



# PLANNING AND ZONING CASE CHECKLIST

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

P&Z CASE # M152020-016 P&Z DATE 12/10/20 CC DATE \_\_\_\_\_ APPROVED/DENIED \_\_\_\_\_  
ARCHITECTURAL REVIEW BOARD DATE \_\_\_\_\_ HPAB DATE \_\_\_\_\_ PARK BOARD DATE \_\_\_\_\_

ZONING APPLICATION
<input 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 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 # _____
NOTES: _____
_____
_____
_____
_____
ZONING MAP UPDATED _____



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. M152020-016

**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 [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>
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- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

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- Site Plan (\$250.00 + \$20.00 Acre)<sup>1</sup>
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- 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)
- Variance Request (\$100.00)

### 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, round up to one (1) acre.

## PROPERTY INFORMATION [PLEASE PRINT]

Address 1541 E Interstate 30

Subdivision \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

General Location between John King & SH205 on North side of I30

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

Current Zoning Light Industrial

Current Use Office

Proposed Zoning no change

Proposed Use Winery

Acreage 1.5 acres Lots [Current] — Lots [Proposed] —

**SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

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

Owner Dynacop Holdings Limited

Applicant Pentagon

Contact Person Charles Smith

Contact Person Charles Smith

Address 611 E Boydston

Address 611 E Boydston

City, State & Zip Rockwall Texas 75087

City, State & Zip Rockwall Texas 75087

Phone 214 212 2307

Phone 214 212 2307

E-Mail charlie@ck2advisors.com

E-Mail \_\_\_\_\_

## NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Charles Smith [Owner] the undersigned, who stated the information on this application to be true and certified the following:

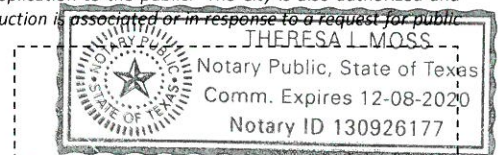
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ \_\_\_\_\_, to cover the cost of this application, has been paid to the City of Rockwall on this the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_. 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 12 day of November, 2020.

Owner's Signature

[Signature]  
Jheusa L. Moss

Notary Public in and for the State of Texas



My Commission Expires 12.8.2020

**From: Charles Smith**

**To: Planning & Zoning**

Dear Sir,

Please find attached my development application for 1541 E Interstate 30, Rockwall, Texas 75087. It is on the north side of Interstate 30 between SH 205 and John King.

My application is to put in a winery – class (G) license with the TABC. I have that license already and would like to move it to the property I own in Rockwall. I have had an office at this location since I bought the property in 2004.

In the building next door there is a church. I have measured front door of the church to the entrance to the winery and I present this map with the distances. The front door of 1541 building is only for storage and does not have access through the building to the section at the back where the winery would be. To access the winery, one would need to go down the side of the building around the back to the door of the winery.

Methodology:

I started at the front door of the church and walked directly to the imaginary sidewalk (since there is no sidewalk), then parallel to the property line to the point at which I would turn to go in a straight line down the road leading to the back where the winery entrance is, then around the building to the door. The diagram show this.

Notes:

The church does not have access to the back of the property although they have an emergency exit door on the back of their building. Their only access (besides emergencies) is the front door.

I talked to the pastor of the church as I was thinking of this application and asked him if he had a problem with me opening a winery backing up to the church. He said I had been so good to him all the time he has been there and he did not have a problem with it. You can call Pastor Lee Wells at 903-453-4191 or I can get a letter from him.

We do not plan to be open on Sundays at all.

Our activities will be those allowed under our (G) license from the TABC which:

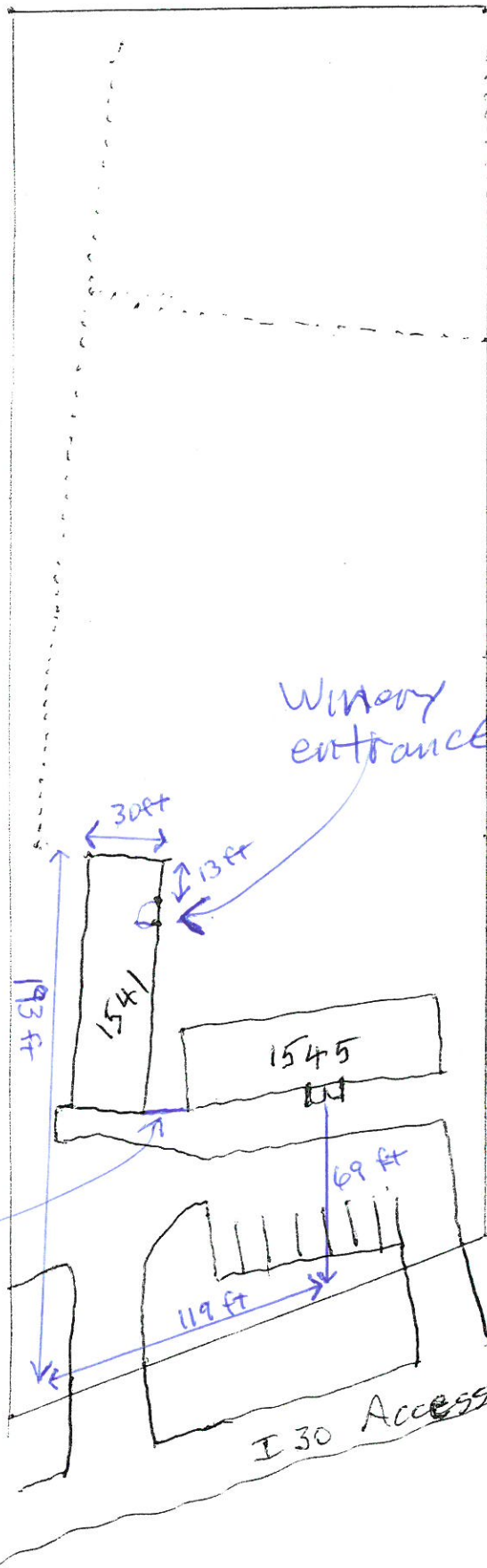
Allows holder to:

- Manufacture, bottle, label and package wine containing 24% alcohol by volume or less.
- Sell or buy wine from permittees authorized to purchase and sell wine, including wholesalers, winery and wine bottler's permittees.
- Sell wine to ultimate consumers for consumption on the winery premises or in unbroken packages for off-premise consumption.
- Dispense free wine for consumption on the winery premises.

We will also serve some limited food which is also allowed under our permit with the TABC.

I appreciate your help and call me at 214-212-2307 if you have any questions or need to speak with me.

  
Charlie Smith  
214-212-2307  
[charlie@ck2advisors.com](mailto:charlie@ck2advisors.com)



# ft
13
20
193
119
69
<u>Total 424 ft</u>



TEXAS ALCOHOLIC BEVERAGE COMMISSION  
P.O. BOX 13127      Seq: 0128  
AUSTIN, TX 78711-3127



TEXAS ALCOHOLIC  
BEVERAGE COMMISSION  
*Texas Helping Businesses & Protecting Communities*



WINERY GROUP INC.  
1541 E INTERSTATE 30  
ROCKWALL TX 75087-6248

Dear Licensee/Permittee

As a citizen of the State of Texas and as part of the industry we regulate, we value your comments. Your impressions concerning the fairness and appropriateness of the actions taken by the agency and its employees are vital to the success of the Commission.

Complete this brief and strictly confidential questionnaire and allow your voice to be heard. You are a very important customer to us.

<https://www.surveymonkey.com/r/H5625RT>

Sincerely,

A. Bentley Nettles

**Please detach and display your license/permit in a conspicuous place at all times on the licensed premise.**

686403

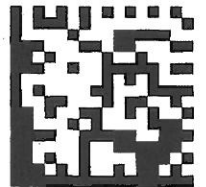
TEXAS ALCOHOLIC BEVERAGE COMMISSION

G 1094373

EXPIRES 07/27/2022

NEW

WINERY PERMIT



WINERY GROUP INC.  
982 COUNTY ROAD 979 STE 200  
ROYSE CITY COLLIN

WINERY GROUP INC.

