



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. \_\_\_\_\_

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

DIRECTOR OF PLANNING: *[Signature]*

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: 803 N. Goliad Rockwell TX 75087  
 Subdivision: OVR HOUSE ADDITION Lot 1 Block A  
 General Location:  Hwy 205 between Heath Street and Kaufman

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

Current Zoning: Residential Office/Light Retail Current Use: NONE  
 Proposed Zoning: SAME Proposed Use: Ciger Lounge  
 Acreage: 0.66 Lots [Current]: 1 Lots [Proposed]: 1

**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: Leshia and Scott Milder  Applicant: \_\_\_\_\_  
 Contact Person: Scott Milder Contact Person: \_\_\_\_\_  
 Address: 501 Camp Creek Rd. Address: \_\_\_\_\_  
 City, State & Zip: Rockwall, TX 75087 City, State & Zip: \_\_\_\_\_  
 Phone: 214 497 6411 Phone: \_\_\_\_\_  
 E-Mail: milderman@gmail.com E-Mail: \_\_\_\_\_

## NOTARY VERIFICATION [REQUIRED]

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

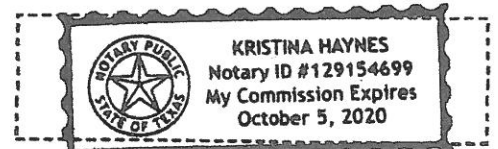
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ \_\_\_\_\_, to cover the cost of this application, has been paid to the City of Rockwall on this the 19 day of JUNE, 2020. By signing this application, 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 19 day of JUNE, 2020

Owner's Signature


*[Signature]*  
*[Signature]*

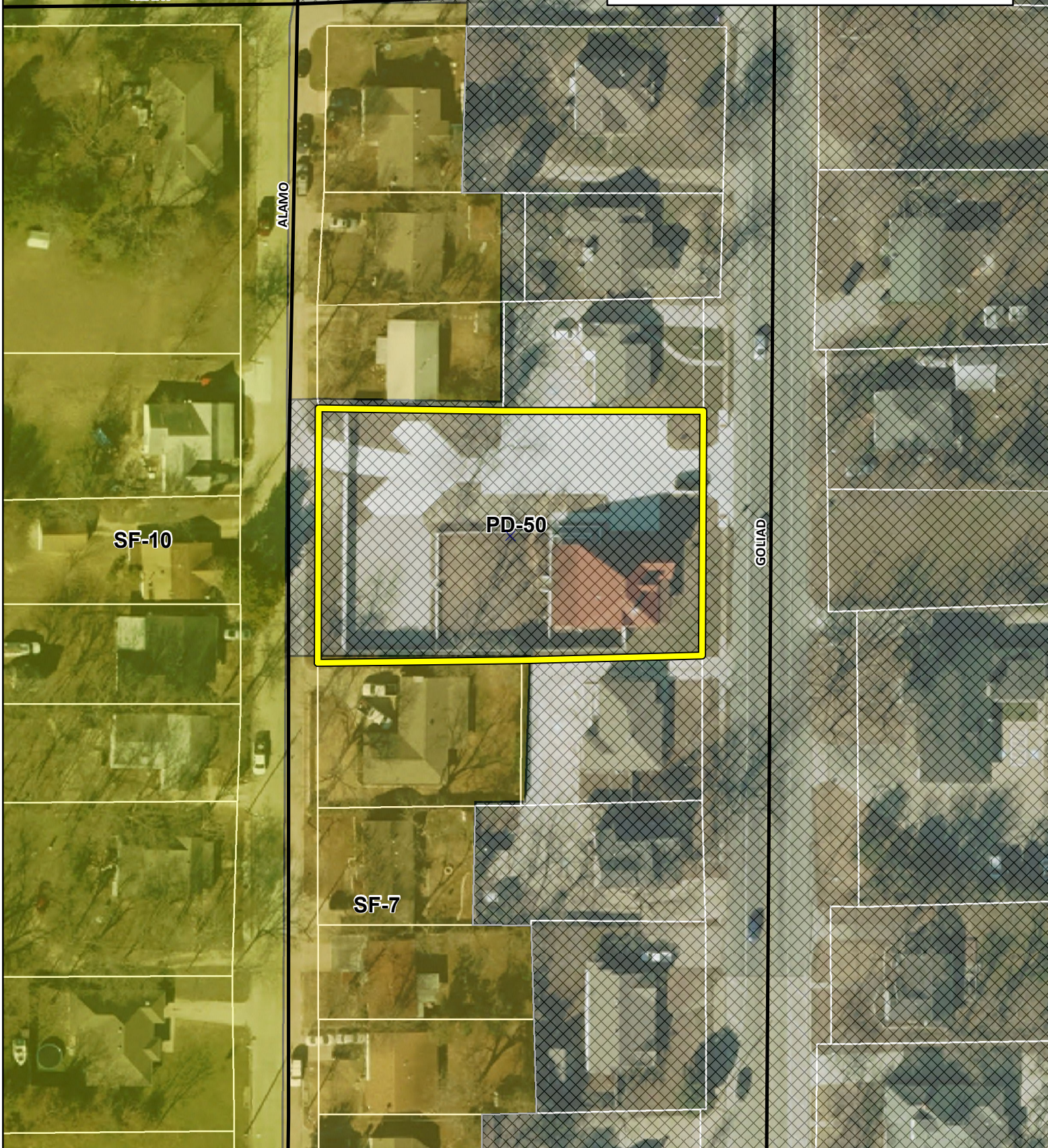
Notary Public in and for the State of Texas



My Commission Expires



Z2020-026- SUP FOR 803 N. GOLIAD STREET  
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.

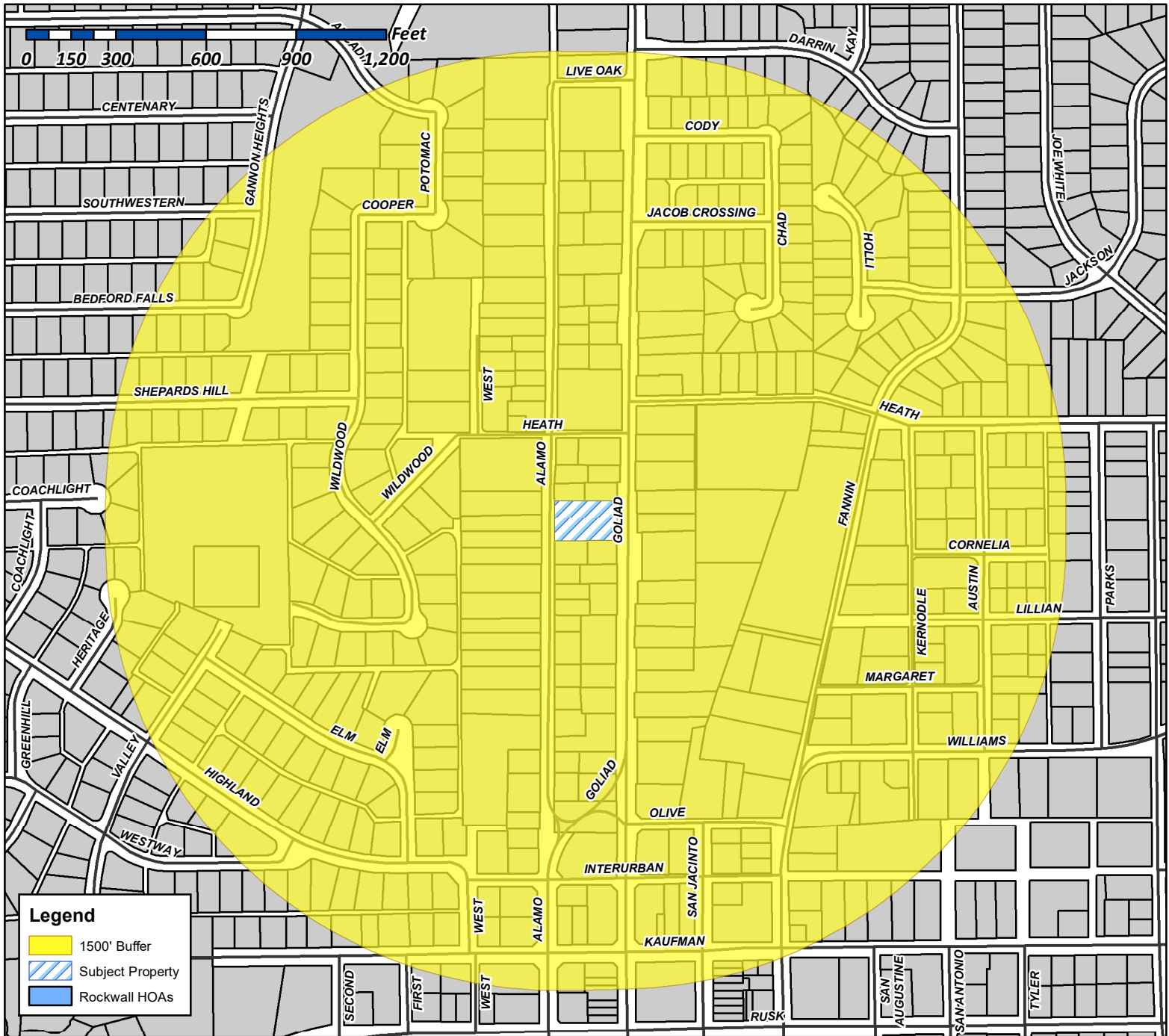
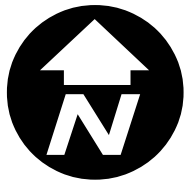




# City of Rockwall

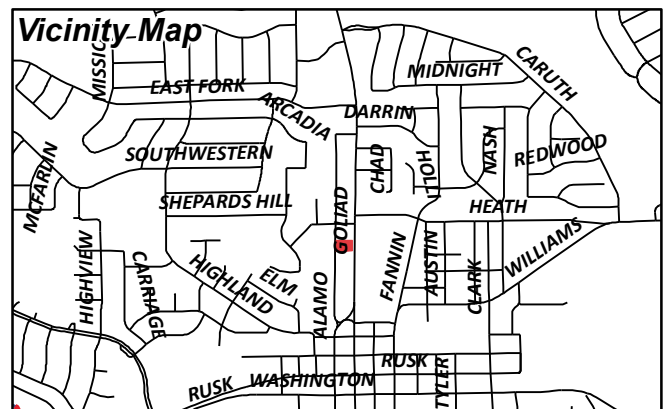
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

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**Case Number:** Z2020-027  
**Case Name:** SUP for 803 N. Goliad Street  
**Case Type:** Specific Use Permit  
**Zoning:** PD-50  
**Case Address:** 803 N. Goliad Street

**Date Created:** 6/21/2020  
**For Questions on this Case Call** (972) 771-7745

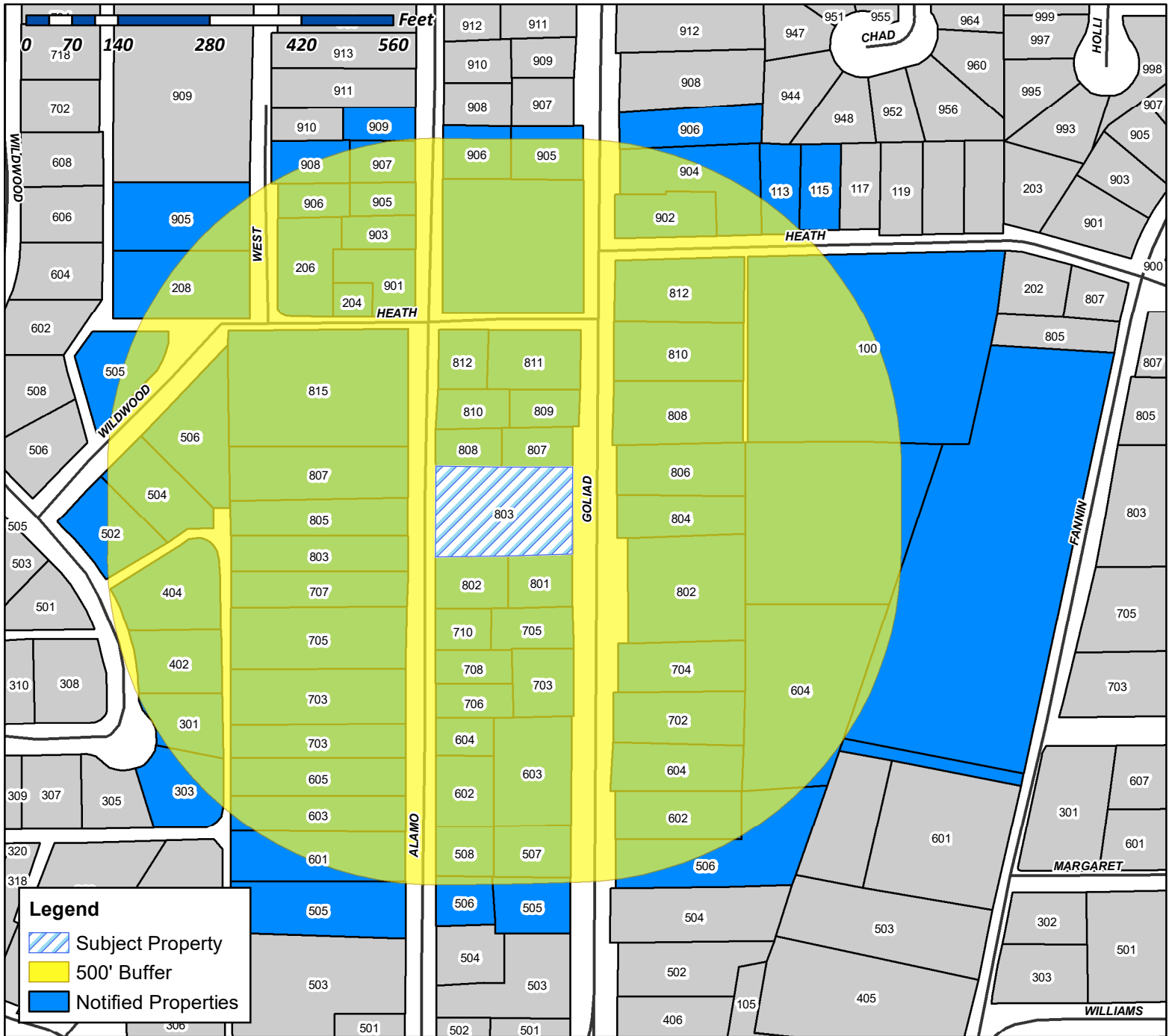
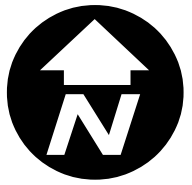




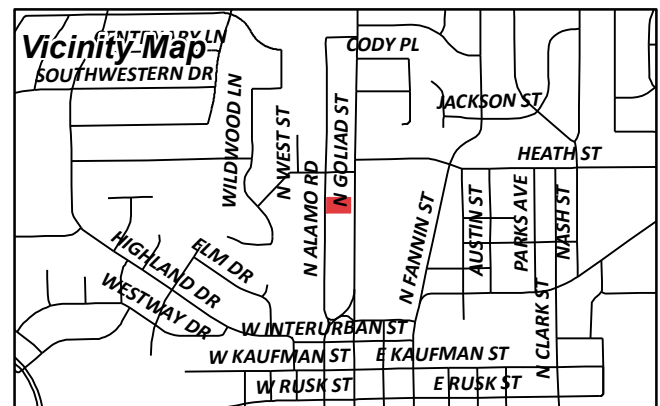
# City of Rockwall

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

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**Date Created:** 6/21/2020  
 For Questions on this Case Call (972) 771-7745

CURRENT RESIDENT  
100 E HEATH  
ROCKWALL, TX 75087

BARKER PERRY H & ELIZABETH D  
104 SCENIC DR  
HEATH, TX 75032

TEEL BRITTON & BARBARA  
10925 ROCKSTONE DR  
BALCH SPRINGS, TX 75180

WAGNER GERALD P  
112 LOS PECES  
GUN BARRELL, TX 75156

HILL TOBY VERN H & ANGELA DAWN  
113 E HEATH ST  
ROCKWALL, TX 75087

CHISENHALL ROBERT  
115 E HEATH ST  
ROCKWALL, TX 75087

DAVENPORT RENTAL PROPERTIES - SERIES 200  
DARRIN DRIVE  
1270 COASTAL DR  
ROCKWALL, TX 75087

DOUBLE T VENTURES LLC  
1500 S KREYMER LN  
WYLIE, TX 75098

WRIGHT JOHN M & SUSAN L  
1605 SEASCAPE CT  
ROCKWALL, TX 75087

MEYERS STUART A & BRENDA S  
1614 S LAKESHORE DR  
ROCKWALL, TX 75087

CITY LIFT STATION  
201 E WASHINGTON ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
204 W HEATH  
ROCKWALL, TX 75087

NBN COMMERCIAL GROUP LLC  
2040 N BELT LINE RD STE 400  
MESQUITE, TX 75150

PRITCHETT JOHNETTA  
206 W HEATH ST  
ROCKWALL, TX 75087

PEOPLES DOSVILLE  
208 W HEATH ST  
ROCKWALL, TX 75087

KHATER CHARLES ETUX  
2368 E FM 552  
ROCKWALL, TX 75087

HOLLON GREGORY D  
2778 S FM 549  
ROCKWALL, TX 75032

FERRIS BETH  
301 WILDWOOD LN  
ROCKWALL, TX 75087

ANGLE GLENDA ANNE  
303 WILDWOOD LN  
ROCKWALL, TX 75087

FALLS DAVID C & TERRI L  
3608 LAKESIDE DR  
ROCKWALL, TX 75087

SWIERCINSKY JOSHUA L  
3922 MEDITERRANEAN ST  
ROCKWALL, TX 75087

MORENO ANTONIO AND SUZANNE T  
402 WILDWOOD LANE  
ROCKWALL, TX 75087

COOK CAROLINE D  
404 WILDWOOD LN  
ROCKWALL, TX 75087

MORGAN NANCY D  
429 PARK PLACE BLVD  
ROCKWALL, TX 75087

HOWELL RONALD & MICHELE  
434 JORDAN FARM CIRCLE  
ROCKWALL, TX 75087

TREVINO BERTHA & LOUIS  
4917 SAINT JAMES CT  
MESQUITE, TX 75150

WOODARD CARL E ET UX  
502 WILDWOOD TER  
ROCKWALL, TX 75087

NASH M CALVIN ETUX  
504 WILDWOOD TER  
ROCKWALL, TX 75087

CURRENT RESIDENT  
505 WILDWOOD  
ROCKWALL, TX 75087

TUCKER PAMELA  
505 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
505 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
506 N ALAMO  
ROCKWALL, TX 75087

CURRENT RESIDENT  
506 N GOLIAD  
ROCKWALL, TX 75087

HICKERSON JON D  
506 WILDWOOD TER  
ROCKWALL, TX 75087

FLEMING HALLIE B  
507 N GOLIAD  
ROCKWALL, TX 75087

MORGAN RHONA L &  
JACK HADLEY JR  
508 N ALAMO RD  
ROCKWALL, TX 75087

SMITH GREGORY S  
510 LIFE SPRING DR  
ROCKWALL, TX 75087

HAM JOSHUA L  
512 HIGHVIEW LANE  
ROCKWALL, TX 75087

RNDI COMPANIES INC  
519 E INTERSTATE 30 # 157  
ROCKWALL, TX 75087

FANG PROPERTIES LLC  
536 LOMA VISTA  
HEATH, TX 75032

CURRENT RESIDENT  
601 N ALAMO  
ROCKWALL, TX 75087

CARDENAS CECILIO & CARMEN  
602 N ALAMO ROAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
602 N GOLIAD  
ROCKWALL, TX 75087

HAMILTON JOANN  
603 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
603 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
604 GOLIAD  
ROCKWALL, TX 75087

DOMINGUEZ, JOSE AND JOHANNA  
604 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
604 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
605 N ALAMO  
ROCKWALL, TX 75087

CASTRO MICHAEL AND RENE  
700 WINDSONG LN  
ROCKWALL, TX 75087

SMITH G DAVID  
702 N GOLIAD ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
703 N ALAMO RD  
ROCKWALL, TX 75087

IRBY DENNIS  
703 N GOLIAD ST  
ROCKWALL, TX 75087

J-PEG PROPERTIES LLC  
704 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
705 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
705 N GOLIAD ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
706 N ALAMO  
ROCKWALL, TX 75087

CALABRESE CORINNA RAE  
707 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
708 N ALAMO  
ROCKWALL, TX 75087

CURRENT RESIDENT  
710 N ALAMO  
ROCKWALL, TX 75087

CRISWELL BARBARA  
7110 HUNT LANE  
ROCKWALL, TX 75087

CRISWELL BARBARA  
7110 HUNT LANE  
ROCKWALL, TX 75087

CRISWELL BARBARA  
7110 HUNT LANE  
ROCKWALL, TX 75087

CHRISTENSEN VALERIE  
801 N GOLIAD  
ROCKWALL, TX 75087

GUEVARA CARLOS & MONICA A  
802 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
802 N GOLIAD  
ROCKWALL, TX 75087

SEAMANS RANDY KALIN AND RACHEL K  
803 N ALAMO  
ROCKWALL, TX 75087

CURRENT RESIDENT  
804 N GOLIAD  
ROCKWALL, TX 75087

FORGIONE JERILYN DENISE  
805 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
806 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
807 N GOLIAD  
ROCKWALL, TX 75087

WYLIE KIMBERLY  
808 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
808 N GOLIAD  
ROCKWALL, TX 75087

MARTINEZ RAQUEL P  
809 N GOLIAD ST  
ROCKWALL, TX 75087

SWIERCINSKY LEXUS M  
810 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
810 N GOLIAD  
ROCKWALL, TX 75087

AOUN PIERRE E  
811 N GOLIAD ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
812 N GOLIAD  
ROCKWALL, TX 75087

WAY CODY B AND AMBER C  
812 NORTH ALAMO STREET  
ROCKWALL, TX 75087

CAIN JAMES O  
815 N ALAMO RD  
ROCKWALL, TX 75087

MILDER SCOTT & LESLIE  
830 SHORES BLVD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
901 N ALAMO  
ROCKWALL, TX 75087

CURRENT RESIDENT  
902 N GOLIAD  
ROCKWALL, TX 75087

MOMSEN KIMBERLY  
903 N ALAMO ROAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
904 N GOLIAD ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
905 N ALAMO ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
905 N WEST  
ROCKWALL, TX 75087

WILLIAMS ALEX R  
906 N ALAMO RD  
ROCKWALL, TX 75087

TCB CONSTRUCTION GROUP LLC  
906 N GOLIAD  
ROCKWALL, TX 75087

POINTER PRICE AND  
MANUEL LOZANO  
906 N GOLIAD STREET  
ROCKWALL, TX 75087

BRIONES RONALD AND THERESA  
906 N WEST  
ROCKWALL, TX 75087

JC GAERLAN LLC  
907 NORTH ALAMO ROAD  
ROCKWALL, TX 75087

MARTINKUS NICOLE  
908 N WEST ST  
ROCKWALL, TX 75087

MOLINA JOE C II  
909 N ALAMO  
ROCKWALL, TX 75087

CONSELMAN EQUITIES LLC  
PO BOX 2284  
ROCKWALL, TX 75087

TRANSGLOBAL INSPECTIONS LLC  
PO BOX 265  
FATE, TX 75132

WOMEN IN NEED INC  
PO BOX 349  
GREENVILLE, TX 75403

COOPER JAMES A & MICHELLE R  
PO BOX 492  
ROCKWALL, TX 75087

LAYTON ERIC A  
PO BOX 998  
ROCKWALL, TX 75087



# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

Property Owner and/or Resident of the City of Rockwall:

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

**Case No. Z2020-027: SUP for a General Retail Store at 803 N. Goliad Street**

Hold a public hearing to discuss and consider a request by Leslie & Scott Milder for the approval of a *Specific Use Permit (SUP)* for a *General Retail Store* and *Banquet Facility/Event* on a 0.66-acre parcel of land identified as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 N. Goliad Street, 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, July 14, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, July 20, 2020 at 6:00 PM. 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:

**Ryan Miller**  
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 Monday, July 20, 2020 at 4:00 PM 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 AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

**Case No. Z2020-027: SUP for a General Retail Store at 803 N. Goliad Street**

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:

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

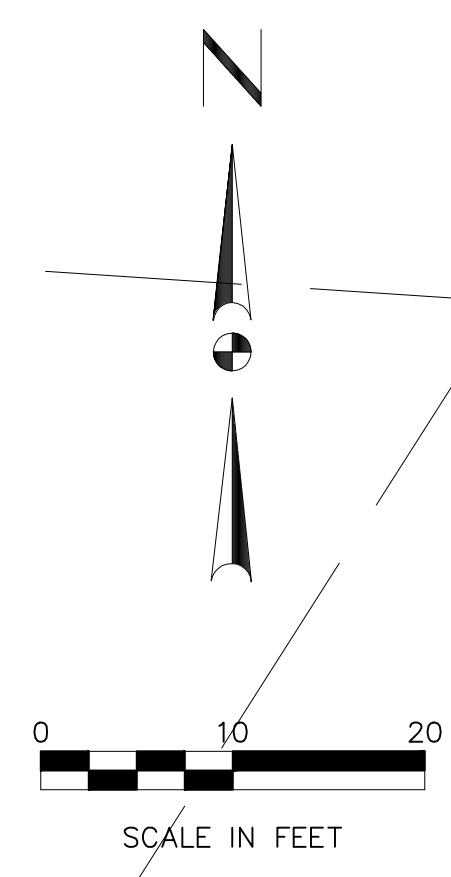


Date: June 20, 2020

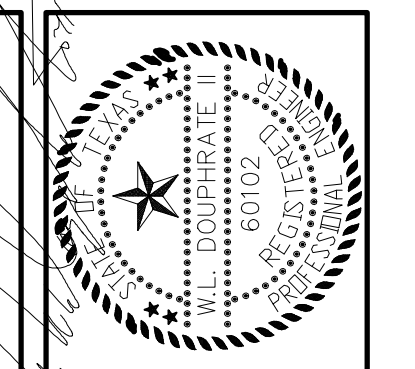
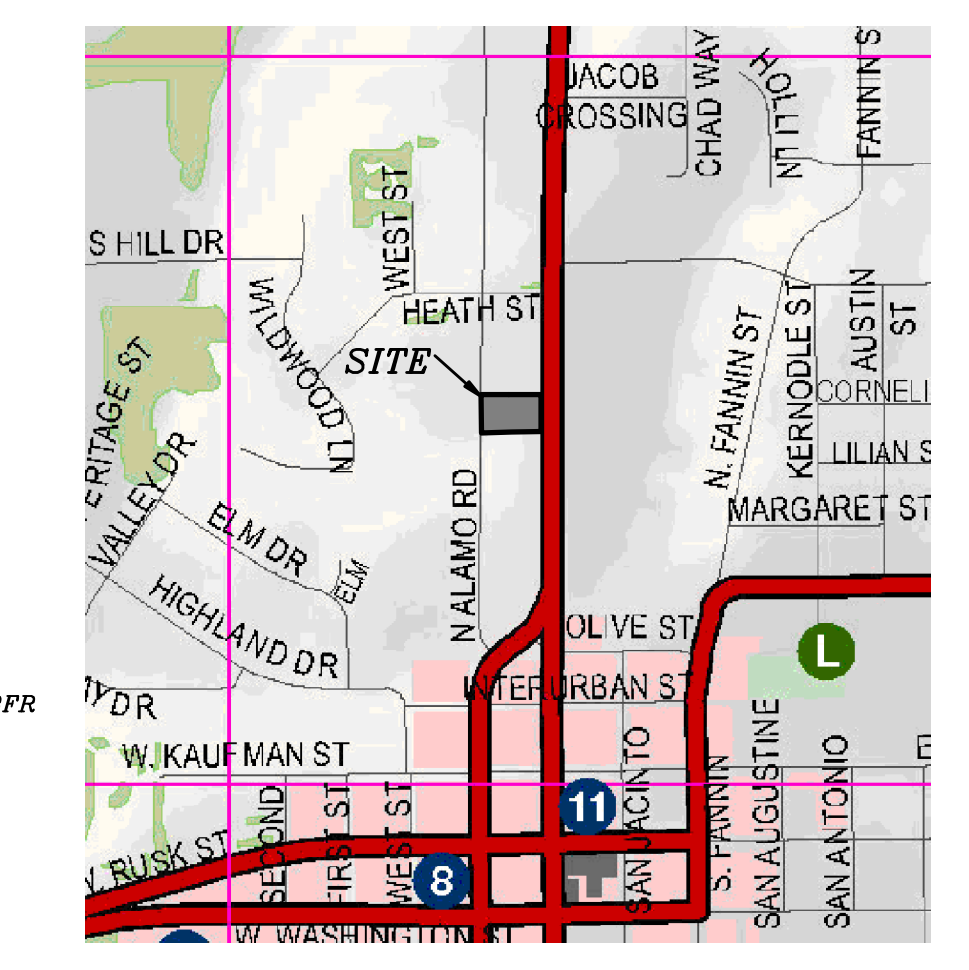
**Legal Description:** Eldorado Fine Cigars LLC. An upscale retail cigar lounge that sells premium cigars, pipe tobacco, and accessories.

