (SUP) shall only be valid as an accessory use to the existing craft brewery. Should the subject property's land use designation change (*i.e. other than a craft brewery*) this SUP shall automatically expire.

## 2.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- 1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

**SECTION 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this

ordinance shall remain in full force and effect.

**SECTION 7.** That this ordinance shall take effect immediately from and after its passage;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 6<sup>TH</sup> DAY OF MAY, 2019.**

\_\_\_\_\_  
Jim Pruitt, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: March 15, 2019

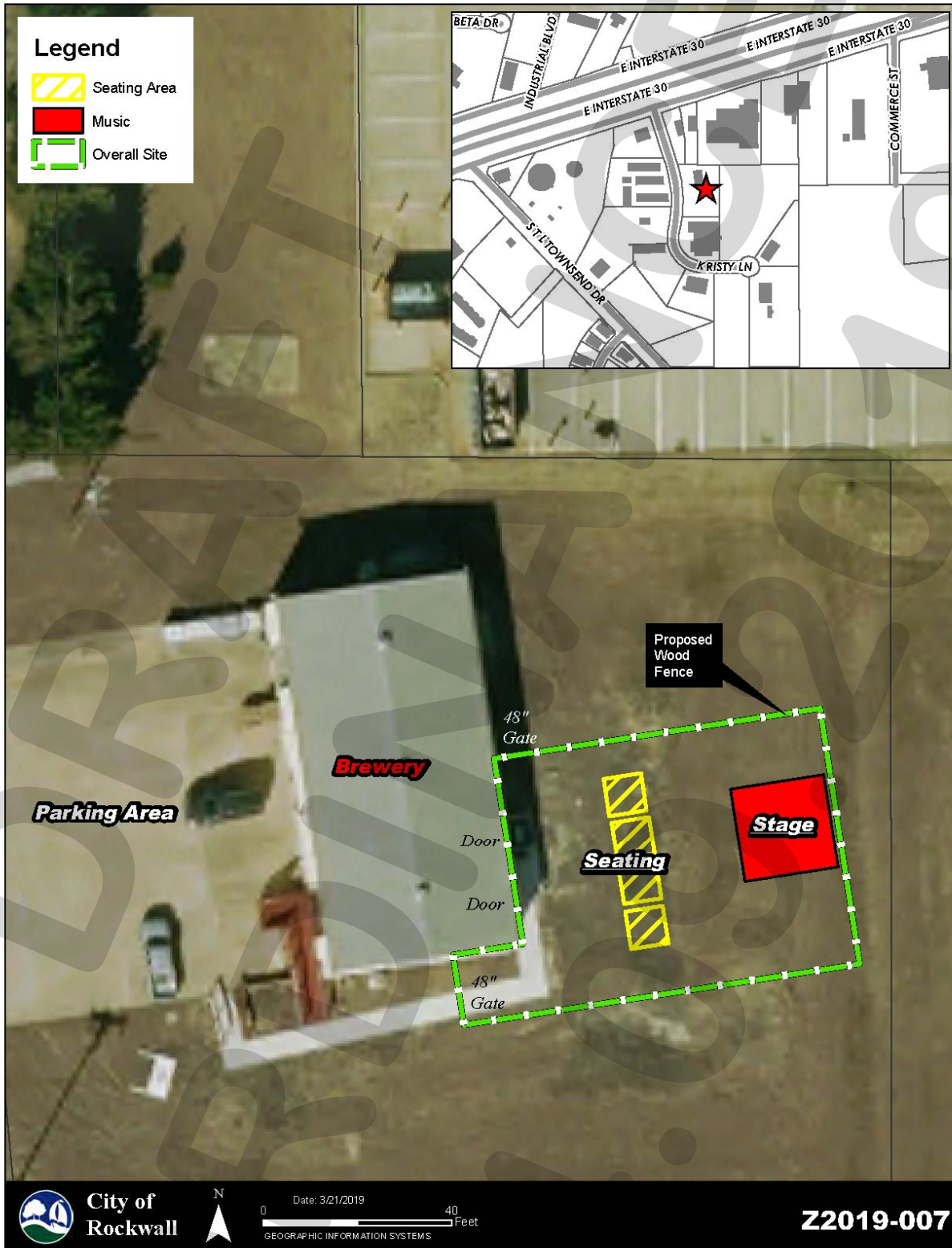
2<sup>nd</sup> Reading: May 6, 2019

**Exhibit 'A':**  
**Legal Description:**

*Lot 1-F, Bodin Industrial Addition*



Exhibit 'B':  
Concept Plan





# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

---

**TO:** Mayor and City Council  
**DATE:** April 15, 2019  
**APPLICANT:** Ruben Garcia and Brandon Mullins of *Hemisphere Brewing Company*  
**CASE NUMBER:** Z2019-007; *SUP for Commercial Amusement/Recreation (Outdoor)*

---

### **SUMMARY**

Hold a public hearing to discuss and consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B. Davis Jr. for the approval of a Specific Use Permit (SUP) for *outdoor commercial amusement/recreation* in conjunction with an existing Craft/Micro Brewery on a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary.