  
EXECUTIVE DIRECTOR

THIS PERMIT IS NOT TRANSFERABLE. MUST BE PUBLICLY DISPLAYED AT ALL TIMES AND USED ONLY IN THE PLACE OF BUSINESS INDICATED. HEREON THE ACCEPTANCE HEREOF CONSTITUTES AN EXPRESS AGREEMENT TO PERMIT ANY AUTHORIZED REPRESENTATIVE OF THE COMMISSION OR ANY PEACE OFFICER TO FREELY ENTER UPON PERMITTEE'S PREMISES TO PERFORM ANY DUTY IMPOSED UPON HIM.



CITY OF ROCKWALL  
LOCAL ALCOHOL BEVERAGE PERMIT  
APPLICATION & CERTIFICATION

Revised 01/05/18

Date: 11/12/2020

Applicant's Name: Charles Smith

Trade Name of Location: Pentagon

Location Address: 1541 E Interstate 30 Rockwall Texas 75087

Mailing Address: same

Applicant's Phone: (214) 212 2307 Email: charlie@ckzadvisors.com

TABC Permit Type(s) Applying For: I already have a (G) license - want to move to my property

This is a(n):  Original Application  Renewal

Note: Local permits are renewed every two years with proof of State issued license. You **must** submit a copy of your TABC license with payment (if applicable). The locally issued permit must be displayed on-site at the business location, alongside the state license/permit.

\*The Below SECTION TO BE FILLED OUT BY City STAFF ONLY\*

**CRITERIA FOR APPROVAL**

Was the property annexed prior to November 14, 2007?

Yes  No **If no, city staff will need to consult with the applicant.**

Is the property located in an area zoned for the requested permit?

Yes  No **Zoning Designation:**

**APPLICATION IS FILED FOR (check either #1 or #2):**

**1. The legal sale of beer and wine for off-premise consumption only.**

The requested permit appears to be located within the following area(s):

- 300 feet of a religious institution (measured front door to front door)  Yes  No
- 300 feet of a public hospital (measured front door to front door)  Yes  No
- 300 feet of a public or private school (measured property line to property line)  Yes  No

**2. The following distance requirements apply to holders of a Mixed Beverage Restaurant (with FB certificate), Winery (G) & Wine & Beer (BG) permits:**

The requested permit appears to be located within the following area(s):

- 300 feet of a religious institution (measured front door to front door)  Yes  No
- 300 feet of a public hospital (measured front door to front door)  Yes  No
- 300 feet of a public school (measured property line to property line)  Yes  No

<b>Zoning and distance verification / approval (Planning Dept.):</b>	
Printed Name: _____	Date: _____
Signature: _____	
<b>City Secretary's Office:</b>	
<input type="checkbox"/> Approved _____	<input type="checkbox"/> Denied* _____
<input type="checkbox"/> Fees Paid: _____	Check No. _____ Date: _____

\*If permit is denied due to non-compliance with distance requirements, applicant may seek approval of a variance from City Council

Burl Swafford  
D.R.R.C.T.

**General Items:**

- (I)- Must meet City Standards of Design and Construction.
- (I)- 4% Engineering Inspection Fees
- (I)- Impact Fees (Roadway, Water, Sewer)
- (I)- Minimum easement width is 20'. No structures allowed in easements. No building or car "covers"/garage overhangs in easements.
- (I)- No retaining walls in detention easements.
- (I)- Show and label proposed and existing water and sanitary sewer on site plan

**Drainage Items:**

- (I) - Must have detention for all new impervious structures.
- (I)- Detention to be done using the Rational Method. Manning's C-value is per zoning type.
- (I)- No structures in detention easement.
- (M)- Show and label dumpster area(s) to drain to an oil/water separator prior to discharging into the storm system

**Water and Wastewater Items:**

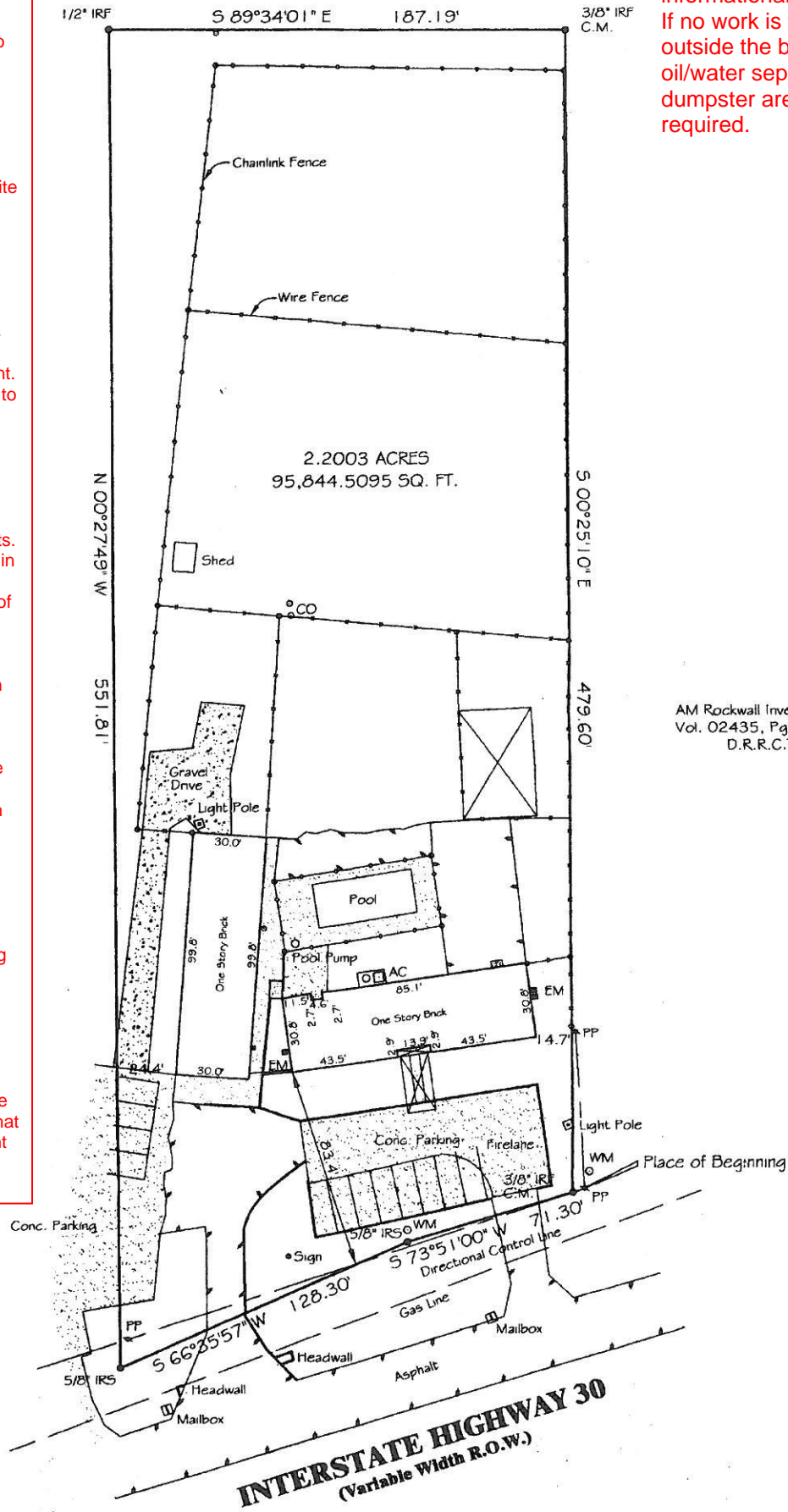
- (I)- Internal water lines must be 8" and looped on site and loop into Phase 1.
- (I)- 5' clearance around all fire hydrants.
- (I) - Median must be a minimum of 10' in width if a fire hydrant is located in said median. Show dimension on site plan of these areas
- (I)-Min 8" Wastewater lines.
- (I) - No Public Water and Wastewater Lines and their easements in detention easements.

**Roadway Paving Items:**

- (I)- Parking to be 20'x9' where near the buildings. Other parking to be 18'x9' minimum with 2' clear overhang. Hatch the 20'x9' and 18'x9' differently on the site plan or dimension each area of parking
- (I)- Drive isles to be 24' wide.
- (I)- Dead end parking to have min of 15'x64' turnaround.
- (I) - TxDOT permit required if modifying driveways.

**Landscaping Items:**

- (I) - No trees to be planted within 5' of any public utility that is less than 10" in diameter or equivalent in size if not circular (i.e. storm lines). No trees to be planted within 10' of any public utility that is 10" or more in diameter or equivalent in size if not circular (i.e. storm lines).