**Concept Plan:** We request that smoking be permitted both inside and outside of the property, allowing for an exceptional smoking experience. We will create an atmosphere that tailors to the cigar enthusiast, including comfortable seating throughout the store, multiple TVs, and a walk-in humidor that will offer the world's finest cigars. We will create a festive outdoor seating area also, including patio seating, multiple TVs, yard picnic tables, and so on. We will host special events to entertain our customers, including brand events where manufacturer representatives and leaders in the cigar industry can offer education and incentives surrounding their brand. We will also offer space to rent for private parties and celebrations.

Eldorado Fine Cigars was first established in McKinney Texas in March of 2018. We acquired an existing store in the same space that was struggling and implemented a different approach. We created a cigar lounge with an inviting atmosphere, including comfortable lounge seating, big screen TVs, locker memberships offering exclusive discounts, cigar brand events, and created one of the best selections of cigars in the area. As a result, our store has grown significantly over the last couple of years and is considered one of the best cigar stores in North Texas. We intend to create the same environment and quality of service in the city of Rockwall with a second store. Eldorado Fine Cigars in Rockwall will complement the downtown area, offering another venue for entertainment and luxury that the community has grown to expect.



N. ALAMO STREET  
EXIST 45' R.O.W.



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY W.L. DOUPHRATE II TEXAS P.E. NO. 60102, F-886, ON DATE: JULY 20, 2015

**DOUPHRATE & ASSOCIATES, INC.**  
ENGINEERING - PROJECT MANAGEMENT - SURVEYING  
2235 RIDGE RD., # 200 ROCKWALL, TEXAS 75087  
PHONE: (972)771-9004 FAX: (972)771-9005

**SITE PLAN**  
**OUR HOUSE**  
**803 N. GOLIAD STREET**  
B.F. BOYDSTON SRVVEY, ABST. 14  
CITY OF ROCKWALL  
ROCKWALL COUNTY, TEXAS

10-13-15 REV. ACCESS  
ESMT., EX. RAMP &  
PARKING  
REVISION

W.L.D.  
CHECKED

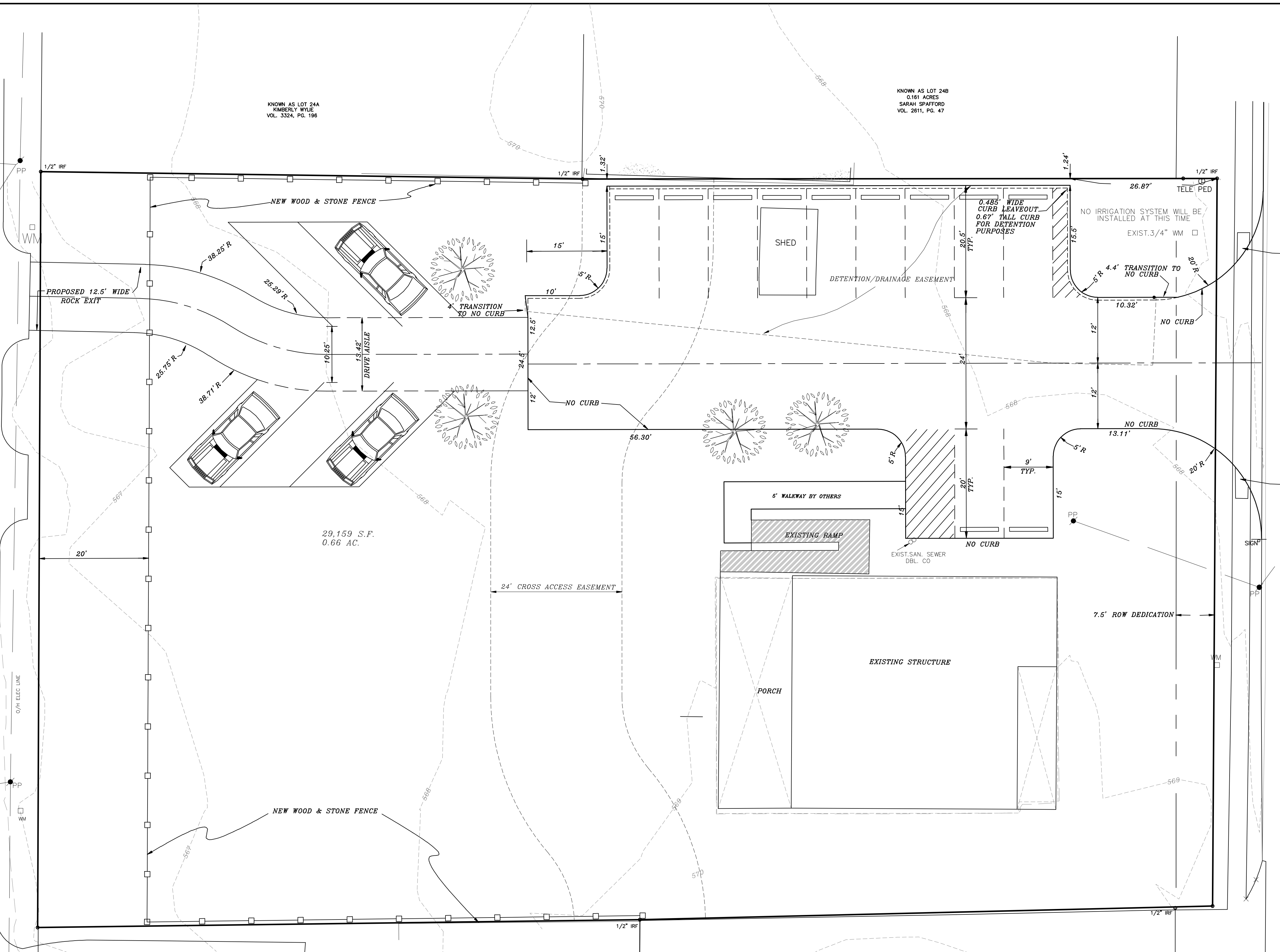
G.C.W.  
DRAWN

SCALE  
1" = 10' H  
1" = 5' V

JULY 20, 2015  
DATE

15016 SITE  
PLAN 2  
PROJECT

3/14



KNOWN AS LOT 24A  
KIMBERLY WYLE  
VOL. 3324, PG. 196

KNOWN AS LOT 24B  
0.161 ACRES  
SARAH SPAFFORD  
VOL. 2511, PG. 47

29,159 S.F.  
0.66 AC.

LOT 1, BLOCK A  
WAGNER CHRISTENSEN ADDITION  
CAB. H. SLIDE 229

CARLOS GUEVARA  
MONICA GUEVARA  
VOL. 5484, PG. 187  
O.P.R.R.C.T.

NOTE:  
DIMENSIONS ARE TO BACK OF  
CURB OR EDGE OF PAVEMENT

ZONING - PD50

TAX ROLL DESCRIPTION  
PROPERTY ID 14033  
AMICK, BLOCK 23A, .43 ACRES  
PROPERTY ID 1435  
AMICK, BLOCK 24C,

**SURVEYOR**  
**MADDOX SURVEYING & MAPPING, INC.**

P.O. Box 2109  
Forney, Texas 75126  
(972) 564-4416  
Firm No. 10013200

**Owner**  
**SCOTT MILDER**

830 SHORES BLVD.  
ROCKWALL, TEXAS 75087  
214-497-6411

CITY OF ROCKWALL

ORDINANCE NO. 16-22

SPECIFIC USE PERMIT NO. S-149

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 HERETOFORE AMENDED, SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) FOR A *BANQUET FACILITY/EVENT VENUE* WITHIN PLANNED DEVELOPMENT DISTRICT 50 (PD-50) ON A 0.670-ACRE PARCEL OF LAND, ADDRESSED AS 803 N. GOLIAD STREET AND BEING IDENTIFIED AS LOT 1, BLOCK A, OUR HOUSE 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**, the City has received a request by Scott and Leslie Milder for the approval of a Specific Use Permit (SUP) to allow a *Banquet Facility/Event Venue* on a 0.670-acre parcel of land identified as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, located within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 N. Goliad Street, and more specifically described 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*] and Planned Development District 50 (PD-50) [*Ordinance No. 16-15*] 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 *Banquet Facility/Event Venue* within a Planned Development District 50 (PD-50) as stipulated by *Ordinance No. 16-15* and 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 developed and/or used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as set forth in Planned Development District 50 (PD-50) [*Ordinance No. 16-15*] and Section 4.2, *Residential Office (RO) District*, of Article V, *District Development Standards*, of the Unified Development

Code [Ordinance No. 04-38] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

## 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Banquet Facility/Event Venue* on the subject property at 803 N. Goliad Street and conformance to these stipulations are required for continued operations:

- 1) The hours of operation for this facility shall be limited to Sunday through Thursday, 8:00 AM – 9:00 PM and Friday & Saturday, 8:00 AM – 11:00 PM.
- 2) No on premise food preparation shall be permitted. Service areas shall only be utilized for pre-packaged and/or catered food services.
- 3) No events held on premise shall be open to the general public.
- 4) A uniformed, state licensed security guard and/or off-duty police officer shall be present for events that include the provision of beer, wine and/or liquor. Events that limit alcohol consumption to champagne are exempt from this provision.
- 5) Live outdoor music shall be prohibited.
- 6) No event parking shall be permitted along Goliad Street.
- 7) The parking requirement for the proposed *Banquet Facility/Event Venue* is 14 parking spaces (*i.e. 1580 SF/100 SF = 16 Parking Spaces; Less two [2] parking spaces which were waived by the City Council on February 15, 2016*).
- 8) In the event that the property at 802 N. Alamo Street (*i.e. the property to the southwest of the subject property*) rezones and converts the property to a commercial land use the dedicated 20-foot cross access easement on the subject property shall be paved with concrete to connect the adjacent properties (*i.e. 802 N. Alamo Street and 801 & 807 N. Goliad Street*) as depicted in *Exhibit 'B'* of this ordinance. All paving must be constructed within 60 days of an approved site plan for the property at 802 N. Alamo Street, and shall be in accordance with the standards of Article VI, *Parking and Loading*, of the Unified Development Code.
- 9) As depicted in *Exhibit 'C'* of this ordinance, a maximum of five (5) parking spaces (*conforming to the Engineering Departments Standards of Design Manual*) connected to a 12.5-foot, one-way drive exiting to Alamo Street shall be permitted to be constructed of crushed rock or a similar paving material (*to be approved by the City Engineer*) for a period of 36-months from the approval date of this ordinance. After 36-months the alternative parking surface shall be removed and repaved in accordance with the standards of Article VI, *Parking and Loading*, of the Unified Development Code (*i.e. concrete*). Alternatively, the applicant may request that the City Council grant an extension to the 36-month period upon recommendation by the Planning and Zoning Commission.
- 10) The operation of this site shall conform to all federal, state and local standards and comply with the requirements of Section 2.2, *Compliance Standards*, of this ordinance.

## 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 outline in the Unified Development Code, the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP).

**SECTION 3.** That the official zoning map of the City of Rockwall be corrected to reflect the changes 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 of provision of this ordinance or the application of that section or provision to any person, firm, cooperation, 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 to 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 and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7<sup>TH</sup> DAY OF MARCH, 2016.**




Dennis Lewis, Mayor Pro Tem

**ATTEST:**

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

**APPROVED AS TO FORM:**

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



1<sup>st</sup> Reading: 02-15-2016

2<sup>nd</sup> Reading: 03-07-2016

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

*WHEREAS*, Scott Milder and Leslie Milder, being the owners of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

Port of the Benjamin F. Boydston Survey Abstract No. 14, situated in the City of Rockwall, Rockwall County, Texas, being all of a tract of land to Scott Milder and Leslie Milder as recorded in Volume 7120, Page 228 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

*BEGINNING* at a 1/2 inch iron rod with cop stamped "R.P.L.S. 5034" found for the northeast corner of said Milder tract, and lying on the west right-of-way line of North Goliad Street, also called State Highway Number 205, (a variable width right-of-way);

*THENCE* South 00 degrees 02 minutes 42 seconds West along the west right-of-way of said North Goliad Street and the east line of said Milder tract, a distance of 133.04 feet to a 5/8 inch iron rod stamped "R.P.L.S. 5430" set for the southeast corner of said Milder tract;

*THENCE* South 88 degrees 37 minutes 48 seconds West departing the west line of said North Goliad Street and along the south line of said Milder tract, passing a 1/2 inch iron rod stamped "R.P.L.S. 5034" at a distance of 7.50 feet found for the northeast corner of Lot 1, Block A of the Wagner Christensen Addition, an addition to The City of Rockwall as recorded in Cabinet H, Slide 229, Plat Records Rockwall County, Texas, and continuing a total distance of 105.47 feet to a 1/2 inch iron rod stamped "R.P.L.S. 5034" found for the northwest corner of said Wagner Addition, the northeast corner of a tract of land to Carlos Guevara and Monica A. Guevara recorded in Volume 5484, Page 187 Deed Records Rockwall County, Texas and at an angle point on the south line of said Milder tract;

*THENCE* South 89 degrees 15 minutes 53 seconds West along the north line of said Guevara tract and the south line of said Milder tract, a distance of 110.14 feet to a 3/8 inch iron rod found for the northwest corner of said Guevara tract, the southwest corner of said Milder tract and lying on the east line of North Alamo Street (a called 45 feet wide right-of-way);

*THENCE* North 00 degrees 14 minutes 21 seconds East along the east line of said Alamo Street and the west line of said Milder tract, a distance of 138.19 feet to 1/2 inch iron rod found for the northwest corner of said Milder tract and for the southwest corner of a tract of land to Kimberlee Wylie recorded in Volume 3324, Page 196 Deed Records Rockwall County, Texas ;

*THENCE* South 89 degrees 13 minutes 43 seconds East departing said Alamo Street and along the south line of said Wylie tract a distance of 99.09 feet to 1/2 inch iron rod stamped "R.P.L.S. 5034" found for the southeast corner of said Wylie tract, same being the southwest corner of Lot 1, Block A Double T Ventures Addition, an addition to The City of Rockwall as recorded in Instrument Number 20140000009401 Official Public Records Rockwall County, Texas;

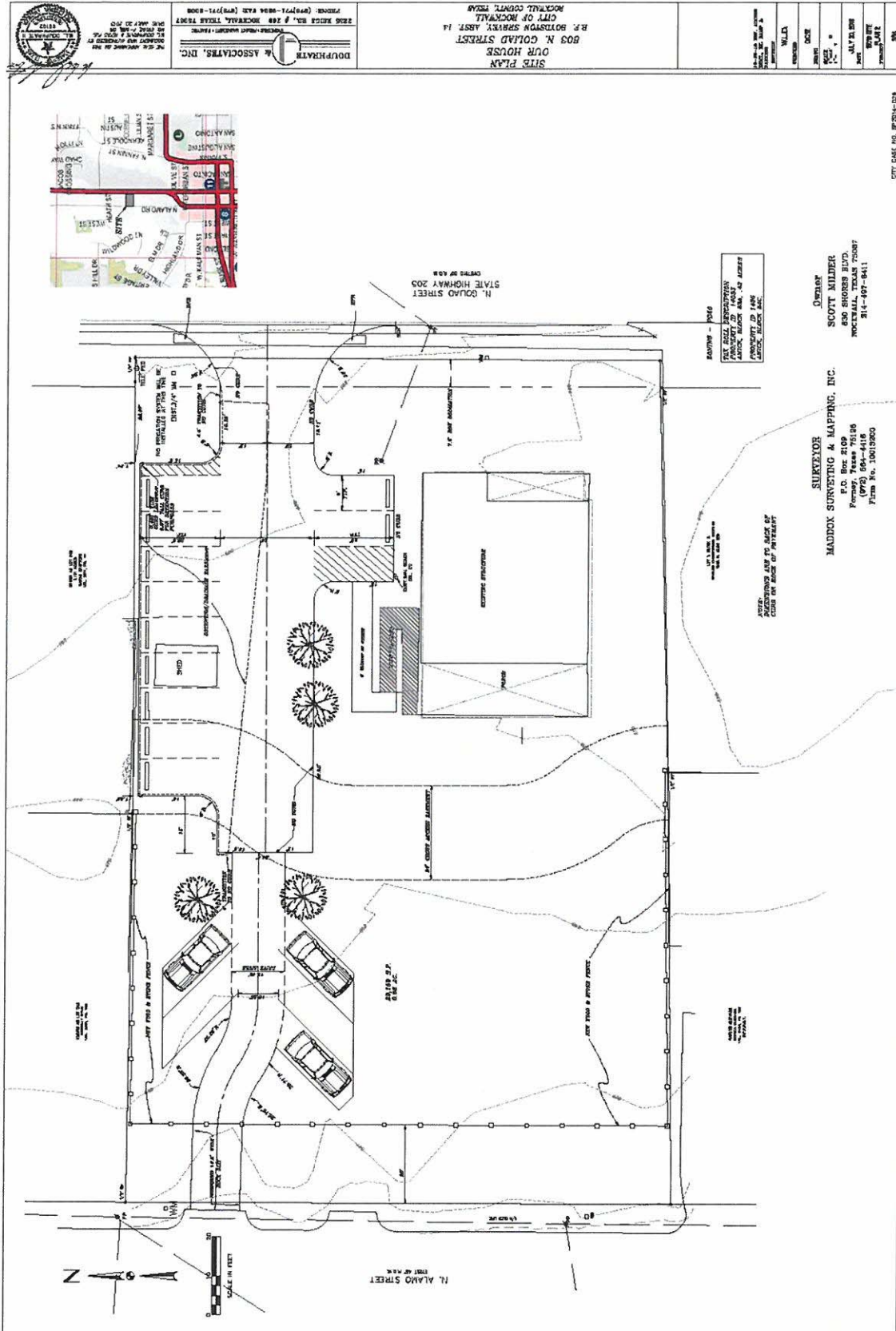
*THENCE* North 89 degrees 57 minutes 10 seconds East along the south line of said Double T Ventures Addition a distance of 116.02 feet to the *POINT OF BEGINNING* containing 29,182 square Feet, or 0.670 of an acre of land.





# Exhibit 'C'

## Parking Within the Cross Access Easement and Alternate Paving Plan





# DEVELOPMENT APPLICATION

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

STAFF USE ONLY  
PLANNING & ZONING CASE NO.

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:

*[Handwritten signatures]*

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: 803 N. Goliad Rockwell TX 75087  
 Subdivision: OVR HOUSE ADDITION Lot 1 Block A  
 General Location:  Hwy 205 between Heath Street and Kaufman

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

Current Zoning: Residential Office/Light Retail Current Use: NONE  
 Proposed Zoning: SAME Proposed Use: Ciger Lounge  
 Acreage: 0.66 Lots [Current]: 1 Lots [Proposed]: 1

**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: Leshia and Scott Milder  Applicant  
 Contact Person: Scott Milder Contact Person  
 Address: 501 Camp Creek Rd. Address  
 City, State & Zip: Rockwall, TX 75087 City, State & Zip  
 Phone: 214 497 6411 Phone  
 E-Mail: milderman@gmail.com E-Mail

## NOTARY VERIFICATION [REQUIRED]

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

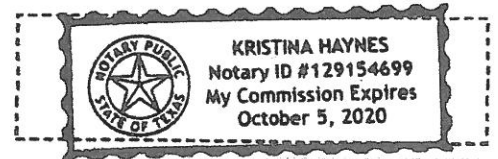
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ \_\_\_\_\_, to cover the cost of this application, has been paid to the City of Rockwall on this the 19 day of JUNE, 2020. By signing this application, 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 19 day of JUNE, 2020

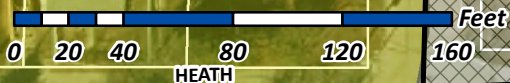
Owner's Signature


*[Handwritten signature]*  
*[Handwritten signature]*

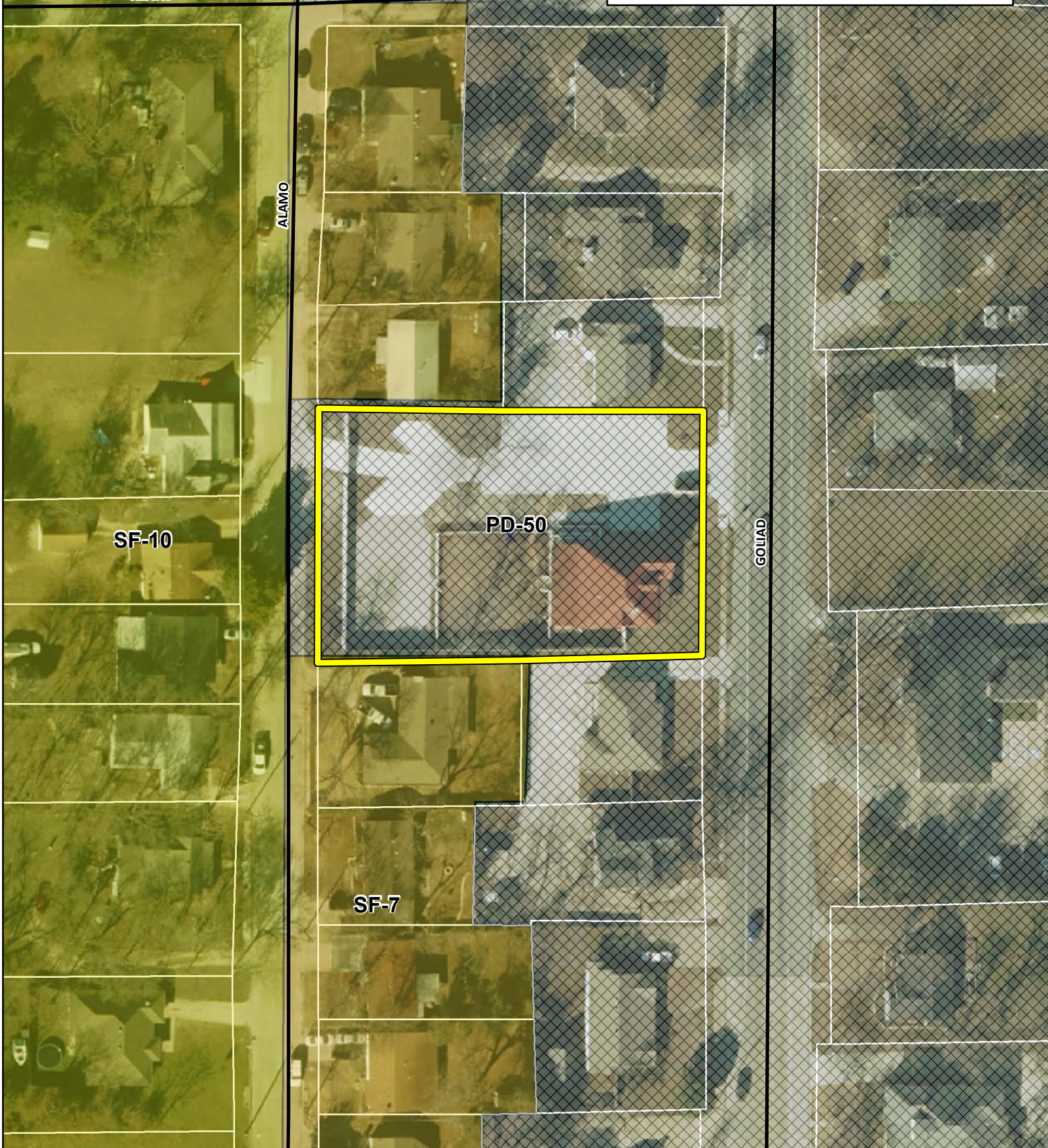
Notary Public in and for the State of Texas