### **BACKGROUND**

The subject property is a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition. The subject property is situated within the IH-30 Overlay (IH-30 OV) District and addressed as 2015 Kristy Lane. The property was annexed on May 5, 1980 by *Ordinance No. 80-06*. According to the City's historic zoning maps, the subject property has been zoned Light Industrial (LI) District since at least May 16, 1983. Currently, the property is being used as a brewery (*i.e. Hemisphere Brewing Company*), which is a by-right land use within the Light Industrial (LI) District. Hemisphere Brewing Company obtained their Certificate of Occupancy (CO) on November 17, 2014.

### **PURPOSE**

The applicants, Ruben Garcia and Brandon Mullins, have submitted a request for a Specific Use Permit (SUP) to allow a *Commercial Amusement/Recreation (Outdoor)* land use in conjunction with an existing craft/microbrewery located within a Light Industrial (LI) District. The applicant is requesting to operate an outdoor entertainment area that includes a stage and seating areas. This will be located at the rear of the property and will be enclosed by an eight (8)-foot wooden fence.

### **ADJACENT LAND USES AND ACCESS**

The subject property is located at 2015 Kristy Lane. The land uses adjacent to the subject property are as follows:

**North:** Directly north of the subject property are three (3) businesses (*i.e. Rite Co. Collision, Asnet, Inc., & Multi-Metal & MFG Co., Inc.*) on a 3.77-acres of land that front IH-30. All of these properties are zoned Light Industrial (LI) District. Beyond these properties is IH-30.

**South:** Directly south of the subject property is a business (*i.e. Excel Metal Finishing*) addressed as 2065 Kristy Lane, which is situated a one (1)-acre parcel of land. This property is zoned Light Industrial (LI) District.

**East:** Directly east of the subject property is a 3.543-acre parcel of land that is vacant. This property is zoned Light Industrial (LI) District.

West: Directly west of the subject property are two (2) businesses (*i.e. Rockwall Mini Storage & Bodin Concrete*) on 4.0681-acres of land. Both of these properties are zoned Light Industrial (LI) District.

### **CHARACTERISTICS OF THE REQUEST**

The applicants have stated that they would like the opportunity to expand their operations by including an outdoor stage and Biergarten venue for the purpose of incorporating live entertainment, charity events, special events (*i.e. corporate events, birthday parties, weddings, etc.*) and social gatherings into their existing operations. Due to the hours of operation as regulated for a brewery by the Texas Alcoholic Beverage Commission (TABC), the applicants would be able to host these events during the hours of 8:00 a.m. – 12:00 a.m. Monday through Saturday and 10:00 a.m. – 12:00 a.m. on Sunday. Additionally, the applicants have provided a concept plan for the *Commercial Amusement/Recreation (Outdoor)* use [*i.e. outdoor venue*], which shows that the *Commercial Amusement/Recreation (Outdoor)* area will be located at the rear of the facility. The concept plan indicates the location of the outdoor stage area, proposed seating areas, and an eight (8)-foot high wood fence that will enclose this area.

### **CONFORMANCE WITH THE CITY'S CODES**

According to Section 1.1, *Land Use Schedule*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC), a *Commercial Amusement/Recreation (Outdoor)* land use requires approval of a Specific Use Permit (SUP) in a Light Industrial (LI) District. Staff has included language providing for the expiration of the SUP should the land use designation change (*i.e. other than a craft brewery*). This has been included as a condition of approval.

According to Section 2.1.5.2, *Recreation, Entertainment and Amusement Use Conditions*, of Article IV, *Permissible Uses* of the Unified Development Code (UDC), an “(o)utdoor commercial recreational and amusement uses shall be no closer than 300 feet to residentially zoned land unless such setback is reduced or waived by the planning and zoning commission and city council.” In this case, the subject property is more than 300-feet from a residentially zoned property and is in conformance with the UDC.

### **STAFF ANALYSIS**

Based on the applicant’s request, it should be noted that the subject property is situated within the Bodin Industrial Addition, which is primarily zoned Light Industrial (LI) District. It should also be noted that the hours of operation are limited by the Texas Alcoholic Beverage Commission (TABC) for a brewery. As a note, the required number of parking spaces for any facility is calculated based on land use and the square footage of the facility. In this case, the *Commercial Amusement/Recreation (Outdoor)* use is not considered an indoor use; therefore, no additional parking spaces are required.

Included in the attached packet is the applicant’s letter requesting the Specific Use Permit (SUP), a concept plan depicting the outdoor venue, and a draft ordinance containing regulations for the proposed land use. Based on staff’s review, the applicant’s request does appear to be in conformance with these requirements; however, the approval of a Specific Use Permit (SUP) is a discretionary decision for the City Council.