If any work is done outside of the building all items listed as informational will be required. If no work is to be done outside the building, the oil/water separator in the dumpster area will be required.

AM Rockwall Investments  
Vol. 02435, Pg. 00052  
D.R.R.C.T.

**INTERSTATE HIGHWAY 30**  
(Variable Width R.O.W.)





**CITY OF ROCKWALL**  
CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT  
385 S. GOLIAD STREET • ROCKWALL, TX 75087  
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

---

**TO:** Planning and Zoning Commission  
**CC:** Rick Crowley, *City Manager*  
Mary Smith, *Assistant City Manager*  
Joey Boyd, *Assistant City Manager*  
**FROM:** Ryan Miller, Director of Planning and Zoning  
**DATE:** December 7, 2020  
**SUBJECT:** MIS2020-016; *Variance to the Alcohol Proximity Requirements for 1541 E. IH-30*

---

The applicant, Charlie Smith, is requesting a variance to the distance regulations for the sale of alcoholic beverages by a retail establishment for off-premise consumption to allow a winery directly adjacent to a church. The subject property is a 2.202-acre tract of land (*i.e. Tract 12 of the A. Hanna Survey, Abstract No. 99*) fronting on to IH-30, zoned Light Industrial (LI) District, that is addressed as 1541 & 1545 E. IH-30. Situated on the subject property are two (2) existing buildings that are oriented in an 'L' shape, are between six (6) and 12-feet apart, and that are connected by a fence. Currently, a church (*i.e. Landmark Fellowship Church*) is situated in the building that runs parallel to IH-30 (*i.e. 1545 E. IH-30*), and the proposed winery will be situated in the building that runs perpendicular to IH-30 (*i.e. 1541 E. IH-30*). According to the Rockwall Central Appraisal District (RCAD), both buildings were constructed in 1986 with the church being ~3,160 SF and the currently vacant building being 2,550 SF.

In accordance with the *Texas Alcoholic Beverage Code*, the City of Rockwall has adopted distance requirements that stipulate a minimum separation between businesses that sell alcohol -- *for on-site or off-site consumption* -- and schools, churches, and hospitals. Section 03.05, *Alcoholic Beverage Sales*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) states the following (*with pertinent information underlined*):

(B) *Retail Establishments with Alcoholic Beverage Sales.*

- (1) *Retail establishments may sell beer and wine for off-premises consumption by right if they are located on property that was within the city limits as of November 14, 2007, and are located in a zoning district allowing such use. Retail establishments located on property that was annexed after November 14, 2007, may not engage in the selling of beer and wine for off-premises consumption.*
- (2) *Retail establishments engaged in the selling of beer and wine to the general public for off-premises consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and must be located not less than 300 feet from a church, public school, private school (as defined by the Texas Alcoholic Beverage Code) or public hospital. For a church or public hospital, the 300 feet shall be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. For public schools or private schools, the measurement of distance shall be in a direct line from the property line of the public school to the property line of the retail establishment and in a direct line across intersections. If the permit or license holder is located on or above the fifth story of a multistory building, the measurement shall be in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.*

*The City Council may grant a variance to the distance regulations if the City Council determines that enforcement of those regulations in a particular instance is not in the best interest of the public, constitutes waste of inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.*

In this case, the applicant has provided an exhibit showing that the winery's front entrance will be on the eastside of the vacant building, facing towards an existing swimming pool (*i.e. not visible from IH-30*). Based on this location, the applicant

will be required to construct an accessible route up against the building, leading from the entrance of the winery to the parking areas, and based on this accessible route the distance from the front door of the church to the front door of the winery would be 248-feet. Since this is less than the required 300-foot distance stipulated by the Unified Development Code (UDC), the applicant has approached staff requesting to apply for a variance. Staff should note that in the applicant's letter, the applicant describes a measurement process that would take the pedestrian to the right-of-way prior to reaching the front door of the church; however, this measurement process is only applied for buildings on separate lots/properties, and as stated previously these buildings are on the same property. Staff should also point out, that the lot cannot be subdivided in its current configuration.

In reviewing this request, staff should note that the existing church appears to be under parked, and that the applicant has not indicated any additional parking will be provided for the winery. Currently, there are eight (8) parking spaces on the site to serve both buildings. If this request is approved by the City Council, the parking issue will need to be addressed prior to the issuance of a Certificate of Occupancy (CO) for the winery. With all of this being said, any request for a variance to the distance requirements for alcohol sales stipulated by the Unified Development Code (UDC) is a discretionary decision for the City Council. Should the City Council have any questions, staff will be available at the meeting on December 7, 2020.



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. M152020-016

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Contact Person Charles Smith

Address 611 E Boydston

Address 611 E Boydston

City, State & Zip Rockwall Texas 75087

City, State & Zip Rockwall Texas 75087

Phone 214 212 2307

Phone 214 212 2307

E-Mail charlie@ck2advisors.com

E-Mail \_\_\_\_\_

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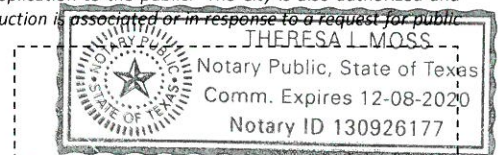
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Owner's Signature

[Signature]  
Jheusa L. Moss

Notary Public in and for the State of Texas



My Commission Expires 12.8.2020

0 50 100 200 300 400 Feet

MIS2020-016- SPECIAL EXCEPTION FOR A VINEYARD  
MISCELLANEOUS - LOCATION MAP = 

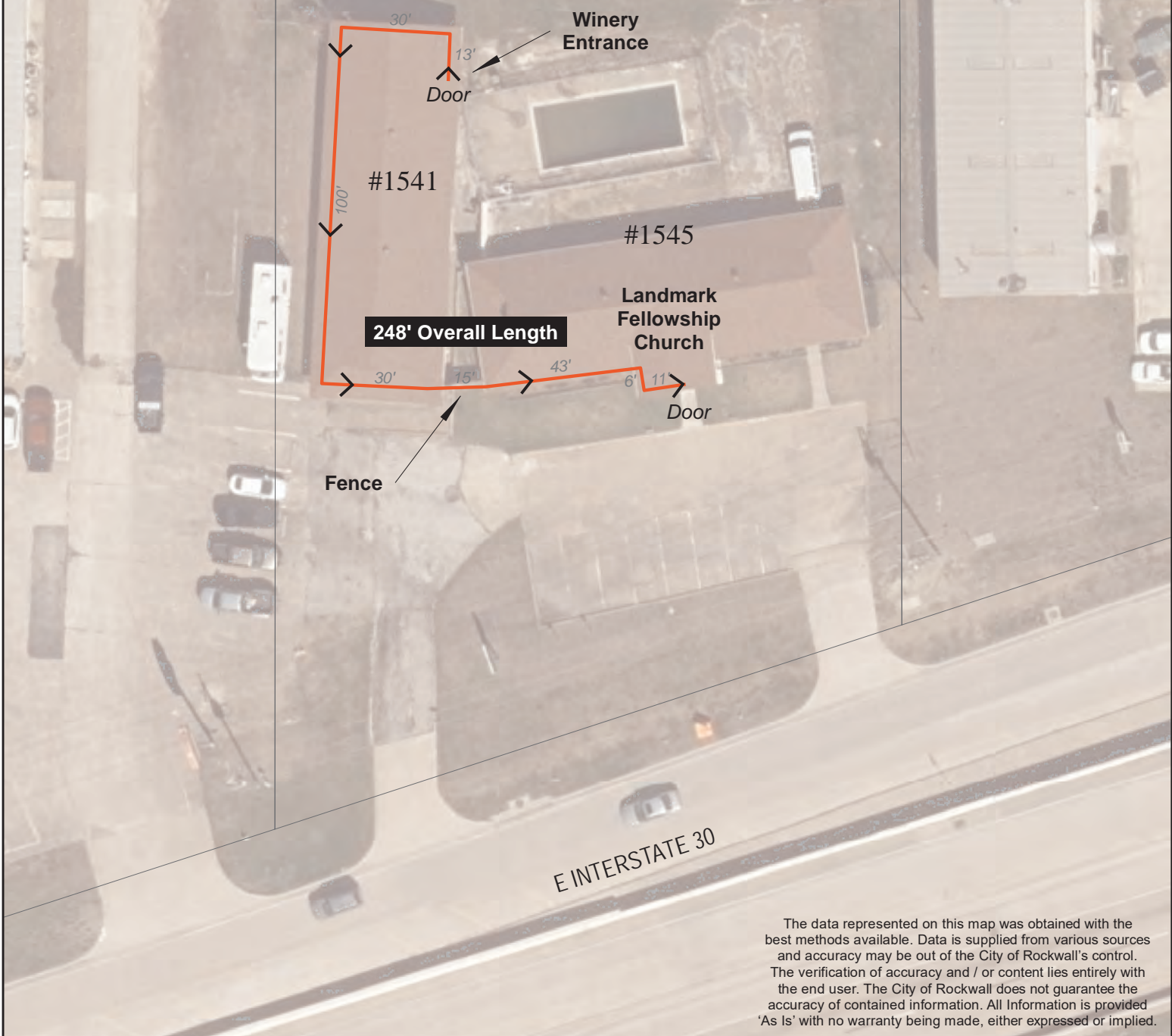
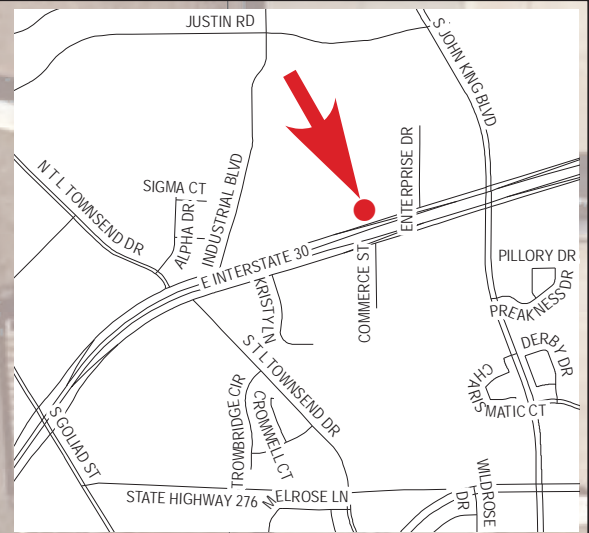