My Commission Expires



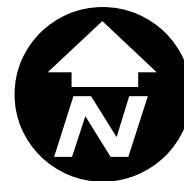
Z2020-026- SUP FOR 803 N. GOLIAD STREET  
ZONING - LOCATION MAP = 



## 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.

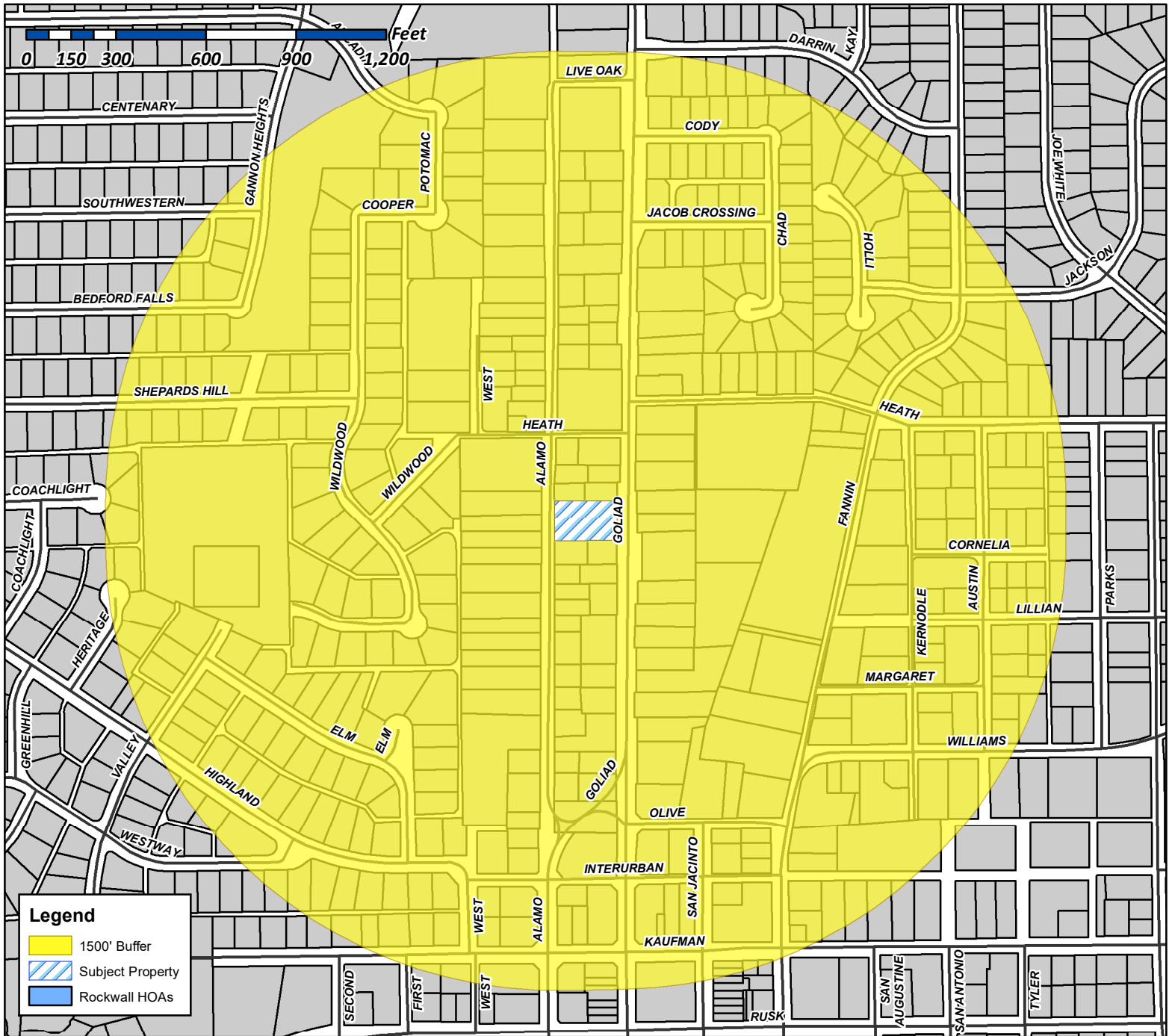
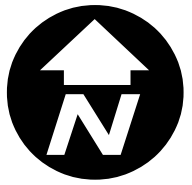




# City of Rockwall

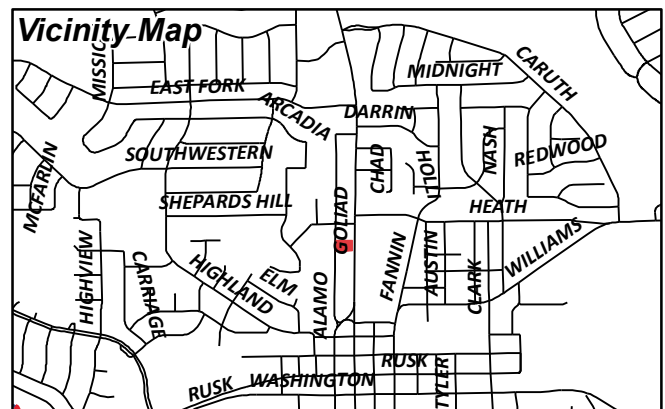
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
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**Case Number:** Z2020-027  
**Case Name:** SUP for 803 N. Goliad Street  
**Case Type:** Specific Use Permit  
**Zoning:** PD-50  
**Case Address:** 803 N. Goliad Street

**Date Created:** 6/21/2020  
**For Questions on this Case Call** (972) 771-7745

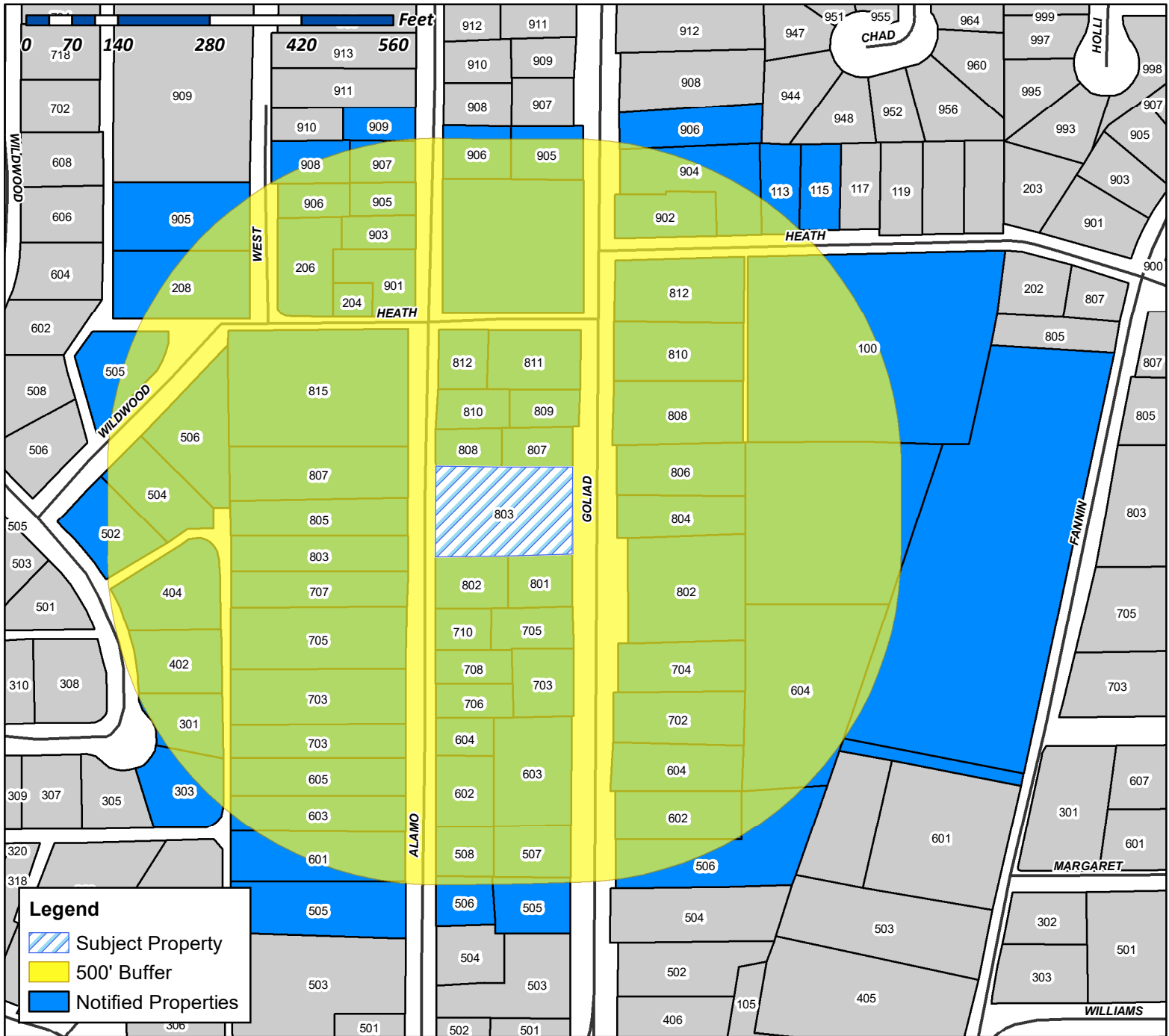
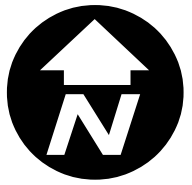




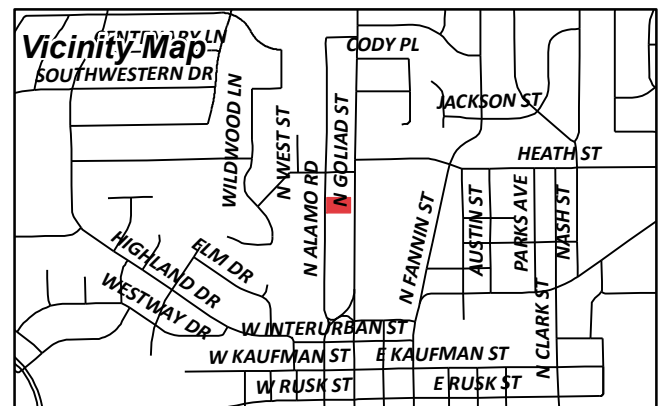
# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
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**Date Created:** 6/21/2020  
 For Questions on this Case Call (972) 771-7745

CURRENT RESIDENT  
100 E HEATH  
ROCKWALL, TX 75087

BARKER PERRY H & ELIZABETH D  
104 SCENIC DR  
HEATH, TX 75032

TEEL BRITTON & BARBARA  
10925 ROCKSTONE DR  
BALCH SPRINGS, TX 75180

WAGNER GERALD P  
112 LOS PECES  
GUN BARRELL, TX 75156

HILL TOBY VERN H & ANGELA DAWN  
113 E HEATH ST  
ROCKWALL, TX 75087

CHISENHALL ROBERT  
115 E HEATH ST  
ROCKWALL, TX 75087

DAVENPORT RENTAL PROPERTIES - SERIES 200  
DARRIN DRIVE  
1270 COASTAL DR  
ROCKWALL, TX 75087

DOUBLE T VENTURES LLC  
1500 S KREYMER LN  
WYLIE, TX 75098

WRIGHT JOHN M & SUSAN L  
1605 SEASCAPE CT  
ROCKWALL, TX 75087

MEYERS STUART A & BRENDA S  
1614 S LAKESHORE DR  
ROCKWALL, TX 75087

CITY LIFT STATION  
201 E WASHINGTON ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
204 W HEATH  
ROCKWALL, TX 75087

NBN COMMERCIAL GROUP LLC  
2040 N BELT LINE RD STE 400  
MESQUITE, TX 75150

PRITCHETT JOHNETTA  
206 W HEATH ST  
ROCKWALL, TX 75087

PEOPLES DOSVILLE  
208 W HEATH ST  
ROCKWALL, TX 75087

KHATER CHARLES ETUX  
2368 E FM 552  
ROCKWALL, TX 75087

HOLLON GREGORY D  
2778 S FM 549  
ROCKWALL, TX 75032

FERRIS BETH  
301 WILDWOOD LN  
ROCKWALL, TX 75087

ANGLE GLENDA ANNE  
303 WILDWOOD LN  
ROCKWALL, TX 75087

FALLS DAVID C & TERRI L  
3608 LAKESIDE DR  
ROCKWALL, TX 75087

SWIERCINSKY JOSHUA L  
3922 MEDITERRANEAN ST  
ROCKWALL, TX 75087

MORENO ANTONIO AND SUZANNE T  
402 WILDWOOD LANE  
ROCKWALL, TX 75087

COOK CAROLINE D  
404 WILDWOOD LN  
ROCKWALL, TX 75087

MORGAN NANCY D  
429 PARK PLACE BLVD  
ROCKWALL, TX 75087

HOWELL RONALD & MICHELE  
434 JORDAN FARM CIRCLE  
ROCKWALL, TX 75087

TREVINO BERTHA & LOUIS  
4917 SAINT JAMES CT  
MESQUITE, TX 75150

WOODARD CARL E ET UX  
502 WILDWOOD TER  
ROCKWALL, TX 75087

NASH M CALVIN ETUX  
504 WILDWOOD TER  
ROCKWALL, TX 75087

CURRENT RESIDENT  
505 WILDWOOD  
ROCKWALL, TX 75087

TUCKER PAMELA  
505 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
505 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
506 N ALAMO  
ROCKWALL, TX 75087

CURRENT RESIDENT  
506 N GOLIAD  
ROCKWALL, TX 75087

HICKERSON JON D  
506 WILDWOOD TER  
ROCKWALL, TX 75087

FLEMING HALLIE B  
507 N GOLIAD  
ROCKWALL, TX 75087

MORGAN RHONA L &  
JACK HADLEY JR  
508 N ALAMO RD  
ROCKWALL, TX 75087

SMITH GREGORY S  
510 LIFE SPRING DR  
ROCKWALL, TX 75087

HAM JOSHUA L  
512 HIGHVIEW LANE  
ROCKWALL, TX 75087

RNDI COMPANIES INC  
519 E INTERSTATE 30 # 157  
ROCKWALL, TX 75087

FANG PROPERTIES LLC  
536 LOMA VISTA  
HEATH, TX 75032

CURRENT RESIDENT  
601 N ALAMO  
ROCKWALL, TX 75087

CARDENAS CECILIO & CARMEN  
602 N ALAMO ROAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
602 N GOLIAD  
ROCKWALL, TX 75087

HAMILTON JOANN  
603 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
603 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
604 GOLIAD  
ROCKWALL, TX 75087

DOMINGUEZ, JOSE AND JOHANNA  
604 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
604 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
605 N ALAMO  
ROCKWALL, TX 75087

CASTRO MICHAEL AND RENE  
700 WINDSONG LN  
ROCKWALL, TX 75087

SMITH G DAVID  
702 N GOLIAD ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
703 N ALAMO RD  
ROCKWALL, TX 75087

IRBY DENNIS  
703 N GOLIAD ST  
ROCKWALL, TX 75087

J-PEG PROPERTIES LLC  
704 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
705 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
705 N GOLIAD ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
706 N ALAMO  
ROCKWALL, TX 75087

CALABRESE CORINNA RAE  
707 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
708 N ALAMO  
ROCKWALL, TX 75087

CURRENT RESIDENT  
710 N ALAMO  
ROCKWALL, TX 75087

CRISWELL BARBARA  
7110 HUNT LANE  
ROCKWALL, TX 75087

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ROCKWALL, TX 75087

CRISWELL BARBARA  
7110 HUNT LANE  
ROCKWALL, TX 75087

CHRISTENSEN VALERIE  
801 N GOLIAD  
ROCKWALL, TX 75087

GUEVARA CARLOS & MONICA A  
802 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
802 N GOLIAD  
ROCKWALL, TX 75087

SEAMANS RANDY KALIN AND RACHEL K  
803 N ALAMO  
ROCKWALL, TX 75087

CURRENT RESIDENT  
804 N GOLIAD  
ROCKWALL, TX 75087

FORGIONE JERILYN DENISE  
805 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
806 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
807 N GOLIAD  
ROCKWALL, TX 75087

WYLIE KIMBERLY  
808 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
808 N GOLIAD  
ROCKWALL, TX 75087

MARTINEZ RAQUEL P  
809 N GOLIAD ST  
ROCKWALL, TX 75087

SWIERCINSKY LEXUS M  
810 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
810 N GOLIAD  
ROCKWALL, TX 75087

AOUN PIERRE E  
811 N GOLIAD ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
812 N GOLIAD  
ROCKWALL, TX 75087

WAY CODY B AND AMBER C  
812 NORTH ALAMO STREET  
ROCKWALL, TX 75087

CAIN JAMES O  
815 N ALAMO RD  
ROCKWALL, TX 75087

MILDER SCOTT & LESLIE  
830 SHORES BLVD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
901 N ALAMO  
ROCKWALL, TX 75087

CURRENT RESIDENT  
902 N GOLIAD  
ROCKWALL, TX 75087

MOMSEN KIMBERLY  
903 N ALAMO ROAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
904 N GOLIAD ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
905 N ALAMO ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
905 N WEST  
ROCKWALL, TX 75087

WILLIAMS ALEX R  
906 N ALAMO RD  
ROCKWALL, TX 75087

TCB CONSTRUCTION GROUP LLC  
906 N GOLIAD  
ROCKWALL, TX 75087

POINTER PRICE AND  
MANUEL LOZANO  
906 N GOLIAD STREET  
ROCKWALL, TX 75087



BRIONES RONALD AND THERESA  
906 N WEST  
ROCKWALL, TX 75087

JC GAERLAN LLC  
907 NORTH ALAMO ROAD  
ROCKWALL, TX 75087

MARTINKUS NICOLE  
908 N WEST ST  
ROCKWALL, TX 75087

MOLINA JOE C II  
909 N ALAMO  
ROCKWALL, TX 75087

CONSELMAN EQUITIES LLC  
PO BOX 2284  
ROCKWALL, TX 75087

TRANSGLOBAL INSPECTIONS LLC  
PO BOX 265  
FATE, TX 75132

WOMEN IN NEED INC  
PO BOX 349  
GREENVILLE, TX 75403

COOPER JAMES A & MICHELLE R  
PO BOX 492  
ROCKWALL, TX 75087

LAYTON ERIC A  
PO BOX 998  
ROCKWALL, TX 75087

# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

Property Owner and/or Resident of the City of Rockwall:

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

**Case No. Z2020-027: SUP for a General Retail Store at 803 N. Goliad Street**

Hold a public hearing to discuss and consider a request by Leslie & Scott Milder for the approval of a *Specific Use Permit (SUP)* for a *General Retail Store* and *Banquet Facility/Event* on a 0.66-acre parcel of land identified as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 N. Goliad Street, 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, July 14, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, July 20, 2020 at 6:00 PM. 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:

**Ryan Miller**  
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 Monday, July 20, 2020 at 4:00 PM 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 AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

**Case No. Z2020-027: SUP for a General Retail Store at 803 N. Goliad Street**

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:

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](#)

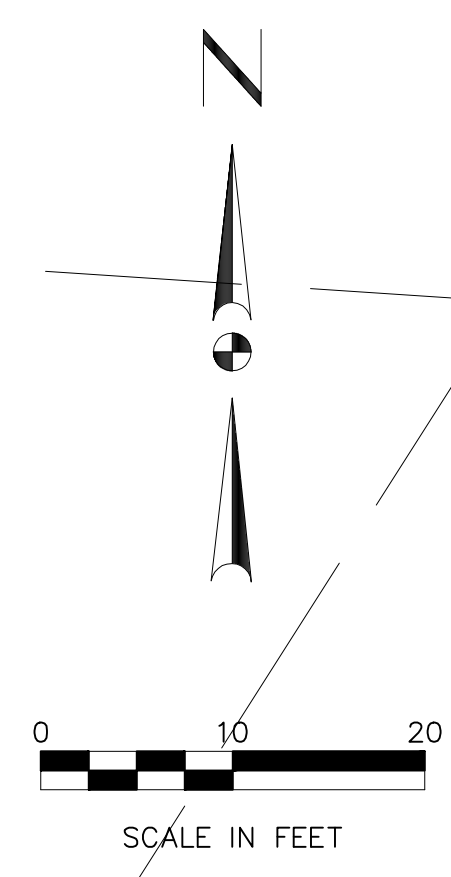


Date: June 20, 2020

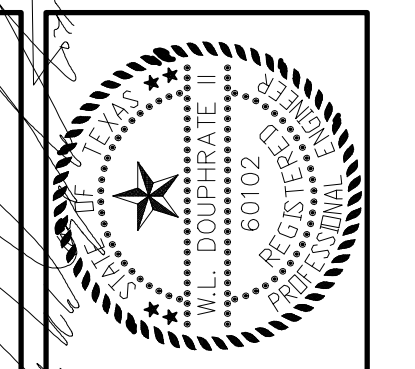
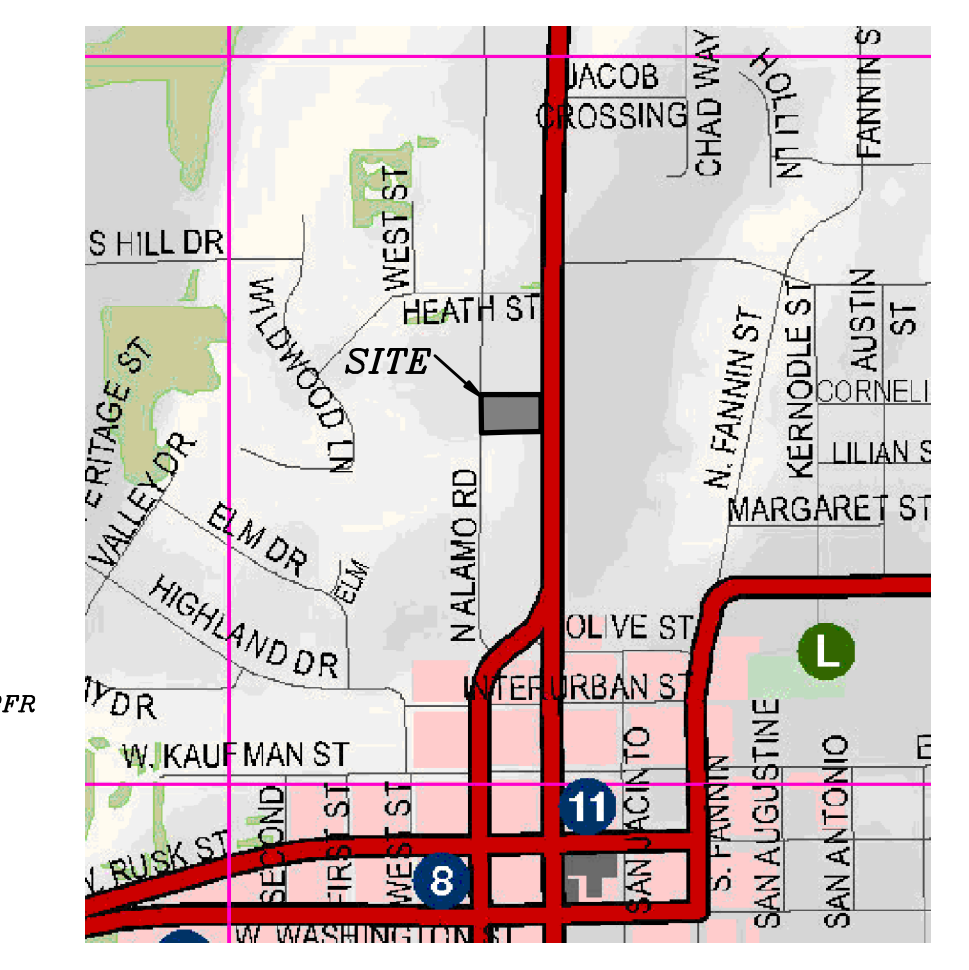
**Legal Description:** Eldorado Fine Cigars LLC. An upscale retail cigar lounge that sells premium cigars, pipe tobacco, and accessories.

**Concept Plan:** We request that smoking be permitted both inside and outside of the property, allowing for an exceptional smoking experience. We will create an atmosphere that tailors to the cigar enthusiast, including comfortable seating throughout the store, multiple TVs, and a walk-in humidor that will offer the world's finest cigars. We will create a festive outdoor seating area also, including patio seating, multiple TVs, yard picnic tables, and so on. We will host special events to entertain our customers, including brand events where manufacturer representatives and leaders in the cigar industry can offer education and incentives surrounding their brand. We will also offer space to rent for private parties and celebrations.

Eldorado Fine Cigars was first established in McKinney Texas in March of 2018. We acquired an existing store in the same space that was struggling and implemented a different approach. We created a cigar lounge with an inviting atmosphere, including comfortable lounge seating, big screen TVs, locker memberships offering exclusive discounts, cigar brand events, and created one of the best selections of cigars in the area. As a result, our store has grown significantly over the last couple of years and is considered one of the best cigar stores in North Texas. We intend to create the same environment and quality of service in the city of Rockwall with a second store. Eldorado Fine Cigars in Rockwall will complement the downtown area, offering another venue for entertainment and luxury that the community has grown to expect.