### **NOTIFICATIONS**

On March 29, 2019, staff mailed 27 notices to property owners and residents within 500-feet of the subject property. Staff did not send a neighborhood notification as there are no Home Owners Associations (HOA’s)/or neighborhood groups participating in the Neighborhood Notification Program within 1,500-feet of the subject property. Additionally, staff posted a sign on the subject property as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received two (2) notices in favor of the applicant’s request.



## **CONDITIONS OF APPROVAL**

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) for a Commercial Amusement/Recreation (*Outdoor*) in conjunction with an existing craft/microbrewery, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and summarized as follows:
  - a) The development and operation of a *Commercial Amusement/Recreation (Outdoor)* land use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of the proposed draft ordinance;
  - b) The *Subject Property* may be used for all permitted accessory uses, as well as, the use of an *outdoor stage and venue* that may include live music/entertainment, a Biergarten, and catered food vendors within the outdoor area as depicted in *Exhibit 'B'* of the proposed draft ordinance;
  - c) This Specific Use Permit (SUP) shall only be valid as an accessory use to the existing craft brewery. Should the subject property's land use designation change (*i.e. other than a craft brewery*) this SUP shall automatically expire; and,
- (2) Any construction resulting from the approval of this zoning change 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 09, 2019, the Planning and Zoning Commission's motion to recommend approval of the Specific Use Permit (SUP) for a Commercial Amusement/Recreation (*Outdoor*) in conjunction with an existing craft/microbrewery, and with staff conditions passed by a vote of 7 to 0.

0 20 40 80 120 160 Feet

Z2019-007 - SUP FOR OUTDOOR COMMERCIAL AMUSEMENT  
ZONING - LOCATION MAP = 






# City of Rockwall

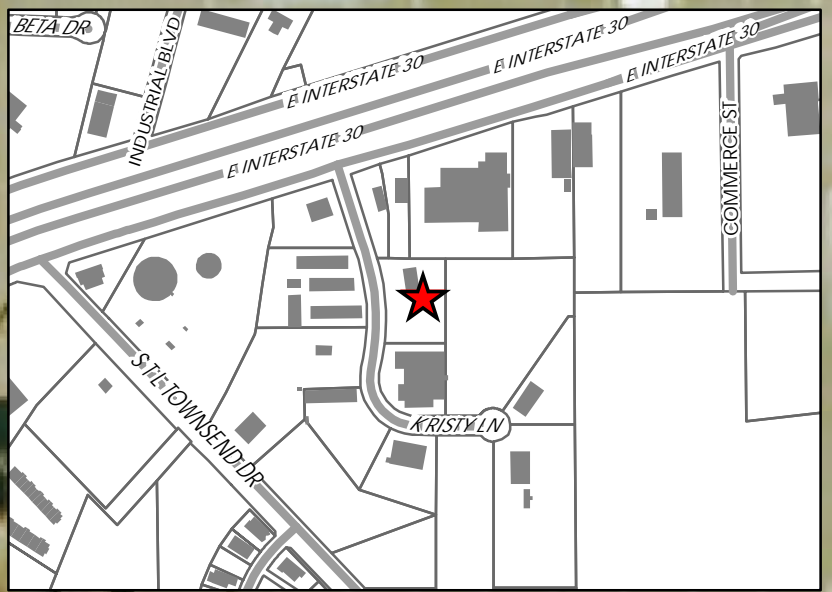
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75032  
(P): (972) 771-7745  
(W): [www.rockwall.com](http://www.rockwall.com)