# City of Rockwall

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.





The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.

LANDMARK  
EQUIPMENT

LANDMARK  
EQUIPMENT

©2020 Google

©2020 Google

**From: Charles Smith**

**To: Planning & Zoning**

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I talked to the pastor of the church as I was thinking of this application and asked him if he had a problem with me opening a winery backing up to the church. He said I had been so good to him all the time he has been there and he did not have a problem with it. You can call Pastor Lee Wells at 903-453-4191 or I can get a letter from him.

We do not plan to be open on Sundays at all.

Our activities will be those allowed under our (G) license from the TABC which:

Allows holder to:

- Manufacture, bottle, label and package wine containing 24% alcohol by volume or less.
- Sell or buy wine from permittees authorized to purchase and sell wine, including wholesalers, winery and wine bottler's permittees.
- Sell wine to ultimate consumers for consumption on the winery premises or in unbroken packages for off-premise consumption.
- Dispense free wine for consumption on the winery premises.

We will also serve some limited food which is also allowed under our permit with the TABC.

I appreciate your help and call me at 214-212-2307 if you have any questions or need to speak with me.

  
Charlie Smith  
214-212-2307  
[charlie@ck2advisors.com](mailto:charlie@ck2advisors.com)



**CITY OF ROCKWALL  
LOCAL ALCOHOL BEVERAGE PERMIT  
APPLICATION & CERTIFICATION**

Revised 01/05/18

**Date:** 11/12/2020

**Applicant's Name:** Charles Smith

**Trade Name of Location:** Pentagon

**Location Address:**  
Street #, Name, City, State, Zip 1541 E Interstate 30 Rockwall Texas 75087

**Mailing Address:**  
Street #, Name, City, State, Zip same

**Applicant's Phone:** (214) 212 2307      **Email:** charlie@ckzadvisors.com

**TABC Permit Type(s) Applying For:** I already have a (G) license - want to move to my property

**This is a(n):**     Original Application     Renewal

*Note: Local permits are renewed every two years with proof of State issued license. You **must** submit a copy of your TABC license with payment (if applicable). The locally issued permit must be displayed on-site at the business location, alongside the state license/permit.*

\*The Below SECTION TO BE FILLED OUT BY City STAFF ONLY\*

**CRITERIA FOR APPROVAL**

Was the property annexed prior to November 14, 2007?

Yes     No      **If no, city staff will need to consult with the applicant.**

Is the property located in an area zoned for the requested permit?

Yes     No      **Zoning Designation:**

**APPLICATION IS FILED FOR (check either #1 or #2):**

**1. The legal sale of beer and wine for off-premise consumption only.**

The requested permit appears to be located within the following area(s):

- 300 feet of a religious institution (measured front door to front door)       Yes     No
- 300 feet of a public hospital (measured front door to front door)       Yes     No
- 300 feet of a public or private school (measured property line to property line)       Yes     No

**2. The following distance requirements apply to holders of a *Mixed Beverage Restaurant (with FB certificate), Winery (G) & Wine & Beer (BG) permits:***

The requested permit appears to be located within the following area(s):

- 300 feet of a religious institution (measured front door to front door)       Yes     No
- 300 feet of a public hospital (measured front door to front door)       Yes     No
- 300 feet of a public school (measured property line to property line)       Yes     No

<b><u>Zoning and distance verification / approval (Planning Dept.):</u></b>	
Printed Name: _____	Date: _____
Signature: _____	
<b>City Secretary's Office:</b>	
<input type="checkbox"/> Approved _____	<input type="checkbox"/> Denied* _____
<input type="checkbox"/> Fees Paid: _____	Check No. _____ Date: _____

\*If permit is denied due to non-compliance with distance requirements, applicant may seek approval of a variance from City Council



TEXAS ALCOHOLIC BEVERAGE COMMISSION  
P.O. BOX 13127      Seq: 0128  
AUSTIN, TX 78711-3127



TEXAS ALCOHOLIC  
BEVERAGE COMMISSION  
*Texas Helping Businesses & Protecting Communities*



WINERY GROUP INC.  
1541 E INTERSTATE 30  
ROCKWALL TX 75087-6248

Dear Licensee/Permittee

As a citizen of the State of Texas and as part of the industry we regulate, we value your comments. Your impressions concerning the fairness and appropriateness of the actions taken by the agency and its employees are vital to the success of the Commission.

Complete this brief and strictly confidential questionnaire and allow your voice to be heard. You are a very important customer to us.

<https://www.surveymonkey.com/r/H5625RT>

Sincerely,

A. Bentley Nettles

**Please detach and display your license/permit in a conspicuous place at all times on the licensed premise.**

686403

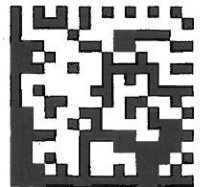
TEXAS ALCOHOLIC BEVERAGE COMMISSION

G 1094373

EXPIRES 07/27/2022

NEW

WINERY PERMIT



WINERY GROUP INC.  
982 COUNTY ROAD 979 STE 200  
ROYSE CITY COLLIN

WINERY GROUP INC.