N. ALAMO STREET  
EXIST 45' R.O.W.

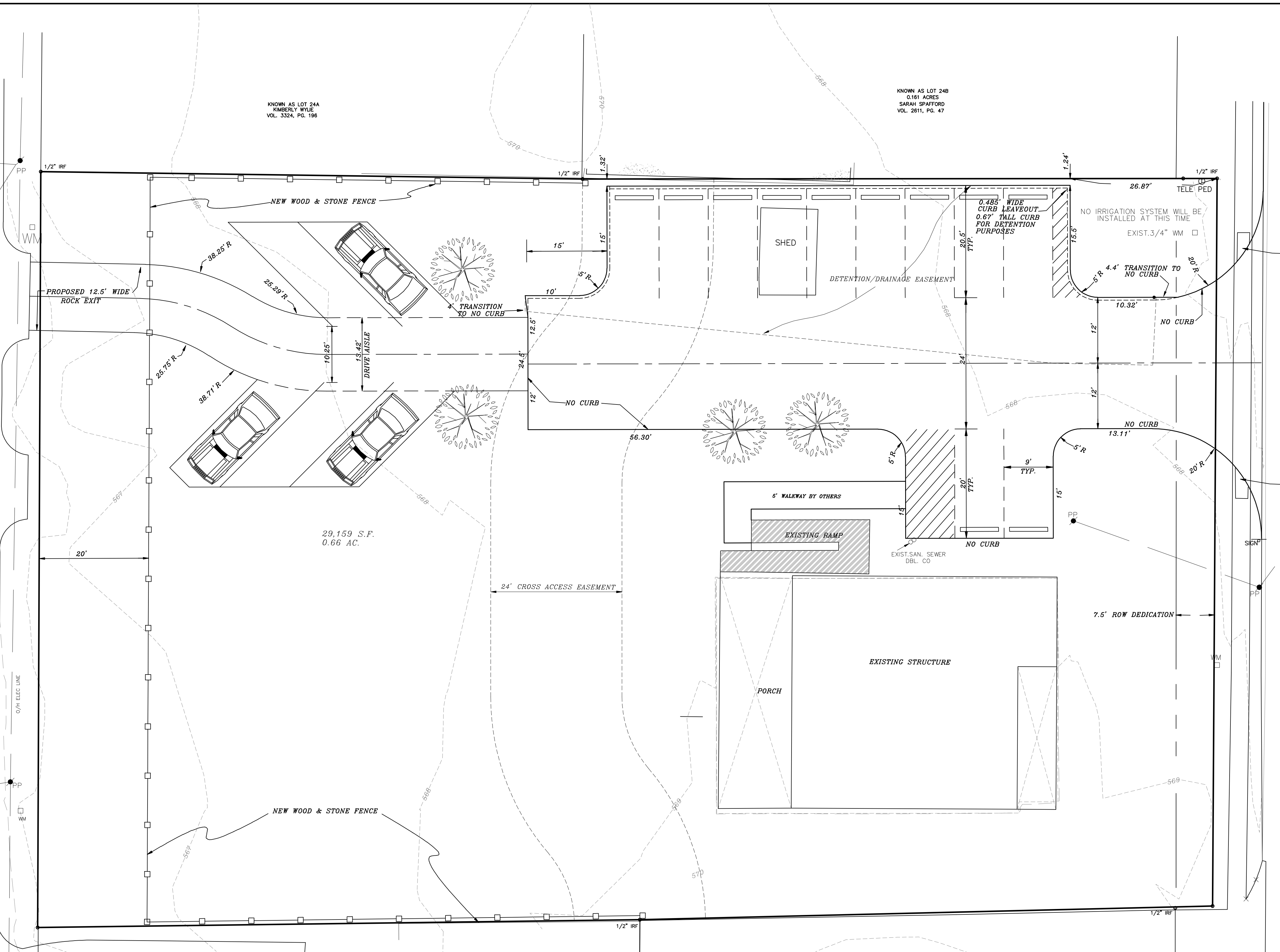


THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY W.L. DOUPHRATE II TEXAS P.E. NO. 60102, F-886, ON DATE: JULY 20, 2015

**DOUPHRATE & ASSOCIATES, INC.**  
ENGINEERING - PROJECT MANAGEMENT - SURVEYING  
2235 RIDGE RD., # 200 ROCKWALL, TEXAS 75087  
PHONE: (972)771-9004 FAX: (972)771-9005

**SITE PLAN**  
**OUR HOUSE**  
**803 N. GOLIAD STREET**  
**B.F. BOYDSTON SRVEY, ABST. 14**  
**CITY OF ROCKWALL**  
**ROCKWALL COUNTY, TEXAS**

10-13-15 REV. ACCESS ESMT., EX. RAMP & PARKING REVISION	W.L.D.
CHECKED	
DRAWN	GCW.
SCALE 1" = 10' H 1" = 5' V	
DATE	JULY 20, 2015
PROJECT	15016 SITE PLAN 2
	3/14



KNOWN AS LOT 24A  
KIMBERLY WYLE  
VOL. 3324, PG. 196

KNOWN AS LOT 24B  
0.161 ACRES  
SARAH SPAFFORD  
VOL. 2511, PG. 47

29,159 S.F.  
0.66 AC.

LOT 1, BLOCK A  
WAGNER CHRISTENSEN ADDITION  
CAB. H. SLIDE 229

CARLOS GUEVARA  
MONICA GUEVARA  
VOL. 5484, PG. 187  
O.P.R.R.C.T.

NOTE:  
DIMENSIONS ARE TO BACK OF CURB OR EDGE OF PAVEMENT

ZONING - PD50

TAX ROLL DESCRIPTION  
PROPERTY ID 14033  
AMICK, BLOCK 23A, .43 ACRES  
PROPERTY ID 1435  
AMICK, BLOCK 24C,

**SURVEYOR**  
**MADDOX SURVEYING & MAPPING, INC.**  
P.O. Box 2109  
Forney, Texas 75126  
(972) 564-4416  
Firm No. 10013200

**Owner**  
**SCOTT MILDER**  
830 SHORES BLVD.  
ROCKWALL, TEXAS 75087  
214-497-6411

CITY OF ROCKWALL

ORDINANCE NO. 16-22

SPECIFIC USE PERMIT NO. S-149

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 HERETOFORE AMENDED, SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) FOR A *BANQUET FACILITY/EVENT VENUE* WITHIN PLANNED DEVELOPMENT DISTRICT 50 (PD-50) ON A 0.670-ACRE PARCEL OF LAND, ADDRESSED AS 803 N. GOLIAD STREET AND BEING IDENTIFIED AS LOT 1, BLOCK A, OUR HOUSE 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**, the City has received a request by Scott and Leslie Milder for the approval of a Specific Use Permit (SUP) to allow a *Banquet Facility/Event Venue* on a 0.670-acre parcel of land identified as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, located within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 N. Goliad Street, and more specifically described 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*] and Planned Development District 50 (PD-50) [*Ordinance No. 16-15*] 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 *Banquet Facility/Event Venue* within a Planned Development District 50 (PD-50) as stipulated by *Ordinance No. 16-15* and 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 developed and/or used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as set forth in Planned Development District 50 (PD-50) [*Ordinance No. 16-15*] and Section 4.2, *Residential Office (RO) District*, of Article V, *District Development Standards*, of the Unified Development

Code [Ordinance No. 04-38] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

## 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Banquet Facility/Event Venue* on the subject property at 803 N. Goliad Street and conformance to these stipulations are required for continued operations:

- 1) The hours of operation for this facility shall be limited to Sunday through Thursday, 8:00 AM – 9:00 PM and Friday & Saturday, 8:00 AM – 11:00 PM.
- 2) No on premise food preparation shall be permitted. Service areas shall only be utilized for pre-packaged and/or catered food services.
- 3) No events held on premise shall be open to the general public.
- 4) A uniformed, state licensed security guard and/or off-duty police officer shall be present for events that include the provision of beer, wine and/or liquor. Events that limit alcohol consumption to champagne are exempt from this provision.
- 5) Live outdoor music shall be prohibited.
- 6) No event parking shall be permitted along Goliad Street.
- 7) The parking requirement for the proposed *Banquet Facility/Event Venue* is 14 parking spaces (*i.e. 1580 SF/100 SF = 16 Parking Spaces; Less two [2] parking spaces which were waived by the City Council on February 15, 2016*).
- 8) In the event that the property at 802 N. Alamo Street (*i.e. the property to the southwest of the subject property*) rezones and converts the property to a commercial land use the dedicated 20-foot cross access easement on the subject property shall be paved with concrete to connect the adjacent properties (*i.e. 802 N. Alamo Street and 801 & 807 N. Goliad Street*) as depicted in *Exhibit 'B'* of this ordinance. All paving must be constructed within 60 days of an approved site plan for the property at 802 N. Alamo Street, and shall be in accordance with the standards of Article VI, *Parking and Loading*, of the Unified Development Code.
- 9) As depicted in *Exhibit 'C'* of this ordinance, a maximum of five (5) parking spaces (*conforming to the Engineering Departments Standards of Design Manual*) connected to a 12.5-foot, one-way drive exiting to Alamo Street shall be permitted to be constructed of crushed rock or a similar paving material (*to be approved by the City Engineer*) for a period of 36-months from the approval date of this ordinance. After 36-months the alternative parking surface shall be removed and repaved in accordance with the standards of Article VI, *Parking and Loading*, of the Unified Development Code (*i.e. concrete*). Alternatively, the applicant may request that the City Council grant an extension to the 36-month period upon recommendation by the Planning and Zoning Commission.
- 10) The operation of this site shall conform to all federal, state and local standards and comply with the requirements of Section 2.2, *Compliance Standards*, of this ordinance.

## 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 outline in the Unified Development Code, the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP).

**SECTION 3.** That the official zoning map of the City of Rockwall be corrected to reflect the changes 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 of provision of this ordinance or the application of that section or provision to any person, firm, cooperation, 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 to 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 and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7<sup>TH</sup> DAY OF MARCH, 2016.**




Dennis Lewis, Mayor Pro Tem

**ATTEST:**

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

**APPROVED AS TO FORM:**

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



1<sup>st</sup> Reading: 02-15-2016

2<sup>nd</sup> Reading: 03-07-2016

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

WHEREAS, Scott Milder and Leslie Milder, being the owners of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

Port of the Benjamin F. Boydston Survey Abstract No. 14, situated in the City of Rockwall, Rockwall County, Texas, being all of a tract of land to Scott Milder and Leslie Milder as recorded in Volume 7120, Page 228 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

*BEGINNING* at a 1/2 inch iron rod with cop stamped "R.P.L.S. 5034" found for the northeast corner of said Milder tract, and lying on the west right-of-way line of North Goliad Street, also called State Highway Number 205, (a variable width right-of-way);

*THENCE* South 00 degrees 02 minutes 42 seconds West along the west right-of-way of said North Goliad Street and the east line of said Milder tract, a distance of 133.04 feet to a 5/8 inch iron rod stamped "R.P.L.S. 5430" set for the southeast corner of said Milder tract;

*THENCE* South 88 degrees 37 minutes 48 seconds West departing the west line of said North Goliad Street and along the south line of said Milder tract, passing a 1/2 inch iron rod stamped "R.P.L.S. 5034" at a distance of 7.50 feet found for the northeast corner of Lot 1, Block A of the Wagner Christensen Addition, an addition to The City of Rockwall as recorded in Cabinet H, Slide 229, Plat Records Rockwall County, Texas, and continuing a total distance of 105.47 feet to a 1/2 inch iron rod stamped "R.P.L.S. 5034" found for the northwest corner of said Wagner Addition, the northeast corner of a tract of land to Carlos Guevara and Monica A. Guevara recorded in Volume 5484, Page 187 Deed Records Rockwall County, Texas and at an angle point on the south line of said Milder tract;

*THENCE* South 89 degrees 15 minutes 53 seconds West along the north line of said Guevara tract and the south line of said Milder tract, a distance of 110.14 feet to a 3/8 inch iron rod found for the northwest corner of said Guevara tract, the southwest corner of said Milder tract and lying on the east line of North Alamo Street (a called 45 feet wide right-of-way);

*THENCE* North 00 degrees 14 minutes 21 seconds East along the east line of said Alamo Street and the west line of said Milder tract, a distance of 138.19 feet to 1/2 inch iron rod found for the northwest corner of said Milder tract and for the southwest corner of a tract of land to Kimberlee Wylie recorded in Volume 3324, Page 196 Deed Records Rockwall County, Texas ;

*THENCE* South 89 degrees 13 minutes 43 seconds East departing said Alamo Street and along the south line of said Wylie tract a distance of 99.09 feet to 1/2 inch iron rod stamped "R.P.L.S. 5034" found for the southeast corner of said Wylie tract, same being the southwest corner of Lot 1, Block A Double T Ventures Addition, an addition to The City of Rockwall as recorded in Instrument Number 20140000009401 Official Public Records Rockwall County, Texas;

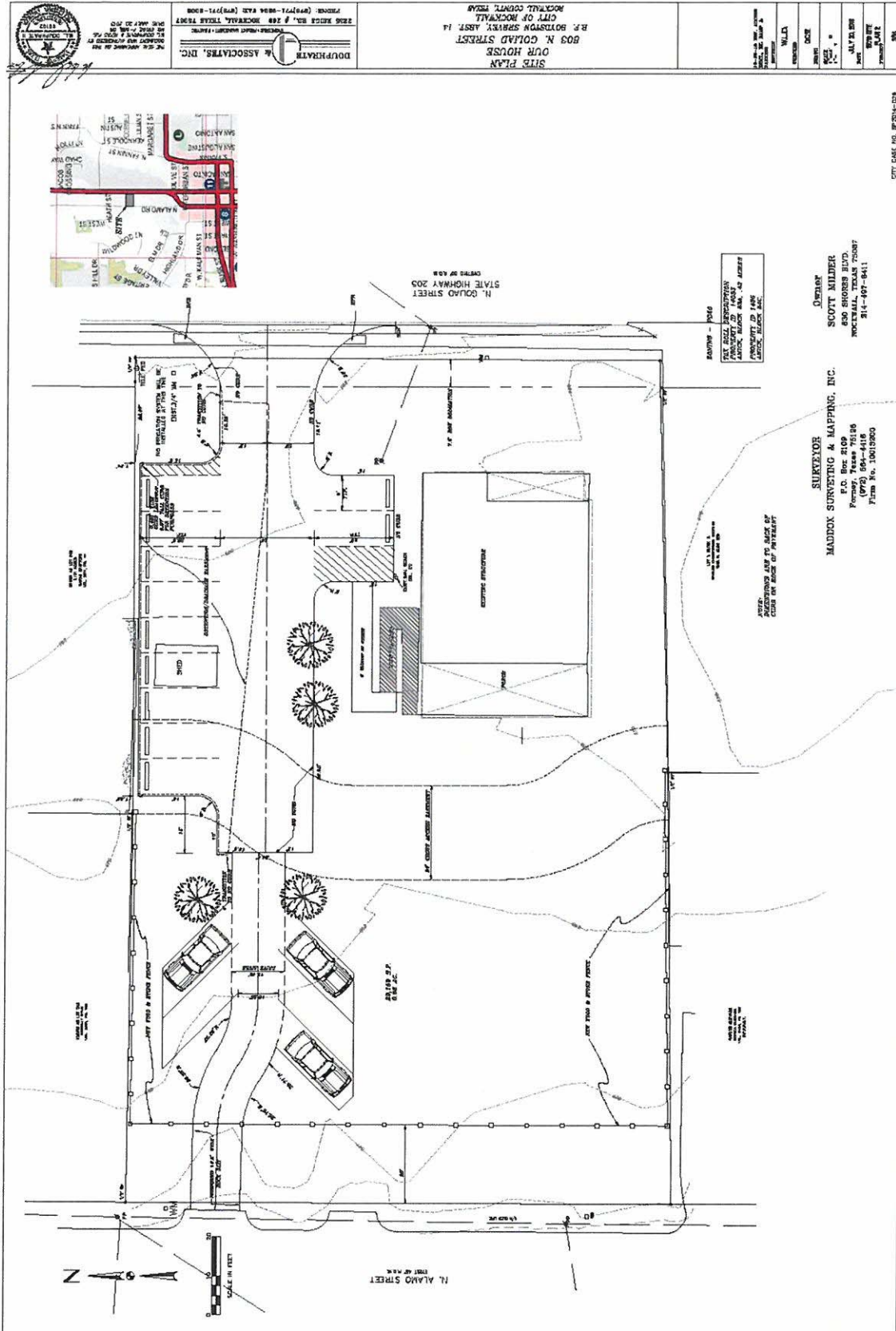
*THENCE* North 89 degrees 57 minutes 10 seconds East along the south line of said Double T Ventures Addition a distance of 116.02 feet to the *POINT OF BEGINNING* containing 29,182 square Feet, or 0.670 of an acre of land.





# Exhibit 'C'

## Parking Within the Cross Access Easement and Alternate Paving Plan



# PROJECT COMMENTS



CITY OF ROCKWALL  
385 S. GOLIAD STREET  
ROCKWALL, TEXAS 75087  
PHONE: (972) 771-7700

DATE: 6/26/2020

PROJECT NUMBER: Z2020-027  
PROJECT NAME: SUP for 803 N. Goliad Street  
SITE ADDRESS/LOCATIONS: 803 N GOLIAD ST

CASE MANAGER: Ryan Miller  
CASE MANAGER PHONE: 972-772-6441  
CASE MANAGER EMAIL: rmiller@rockwall.com

CASE CAPTION: Hold a public hearing to discuss and consider a request by Leslie & Scott Milder for the approval of a Specific Use Permit (SUP) for General Retail Store on a 0.66 acre parcel of land identified as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD 50) for Residential Office (RO) District, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 N. Goliad Street, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
	Ryan Miller	06/23/2020	Approved w/ Comments

06/23/2020: Please address the following comments (M= Mandatory Comments; I = Informational Comments)

I.1 This request is for the approval of a Specific Use Permit (SUP) for a General Retail Store and Banquet Facility/Event Venue on a 0.66-acre parcel of land identified as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, situated within the North Goliad Corridor Overlay (NGC OV) District, and addressed as 803 N. Goliad Street.

I.2 For questions or comments concerning this case please contact Ryan Miller in the Planning Department at (972) 772-6441 or email [rmiller@rockwall.com](mailto:rmiller@rockwall.com).

M.3 For reference, include the case number (Z2020-027) in the lower right-hand corner of all pages on future submittals.

I.4 According to Ordinance No. 17-19, "(u)nless specifically provided by this Planned Development District ordinance (Ordinance No. 17-19) only those land uses permitted within the Residential-Office (RO) District ... are allowed on the Subject Property." In addition, the Permissible Use Charts contained in Article 04, Permissible Uses, of the Unified Development Code (UDC) state that a General Retail Store requires a Specific Use Permit (SUP) in a Residential-Office (RO) District.

I.5 The current Specific Use Permit (SUP) (i.e. Ordinance No. 16-22; S-149) allows for a Banquet Facility/Event Venue subject to the following restrictions:

- (1) The hours of operation for this facility shall be limited to Sunday through Thursday, 8:00 AM – 9:00 PM and Friday & Saturday, 8:00 AM – 11:00 PM.
- (2) No on-premise food preparation shall be permitted. Service areas shall only be utilized for pre-packaged and/or catered food services.
- (3) No events held on premise shall be open to the general public.
- (4) A uniformed, state licensed security guard and/or off-duty police officer shall be present for events that include the provision of beer, wine and/or liquor. Events that limit alcohol consumption to champagne are exempt from this provision.
- (5) Live outdoor music shall be prohibited.
- (6) No event parking shall be permitted along Goliad Street.
- (7) The parking requirement for the proposed Banquet Facility/Event Venue is 14 parking spaces (i.e. 1580 SF/100 SF = 16 Parking Spaces; Less two [2] parking spaces which were waived by the City Council on February 15, 2016).
- (8) In the event that the property at 802 N. Alamo Street (i.e. the property to the southwest of the subject property) rezones and converts the property to a commercial land use the dedicated 20-foot cross access easement on the subject property shall be paved with concrete to connect the adjacent properties (i.e. 802 N. Alamo Street and 801 & 807 N. Goliad Street) as depicted in Exhibit 'B' of Ordinance No. 16-22. All paving must be constructed within 60 days of an approved site plan for the property at 802 N. Alamo Street, and shall be in accordance with the standards of Article VI, Parking and Loading, of the Unified Development Code.

(9) As depicted in Exhibit 'C' of Ordinance No. 16-22, a maximum of five (5) parking spaces (conforming to the Engineering Departments Standards of Design Manual) connected to a 12.5-foot, one-way drive exiting to Alamo Street shall be permitted to be constructed of crushed rock or a similar paving material (to be approved by the City Engineer) for a period of 36-months from the approval date of this ordinance. After 36-months the alternative parking surface shall be removed and repaved in accordance with the standards of Article VI, Parking and Loading, of the Unified Development Code (i.e. concrete). Alternatively, the applicant may request that the City Council grant an extension to the 36-month period upon recommendation by the Planning and Zoning Commission.

(10) The operation of this site shall conform to all federal, state and local standards and comply with the requirements of Section 2.2, Compliance Standards, of this ordinance.

I.6 Ordinance No. 16-22 will be superseded by the proposed Specific Use Permit (SUP) request.

M.7 Please provide a letter requesting that the waiver to the required cross access drive (referenced in #8 above) be extended to the proposed Specific Use Permit (SUP). Without a letter requesting this waiver be incorporated into the new SUP ordinance and Ordinance No. 16-22 expiring, the cross-access drive would be required to be constructed.

M.8 According to the submitted materials, staff will be requiring the following operational conditions:

(1) The hours of operation for the Banquet Facility/Event Venue shall be limited to Sunday through Thursday, 8:00 AM – 9:00 PM and Friday & Saturday, 8:00 AM – 11:00 PM.

(2) The hours of operation for the General Retail Store shall be limited to Monday through Sunday 7:00 AM – 8:00 PM.

(3) No on-premise food preparation shall be permitted. Service areas shall only be utilized for pre-packaged and/or catered food services.

(4) The sale of alcoholic beverages shall be prohibited; however, alcohol shall be permitted to be provided by the guests for events associated with the Banquet Facility/Event Venue.

(5) No events held on premise shall be open to the general public.

(6) A uniformed, state licensed security guard and/or off-duty police officer shall be present for events that include the provision of beer, wine and/or liquor. Events that limit alcohol consumption to champagne are exempt from this provision.

(7) Live outdoor music shall be prohibited.

(8) No event parking shall be permitted along Goliad Street or Alamo Street.

(9) The parking requirement for the proposed Banquet Facility/Event Venue is 14 parking spaces (i.e. 1580 SF/100 SF = 16 Parking Spaces; Less two [2] parking spaces which were waived by the City Council on February 15, 2016).

(10) The indoor areas shall be limited to maximum occupancy of 49 people.

(11) In the event that the property at 802 N. Alamo Street (i.e. the property to the southwest of the subject property) rezones and converts the property to a commercial land use the dedicated 20-foot cross access easement on the subject property shall be paved with concrete to connect the adjacent properties (i.e. 802 N. Alamo Street and 801 & 807 N. Goliad Street) as depicted in Exhibit 'B' of the ordinance. All paving must be constructed within 60 days of an approved site plan for the property at 802 N. Alamo Street, and shall be in accordance with the standards of Article VI, Parking and Loading, of the Unified Development Code.

(12) The operation of this site shall conform to all federal, state and local standards and comply with the requirements of Section 2.2, Compliance Standards, of the ordinance.

I.9 Please review the attached Draft Ordinance prior to the June 30, 2020 Planning and Zoning Commission Work Session meeting, and provide staff with your markups by no later than July 7, 2020.

I.10 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections, and provide any additional information that is requested. Revisions for this case will be due on July 7, 2020; however, it is encouraged for applicants to submit revisions as soon as possible to give staff ample time to review the case prior to the July 14, 2020 Planning and Zoning Commission Public Hearing Meeting. The Planning and Zoning Commission Work Session Meeting for this case will be held on June 30, 2020.

I.11 The projected City Council meeting dates for this case will be July 20, 2020 (1st Reading) and August 3, 2020 (2nd Reading).