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



# Legend

-  Seating Area
-  Music
-  Overall Site

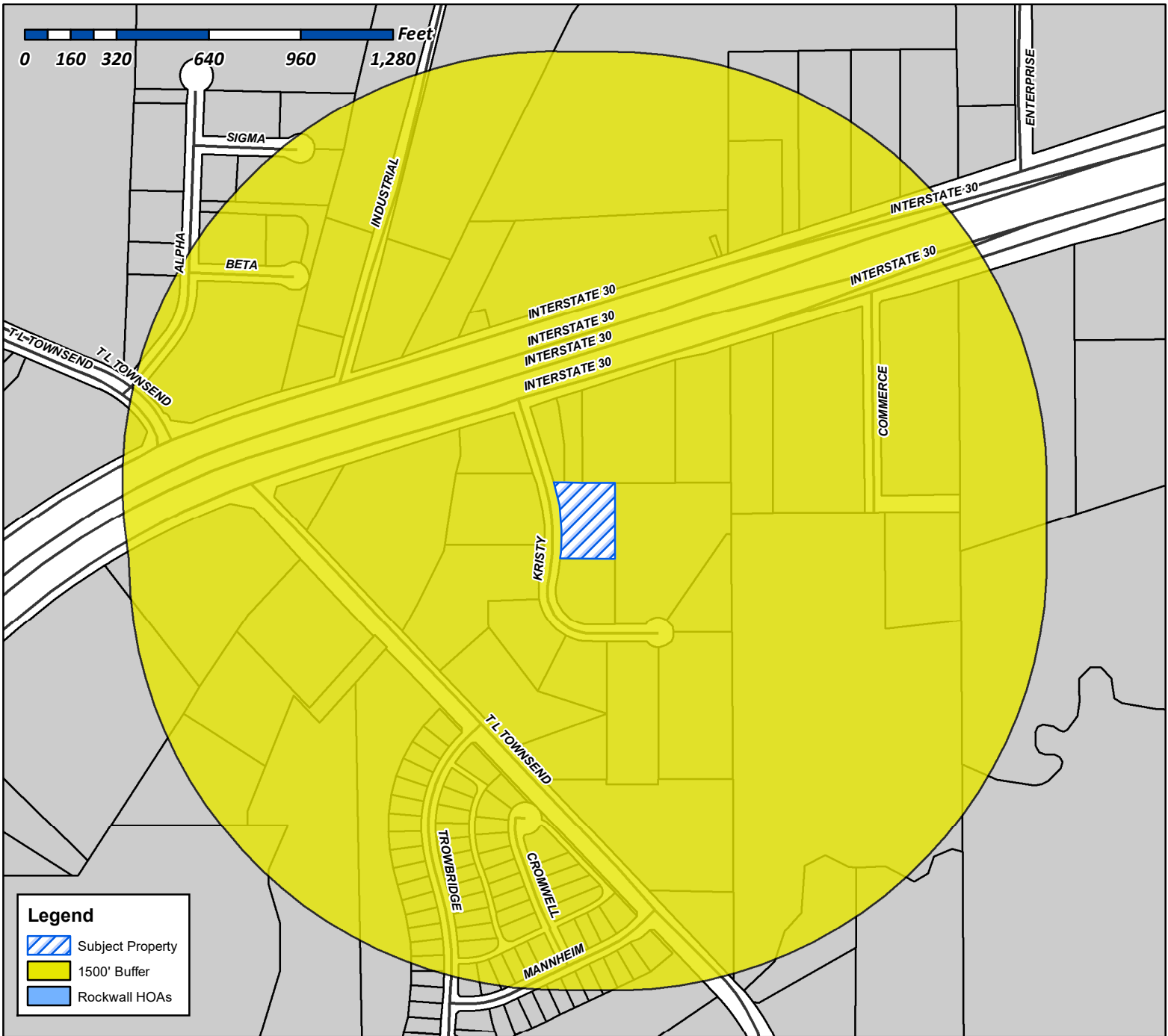




# City of Rockwall

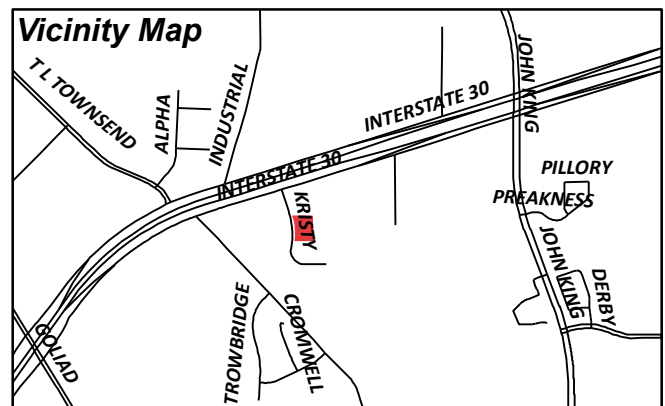
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**Case Number:** Z2019-007  
**Case Name:** SUP for Commercial Amusement  
**Case Type:** Zoning  
**Zoning:** Light Industrial (LI) District  
**Case Address:** 2015 Kristy Lane