  
EXECUTIVE DIRECTOR

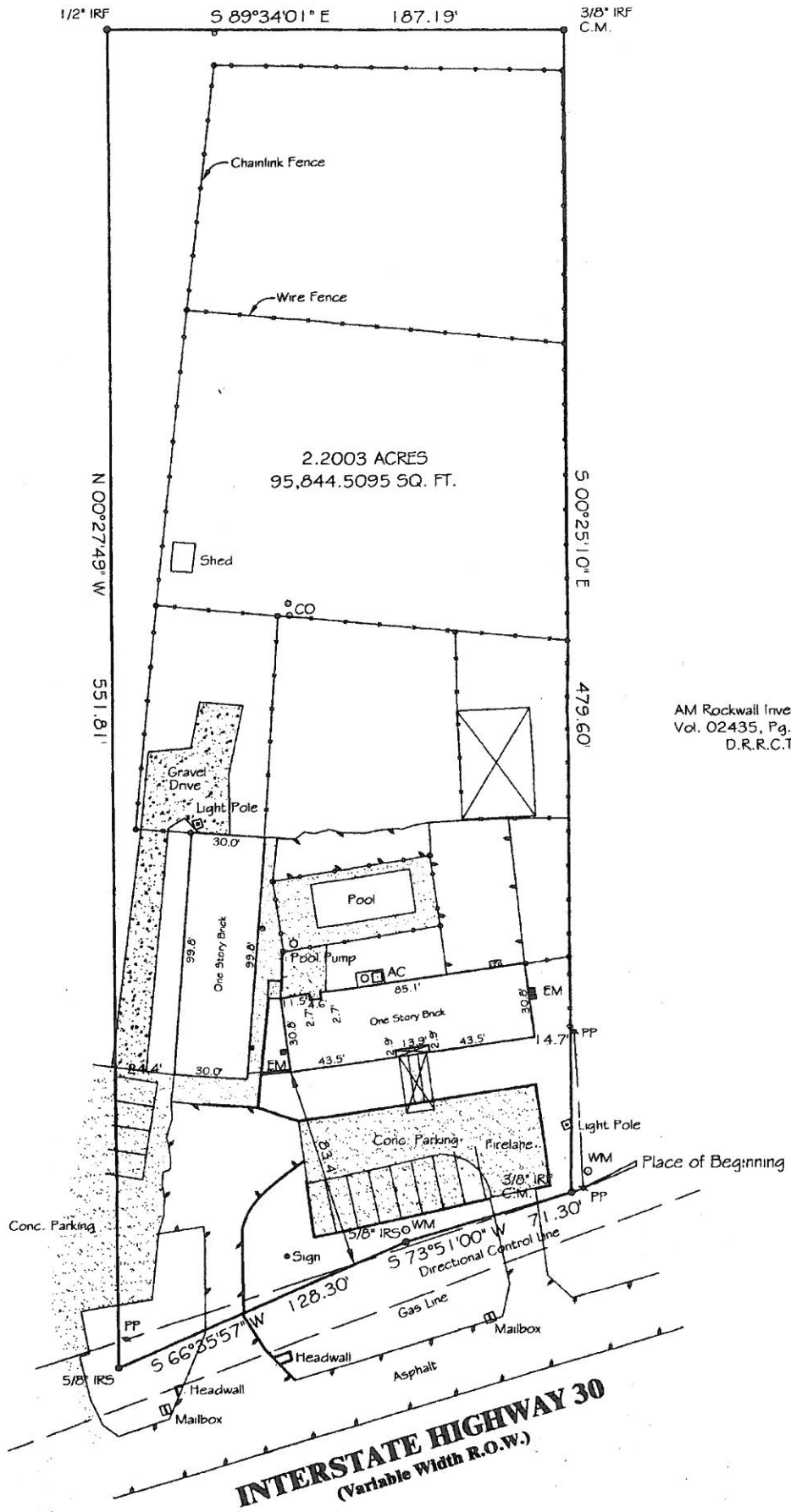
THIS PERMIT IS NOT TRANSFERABLE. MUST BE PUBLICLY DISPLAYED AT ALL TIMES AND USED ONLY IN THE PLACE OF BUSINESS INDICATED. HEREON THE ACCEPTANCE HEREOF CONSTITUTES AN EXPRESS AGREEMENT TO PERMIT ANY AUTHORIZED REPRESENTATIVE OF THE COMMISSION OR ANY PEACE OFFICER TO FREELY ENTER UPON PERMITTEE'S PREMISES TO PERFORM ANY DUTY IMPOSED UPON HIM.

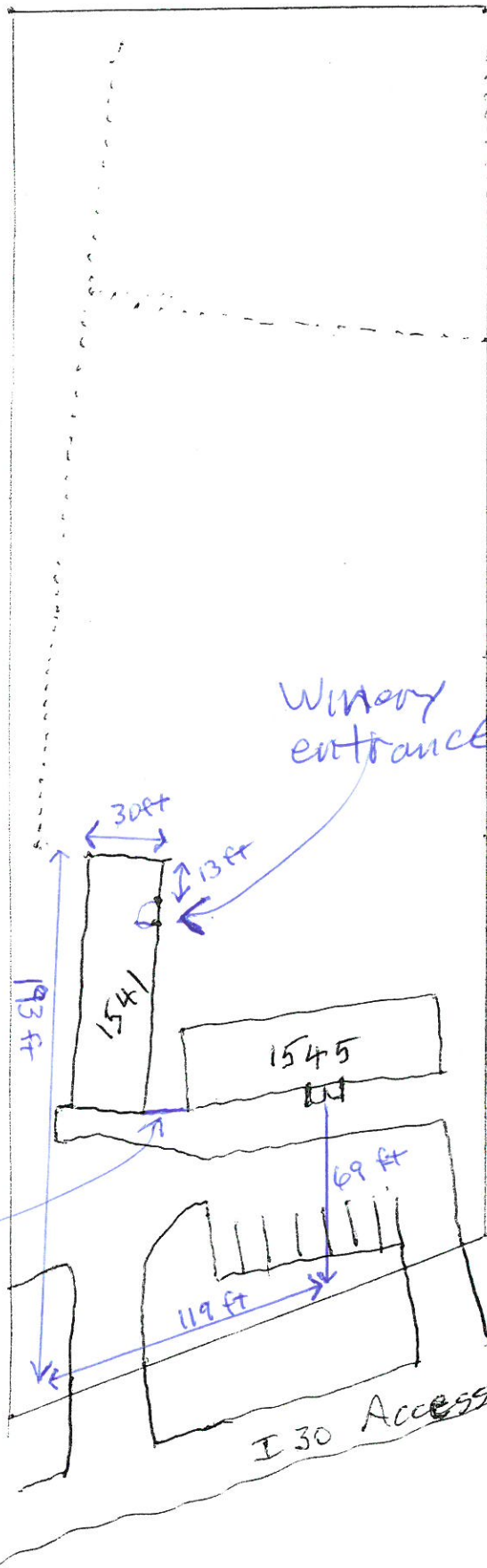
Burl Swafford  
D.R.R.C.T.



Coker Floor Company  
Vol. 03327, Pg. 00018  
D.R.R.C.T.

AM Rockwall Investments  
Vol. 02435, Pg. 00052  
D.R.R.C.T.





# ft
13
20
193
119
69
<u>Total 424 ft</u>



**CITY OF ROCKWALL**  
CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT  
385 S. GOLIAD STREET • ROCKWALL, TX 75087  
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

---

**TO:** Planning and Zoning Commission  
**CC:** Rick Crowley, *City Manager*  
Mary Smith, *Assistant City Manager*  
Joey Boyd, *Assistant City Manager*  
**FROM:** Ryan Miller, Director of Planning and Zoning  
**DATE:** December 21, 2020  
**SUBJECT:** MIS2020-016; *Variance to the Alcohol Proximity Requirements for 1541 E. IH-30*

---

Addendum for December 21, 2020: On December 7, 2020, the City Council approved a motion to table Case No. MIS2020-016 to the December 21, 2020 City Council meeting by a vote of 6-0, with Council Member Campbell absent. The purpose of this motion was to allow the applicant time to obtain a letter from the adjacent church (i.e. Landmark Fellowship Church) concerning the proposal to establish a winery on the subject property. The applicant has provided staff with a copy of this letter, which has been included in the attached packet for the City Council's review.

Original Case Memo for December 7, 2020: The applicant, Charlie Smith, is requesting a variance to the distance regulations for the sale of alcoholic beverages by a retail establishment for off-premise consumption to allow a winery directly adjacent to a church. The subject property is a 2.202-acre tract of land (i.e. Tract 12 of the A. Hanna Survey, Abstract No. 99) fronting on to IH-30, zoned Light Industrial (LI) District, that is addressed as 1541 & 1545 E. IH-30. Situated on the subject property are two (2) existing buildings that are oriented in an 'L' shape, are between six (6) and 12-feet apart, and that are connected by a fence. Currently, a church (i.e. Landmark Fellowship Church) is situated in the building that runs parallel to IH-30 (i.e. 1545 E. IH-30), and the proposed winery will be situated in the building that runs perpendicular to IH-30 (i.e. 1541 E. IH-30). According to the Rockwall Central Appraisal District (RCAD), both buildings were constructed in 1986 with the church being ~3,160 SF and the currently vacant building being 2,550 SF.