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Sarah Johnston	06/25/2020	Approved

06/25/2020: The building and site work is existing. Any improvements will need to be reviewed.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Rusty McDowell	06/25/2020	Approved

06/25/2020: Note: Any modifications will require a building permit to meet the 2015 International Building Code.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	06/24/2020	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	06/22/2020	N/A

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	Ryan Miller	06/25/2020	N/A

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Travis Sales	06/23/2020	Approved

06/23/2020: Submit Landscape Plans  
Submit Tree Mitigation Plans



# DEVELOPMENT APPLICATION

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

**STAFF USE ONLY**  
 PLANNING & ZONING CASE NO. \_\_\_\_\_  
**NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.**  
 DIRECTOR OF PLANNING: *[Signature]*  
 CITY ENGINEER: *[Signature]*

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: 803 N. Goliad Rockwell TX 75087  
 Subdivision: OUR HOUSE ADDITION Lot 1 Block A  
 General Location: Hwy 205 between Heath Street and Kaufman

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

Current Zoning: Residential Office/Light Retail Current Use: NONE  
 Proposed Zoning: SAME Proposed Use: Cigar Lounge  
 Acreage: 0.66 Lots [Current]: 1 Lots [Proposed]: 1

**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: Leslie and Scott Milder  
 Applicant: \_\_\_\_\_  
 Contact Person: Scott Milder Contact Person: \_\_\_\_\_  
 Address: 501 Camp Creek Rd. Address: \_\_\_\_\_  
 City, State & Zip: Rockwall, TX 75087 City, State & Zip: \_\_\_\_\_  
 Phone: 214 497 6411 Phone: \_\_\_\_\_  
 E-Mail: milderman@gmail.com E-Mail: \_\_\_\_\_

## NOTARY VERIFICATION [REQUIRED]

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

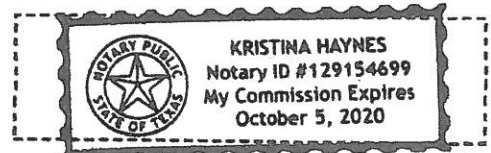
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ \_\_\_\_\_, to cover the cost of this application, has been paid to the City of Rockwall on this the 19 day of JUNE, 2020. By signing this application, 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 19 day of JUNE, 2020

Owner's Signature


*[Signature]*  
*[Signature]*

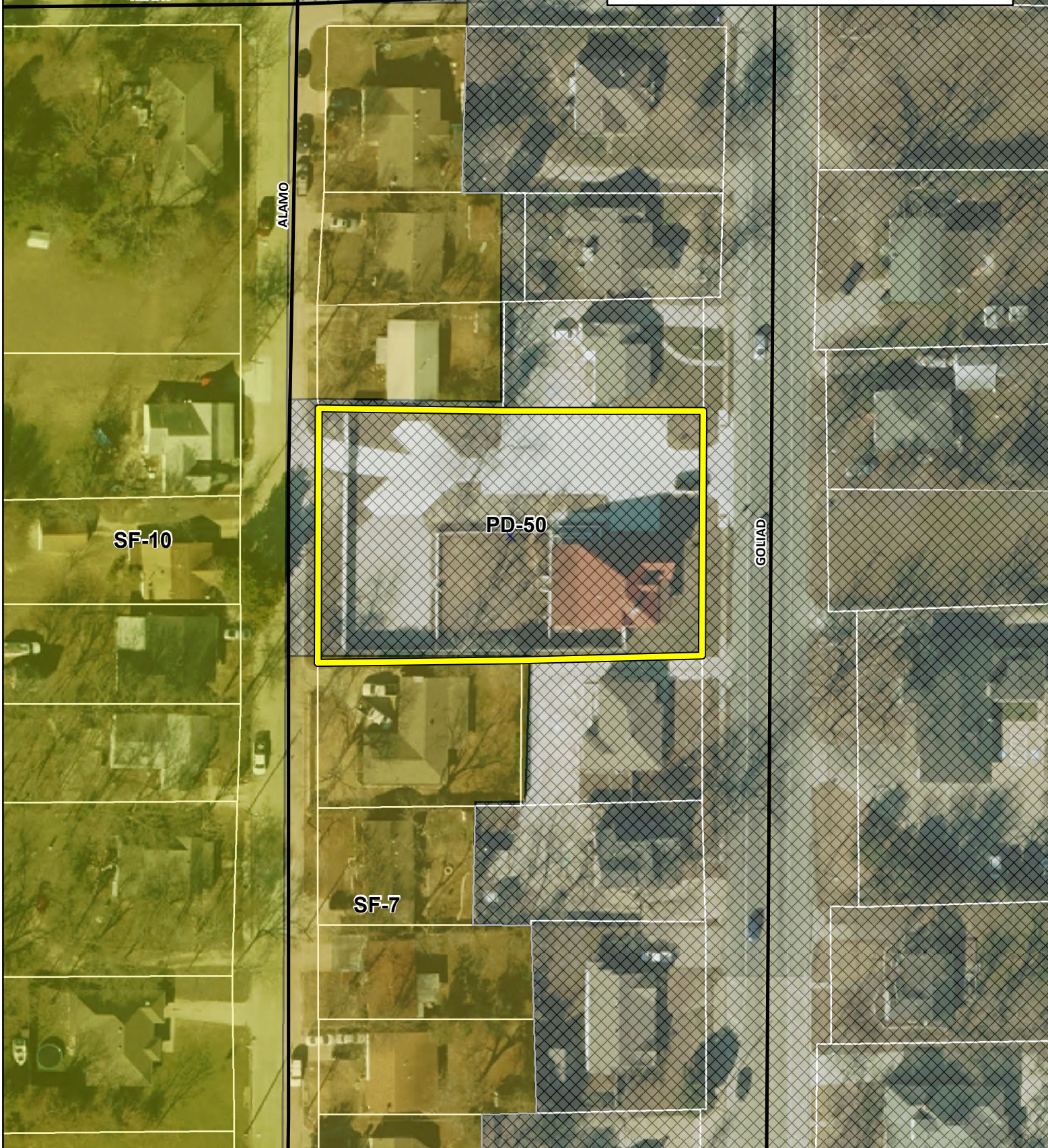
Notary Public in and for the State of Texas



My Commission Expires



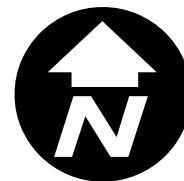
Z2020-026- SUP FOR 803 N. GOLIAD STREET  
ZONING - LOCATION MAP = 



# 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.

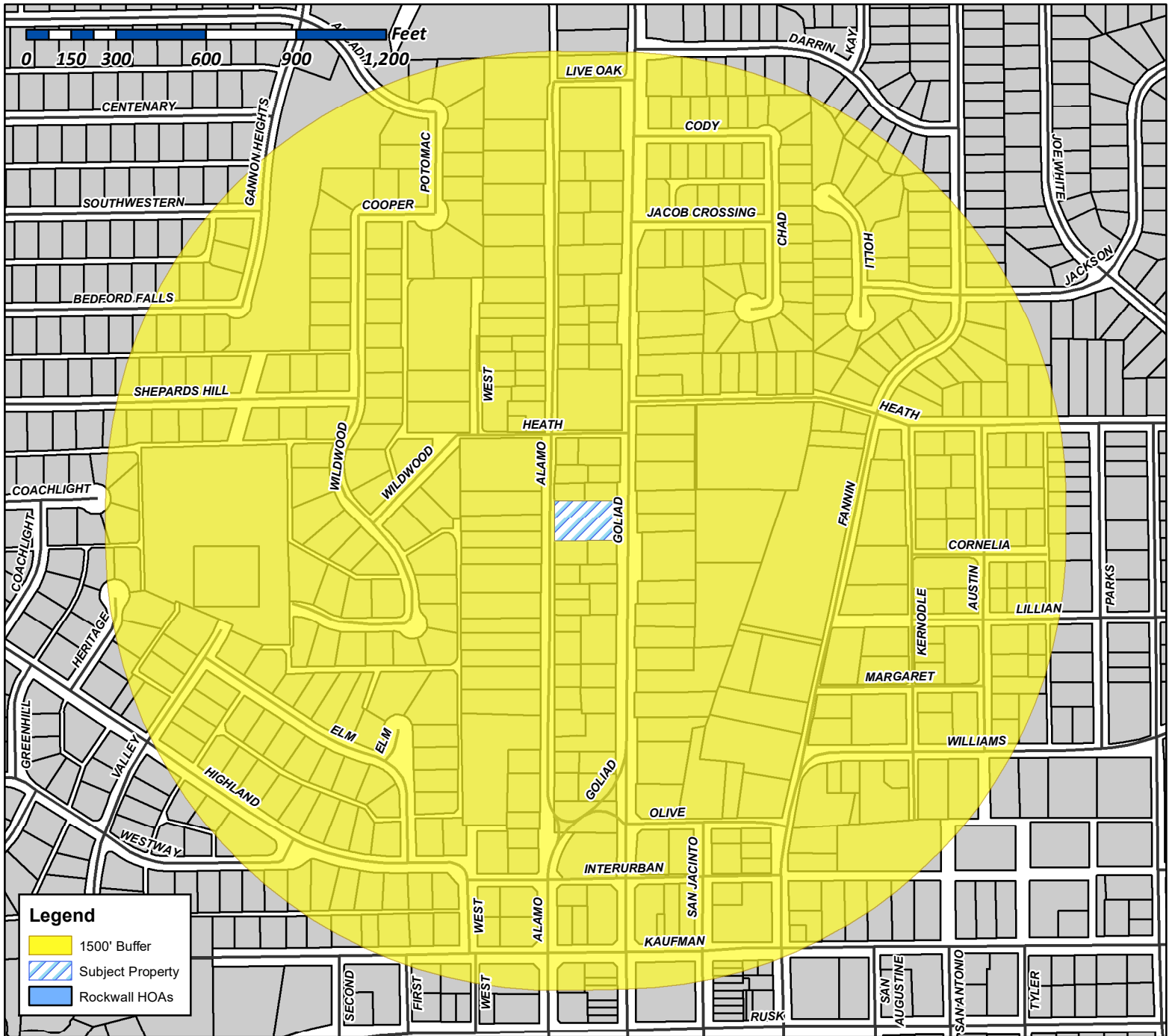
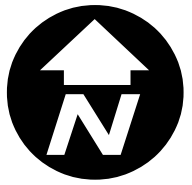




# City of Rockwall

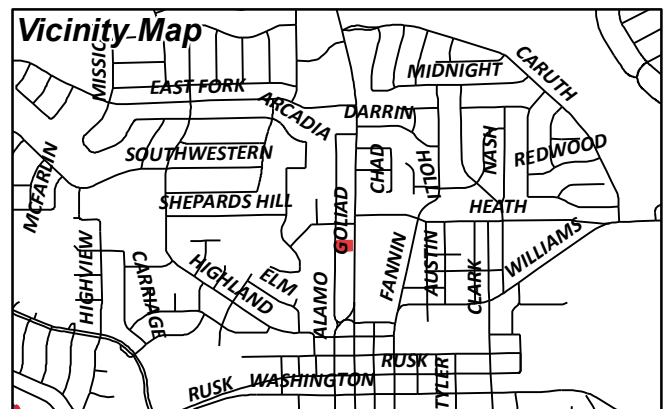
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

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**Case Number:** Z2020-027  
**Case Name:** SUP for 803 N. Goliad Street  
**Case Type:** Specific Use Permit  
**Zoning:** PD-50  
**Case Address:** 803 N. Goliad Street

**Date Created:** 6/21/2020  
**For Questions on this Case Call** (972) 771-7745



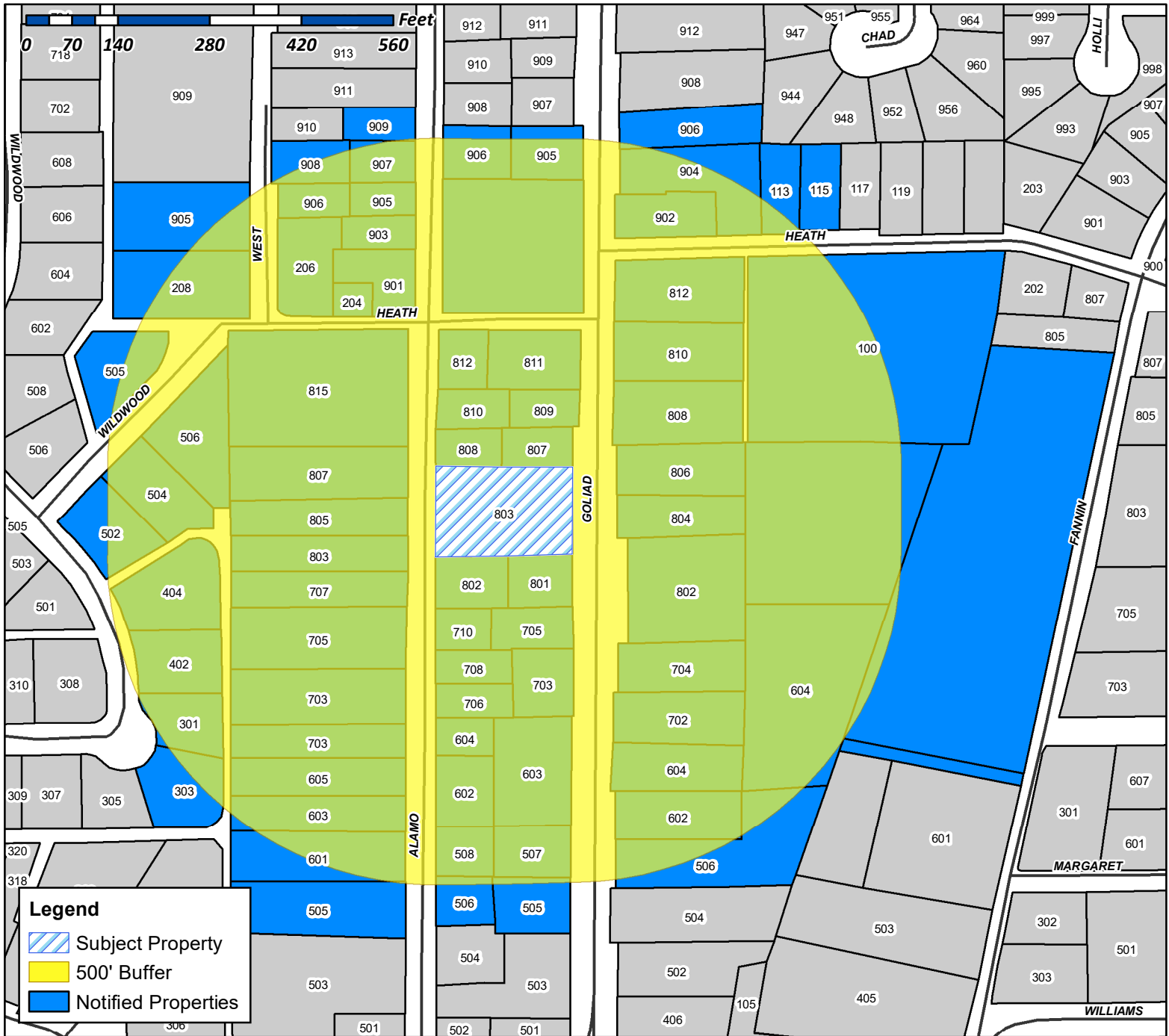
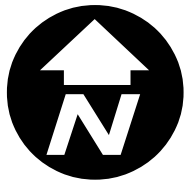




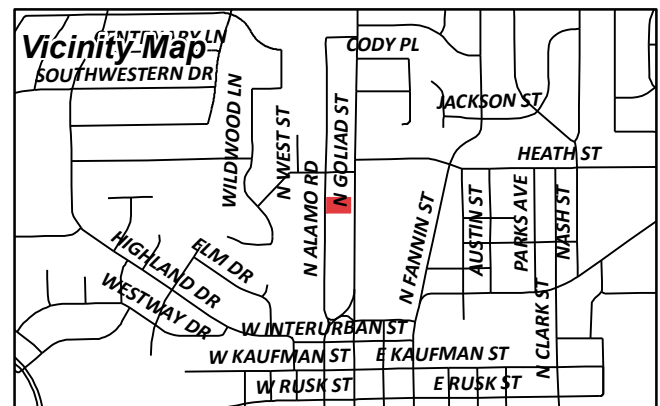
# City of Rockwall

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

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**Case Number:** Z2020-027  
**Case Name:** SUP for 803 N. Goliad Street  
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**Zoning:** PD-50  
**Case Address:** 803 N. Goliad Street



**Date Created:** 6/21/2020  
 For Questions on this Case Call (972) 771-7745

CURRENT RESIDENT  
100 E HEATH  
ROCKWALL, TX 75087

BARKER PERRY H & ELIZABETH D  
104 SCENIC DR  
HEATH, TX 75032

TEEL BRITTON & BARBARA  
10925 ROCKSTONE DR  
BALCH SPRINGS, TX 75180

WAGNER GERALD P  
112 LOS PECES  
GUN BARRELL, TX 75156

HILL TOBY VERN H & ANGELA DAWN  
113 E HEATH ST  
ROCKWALL, TX 75087

CHISENHALL ROBERT  
115 E HEATH ST  
ROCKWALL, TX 75087

DAVENPORT RENTAL PROPERTIES - SERIES 200  
DARRIN DRIVE  
1270 COASTAL DR  
ROCKWALL, TX 75087

DOUBLE T VENTURES LLC  
1500 S KREYMER LN  
WYLIE, TX 75098

WRIGHT JOHN M & SUSAN L  
1605 SEASCAPE CT  
ROCKWALL, TX 75087

MEYERS STUART A & BRENDA S  
1614 S LAKESHORE DR  
ROCKWALL, TX 75087

CITY LIFT STATION  
201 E WASHINGTON ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
204 W HEATH  
ROCKWALL, TX 75087

NBN COMMERCIAL GROUP LLC  
2040 N BELT LINE RD STE 400  
MESQUITE, TX 75150

PRITCHETT JOHNETTA  
206 W HEATH ST  
ROCKWALL, TX 75087

PEOPLES DOSVILLE  
208 W HEATH ST  
ROCKWALL, TX 75087

KHATER CHARLES ETUX  
2368 E FM 552  
ROCKWALL, TX 75087

HOLLON GREGORY D  
2778 S FM 549  
ROCKWALL, TX 75032

FERRIS BETH  
301 WILDWOOD LN  
ROCKWALL, TX 75087

ANGLE GLENDA ANNE  
303 WILDWOOD LN  
ROCKWALL, TX 75087

FALLS DAVID C & TERRI L  
3608 LAKESIDE DR  
ROCKWALL, TX 75087

SWIERCINSKY JOSHUA L  
3922 MEDITERRANEAN ST  
ROCKWALL, TX 75087

MORENO ANTONIO AND SUZANNE T  
402 WILDWOOD LANE  
ROCKWALL, TX 75087

COOK CAROLINE D  
404 WILDWOOD LN  
ROCKWALL, TX 75087

MORGAN NANCY D  
429 PARK PLACE BLVD  
ROCKWALL, TX 75087

HOWELL RONALD & MICHELE  
434 JORDAN FARM CIRCLE  
ROCKWALL, TX 75087

TREVINO BERTHA & LOUIS  
4917 SAINT JAMES CT  
MESQUITE, TX 75150

WOODARD CARL E ET UX  
502 WILDWOOD TER  
ROCKWALL, TX 75087

NASH M CALVIN ETUX  
504 WILDWOOD TER  
ROCKWALL, TX 75087

CURRENT RESIDENT  
505 WILDWOOD  
ROCKWALL, TX 75087

TUCKER PAMELA  
505 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
505 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
506 N ALAMO  
ROCKWALL, TX 75087

CURRENT RESIDENT  
506 N GOLIAD  
ROCKWALL, TX 75087

HICKERSON JON D  
506 WILDWOOD TER  
ROCKWALL, TX 75087

FLEMING HALLIE B  
507 N GOLIAD  
ROCKWALL, TX 75087

MORGAN RHONA L &  
JACK HADLEY JR  
508 N ALAMO RD  
ROCKWALL, TX 75087

SMITH GREGORY S  
510 LIFE SPRING DR  
ROCKWALL, TX 75087

HAM JOSHUA L  
512 HIGHVIEW LANE  
ROCKWALL, TX 75087

RNDI COMPANIES INC  
519 E INTERSTATE 30 # 157  
ROCKWALL, TX 75087

FANG PROPERTIES LLC  
536 LOMA VISTA  
HEATH, TX 75032

CURRENT RESIDENT  
601 N ALAMO  
ROCKWALL, TX 75087

CARDENAS CECILIO & CARMEN  
602 N ALAMO ROAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
602 N GOLIAD  
ROCKWALL, TX 75087

HAMILTON JOANN  
603 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
603 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
604 GOLIAD  
ROCKWALL, TX 75087

DOMINGUEZ, JOSE AND JOHANNA  
604 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
604 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
605 N ALAMO  
ROCKWALL, TX 75087

CASTRO MICHAEL AND RENE  
700 WINDSONG LN  
ROCKWALL, TX 75087

SMITH G DAVID  
702 N GOLIAD ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
703 N ALAMO RD  
ROCKWALL, TX 75087

IRBY DENNIS  
703 N GOLIAD ST  
ROCKWALL, TX 75087

J-PEG PROPERTIES LLC  
704 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
705 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
705 N GOLIAD ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
706 N ALAMO  
ROCKWALL, TX 75087

CALABRESE CORINNA RAE  
707 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
708 N ALAMO  
ROCKWALL, TX 75087

CURRENT RESIDENT  
710 N ALAMO  
ROCKWALL, TX 75087

CRISWELL BARBARA  
7110 HUNT LANE  
ROCKWALL, TX 75087

CRISWELL BARBARA  
7110 HUNT LANE  
ROCKWALL, TX 75087

CRISWELL BARBARA  
7110 HUNT LANE  
ROCKWALL, TX 75087

CHRISTENSEN VALERIE  
801 N GOLIAD  
ROCKWALL, TX 75087

GUEVARA CARLOS & MONICA A  
802 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
802 N GOLIAD  
ROCKWALL, TX 75087

SEAMANS RANDY KALIN AND RACHEL K  
803 N ALAMO  
ROCKWALL, TX 75087

CURRENT RESIDENT  
804 N GOLIAD  
ROCKWALL, TX 75087

FORGIONE JERILYN DENISE  
805 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
806 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
807 N GOLIAD  
ROCKWALL, TX 75087

WYLIE KIMBERLY  
808 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
808 N GOLIAD  
ROCKWALL, TX 75087

MARTINEZ RAQUEL P  
809 N GOLIAD ST  
ROCKWALL, TX 75087

SWIERCINSKY LEXUS M  
810 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
810 N GOLIAD  
ROCKWALL, TX 75087

AOUN PIERRE E  
811 N GOLIAD ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
812 N GOLIAD  
ROCKWALL, TX 75087

WAY CODY B AND AMBER C  
812 NORTH ALAMO STREET  
ROCKWALL, TX 75087

CAIN JAMES O  
815 N ALAMO RD  
ROCKWALL, TX 75087

MILDER SCOTT & LESLIE  
830 SHORES BLVD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
901 N ALAMO  
ROCKWALL, TX 75087

CURRENT RESIDENT  
902 N GOLIAD  
ROCKWALL, TX 75087

MOMSEN KIMBERLY  
903 N ALAMO ROAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
904 N GOLIAD ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
905 N ALAMO ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
905 N WEST  
ROCKWALL, TX 75087

WILLIAMS ALEX R  
906 N ALAMO RD  
ROCKWALL, TX 75087

TCB CONSTRUCTION GROUP LLC  
906 N GOLIAD  
ROCKWALL, TX 75087

POINTER PRICE AND  
MANUEL LOZANO  
906 N GOLIAD STREET  
ROCKWALL, TX 75087

BRIONES RONALD AND THERESA  
906 N WEST  
ROCKWALL, TX 75087

JC GAERLAN LLC  
907 NORTH ALAMO ROAD  
ROCKWALL, TX 75087

MARTINKUS NICOLE  
908 N WEST ST  
ROCKWALL, TX 75087

MOLINA JOE C II  
909 N ALAMO  
ROCKWALL, TX 75087

CONSELMAN EQUITIES LLC  
PO BOX 2284  
ROCKWALL, TX 75087

TRANSGLOBAL INSPECTIONS LLC  
PO BOX 265  
FATE, TX 75132

WOMEN IN NEED INC  
PO BOX 349  
GREENVILLE, TX 75403

COOPER JAMES A & MICHELLE R  
PO BOX 492  
ROCKWALL, TX 75087

LAYTON ERIC A  
PO BOX 998  
ROCKWALL, TX 75087

# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

Property Owner and/or Resident of the City of Rockwall:

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

**Case No. Z2020-027: SUP for a General Retail Store at 803 N. Goliad Street**

Hold a public hearing to discuss and consider a request by Leslie & Scott Milder for the approval of a *Specific Use Permit (SUP)* for a *General Retail Store* and *Banquet Facility/Event* on a 0.66-acre parcel of land identified as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 N. Goliad Street, 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, July 14, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, July 20, 2020 at 6:00 PM. 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:

**Ryan Miller**  
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 Monday, July 20, 2020 at 4:00 PM 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 AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

**Case No. Z2020-027: SUP for a General Retail Store at 803 N. Goliad Street**

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:

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

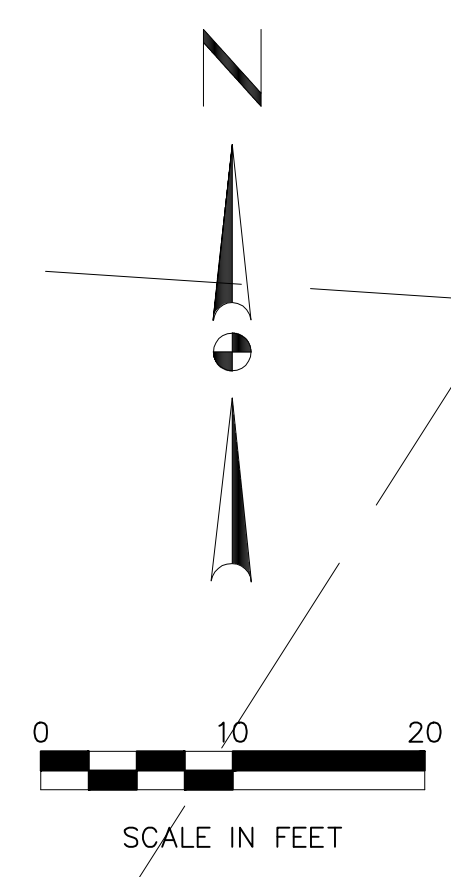


Date: June 20, 2020

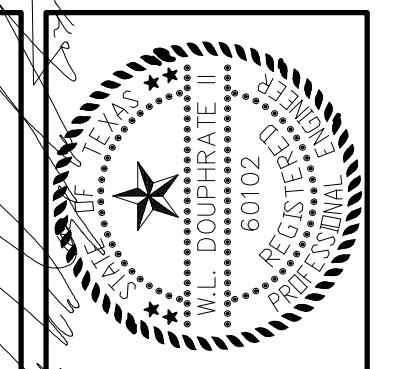
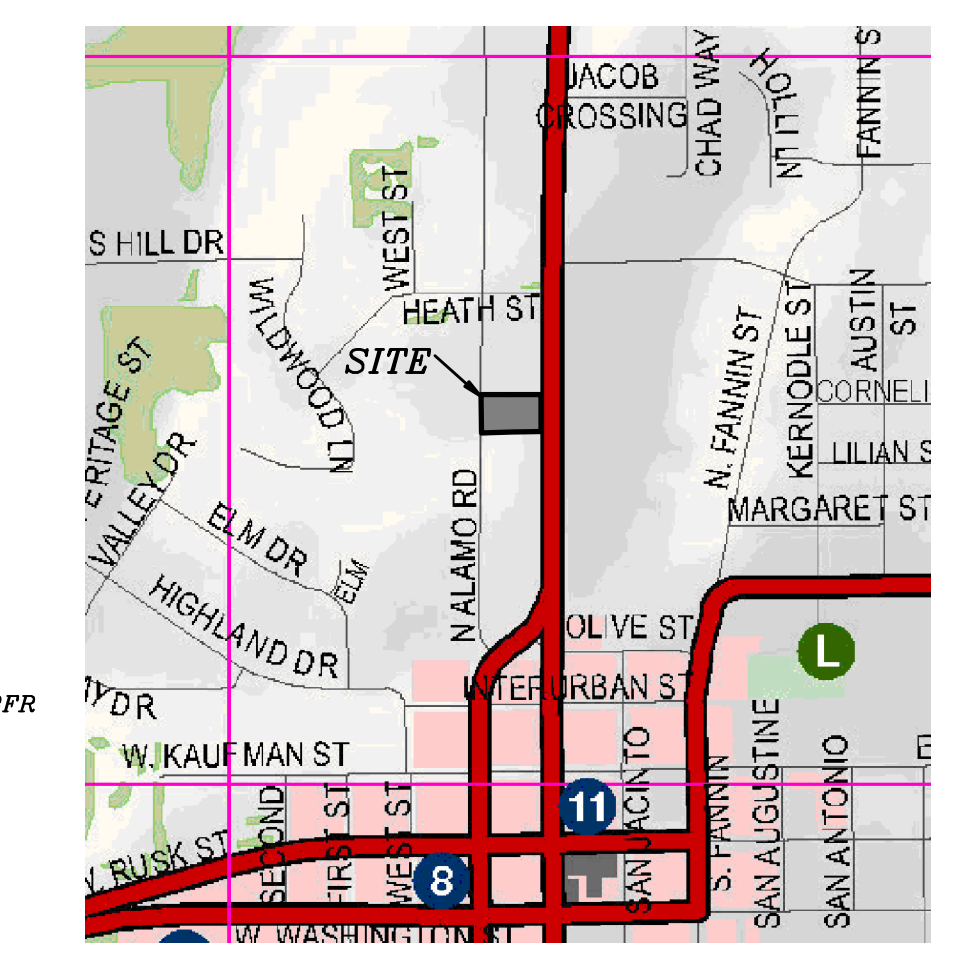
**Legal Description:** Eldorado Fine Cigars LLC. An upscale retail cigar lounge that sells premium cigars, pipe tobacco, and accessories.