**Date Created:** 3/18/2019  
For Questions on this Case Call (972) 771-7745

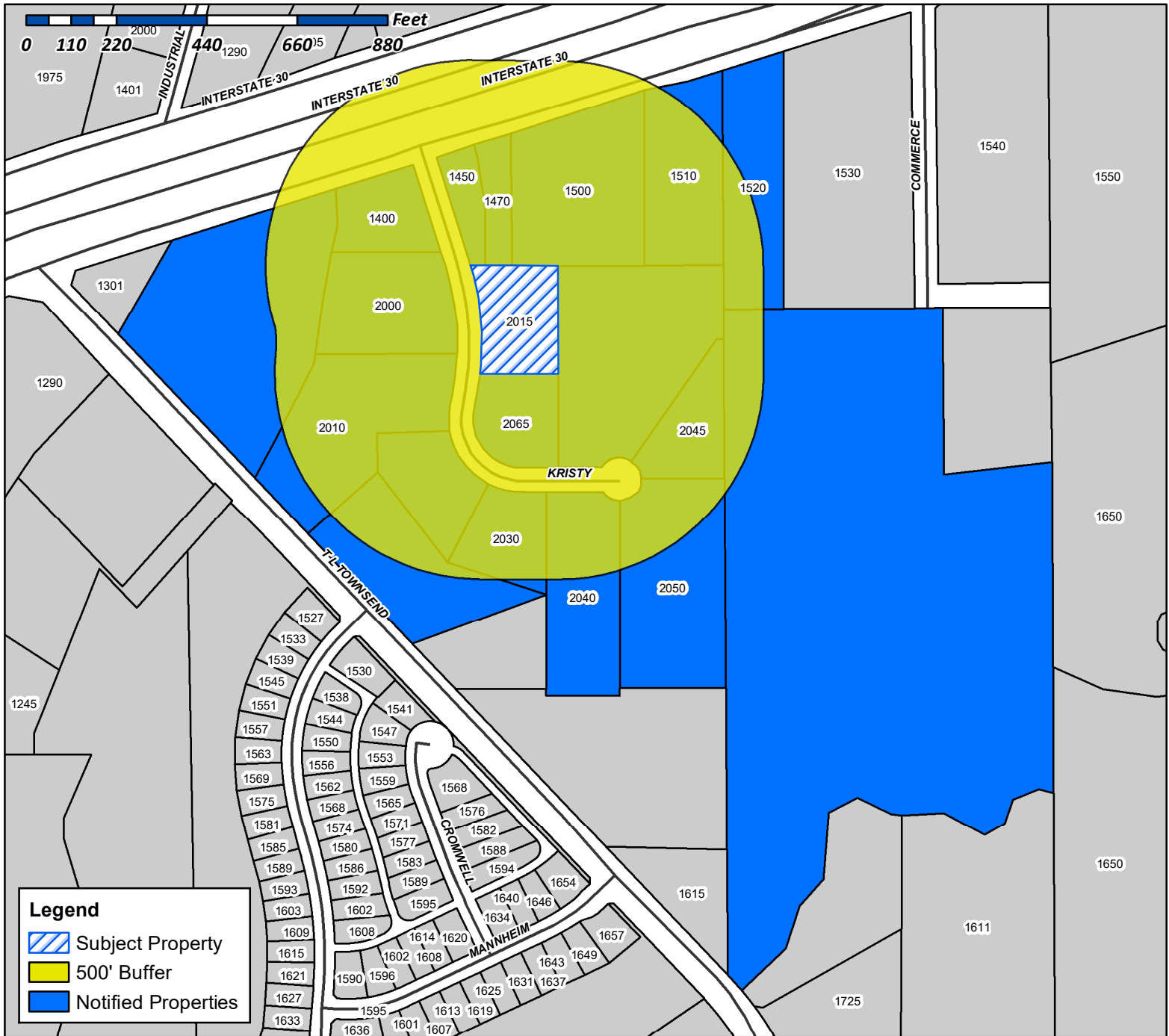




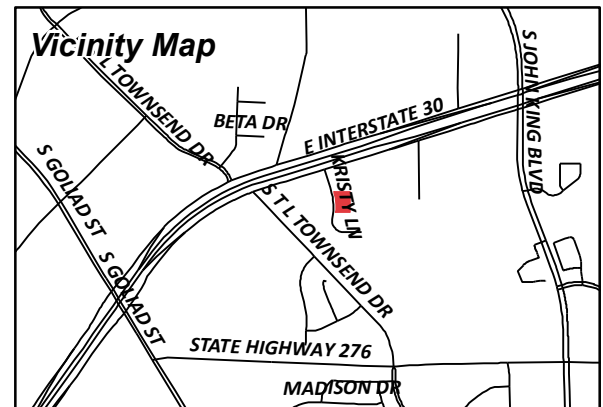
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**Case Number:** Z2019-007  
**Case Name:** SUP for Outdoor Commercial Amusement  
**Case Type:** Zoning  
**Zoning:** Light Industrial (LI) District  
**Case Address:** 2015 Kristy Lane



**Date Created:** 3/21/2019  
**For Questions on this Case Call (972) 771-7745**



# NOTICE OF PUBLIC HEARING

## CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

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

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

**Case No. Z2019-007: SUP for an Outdoor Commercial Amusement**

*Hold a public hearing to discuss and consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B. Davis Jr. for the approval of a Specific Use Permit (SUP) for outdoor commercial amusement/recreation in conjunction with an existing Craft/Micro Brewery on a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary.*

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Your comments must be received by **4/15/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



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--- PLEASE RETURN THE BELOW FORM -----

**Case No. Z2019-007: SUP for an Outdoor Commercial Amusement**

Please place a check mark on the appropriate line below:

- I am in favor of the request for the reasons listed below.
- I am opposed to the request for the reasons listed below.

Four horizontal grey bars for providing reasons for the response.