In accordance with the *Texas Alcoholic Beverage Code*, the City of Rockwall has adopted distance requirements that stipulate a minimum separation between businesses that sell alcohol -- *for on-site or off-site consumption* -- and schools, churches, and hospitals. Section 03.05, *Alcoholic Beverage Sales*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) states the following (*with pertinent information underlined*):

(B) *Retail Establishments with Alcoholic Beverage Sales.*

- (1) *Retail establishments may sell beer and wine for off-premises consumption by right if they are located on property that was within the city limits as of November 14, 2007, and are located in a zoning district allowing such use. Retail establishments located on property that was annexed after November 14, 2007, may not engage in the selling of beer and wine for off-premises consumption.*
- (2) *Retail establishments engaged in the selling of beer and wine to the general public for off-premises consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and must be located not less than 300 feet from a church, public school, private school (as defined by the Texas Alcoholic Beverage Code) or public hospital. For a church or public hospital, the 300 feet shall be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. For public schools or private schools, the measurement of distance shall be in direct line from the property line of the public school to the property line of the retail establishment and in a direct line across intersections. If the permit or license holder is located on or above the fifth story of a multistory building, the measurement shall be in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.*

The City Council may grant a variance to the distance regulations if the City Council determines that enforcement of those regulations in a particular instance is not in the best interest of the public, constitutes waste of inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

In this case, the applicant has provided an exhibit showing that the winery's front entrance will be on the eastside of the vacant building, facing towards an existing swimming pool (*i.e. not visible from IH-30*). Based on this location, the applicant will be required to construct an accessible route up against the building, leading from the entrance of the winery to the parking areas, and based on this accessible route the distance from the front door of the church to the front door of the winery would be 248-feet. Since this is less than the required 300-foot distance stipulated by the Unified Development Code (UDC), the applicant has approached staff requesting to apply for a variance. Staff should note that in the applicant's letter, the applicant describes a measurement process that would take the pedestrian to the right-of-way prior to reaching the front door of the church; however, this measurement process is only applied for buildings on separate lots/properties, and as stated previously these buildings are on the same property. Staff should also point out, that the lot cannot be subdivided in its current configuration.

In reviewing this request, staff should note that the existing church appears to be under parked, and that the applicant has not indicated any additional parking will be provided for the winery. Currently, there are eight (8) parking spaces on the site to serve both buildings. If this request is approved by the City Council, the parking issue will need to be addressed prior to the issuance of a Certificate of Occupancy (CO) for the winery. With all of this being said, any request for a variance to the distance requirements for alcohol sales stipulated by the Unified Development Code (UDC) is a discretionary decision for the City Council. Should the City Council have any questions, staff will be available at the meeting on December 7, 2020.



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. M152020-016

**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 [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)
- Variance Request (\$100.00)

**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, round up to one (1) acre.

### PROPERTY INFORMATION [PLEASE PRINT]

Address 1541 E Interstate 30

Subdivision \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

General Location between John King & SH205 on North side of I30

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

Current Zoning Light Industrial

Current Use Office

Proposed Zoning no change

Proposed Use Winery

Acreage 1.5 acres      Lots [Current] —      Lots [Proposed] —

**SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

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

Owner Dynacop Holdings Limited

Applicant Pentagon

Contact Person Charles Smith

Contact Person Charles Smith

Address 611 E Boydston

Address 611 E Boydston

City, State & Zip Rockwall Texas 75087

City, State & Zip Rockwall Texas 75087

Phone 214 212 2307

Phone 214 212 2307

E-Mail charlie@ck2advisors.com

E-Mail \_\_\_\_\_

### NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Charles Smith [Owner] the undersigned, who stated the information on this application to be true and certified the following:

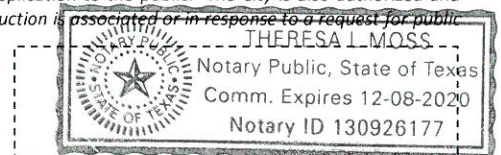
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ \_\_\_\_\_, to cover the cost of this application, has been paid to the City of Rockwall on this the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_. 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 12 day of November, 2020.

Owner's Signature

[Signature]  
Jheusa L. Moss

Notary Public in and for the State of Texas



My Commission Expires 12.8.2020



MIS2020-016- SPECIAL EXCEPTION FOR A VINEYARD  
MISCELLANEOUS - LOCATION MAP =

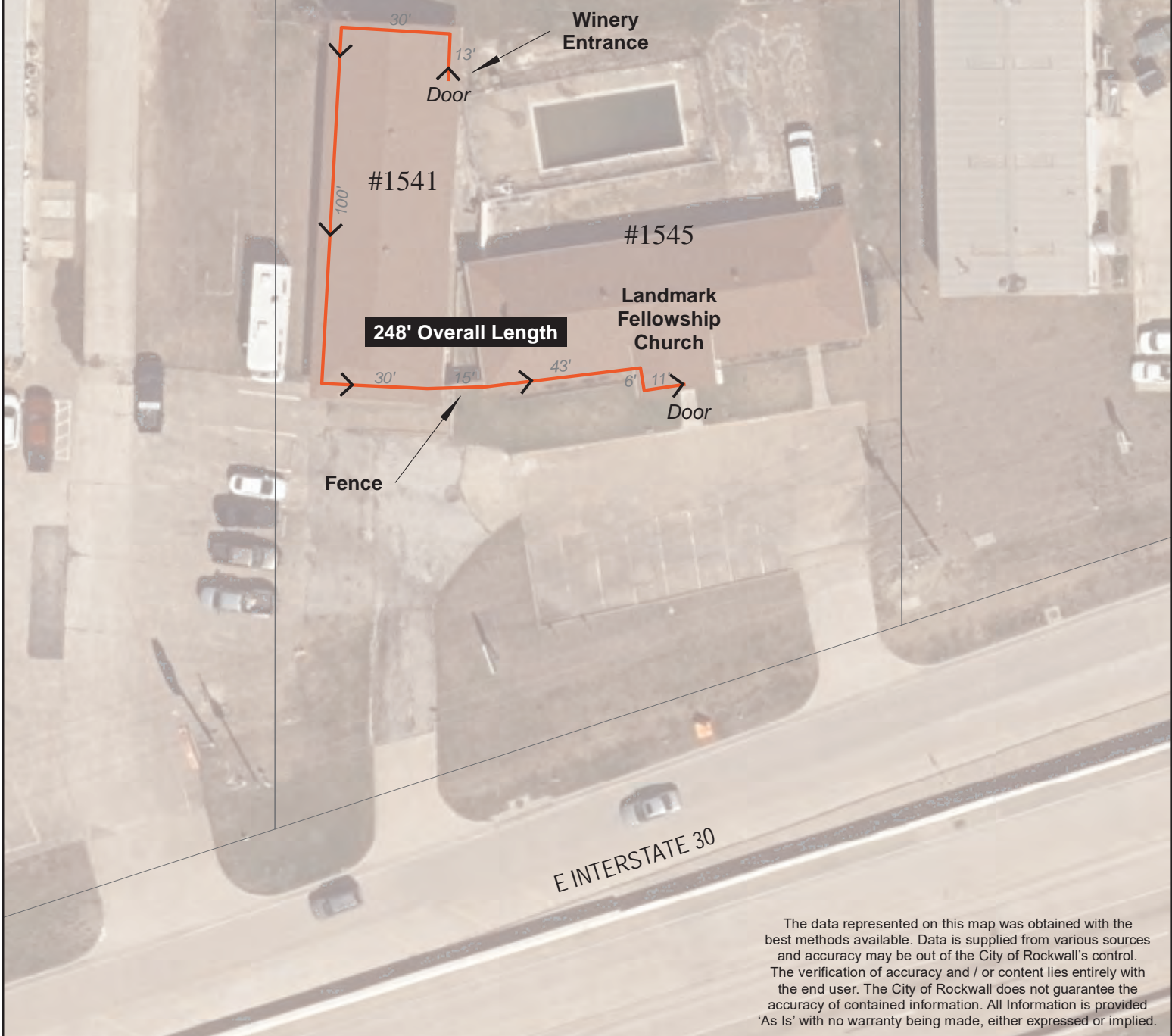
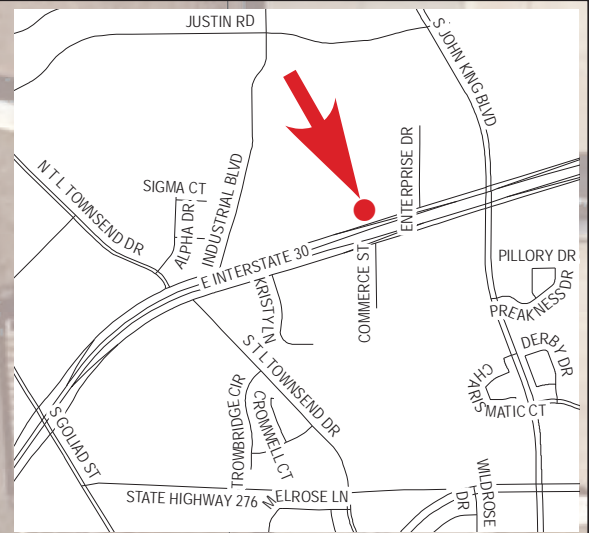


# City of Rockwall

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.