**Concept Plan:** We request that smoking be permitted both inside and outside of the property, allowing for an exceptional smoking experience. We will create an atmosphere that tailors to the cigar enthusiast, including comfortable seating throughout the store, multiple TVs, and a walk-in humidor that will offer the world's finest cigars. We will create a festive outdoor seating area also, including patio seating, multiple TVs, yard picnic tables, and so on. We will host special events to entertain our customers, including brand events where manufacturer representatives and leaders in the cigar industry can offer education and incentives surrounding their brand. We will also offer space to rent for private parties and celebrations.

Eldorado Fine Cigars was first established in McKinney Texas in March of 2018. We acquired an existing store in the same space that was struggling and implemented a different approach. We created a cigar lounge with an inviting atmosphere, including comfortable lounge seating, big screen TVs, locker memberships offering exclusive discounts, cigar brand events, and created one of the best selections of cigars in the area. As a result, our store has grown significantly over the last couple of years and is considered one of the best cigar stores in North Texas. We intend to create the same environment and quality of service in the city of Rockwall with a second store. Eldorado Fine Cigars in Rockwall will complement the downtown area, offering another venue for entertainment and luxury that the community has grown to expect.



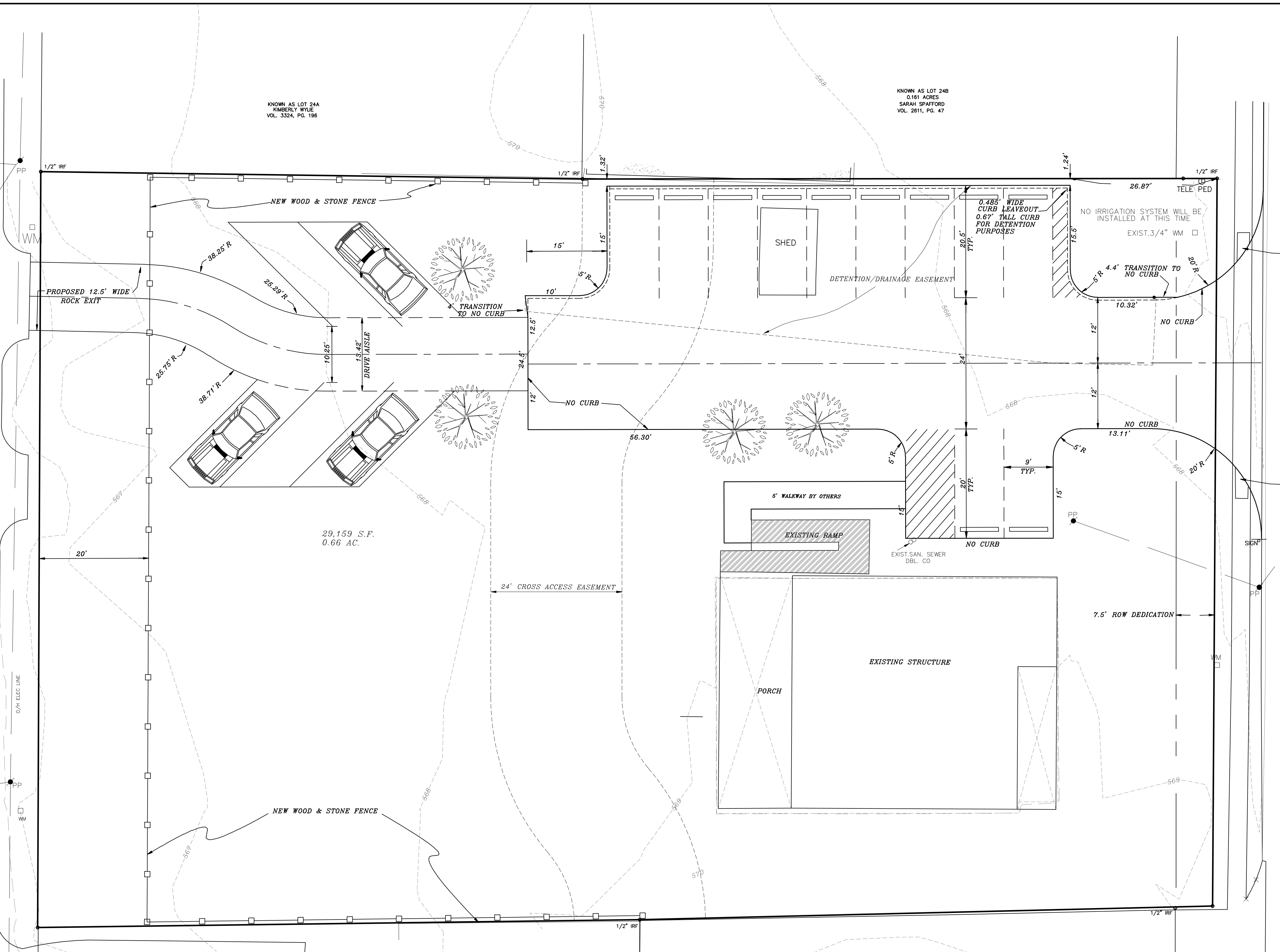
N. ALAMO STREET  
EXIST 45' R.O.W.



DOUPHRATE & ASSOCIATES, INC.  
ENGINEERING - PROJECT MANAGEMENT - SURVEYING  
2235 RIDGE RD., # 200 ROCKWALL, TEXAS 75087  
PHONE: (972)771-9004 FAX: (972)771-9005

**SITE PLAN**  
**OUR HOUSE**  
**803 N. GOLIAD STREET**  
B.F. BOYDSTON SRVEY, ABST. 14  
CITY OF ROCKWALL  
ROCKWALL COUNTY, TEXAS

10-13-15 REV. ACCESS ESMT., EX. RAMP & PARKING REVISION	W.L.D.
CHECKED	
DRAWN	GCW.
SCALE 1" = 10' H 1" = 5' V	
DATE	JULY 20, 2015
PROJECT	15016 SITE PLAN 2
	3/14



KNOWN AS LOT 24A  
KIMBERLY WYLE  
VOL. 3324, PG. 196

KNOWN AS LOT 24B  
0.161 ACRES  
SARAH SPAFFORD  
VOL. 2511, PG. 47

29,159 S.F.  
0.66 AC.

LOT 1, BLOCK A  
WAGNER CHRISTENSEN ADDITION  
CAB. H. SLIDE 229

ZONING - PD50

TAX ROLL DESCRIPTION  
PROPERTY ID 14033  
AMICK, BLOCK 23A, .43 ACRES  
PROPERTY ID 1435  
AMICK, BLOCK 24C.

NOTE:  
DIMENSIONS ARE TO BACK OF  
CURB OR EDGE OF PAVEMENT

**SURVEYOR**  
**MADDOX SURVEYING & MAPPING, INC.**

P.O. Box 2109  
Forney, Texas 75126  
(972) 564-4416  
Firm No. 10013200

**Owner**  
**SCOTT MILDER**

830 SHORES BLVD.  
ROCKWALL, TEXAS 75087  
214-497-6411



CITY OF ROCKWALL

ORDINANCE NO. 16-22

SPECIFIC USE PERMIT NO. S-149

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 HERETOFORE AMENDED, SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) FOR A *BANQUET FACILITY/EVENT VENUE* WITHIN PLANNED DEVELOPMENT DISTRICT 50 (PD-50) ON A 0.670-ACRE PARCEL OF LAND, ADDRESSED AS 803 N. GOLIAD STREET AND BEING IDENTIFIED AS LOT 1, BLOCK A, OUR HOUSE 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**, the City has received a request by Scott and Leslie Milder for the approval of a Specific Use Permit (SUP) to allow a *Banquet Facility/Event Venue* on a 0.670-acre parcel of land identified as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, located within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 N. Goliad Street, and more specifically described 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*] and Planned Development District 50 (PD-50) [*Ordinance No. 16-15*] 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 *Banquet Facility/Event Venue* within a Planned Development District 50 (PD-50) as stipulated by *Ordinance No. 16-15* and 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 developed and/or used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as set forth in Planned Development District 50 (PD-50) [*Ordinance No. 16-15*] and Section 4.2, *Residential Office (RO) District*, of Article V, *District Development Standards*, of the Unified Development

Code [Ordinance No. 04-38] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

## 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Banquet Facility/Event Venue* on the subject property at 803 N. Goliad Street and conformance to these stipulations are required for continued operations:

- 1) The hours of operation for this facility shall be limited to Sunday through Thursday, 8:00 AM – 9:00 PM and Friday & Saturday, 8:00 AM – 11:00 PM.
- 2) No on premise food preparation shall be permitted. Service areas shall only be utilized for pre-packaged and/or catered food services.
- 3) No events held on premise shall be open to the general public.
- 4) A uniformed, state licensed security guard and/or off-duty police officer shall be present for events that include the provision of beer, wine and/or liquor. Events that limit alcohol consumption to champagne are exempt from this provision.
- 5) Live outdoor music shall be prohibited.
- 6) No event parking shall be permitted along Goliad Street.
- 7) The parking requirement for the proposed *Banquet Facility/Event Venue* is 14 parking spaces (*i.e. 1580 SF/100 SF = 16 Parking Spaces; Less two [2] parking spaces which were waived by the City Council on February 15, 2016*).
- 8) In the event that the property at 802 N. Alamo Street (*i.e. the property to the southwest of the subject property*) rezones and converts the property to a commercial land use the dedicated 20-foot cross access easement on the subject property shall be paved with concrete to connect the adjacent properties (*i.e. 802 N. Alamo Street and 801 & 807 N. Goliad Street*) as depicted in *Exhibit 'B'* of this ordinance. All paving must be constructed within 60 days of an approved site plan for the property at 802 N. Alamo Street, and shall be in accordance with the standards of Article VI, *Parking and Loading*, of the Unified Development Code.
- 9) As depicted in *Exhibit 'C'* of this ordinance, a maximum of five (5) parking spaces (*conforming to the Engineering Departments Standards of Design Manual*) connected to a 12.5-foot, one-way drive exiting to Alamo Street shall be permitted to be constructed of crushed rock or a similar paving material (*to be approved by the City Engineer*) for a period of 36-months from the approval date of this ordinance. After 36-months the alternative parking surface shall be removed and repaved in accordance with the standards of Article VI, *Parking and Loading*, of the Unified Development Code (*i.e. concrete*). Alternatively, the applicant may request that the City Council grant an extension to the 36-month period upon recommendation by the Planning and Zoning Commission.
- 10) The operation of this site shall conform to all federal, state and local standards and comply with the requirements of Section 2.2, *Compliance Standards*, of this ordinance.

## 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 outline in the Unified Development Code, the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP).

**SECTION 3.** That the official zoning map of the City of Rockwall be corrected to reflect the changes 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 of provision of this ordinance or the application of that section or provision to any person, firm, cooperation, 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 to 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 and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7<sup>TH</sup> DAY OF MARCH, 2016.**

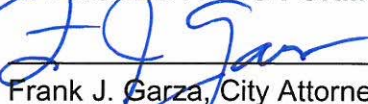


Dennis Lewis, Mayor Pro Tem

**ATTEST:**

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

**APPROVED AS TO FORM:**

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



1<sup>st</sup> Reading: 02-15-2016

2<sup>nd</sup> Reading: 03-07-2016

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

*WHEREAS*, Scott Milder and Leslie Milder, being the owners of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

Port of the Benjamin F. Boydston Survey Abstract No. 14, situated in the City of Rockwall, Rockwall County, Texas, being all of a tract of land to Scott Milder and Leslie Milder as recorded in Volume 7120, Page 228 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

*BEGINNING* at a 1/2 inch iron rod with cop stamped "R.P.L.S. 5034" found for the northeast corner of said Milder tract, and lying on the west right-of-way line of North Goliad Street, also called State Highway Number 205, (a variable width right-of-way);

*THENCE* South 00 degrees 02 minutes 42 seconds West along the west right-of-way of said North Goliad Street and the east line of said Milder tract, a distance of 133.04 feet to a 5/8 inch iron rod stamped "R.P.L.S. 5430" set for the southeast corner of said Milder tract;

*THENCE* South 88 degrees 37 minutes 48 seconds West departing the west line of said North Goliad Street and along the south line of said Milder tract, passing a 1/2 inch iron rod stamped "R.P.L.S. 5034" at a distance of 7.50 feet found for the northeast corner of Lot 1, Block A of the Wagner Christensen Addition, an addition to The City of Rockwall as recorded in Cabinet H, Slide 229, Plat Records Rockwall County, Texas, and continuing a total distance of 105.47 feet to a 1/2 inch iron rod stamped "R.P.L.S. 5034" found for the northwest corner of said Wagner Addition, the northeast corner of a tract of land to Carlos Guevara and Monica A. Guevara recorded in Volume 5484, Page 187 Deed Records Rockwall County, Texas and at an angle point on the south line of said Milder tract;

*THENCE* South 89 degrees 15 minutes 53 seconds West along the north line of said Guevara tract and the south line of said Milder tract, a distance of 110.14 feet to a 3/8 inch iron rod found for the northwest corner of said Guevara tract, the southwest corner of said Milder tract and lying on the east line of North Alamo Street (a called 45 feet wide right-of-way);

*THENCE* North 00 degrees 14 minutes 21 seconds East along the east line of said Alamo Street and the west line of said Milder tract, a distance of 138.19 feet to 1/2 inch iron rod found for the northwest corner of said Milder tract and for the southwest corner of a tract of land to Kimberlee Wylie recorded in Volume 3324, Page 196 Deed Records Rockwall County, Texas ;

*THENCE* South 89 degrees 13 minutes 43 seconds East departing said Alamo Street and along the south line of said Wylie tract a distance of 99.09 feet to 1/2 inch iron rod stamped "R.P.L.S. 5034" found for the southeast corner of said Wylie tract, same being the southwest corner of Lot 1, Block A Double T Ventures Addition, an addition to The City of Rockwall as recorded in Instrument Number 20140000009401 Official Public Records Rockwall County, Texas;

*THENCE* North 89 degrees 57 minutes 10 seconds East along the south line of said Double T Ventures Addition a distance of 116.02 feet to the *POINT OF BEGINNING* containing 29,182 square Feet, or 0.670 of an acre of land.

# Exhibit 'B'

## Cross Access Easement

**NOTICE TO VIEWERS:** SHOW ALL WITH BY THESE PRESENTS  
COUNTY OF ROCKWALL

The South Miller and Leslie Miller, the owners of the land described herein, do hereby grant to the City of Rockwall, Texas, an easement over the land described herein, to be used for the purpose stated herein. The easement shall be used for the purpose stated herein and shall be subject to the terms and conditions set forth herein. The easement shall be used for the purpose stated herein and shall be subject to the terms and conditions set forth herein.

**THE CITY OF ROCKWALL, TEXAS, BY:**  
*Anna Jenkins*, Mayor  
1/19/16

**THE DONORS:**  
*Scott Miller and Leslie Miller*  
1/19/16

**OUR HOUSE ADDITION**  
LOT 1, BLOCK A  
REPLAT I - 236  
BEING A REPLAT OF BLOCKS 2AA & 2AC, ANMICK ADDITION  
SITUATED IN THE  
BENJAMIN F. BOYDSTON SURVEY ABSTRACT NO. 14  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

**OWNER:**  
SCOTT MILLER AND  
LESLIE MILLER  
8300 Shreve Blvd.  
Rockwall, Texas 75087  
PHONE: (972) 771-9004  
FAX: (972) 771-9003

**ENGINEER:**  
DOUG PRATER & ASSOCIATES, INC.  
2315 HIRSH BLVD., SUITE 200  
ROCKWALL, TEXAS 75087  
PHONE: (972) 771-9004  
FAX: (972) 771-9003

**SURVEYOR:**  
MADDOX SURVEYING  
& MAPPING, INC.  
10525 HIRSH BLVD., SUITE 200  
ROCKWALL, TEXAS 75087  
PHONE: (972) 771-9004  
FAX: (972) 771-9003

January 1, 2016

**VICINITY MAP**

**RECOMMENDED FOR FINAL APPROVAL**

*Anna Jenkins*, Mayor  
1/19/16

*Scott Miller and Leslie Miller*  
1/19/16

**STATE OF TEXAS**  
COUNTY OF ROCKWALL

BEFORE ME, the undersigned authority, a Notary Public in and for said County of Rockwall, Texas, on this 19th day of January, 2016, the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 19th DAY OF JANUARY, 2016.

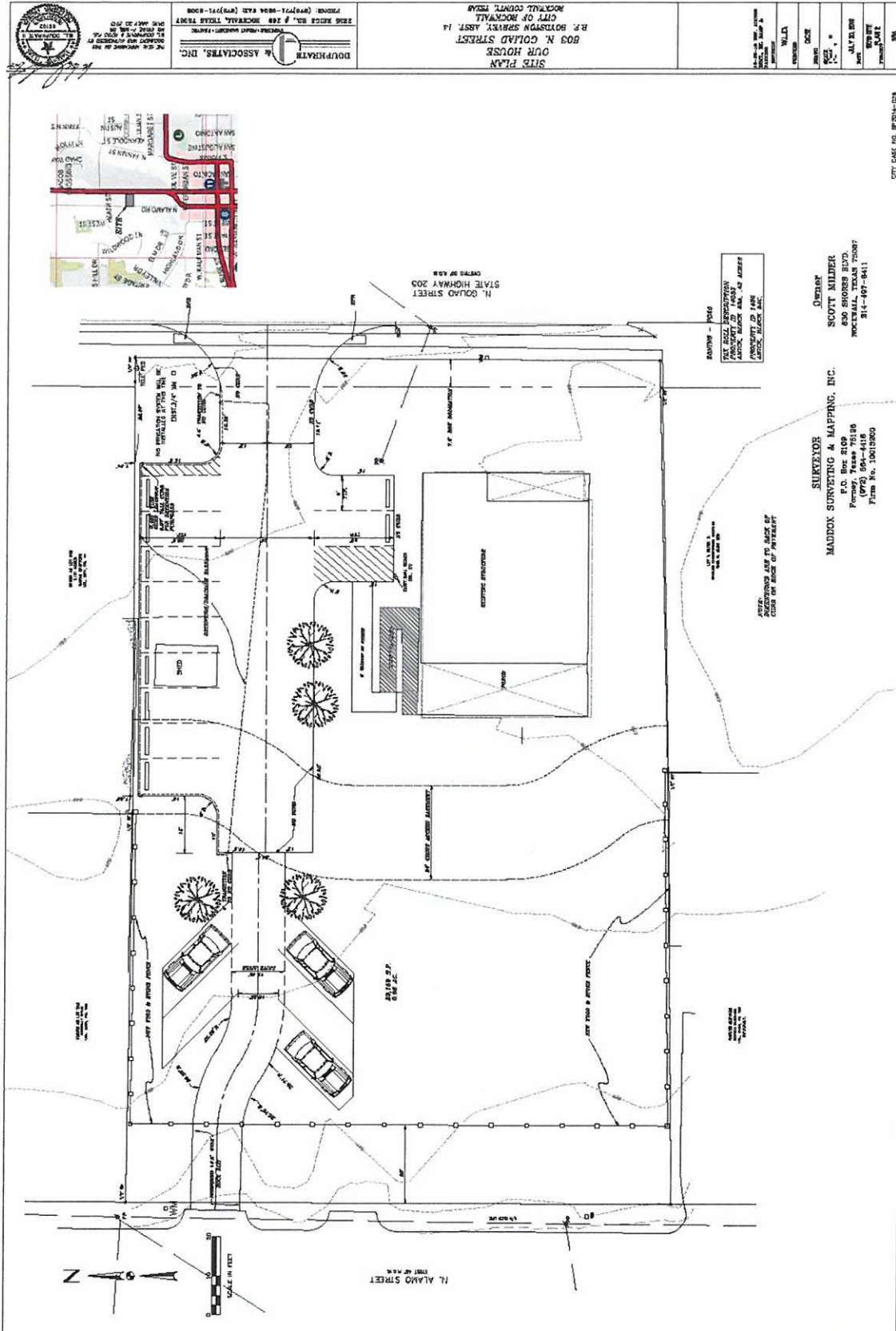
*Anna Jenkins*, Mayor  
1/19/16

*Scott Miller and Leslie Miller*  
1/19/16

**RED:** Cross Access Easement to be paved.

# Exhibit 'C'

## Parking Within the Cross Access Easement and Alternate Paving Plan



CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *GENERAL RETAIL STORE AND BANQUET FACILITY/EVENT VENUE* ON A 0.66-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, OUR HOUSE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF 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**, the City has received a request from Scott & Leslie Milder for the approval of a Specific Use Permit (SUP) for a *General Retail Store and Banquet Facility/Event Venue* on a 0.66-acre parcel of land being described as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, addressed as 803 N. Goliad Street [*SH-205*], and being more specifically described and 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 (UDC) [*Ordinance No. 20-02*] and Planned Development District 50 (PD-50) [*Ordinance No. 17-19*] 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 approval of this Specific Use Permit (SUP) ordinance shall supersede all requirements stipulated by *Ordinance No. 16-22 [S-149]*, and *Ordinance No. 16-22* shall expire in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC); and,

**SECTION 2.** That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *General Retail Store and Banquet Facility/Event Venue* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

**SECTION 3.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 04.01, *General Commercial Districts Standards*, and Subsection 04.02, *Residential-Office (RO) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and the following conditions:

### 3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *General Retail Store* and *Hair Salon and/or Manicurist* on the *Subject Property* and conformance to these conditions is required for continued operation:

- (1) The *subject property* should maintain general conformance with the *Concept Plan* contained in *Exhibit 'C'* of this ordinance.
- (2) The hours of operation for the *Banquet Facility/Event Venue* shall be limited to Sunday through Thursday, 8:00 AM – 9:00 PM and Friday & Saturday, 8:00 AM – 11:00 PM.
- (3) The hours of operation for the *General Retail Store* shall be limited to Monday through Sunday 7:00 AM – 8:00 PM.
- (4) No on-premise food preparation shall be permitted. Service areas shall only be utilized for pre-packaged and/or catered food services.
- (5) The sale of alcoholic beverages shall be prohibited; however, alcohol shall be permitted to be provided by the guests for events associated with the *Banquet Facility/Event Venue*.
- (6) No events held on premise shall be open to the general public.
- (7) A uniformed, state licensed security guard and/or off-duty police officer shall be present for events that include the provision of beer, wine and/or liquor. Events that limit alcohol consumption to champagne are exempt from this provision.
- (8) Live outdoor music shall be prohibited.
- (9) No event parking shall be permitted along Goliad Street or Alamo Street.
- (10) The parking requirement for the proposed *Banquet Facility/Event Venue* is 14 parking spaces (*i.e. 1580 SF/100 SF = 16 Parking Spaces; Less two [2] parking spaces which were waived by the City Council on February 15, 2016*).
- (11) The indoor areas shall be limited to maximum occupancy of 49 people.
- (12) In the event that the property at 802 N. Alamo Street (*i.e. the property to the southwest of the subject property*) rezones and converts the property to a commercial land use the dedicated 20-foot cross access easement on the subject property shall be paved with concrete to connect the adjacent properties (*i.e. 802 N. Alamo Street and 801 & 807 N. Goliad Street*) as depicted in *Exhibit 'B'* of this ordinance. All paving must be constructed within 60 days of an approved site plan for the property at 802 N. Alamo Street, and shall be in accordance with the standards of Article 06, *Parking and Loading*, of the Unified Development Code.
- (13) The operation of this site shall conform to all federal, state and local standards and comply with the requirements of Section 3.2, *Compliance*, of this ordinance.