**Name:**

Grey bar for Name

**Address:**

Grey bar for Address

**Tex. Loc. Gov. Code, Sec. 211.006 (d)** If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

**PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE**

SELF CECIL E & ALICE E  
REVOCABLE LIVING TRUST  
1105 SWALLOWTAIL DR  
MADISON, WI 53717

CURRENT RESIDENT  
1400 I30  
ROCKWALL, TX 75032

RICK BENTLEY PROPERTIES LLC  
1450 E I-30  
ROCKWALL, TX 75087

SARO PARTNERS LLC  
1450 T L TOWNSEND  
ROCKWALL, TX 75032

CURRENT RESIDENT  
1470 I30  
ROCKWALL, TX 75032

MULTI-METAL & MFG CO, INC  
1500 E INTERSTATE 30  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1510 E I30  
ROCKWALL, TX 75032

CURRENT RESIDENT  
1520 E I30  
ROCKWALL, TX 75032

CURRENT RESIDENT  
2000 KRISTY LN  
ROCKWALL, TX 75032

CURRENT RESIDENT  
2010 KRISTY LN  
ROCKWALL, TX 75032

CURRENT RESIDENT  
2015 KRISTY LN  
ROCKWALL, TX 75032

CURRENT RESIDENT  
2030 KRISTY LN  
ROCKWALL, TX 75032

CURRENT RESIDENT  
2040 KRISTY LN  
ROCKWALL, TX 75032

CURRENT RESIDENT  
2045 KRISTY LN  
ROCKWALL, TX 75032

CURRENT RESIDENT  
2050 KRISTY LN  
ROCKWALL, TX 75032

MOORE MICHAEL E & MARIJANE  
2065 KRISTY LANE  
ROCKWALL, TX 75032

MOORE MICHAEL E & MARIJANE  
2065 KRISTY LN  
ROCKWALL, TX 75032

REDI MIX LLC  
331 N MAIN STREET  
EULESS, TX 76039

CSIHAR JAMES J  
592 S.E. VOKERT'S TERRACE  
PORT SAINT LUCIE, FL 34983

OWENS REAL ESTATE INVESTMENTS LLC  
7156 HUNT LN  
ROCKWALL, TX 75087

BODIN CONCRETE LP  
PO BOX 109  
ROWLETT, TX 75030

HAWN HOLDINGS LC  
PO BOX 1688  
ROCKWALL, TX 75087

COPPER CANYON HOMES LLC  
PO BOX 1870  
ROCKWALL, TX 75087

ROCKWALL CREDIT SERVICES L C  
PO BOX 1870  
ROCKWALL, TX 75087

DAVIS FORREST B  
PO BOX 826  
FATE, TX 75132

COLLIN G PROPERTIES LTD  
PO BOX 847  
ROCKWALL, TX 75087

THACKER DENNIS ALAN TESTAMENTARY TRUST  
AND  
LINDA THACKER LAHOOD AND JOSHUA ALAN  
THACKER  
PO BOX 8693  
GREENVILLE, TX 75404



# NOTICE OF PUBLIC HEARING CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

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

To Whom It May Concern:

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Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



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--- PLEASE RETURN THE BELOW FORM ---

**Case No. Z2019-007: SUP for an Outdoor Commercial Amusement**

Please place a check mark on the appropriate line below:

- I am in favor of the request for the reasons listed below.
- I am opposed to the request for the reasons listed below.

Name: **CHRIS LEWIS / OWNER RENEGADE CUSTOMS**  
 Address: **2015 KRISTY LN., ROCKWALL, TX 75082**

**Tex. Loc. Gov. Code, Sec. 211.006 (d)** If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE





# NOTICE OF PUBLIC HEARING CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

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

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

**Case No. Z2019-007: SUP for an Outdoor Commercial Amusement**

Hold a public hearing to discuss and consider a request by Ruben Garcia and Brandon Mullins on behalf of Forrest B. Davis Jr. for the approval of a Specific Use Permit (SUP) for outdoor commercial amusement/recreation in conjunction with an existing Craft/Micro Brewery on a 1.215-acre parcel of land identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2015 Kristy Lane, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 4/9/2019 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 4/15/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

**Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087**

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **4/15/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



**MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:**  
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development-cases)

--- PLEASE RETURN THE BELOW FORM ---

**Case No. Z2019-007: SUP for an Outdoor Commercial Amusement**

Please place a check mark on the appropriate line below:

- I am in favor of the request for the reasons listed below.
- I am opposed to the request for the reasons listed below.

*Good for Business!*

Name:

*Linda Lathrod*

Address:

*1760 IH30 East  
Rockwall Texas 75087*

**Tex. Loc. Gov. Code, Sec. 211.006 (d)** If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A COMERCIAL AMUSEMENT/RECREATION (OUTDOOR) LAND USE IN CONJUNCTION WITH AN EXISTING CRAFT BREWERY ON A 1.215-ACRE PARCEL OF LAND, ADDRESSED AS 2015 KRISTY LANE AND BEING IDENTIFIED AS LOT 1-F, BODIN INDUSTRIAL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, a request has been made by Ruben Garcia and Brandon Mullins for the approval of a Specific Use Permit (SUP) for a *Commercial Amusement/Recreation (Outdoor)* land use for the purpose of establishing an outdoor stage and venue in conjunction with an existing craft brewery on a 1.215-acre parcel of land, zoned Light Industrial (LI) District, identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, addressed as 2015 Kristy Lane, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