The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.



LANDMARK  
EQUIPMENT

LANDMARK  
EQUIPMENT

©2020 Google

©2020 Google

# LANDMARK FELLOWSHIP

December 9, 2020

Rockwall City Council  
Rockwall City Hall  
385 South Goliad  
Rockwall, Texas 75087

Ladies and Gentlemen of the Rockwall City Council,

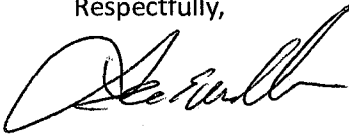
I am the Pastor of Landmark Fellowship Church at 1545 E Interstate 30 in Rockwall. The Church has leased the location from Dynacap Holdings / Charles Smith since late in 2012.

Mr. Smith came to me a couple months ago and said he was thinking of opening a winery in the back section of his property and asked if I had a problem with him doing that. I stated that I did not have a problem with it although I personally do not drink alcohol.

Mr. Smith has been a big supporter of our Church, particularly as we were finishing out the building to prepare to open the Church at that location. We have had a smooth relationship which is far more than a tenant / landlord relationship and I would expect that the same mutual respect and relationship would continue as he prepares to open his winery.

Again, I support him in his business endeavors and wish him well in this next venture. Another positive is that the Church won't have to go far to get its communion wine!!

Respectfully,



Lee Wells, Pastor  
Landmark Fellowship Church

**From: Charles Smith**

**To: Planning & Zoning**

Dear Sir,

Please find attached my development application for 1541 E Interstate 30, Rockwall, Texas 75087. It is on the north side of Interstate 30 between SH 205 and John King.

My application is to put in a winery – class (G) license with the TABC. I have that license already and would like to move it to the property I own in Rockwall. I have had an office at this location since I bought the property in 2004.

In the building next door there is a church. I have measured front door of the church to the entrance to the winery and I present this map with the distances. The front door of 1541 building is only for storage and does not have access through the building to the section at the back where the winery would be. To access the winery, one would need to go down the side of the building around the back to the door of the winery.

Methodology:

I started at the front door of the church and walked directly to the imaginary sidewalk (since there is no sidewalk), then parallel to the property line to the point at which I would turn to go in a straight line down the road leading to the back where the winery entrance is, then around the building to the door. The diagram show this.

Notes:

The church does not have access to the back of the property although they have an emergency exit door on the back of their building. Their only access (besides emergencies) is the front door.

I talked to the pastor of the church as I was thinking of this application and asked him if he had a problem with me opening a winery backing up to the church. He said I had been so good to him all the time he has been there and he did not have a problem with it. You can call Pastor Lee Wells at 903-453-4191 or I can get a letter from him.

We do not plan to be open on Sundays at all.

Our activities will be those allowed under our (G) license from the TABC which:

Allows holder to:

- Manufacture, bottle, label and package wine containing 24% alcohol by volume or less.
- Sell or buy wine from permittees authorized to purchase and sell wine, including wholesalers, winery and wine bottler's permittees.
- Sell wine to ultimate consumers for consumption on the winery premises or in unbroken packages for off-premise consumption.
- Dispense free wine for consumption on the winery premises.

We will also serve some limited food which is also allowed under our permit with the TABC.

I appreciate your help and call me at 214-212-2307 if you have any questions or need to speak with me.

  
Charlie Smith  
214-212-2307  
[charlie@ck2advisors.com](mailto:charlie@ck2advisors.com)



**CITY OF ROCKWALL  
LOCAL ALCOHOL BEVERAGE PERMIT  
APPLICATION & CERTIFICATION**

Revised 01/05/18

**Date:** 11/12/2020

**Applicant's Name:** Charles Smith

**Trade Name of Location:** Pentagon

**Location Address:**  
Street #, Name, City, State, Zip 1541 E Interstate 30 Rockwall Texas 75087

**Mailing Address:**  
Street #, Name, City, State, Zip same

**Applicant's Phone:** (214) 212 2307      **Email:** charlie@ckzadvisors.com

**TABC Permit Type(s) Applying For:** I already have a (G) license - want to move to my property

**This is a(n):**     Original Application     Renewal

*Note: Local permits are renewed every two years with proof of State issued license. You **must** submit a copy of your TABC license with payment (if applicable). The locally issued permit must be displayed on-site at the business location, alongside the state license/permit.*

\*The Below SECTION TO BE FILLED OUT BY City STAFF ONLY\*

**CRITERIA FOR APPROVAL**

Was the property annexed prior to November 14, 2007?

Yes     No    **If no, city staff will need to consult with the applicant.**

Is the property located in an area zoned for the requested permit?

Yes     No    **Zoning Designation:**

**APPLICATION IS FILED FOR (check either #1 or #2):**

**1. The legal sale of beer and wine for off-premise consumption only.**

The requested permit appears to be located within the following area(s):

- 300 feet of a religious institution (measured front door to front door)       Yes     No
- 300 feet of a public hospital (measured front door to front door)       Yes     No
- 300 feet of a public or private school (measured property line to property line)       Yes     No

**2. The following distance requirements apply to holders of a *Mixed Beverage Restaurant (with FB certificate), Winery (G) & Wine & Beer (BG) permits:***

The requested permit appears to be located within the following area(s):

- 300 feet of a religious institution (measured front door to front door)       Yes     No
- 300 feet of a public hospital (measured front door to front door)       Yes     No
- 300 feet of a public school (measured property line to property line)       Yes     No

<b><u>Zoning and distance verification / approval (Planning Dept.):</u></b>	
Printed Name: _____	Date: _____
Signature: _____	
<b>City Secretary's Office:</b>	
<input type="checkbox"/> Approved _____	<input type="checkbox"/> Denied* _____
<input type="checkbox"/> Fees Paid: _____	Check No. _____ Date: _____

\*If permit is denied due to non-compliance with distance requirements, applicant may seek approval of a variance from City Council

TEXAS ALCOHOLIC BEVERAGE COMMISSION  
P.O. BOX 13127      Seq: 0128  
AUSTIN, TX 78711-3127



TEXAS ALCOHOLIC  
BEVERAGE COMMISSION  
*Texas Helping Businesses & Protecting Communities*



WINERY GROUP INC.  
1541 E INTERSTATE 30  
ROCKWALL TX 75087-6248

Dear Licensee/Permittee

As a citizen of the State of Texas and as part of the industry we regulate, we value your comments. Your impressions concerning the fairness and appropriateness of the actions taken by the agency and its employees are vital to the success of the Commission.

Complete this brief and strictly confidential questionnaire and allow your voice to be heard. You are a very important customer to us.

<https://www.surveymonkey.com/r/H5625RT>

Sincerely,

A handwritten signature in cursive script, appearing to read "A. Bentley Nettles".