### 3.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Certificate of Occupancy (CO)*, should the business owner 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 may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*].

**SECTION 4.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 5.** 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 6.** 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 7.** 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 8.** 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 3<sup>RD</sup> DAY OF AUGUST, 2020.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: July 20, 2020

2<sup>nd</sup> Reading: August 3, 2020

DRAFT  
ORDINANCE  
06.30.2020

**Exhibit 'A'**  
*Location Map*

Address: 803 N. Goliad Street

Legal Description: Lot 1, Block A, Our House Addition



**Exhibit 'A'**  
*Location Map*

WHEREAS, Scott Milder and Leslie Milder, being the owners of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

Port of the Benjamin F. Boydston Survey Abstract No. 14, situated in the City of Rockwall, Rockwall County, Texas, being all of a tract of land to Scott Milder and Leslie Milder as recorded in Volume 7120, Page 228 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

*BEGINNING* at a 1/2 inch iron rod with cap stamped "R.P.L.S. 5034" found for the northeast corner of said Milder tract, and lying on the west right-of-way line of North Goliad Street, also called State Highway Number 205, (a variable width right-of-way);

*THENCE* South 00 degrees 02 minutes 42 seconds West along the west right-of-way of said North Goliad Street and the east line of said Milder tract, a distance of 133.04 feet to a 5/8 inch iron rod stamped "R.P.L.S. 5430" set for the southeast corner of said Milder tract;

*THENCE* South 88 degrees 37 minutes 48 seconds West departing the west line of said North Goliad Street and along the south line of said Milder tract, passing a 1/2 inch iron rod stamped "R.P.L.S. 5034" at a distance of 7.50 feet found for the northeast corner of Lot 1, Block A of the Wagner Christensen Addition, an addition to The City of Rockwall as recorded in Cabinet H, Slide 229, Plat Records Rockwall County, Texas, and continuing a total distance of 105.47 feet to a 1/2 inch iron rod stamped "R.P.L.S. 5034" found for the northwest corner of said Wagner Addition, the northeast corner of a tract of land to Carlos Guevara and Monica A. Guevara recorded in Volume 5484, Page 187 Deed Records Rockwall County, Texas and at an angle point on the south line of said Milder tract;

*THENCE* South 89 degrees 15 minutes 53 seconds West along the north line of said Guevara tract and the south line of said Milder tract, a distance of 110.14 feet to a 3/8 inch iron rod found for the northwest corner of said Guevara tract, the southwest corner of said Milder tract and lying on the east line of North Alamo Street (a called 45 feet wide right-of-way);

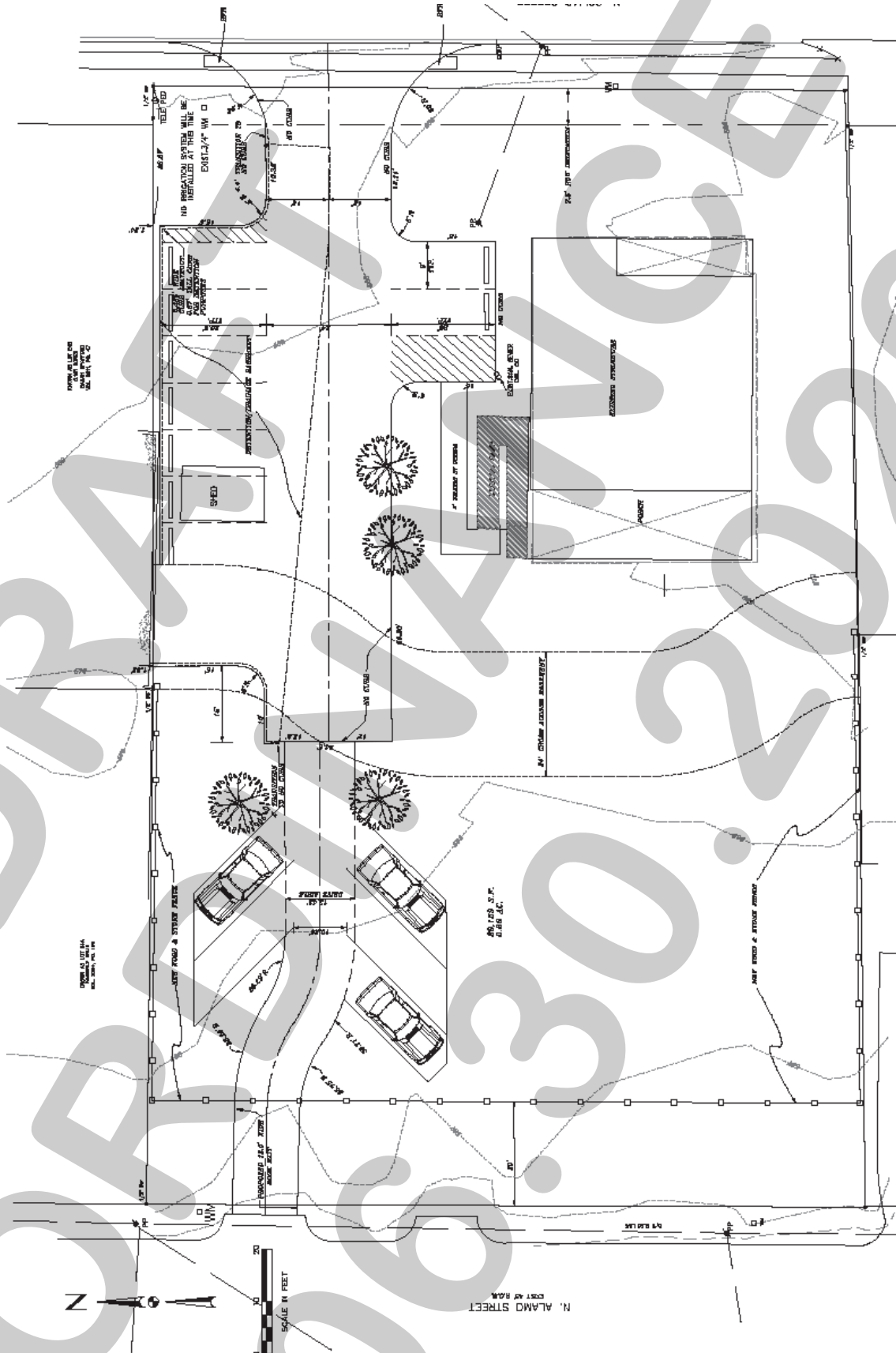
*THENCE* North 00 degrees 14 minutes 21 seconds East along the east line of said Alamo Street and the west line of said Milder tract, a distance of 138.19 feet to 1/2 inch iron rod found for the northwest corner of said Milder tract and for the southwest corner of a tract of land to Kimberlee Wylie recorded in Volume 3324, Page 196 Deed Records Rockwall County, Texas;

*THENCE* South 89 degrees 13 minutes 43 seconds East departing said Alamo Street and along the south line of said Wylie tract a distance of 99.09 feet to 1/2 inch iron rod stamped "R.P.L.S. 5034" found for the southeast corner of said Wylie tract, same being the southwest corner of Lot 1, Block A Double T Ventures Addition, an addition to The City of Rockwall as recorded in Instrument Number 2014000009401 Official Public Records Rockwall County, Texas;

*THENCE* North 89 degrees 57 minutes 10 seconds East along the south line of said Double T Ventures Addition a distance of 116.02 feet to the *POINT OF BEGINNING* containing 29,182 square Feet, or 0.670 of an acre of land.



Exhibit 'C':  
Concept Plan



# PROJECT COMMENTS



CITY OF ROCKWALL  
385 S. GOLIAD STREET  
ROCKWALL, TEXAS 75087  
PHONE: (972) 771-7700

DATE: 6/26/2020

PROJECT NUMBER: Z2020-027  
PROJECT NAME: SUP for 803 N. Goliad Street  
SITE ADDRESS/LOCATIONS: 803 N GOLIAD ST

CASE MANAGER: Ryan Miller  
CASE MANAGER PHONE: 972-772-6441  
CASE MANAGER EMAIL: rmiller@rockwall.com

CASE CAPTION: Hold a public hearing to discuss and consider a request by Leslie & Scott Milder for the approval of a Specific Use Permit (SUP) for General Retail Store on a 0.66 acre parcel of land identified as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD 50) for Residential Office (RO) District, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 N. Goliad Street, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
	Ryan Miller	06/23/2020	Approved w/ Comments

06/23/2020: Please address the following comments (M= Mandatory Comments; I = Informational Comments)

I.1 This request is for the approval of a Specific Use Permit (SUP) for a General Retail Store and Banquet Facility/Event Venue on a 0.66-acre parcel of land identified as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, situated within the North Goliad Corridor Overlay (NGC OV) District, and addressed as 803 N. Goliad Street.

I.2 For questions or comments concerning this case please contact Ryan Miller in the Planning Department at (972) 772-6441 or email [rmiller@rockwall.com](mailto:rmiller@rockwall.com).

M.3 For reference, include the case number (Z2020-027) in the lower right-hand corner of all pages on future submittals.

I.4 According to Ordinance No. 17-19, "(u)nless specifically provided by this Planned Development District ordinance (Ordinance No. 17-19) only those land uses permitted within the Residential-Office (RO) District ... are allowed on the Subject Property." In addition, the Permissible Use Charts contained in Article 04, Permissible Uses, of the Unified Development Code (UDC) state that a General Retail Store requires a Specific Use Permit (SUP) in a Residential-Office (RO) District.

I.5 The current Specific Use Permit (SUP) (i.e. Ordinance No. 16-22; S-149) allows for a Banquet Facility/Event Venue subject to the following restrictions:

- (1) The hours of operation for this facility shall be limited to Sunday through Thursday, 8:00 AM – 9:00 PM and Friday & Saturday, 8:00 AM – 11:00 PM.
- (2) No on-premise food preparation shall be permitted. Service areas shall only be utilized for pre-packaged and/or catered food services.
- (3) No events held on premise shall be open to the general public.
- (4) A uniformed, state licensed security guard and/or off-duty police officer shall be present for events that include the provision of beer, wine and/or liquor. Events that limit alcohol consumption to champagne are exempt from this provision.
- (5) Live outdoor music shall be prohibited.
- (6) No event parking shall be permitted along Goliad Street.
- (7) The parking requirement for the proposed Banquet Facility/Event Venue is 14 parking spaces (i.e. 1580 SF/100 SF = 16 Parking Spaces; Less two [2] parking spaces which were waived by the City Council on February 15, 2016).
- (8) In the event that the property at 802 N. Alamo Street (i.e. the property to the southwest of the subject property) rezones and converts the property to a commercial land use the dedicated 20-foot cross access easement on the subject property shall be paved with concrete to connect the adjacent properties (i.e. 802 N. Alamo Street and 801 & 807 N. Goliad Street) as depicted in Exhibit 'B' of Ordinance No. 16-22. All paving must be constructed within 60 days of an approved site plan for the property at 802 N. Alamo Street, and shall be in accordance with the standards of Article VI, Parking and Loading, of the Unified Development Code.

(9) As depicted in Exhibit 'C' of Ordinance No. 16-22, a maximum of five (5) parking spaces (conforming to the Engineering Departments Standards of Design Manual) connected to a 12.5-foot, one-way drive exiting to Alamo Street shall be permitted to be constructed of crushed rock or a similar paving material (to be approved by the City Engineer) for a period of 36-months from the approval date of this ordinance. After 36-months the alternative parking surface shall be removed and repaved in accordance with the standards of Article VI, Parking and Loading, of the Unified Development Code (i.e. concrete). Alternatively, the applicant may request that the City Council grant an extension to the 36-month period upon recommendation by the Planning and Zoning Commission.

(10) The operation of this site shall conform to all federal, state and local standards and comply with the requirements of Section 2.2, Compliance Standards, of this ordinance.

I.6 Ordinance No. 16-22 will be superseded by the proposed Specific Use Permit (SUP) request.

M.7 Please provide a letter requesting that the waiver to the required cross access drive (referenced in #8 above) be extended to the proposed Specific Use Permit (SUP). Without a letter requesting this waiver be incorporated into the new SUP ordinance and Ordinance No. 16-22 expiring, the cross-access drive would be required to be constructed.

M.8 According to the submitted materials, staff will be requiring the following operational conditions:

(1) The hours of operation for the Banquet Facility/Event Venue shall be limited to Sunday through Thursday, 8:00 AM – 9:00 PM and Friday & Saturday, 8:00 AM – 11:00 PM.

(2) The hours of operation for the General Retail Store shall be limited to Monday through Sunday 7:00 AM – 8:00 PM.

(3) No on-premise food preparation shall be permitted. Service areas shall only be utilized for pre-packaged and/or catered food services.

(4) The sale of alcoholic beverages shall be prohibited; however, alcohol shall be permitted to be provided by the guests for events associated with the Banquet Facility/Event Venue.

(5) No events held on premise shall be open to the general public.

(6) A uniformed, state licensed security guard and/or off-duty police officer shall be present for events that include the provision of beer, wine and/or liquor. Events that limit alcohol consumption to champagne are exempt from this provision.

(7) Live outdoor music shall be prohibited.

(8) No event parking shall be permitted along Goliad Street or Alamo Street.

(9) The parking requirement for the proposed Banquet Facility/Event Venue is 14 parking spaces (i.e. 1580 SF/100 SF = 16 Parking Spaces; Less two [2] parking spaces which were waived by the City Council on February 15, 2016).

(10) The indoor areas shall be limited to maximum occupancy of 49 people.

(11) In the event that the property at 802 N. Alamo Street (i.e. the property to the southwest of the subject property) rezones and converts the property to a commercial land use the dedicated 20-foot cross access easement on the subject property shall be paved with concrete to connect the adjacent properties (i.e. 802 N. Alamo Street and 801 & 807 N. Goliad Street) as depicted in Exhibit 'B' of the ordinance. All paving must be constructed within 60 days of an approved site plan for the property at 802 N. Alamo Street, and shall be in accordance with the standards of Article VI, Parking and Loading, of the Unified Development Code.

(12) The operation of this site shall conform to all federal, state and local standards and comply with the requirements of Section 2.2, Compliance Standards, of the ordinance.

I.9 Please review the attached Draft Ordinance prior to the June 30, 2020 Planning and Zoning Commission Work Session meeting, and provide staff with your markups by no later than July 7, 2020.

I.10 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections, and provide any additional information that is requested. Revisions for this case will be due on July 7, 2020; however, it is encouraged for applicants to submit revisions as soon as possible to give staff ample time to review the case prior to the July 14, 2020 Planning and Zoning Commission Public Hearing Meeting. The Planning and Zoning Commission Work Session Meeting for this case will be held on June 30, 2020.

I.11 The projected City Council meeting dates for this case will be July 20, 2020 (1st Reading) and August 3, 2020 (2nd Reading).

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Sarah Johnston	06/25/2020	Approved



06/25/2020: The building and site work is existing. Any improvements will need to be reviewed.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Rusty McDowell	06/25/2020	Approved

06/25/2020: Note: Any modifications will require a building permit to meet the 2015 International Building Code.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	06/24/2020	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	06/22/2020	N/A

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	Ryan Miller	06/25/2020	N/A

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Travis Sales	06/23/2020	Approved

06/23/2020: Submit Landscape Plans  
Submit Tree Mitigation Plans



# DEVELOPMENT APPLICATION

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

**STAFF USE ONLY**  
 PLANNING & ZONING CASE NO. \_\_\_\_\_  
**NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.**  
 DIRECTOR OF PLANNING: *[Signature]*  
 CITY ENGINEER: *[Signature]*

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: 803 N. Goliad Rockwell TX 75087  
 Subdivision: OUR HOUSE ADDITION Lot 1 Block A  
 General Location: Hwy 205 between Heath Street and Kaufman

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

Current Zoning: Residential Office/Light Retail Current Use: NONE  
 Proposed Zoning: SAME Proposed Use: Cigar Lounge  
 Acreage: 0.66 Lots [Current]: 1 Lots [Proposed]: 1

**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: Leslie and Scott Milder  
 Applicant: \_\_\_\_\_  
 Contact Person: Scott Milder Contact Person: \_\_\_\_\_  
 Address: 501 Camp Creek Rd. Address: \_\_\_\_\_  
 City, State & Zip: Rockwall, TX 75087 City, State & Zip: \_\_\_\_\_  
 Phone: 214 497 6411 Phone: \_\_\_\_\_  
 E-Mail: milderman@gmail.com E-Mail: \_\_\_\_\_

## NOTARY VERIFICATION [REQUIRED]

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

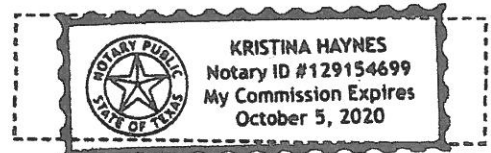
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ \_\_\_\_\_, to cover the cost of this application, has been paid to the City of Rockwall on this the 19 day of JUNE, 2020. By signing this application, 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 19 day of JUNE, 2020

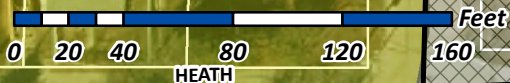
Owner's Signature

*[Signature]*  
*[Signature]*

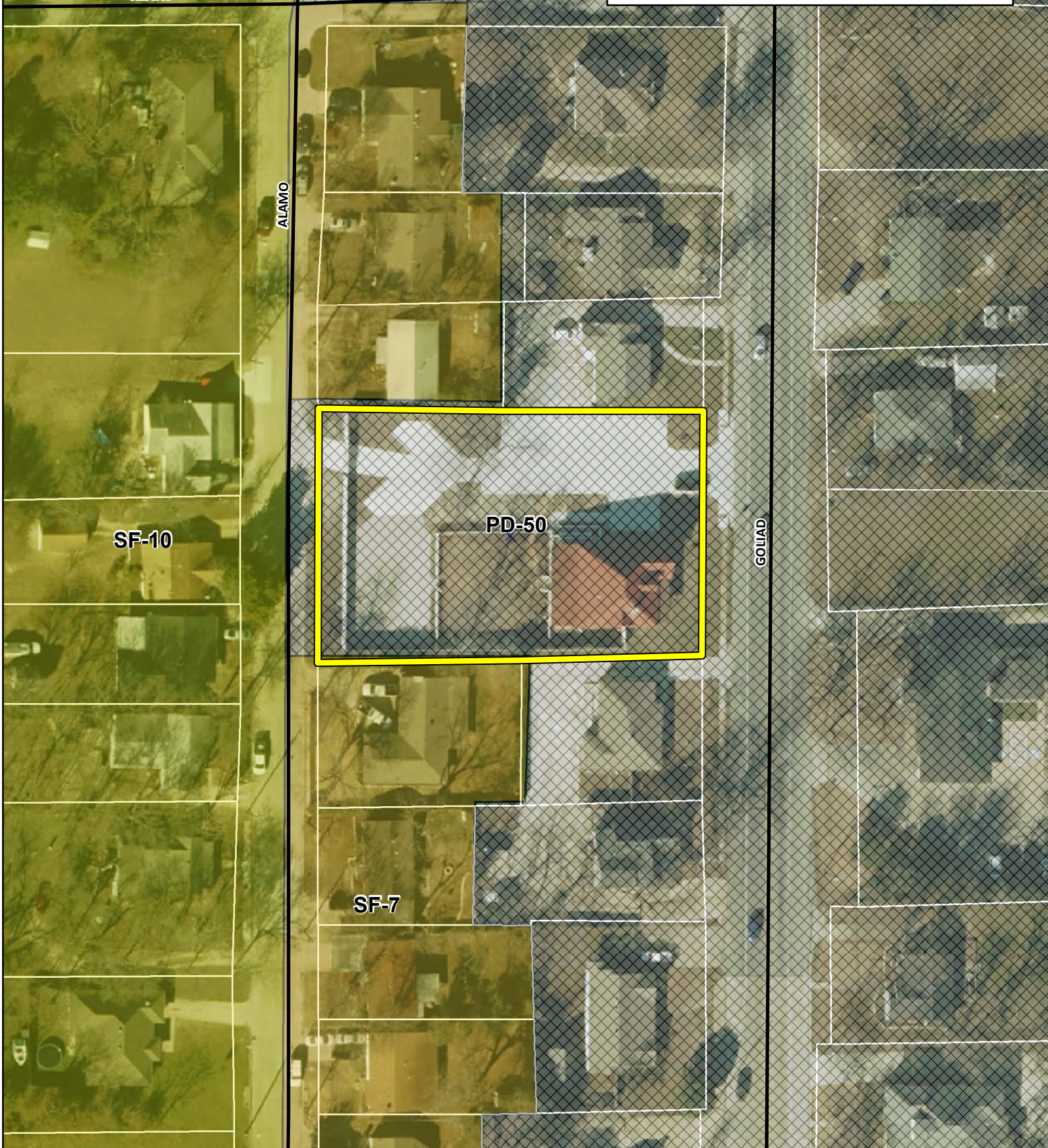
Notary Public in and for the State of Texas



My Commission Expires



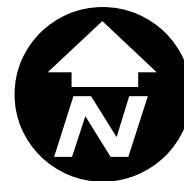
Z2020-026- SUP FOR 803 N. GOLIAD STREET  
ZONING - LOCATION MAP =



# 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.

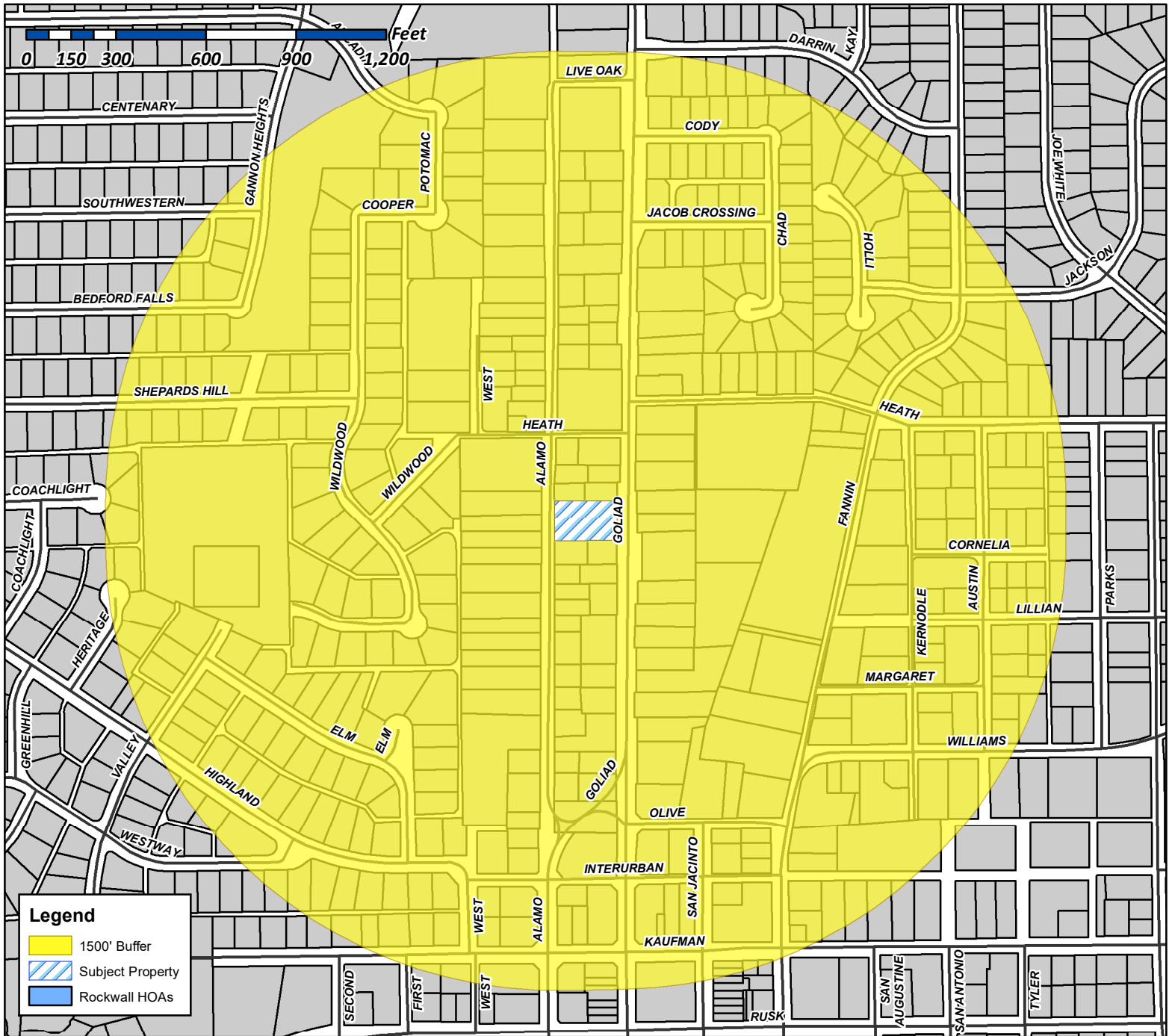
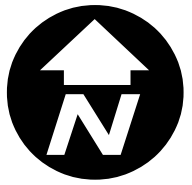