**SECTION 1.** That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Commercial Amusement/Recreation (Outdoor)* land use as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [Ordinance No. 04-38] on the *Subject Property*, and

**SECTION 2.** That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in *Section 1.1, Land Use Schedule*, of Article IV, *Permissible Uses*, and *Section 5.02, Light Industrial (LI) District*, of Article V, *District Development Standards*, of the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall as heretofore amended, as amended herein

by the granting of this zoning change, and as may be amended in the future, and shall be subject to the following additional conditions:

## 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Commercial Amusement/Recreation (Outdoor)* land use on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- 1) The development and operation of a *Commercial Amusement/Recreation (Outdoor)* land use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance;
- 2) The *Subject Property* may be used for all permitted accessory uses, as well as, the use of an *outdoor stage and venue* that may include live music/entertainment, a Biergarten, and catered food vendors within the outdoor area as depicted in *Exhibit 'B'* of this ordinance; and,
- 3) This Specific Use Permit (SUP) shall only be valid as an accessory use to the existing craft brewery. Should the subject property's land use designation change (*i.e. other than a craft brewery*) this SUP shall automatically expire.

## 2.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- 1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

**SECTION 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this

ordinance shall remain in full force and effect.

**SECTION 7.** That this ordinance shall take effect immediately from and after its passage;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 6<sup>TH</sup> DAY OF MAY, 2019.**

\_\_\_\_\_  
Jim Pruitt, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: March 15, 2019