A. Bentley Nettles

**Please detach and display your license/permit in a conspicuous place at all times on the licensed premise.**

686403

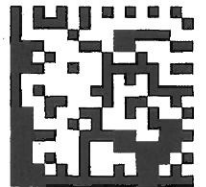
TEXAS ALCOHOLIC BEVERAGE COMMISSION

G 1094373

EXPIRES 07/27/2022

NEW

WINERY PERMIT



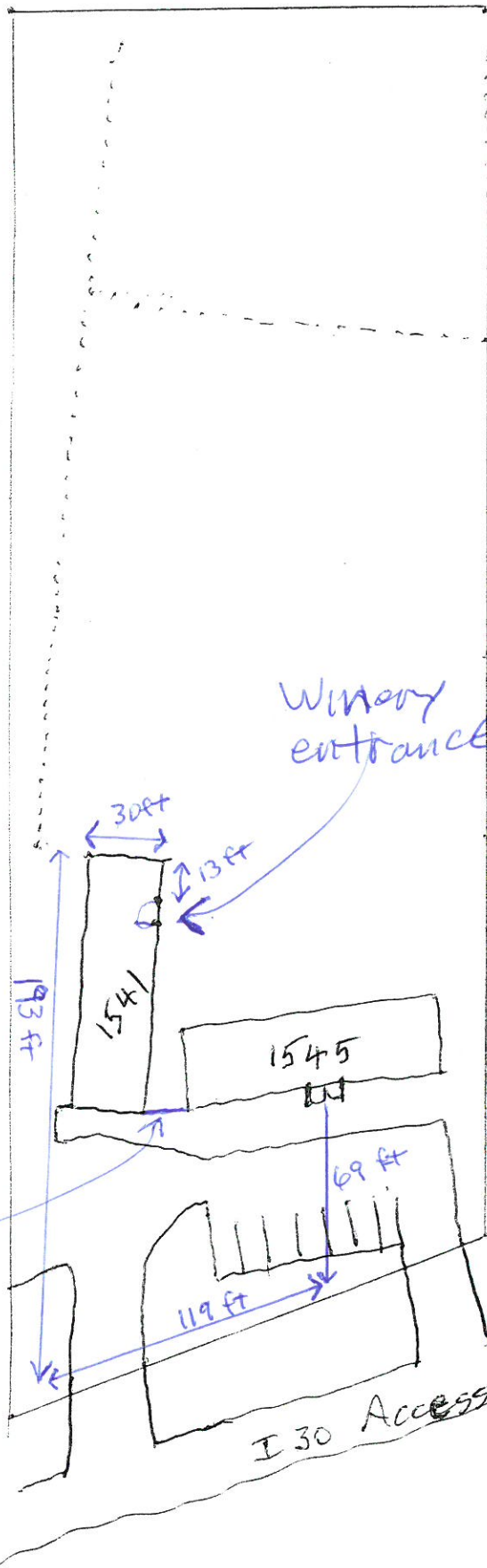
WINERY GROUP INC.  
982 COUNTY ROAD 979 STE 200  
ROYSE CITY COLLIN

WINERY GROUP INC.

A handwritten signature in cursive script, appearing to read "A. Bentley Nettles".  
EXECUTIVE DIRECTOR

THIS PERMIT IS NOT TRANSFERABLE. MUST BE PUBLICLY DISPLAYED AT ALL TIMES AND USED ONLY IN THE PLACE OF BUSINESS INDICATED. HEREON THE ACCEPTANCE HEREOF CONSTITUTES AN EXPRESS AGREEMENT TO PERMIT ANY AUTHORIZED REPRESENTATIVE OF THE COMMISSION OR ANY PEACE OFFICER TO FREELY ENTER UPON PERMITTEE'S PREMISES TO PERFORM ANY DUTY IMPOSED UPON HIM.





# ft
13
20
193
119
69
<u>Total 424 ft</u>

EMERGENCY  
USE ONLY

## Miller, Ryan

---

**From:** Gonzales, David  
**Sent:** Friday, November 13, 2020 1:55 PM  
**To:** 'charlie@ck2advisors.com'  
**Subject:** RE: Development Application - Winery

Hello Charlie,

Yes, the application has been received. If there is any further information needed as we move through this process, staff will contact you.

Thank you,



**DAVID GONZALES, AICP**

PLANNING & ZONING MANAGER  
PLANNING & ZONING DIVISION • CITY OF ROCKWALL  
972.772.6488 OFFICE  
[DGONZALES@ROCKWALL.COM](mailto:DGONZALES@ROCKWALL.COM)

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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[HELPFUL LINKS](#) | [CITY OF ROCKWALL WEBSITE](#) | [PLANNING & ZONING DIVISION WEBSITE](#) | [MUNICIPAL CODE WEBSITE](#)  
[GIS DIVISION WEBSITE](#) | [CITY OF ROCKWALL INTERACTIVE MAPS](#) | [MAIN STREET DIVISION](#)

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**From:** charlie@ck2advisors.com [mailto:charlie@ck2advisors.com]  
**Sent:** Friday, November 13, 2020 12:08 PM  
**To:** Gonzales, David  
**Subject:** RE: Development Application - Winery

Hi David,

Just want to confirm that you received my Development Application and see if you think I should include anything else.

Thanks  
Charlie Smith

---

**From:** Gonzales, David <[DGonzales@rockwall.com](mailto:DGonzales@rockwall.com)>  
**Sent:** Wednesday, November 11, 2020 4:53 PM  
**To:** 'charlie@ck2advisors.com' <[charlie@ck2advisors.com](mailto:charlie@ck2advisors.com)>  
**Subject:** Development Application - Winery

Charlie,

Thank you taking the time to discuss the proposed winery to be located on your property at 1541 E IH-30. Based on our conversation, here is a link to the City's website for the development application for your request. Please fill out and return to the City's Planning and Zoning Department by this Friday, November 13, 2020 in order to be placed on the City Council's agenda for the December 7, 2020 meeting. When submitting the application, be sure to include a letter indicating your request, a survey/site plan, and any other information you feel is necessary for consideration. Additionally, there is a fee of \$100.00 at the time of application.

<http://www.rockwall.com/pz/Planning/Documents/Development%20Application.pdf>



Let me know if you have any further questions.

Thank you,



**DAVID GONZALES, AICP**

PLANNING & ZONING MANAGER  
PLANNING & ZONING DIVISION • CITY OF ROCKWALL  
972.772.6488 OFFICE  
[DGONZALES@ROCKWALL.COM](mailto:DGONZALES@ROCKWALL.COM)

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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[HELPFUL LINKS](#) | [CITY OF ROCKWALL WEBSITE](#) | [PLANNING & ZONING DIVISION WEBSITE](#) | [MUNICIPAL CODE WEBSITE](#)  
[GIS DIVISION WEBSITE](#) | [CITY OF ROCKWALL INTERACTIVE MAPS](#) | [MAIN STREET DIVISION](#)

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**From:** [charlie@ck2advisors.com](mailto:charlie@ck2advisors.com) [<mailto:charlie@ck2advisors.com>]

**Sent:** Tuesday, November 10, 2020 12:33 PM

**To:** Gonzales, David <[DGonzales@rockwall.com](mailto:DGonzales@rockwall.com)>

**Subject:** Follow up

Hi David,

Just following up on our Friday conversation we had about an application for a Winery.

Thanks

Charlie Smith

214-212-2307

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## Miller, Ryan

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**From:** charlie@ck2advisors.com  
**Sent:** Wednesday, December 9, 2020 10:54 AM  
**To:** Miller, Ryan  
**Subject:** Letter per request at City Council Meeting  
**Attachments:** Landmark Winery Letter - Dec 2020 - Signed.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Ryan,

Thanks for your help and explanations at the City Council meeting last Monday. Attached please find the letter from Lee Wells, Pastor of Landmark Fellowship Church which the members of the City Council requested at the meeting on December 7, 2020.

Please let me know if you need any further information and can you please confirm receipt.

Thanks  
Charlie Smith

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February 2, 2021

TO: Charles Smith  
Pentagon/Dynacap Holdings Limited  
611 E. Boydston Street  
Rockwall TX 75087

FROM: Ryan Miller, AICP  
City of Rockwall Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, TX 75087

SUBJECT: MIS2020-016; Variance to the Proximity Requirements for Alcohol Sales

Mr. Smith:

This letter serves to notify you that the above referenced case, that you submitted for consideration by the City of Rockwall, was approved by the City Council on December 7, 2020. The following is a record of all recommendations, voting records and conditions of approval:

Staff Recommendations

The applicant will need to demonstrate that there is sufficient parking on the site to support the proposed land use.

City Council

On December 21, 2020, the City Council approved a motion to approve a variance to the proximity requirements for the sale of alcoholic beverages as stipulated by the UDC by a vote of 7-0.

Should you have any questions or concerns regarding your zoning case, please feel free to contact me a (972) 771-7745.

Sincerely,

A handwritten signature in black ink, appearing to read 'R Miller', is written over the printed name.

Ryan Miller, AICP  
Director of Planning and Zoning