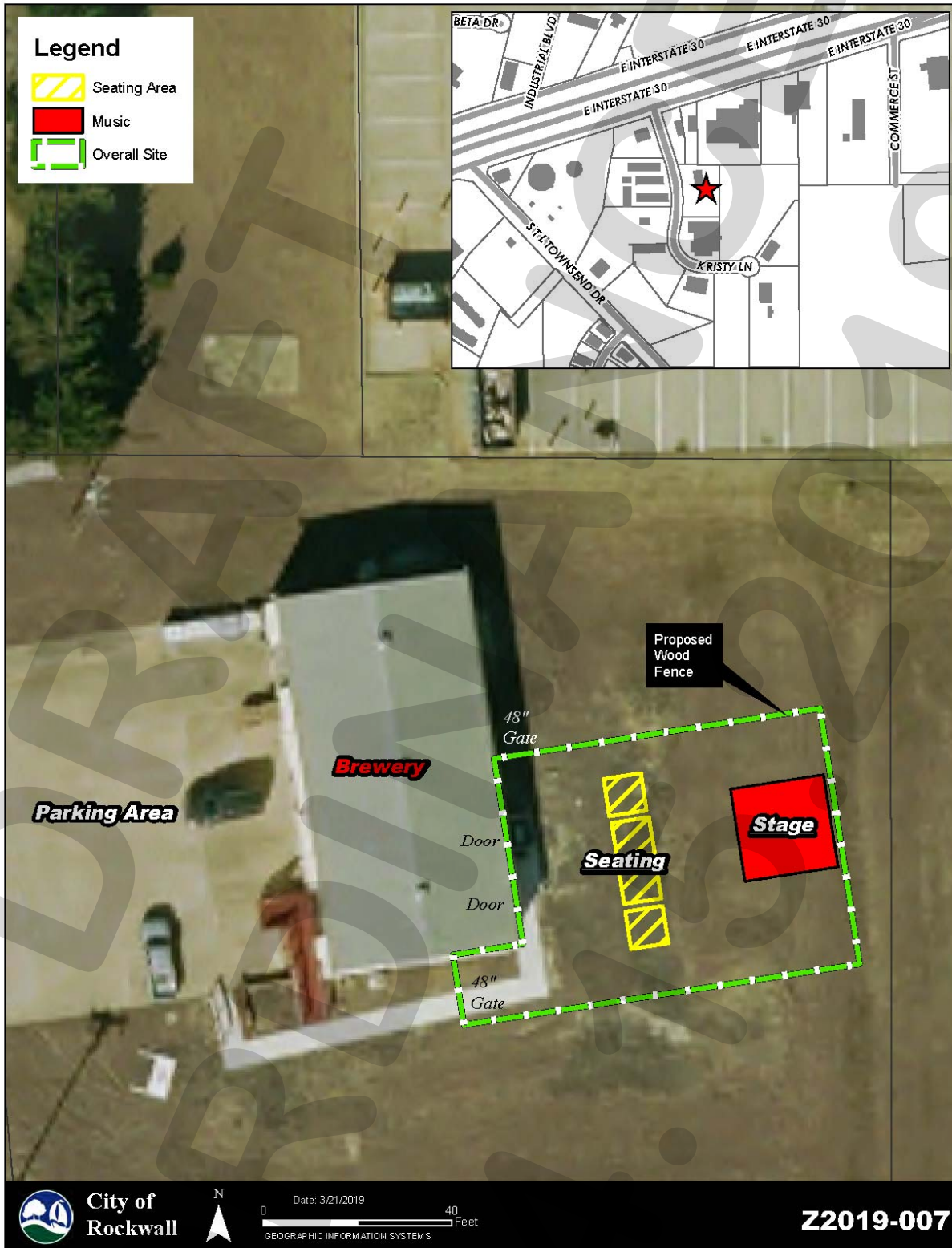
2<sup>nd</sup> Reading: May 6, 2019

**Exhibit 'A':  
Legal Description:**

*Lot 1-F, Bodin Industrial Addition*



**Exhibit 'B':  
Concept Plan**



CITY OF ROCKWALL

ORDINANCE NO. 19-20

SPECIFIC USE PERMIT NO. S-206

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *COMERCIAL AMUSEMENT/RECREATION (OUTDOOR)* LAND USE IN CONJUNCTION WITH AN EXISTING CRAFT BREWERY ON A 1.215-ACRE PARCEL OF LAND, ADDRESSED AS 2015 KRISTY LANE AND BEING IDENTIFIED AS LOT 1-F, BODIN INDUSTRIAL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, a request has been made by Ruben Garcia and Brandon Mullins for the approval of a Specific Use Permit (SUP) for a *Commercial Amusement/Recreation (Outdoor)* land use for the purpose of establishing an outdoor stage and venue in conjunction with an existing craft brewery on a 1.215-acre parcel of land, zoned Light Industrial (LI) District, identified as Lot 1-F, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, addressed as 2015 Kristy Lane, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

**SECTION 1.** That the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Commercial Amusement/Recreation (Outdoor)* land use as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*; and

**SECTION 2.** That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in *Section 1.1, Land Use Schedule*, of Article IV, *Permissible Uses*, and *Section 5.02, Light Industrial (LI) District*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as may be amended in the future, and shall be subject



May 9, 2019

RUBEN GARCIA  
2015 KRSTY LANE  
Rockwall, TX 75032

**RE: SUP ZONING (Z2019-007), SUP for an Outdoor Commercial Amusement**

Dear Applicant:

This letter serves to notify you that the above referenced case that you submitted before the City of Rockwall was approved by City Council on 05/06/2019 via Ordinance No. 19-20. The following is a record of all recommendations, voting records and conditions of approval:

#### *CONDITIONS OF APPROVAL*

*If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) for a Commercial Amusement/Recreation (Outdoor) in conjunction with an existing craft/microbrewery, then staff would propose the following conditions of approval:*

*(1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and summarized as follows:*

*a) The development and operation of a Commercial Amusement/Recreation (Outdoor) land use shall generally conform to the Concept Plan depicted in Exhibit 'B' of the proposed draft ordinance;*

*b) The Subject Property may be used for all permitted accessory uses, as well as, the use of an outdoor stage and venue that may include live music/entertainment, a Biergarten, and catered food vendors within the outdoor area as depicted in Exhibit 'B' of the proposed draft ordinance;*

*c) This Specific Use Permit (SUP) shall only be valid as an accessory use to the existing craft brewery. Should the subject property's land use designation change (i.e. other than a craft brewery) this SUP shall automatically expire; and,*

*(2) Any construction resulting from the approval of this zoning change 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 09, 2019, the Planning and Zoning Commission's motion to recommend approval of the Specific Use Permit (SUP) for a Commercial Amusement/Recreation (Outdoor) in conjunction with an existing craft/microbrewery, and with staff conditions passed by a vote of 7 to 0.*

*CITY COUNCIL:*



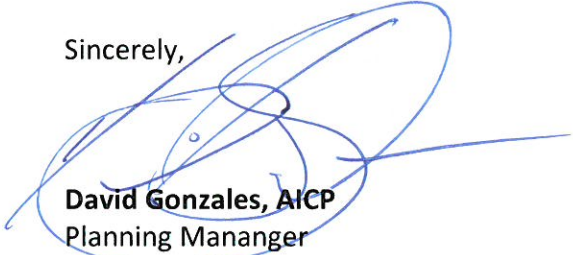


*On April 15, 2019, the City Council made a motion to approve a Specific Use Permit (SUP) to allow for a Commercial Amusement/Recreation Outdoor in conjunction with an existing craft/microbrewery with staff conditions by a vote of 7 to 0 [1st Reading].*

*On May 6, 2019, the City Council made a motion to approve a Specific Use Permit (SUP) to allow for a Commercial Amusement/Recreation Outdoor in conjunction with an existing craft/microbrewery with staff conditions by a vote of 7 to 0 [2nd Reading].*

Please contact the City of Rockwall Planning staff at (972) 771-7745 with any questions or concerns regarding this matter.

Sincerely,



**David Gonzales, AICP**  
Planning Manager  
Planning & Zoning Department  
City of Rockwall, TX