# City of Rockwall

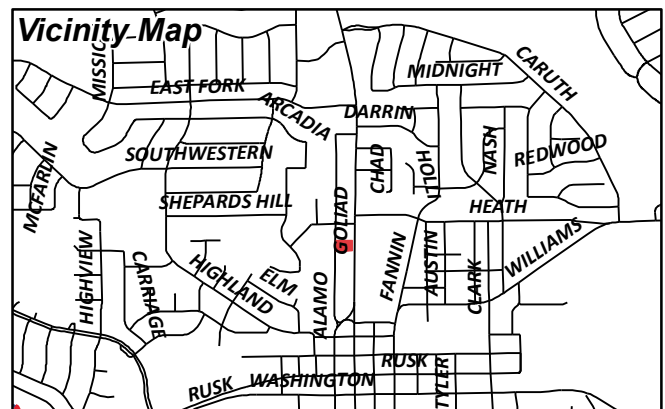
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

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**Case Number:** Z2020-027  
**Case Name:** SUP for 803 N. Goliad Street  
**Case Type:** Specific Use Permit  
**Zoning:** PD-50  
**Case Address:** 803 N. Goliad Street

**Date Created:** 6/21/2020  
**For Questions on this Case Call** (972) 771-7745

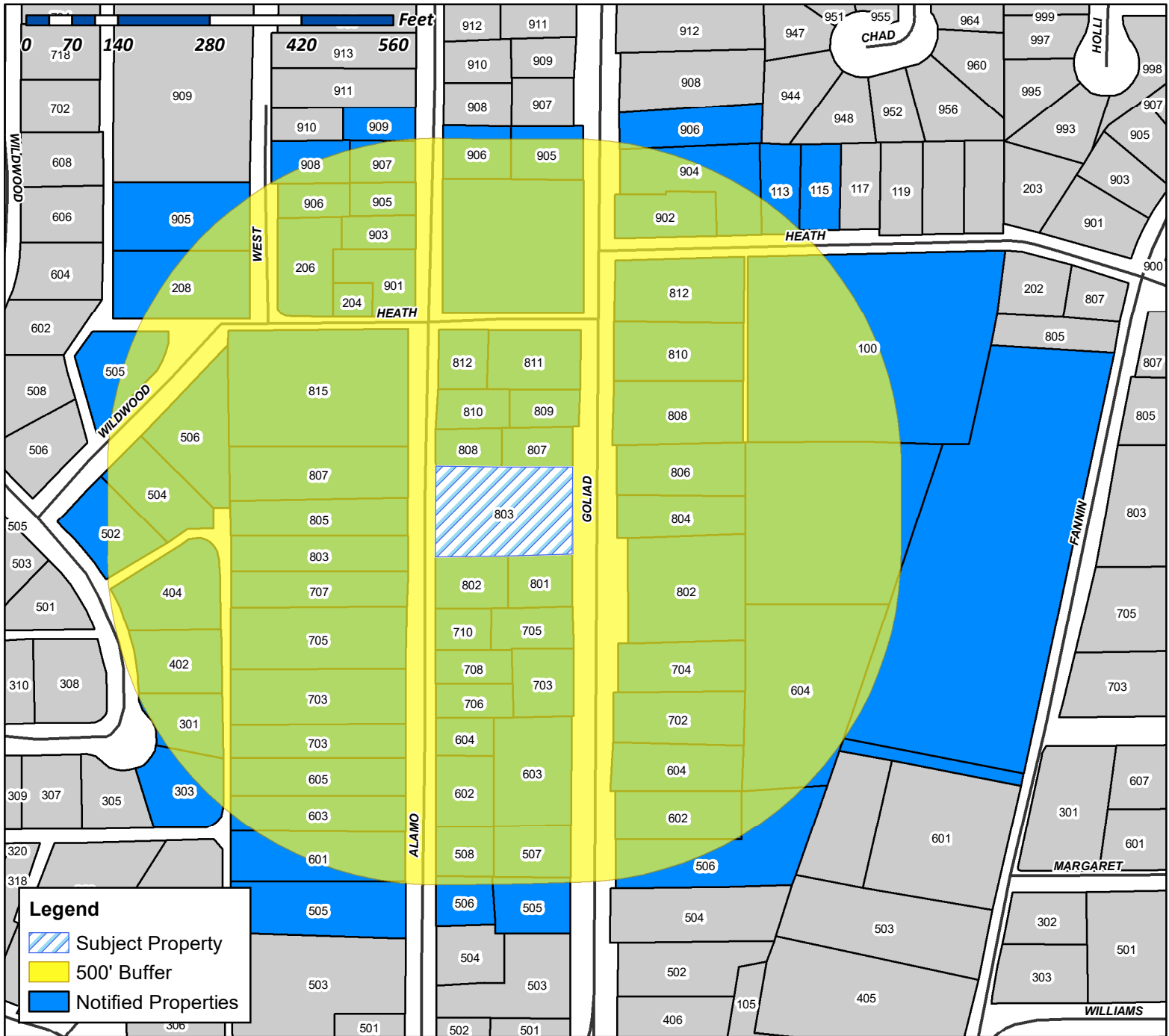
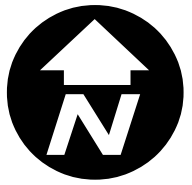




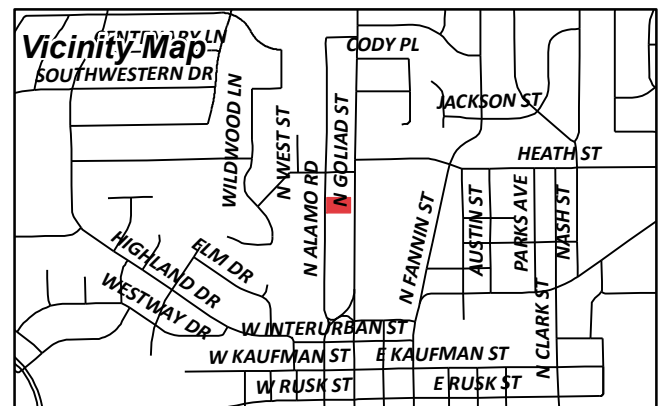
# City of Rockwall

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

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**Case Address:** 803 N. Goliad Street



**Date Created:** 6/21/2020  
For Questions on this Case Call (972) 771-7745

CURRENT RESIDENT  
100 E HEATH  
ROCKWALL, TX 75087

BARKER PERRY H & ELIZABETH D  
104 SCENIC DR  
HEATH, TX 75032

TEEL BRITTON & BARBARA  
10925 ROCKSTONE DR  
BALCH SPRINGS, TX 75180

WAGNER GERALD P  
112 LOS PECES  
GUN BARRELL, TX 75156

HILL TOBY VERN H & ANGELA DAWN  
113 E HEATH ST  
ROCKWALL, TX 75087

CHISENHALL ROBERT  
115 E HEATH ST  
ROCKWALL, TX 75087

DAVENPORT RENTAL PROPERTIES - SERIES 200  
DARRIN DRIVE  
1270 COASTAL DR  
ROCKWALL, TX 75087

DOUBLE T VENTURES LLC  
1500 S KREYMER LN  
WYLIE, TX 75098

WRIGHT JOHN M & SUSAN L  
1605 SEASCAPE CT  
ROCKWALL, TX 75087

MEYERS STUART A & BRENDA S  
1614 S LAKESHORE DR  
ROCKWALL, TX 75087

CITY LIFT STATION  
201 E WASHINGTON ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
204 W HEATH  
ROCKWALL, TX 75087

NBN COMMERCIAL GROUP LLC  
2040 N BELT LINE RD STE 400  
MESQUITE, TX 75150

PRITCHETT JOHNETTA  
206 W HEATH ST  
ROCKWALL, TX 75087

PEOPLES DOSVILLE  
208 W HEATH ST  
ROCKWALL, TX 75087

KHATER CHARLES ETUX  
2368 E FM 552  
ROCKWALL, TX 75087

HOLLON GREGORY D  
2778 S FM 549  
ROCKWALL, TX 75032

FERRIS BETH  
301 WILDWOOD LN  
ROCKWALL, TX 75087

ANGLE GLENDA ANNE  
303 WILDWOOD LN  
ROCKWALL, TX 75087

FALLS DAVID C & TERRI L  
3608 LAKESIDE DR  
ROCKWALL, TX 75087

SWIERCINSKY JOSHUA L  
3922 MEDITERRANEAN ST  
ROCKWALL, TX 75087

MORENO ANTONIO AND SUZANNE T  
402 WILDWOOD LANE  
ROCKWALL, TX 75087

COOK CAROLINE D  
404 WILDWOOD LN  
ROCKWALL, TX 75087

MORGAN NANCY D  
429 PARK PLACE BLVD  
ROCKWALL, TX 75087

HOWELL RONALD & MICHELE  
434 JORDAN FARM CIRCLE  
ROCKWALL, TX 75087

TREVINO BERTHA & LOUIS  
4917 SAINT JAMES CT  
MESQUITE, TX 75150

WOODARD CARL E ET UX  
502 WILDWOOD TER  
ROCKWALL, TX 75087

NASH M CALVIN ETUX  
504 WILDWOOD TER  
ROCKWALL, TX 75087

CURRENT RESIDENT  
505 WILDWOOD  
ROCKWALL, TX 75087

TUCKER PAMELA  
505 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
505 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
506 N ALAMO  
ROCKWALL, TX 75087

CURRENT RESIDENT  
506 N GOLIAD  
ROCKWALL, TX 75087

HICKERSON JON D  
506 WILDWOOD TER  
ROCKWALL, TX 75087

FLEMING HALLIE B  
507 N GOLIAD  
ROCKWALL, TX 75087

MORGAN RHONA L &  
JACK HADLEY JR  
508 N ALAMO RD  
ROCKWALL, TX 75087

SMITH GREGORY S  
510 LIFE SPRING DR  
ROCKWALL, TX 75087

HAM JOSHUA L  
512 HIGHVIEW LANE  
ROCKWALL, TX 75087

RNDI COMPANIES INC  
519 E INTERSTATE 30 # 157  
ROCKWALL, TX 75087

FANG PROPERTIES LLC  
536 LOMA VISTA  
HEATH, TX 75032

CURRENT RESIDENT  
601 N ALAMO  
ROCKWALL, TX 75087

CARDENAS CECILIO & CARMEN  
602 N ALAMO ROAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
602 N GOLIAD  
ROCKWALL, TX 75087

HAMILTON JOANN  
603 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
603 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
604 GOLIAD  
ROCKWALL, TX 75087

DOMINGUEZ, JOSE AND JOHANNA  
604 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
604 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
605 N ALAMO  
ROCKWALL, TX 75087

CASTRO MICHAEL AND RENE  
700 WINDSONG LN  
ROCKWALL, TX 75087

SMITH G DAVID  
702 N GOLIAD ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
703 N ALAMO RD  
ROCKWALL, TX 75087

IRBY DENNIS  
703 N GOLIAD ST  
ROCKWALL, TX 75087

J-PEG PROPERTIES LLC  
704 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
705 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
705 N GOLIAD ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
706 N ALAMO  
ROCKWALL, TX 75087

CALABRESE CORINNA RAE  
707 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
708 N ALAMO  
ROCKWALL, TX 75087

CURRENT RESIDENT  
710 N ALAMO  
ROCKWALL, TX 75087

CRISWELL BARBARA  
7110 HUNT LANE  
ROCKWALL, TX 75087

CRISWELL BARBARA  
7110 HUNT LANE  
ROCKWALL, TX 75087

CRISWELL BARBARA  
7110 HUNT LANE  
ROCKWALL, TX 75087

CHRISTENSEN VALERIE  
801 N GOLIAD  
ROCKWALL, TX 75087

GUEVARA CARLOS & MONICA A  
802 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
802 N GOLIAD  
ROCKWALL, TX 75087

SEAMANS RANDY KALIN AND RACHEL K  
803 N ALAMO  
ROCKWALL, TX 75087

CURRENT RESIDENT  
804 N GOLIAD  
ROCKWALL, TX 75087

FORGIONE JERILYN DENISE  
805 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
806 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
807 N GOLIAD  
ROCKWALL, TX 75087

WYLIE KIMBERLY  
808 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
808 N GOLIAD  
ROCKWALL, TX 75087

MARTINEZ RAQUEL P  
809 N GOLIAD ST  
ROCKWALL, TX 75087

SWIERCINSKY LEXUS M  
810 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
810 N GOLIAD  
ROCKWALL, TX 75087

AOUN PIERRE E  
811 N GOLIAD ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
812 N GOLIAD  
ROCKWALL, TX 75087

WAY CODY B AND AMBER C  
812 NORTH ALAMO STREET  
ROCKWALL, TX 75087

CAIN JAMES O  
815 N ALAMO RD  
ROCKWALL, TX 75087

MILDER SCOTT & LESLIE  
830 SHORES BLVD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
901 N ALAMO  
ROCKWALL, TX 75087

CURRENT RESIDENT  
902 N GOLIAD  
ROCKWALL, TX 75087

MOMSEN KIMBERLY  
903 N ALAMO ROAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
904 N GOLIAD ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
905 N ALAMO ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
905 N WEST  
ROCKWALL, TX 75087

WILLIAMS ALEX R  
906 N ALAMO RD  
ROCKWALL, TX 75087

TCB CONSTRUCTION GROUP LLC  
906 N GOLIAD  
ROCKWALL, TX 75087

POINTER PRICE AND  
MANUEL LOZANO  
906 N GOLIAD STREET  
ROCKWALL, TX 75087



BRIONES RONALD AND THERESA  
906 N WEST  
ROCKWALL, TX 75087

JC GAERLAN LLC  
907 NORTH ALAMO ROAD  
ROCKWALL, TX 75087

MARTINKUS NICOLE  
908 N WEST ST  
ROCKWALL, TX 75087

MOLINA JOE C II  
909 N ALAMO  
ROCKWALL, TX 75087

CONSELMAN EQUITIES LLC  
PO BOX 2284  
ROCKWALL, TX 75087

TRANSGLOBAL INSPECTIONS LLC  
PO BOX 265  
FATE, TX 75132

WOMEN IN NEED INC  
PO BOX 349  
GREENVILLE, TX 75403

COOPER JAMES A & MICHELLE R  
PO BOX 492  
ROCKWALL, TX 75087

LAYTON ERIC A  
PO BOX 998  
ROCKWALL, TX 75087

# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

Property Owner and/or Resident of the City of Rockwall:

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

**Case No. Z2020-027: SUP for a General Retail Store at 803 N. Goliad Street**

Hold a public hearing to discuss and consider a request by Leslie & Scott Milder for the approval of a *Specific Use Permit (SUP)* for a *General Retail Store* and *Banquet Facility/Event* on a 0.66-acre parcel of land identified as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 N. Goliad Street, 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, July 14, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, July 20, 2020 at 6:00 PM. 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:

Ryan Miller  
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 Monday, July 20, 2020 at 4:00 PM 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 AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

**Case No. Z2020-027: SUP for a General Retail Store at 803 N. Goliad Street**

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:

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

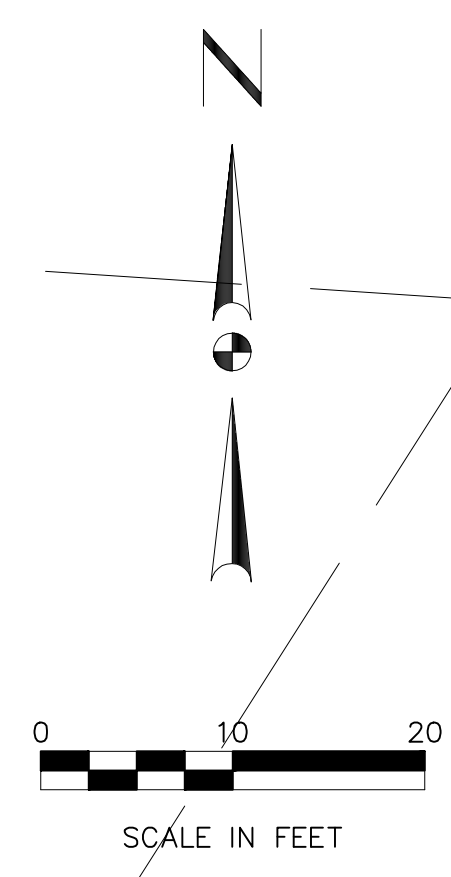


Date: June 20, 2020

**Legal Description:** Eldorado Fine Cigars LLC. An upscale retail cigar lounge that sells premium cigars, pipe tobacco, and accessories.

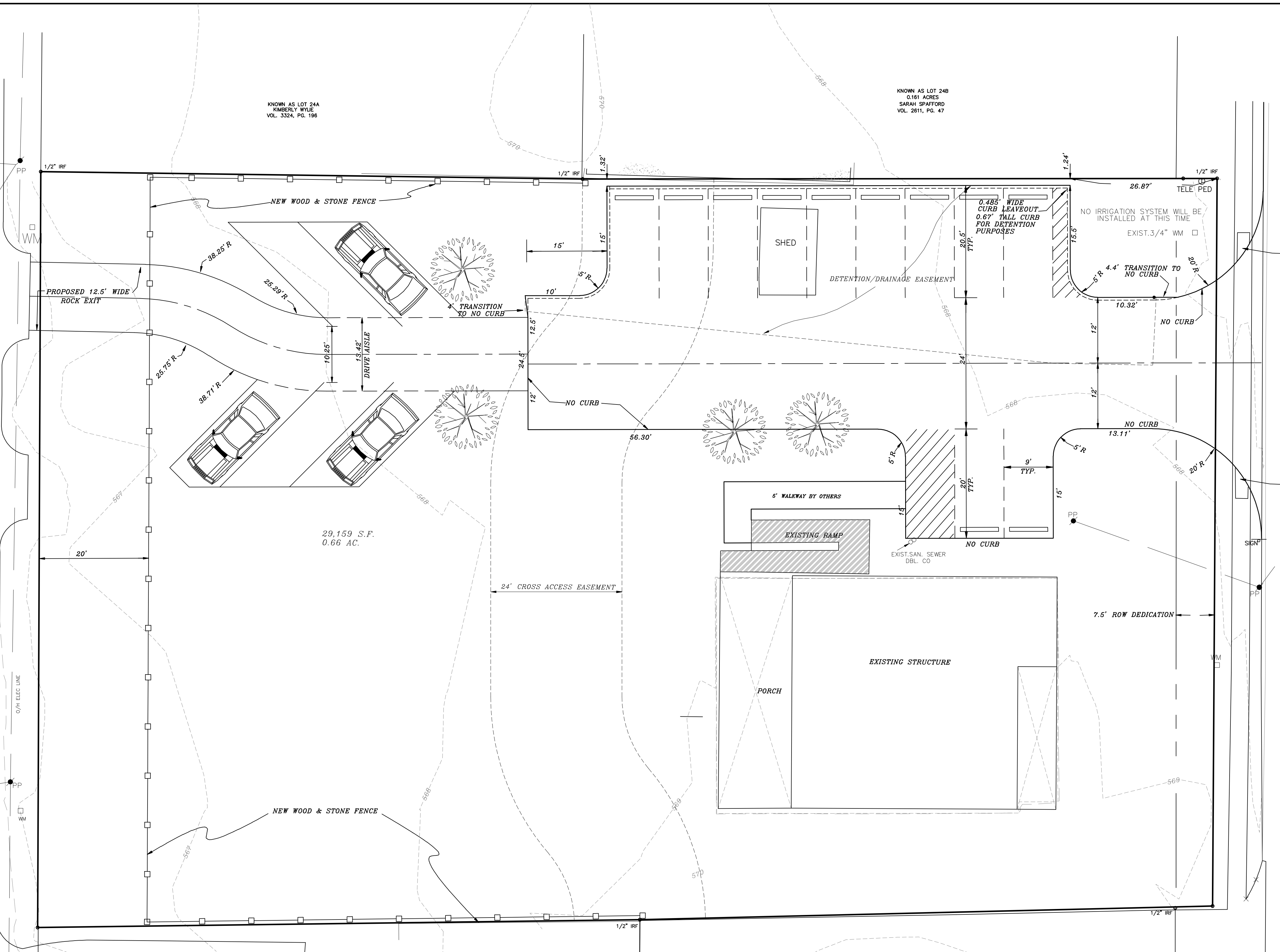
**Concept Plan:** We request that smoking be permitted both inside and outside of the property, allowing for an exceptional smoking experience. We will create an atmosphere that tailors to the cigar enthusiast, including comfortable seating throughout the store, multiple TVs, and a walk-in humidor that will offer the world's finest cigars. We will create a festive outdoor seating area also, including patio seating, multiple TVs, yard picnic tables, and so on. We will host special events to entertain our customers, including brand events where manufacturer representatives and leaders in the cigar industry can offer education and incentives surrounding their brand. We will also offer space to rent for private parties and celebrations.

Eldorado Fine Cigars was first established in McKinney Texas in March of 2018. We acquired an existing store in the same space that was struggling and implemented a different approach. We created a cigar lounge with an inviting atmosphere, including comfortable lounge seating, big screen TVs, locker memberships offering exclusive discounts, cigar brand events, and created one of the best selections of cigars in the area. As a result, our store has grown significantly over the last couple of years and is considered one of the best cigar stores in North Texas. We intend to create the same environment and quality of service in the city of Rockwall with a second store. Eldorado Fine Cigars in Rockwall will complement the downtown area, offering another venue for entertainment and luxury that the community has grown to expect.



N. ALAMO STREET  
EXIST 45' R.O.W.

N. GOLIAD STREET  
STATE HIGHWAY 205  
EXISTING 50' R.O.W.



KNOWN AS LOT 24A  
KIMBERLY WYLE  
VOL. 3324, PG. 196

KNOWN AS LOT 24B  
0.161 ACRES  
SARAH SPAFFORD  
VOL. 2811, PG. 47

29,159 S.F.  
0.66 AC.

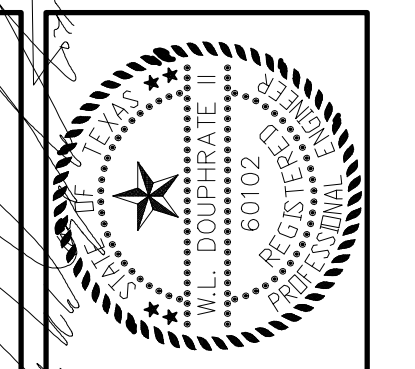
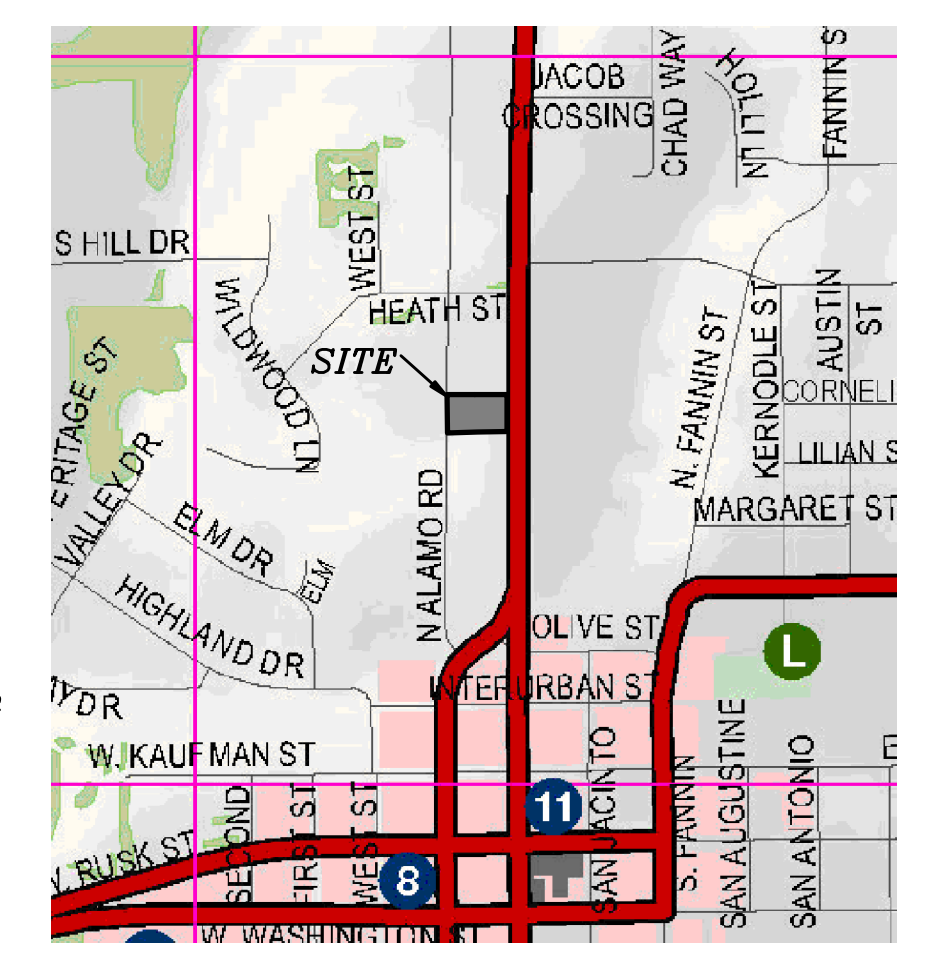
CARLOS GUEVARA  
MONICA GUEVARA  
VOL. 5484, PG. 187  
O.P.R.R.C.T.

LOT 1, BLOCK A  
WAGNER CHRISTENSEN ADDITION  
CAB. H. SLIDE 229

ZONING - PD50

TAX ROLL DESCRIPTION  
PROPERTY ID 14033  
AMICK, BLOCK 23A, .43 ACRES  
  
PROPERTY ID 1435  
AMICK, BLOCK 24C,

NOTE:  
DIMENSIONS ARE TO BACK OF  
CURB OR EDGE OF PAVEMENT



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY W.L. DOUPHRATE II TEXAS P.E. NO. 69022, F-886, ON DATE: JULY 20, 2015

DOUPHRATE & ASSOCIATES, INC.  
ENGINEERING - PROJECT MANAGEMENT - SURVEYING  
2235 RIDGE RD., # 200 ROCKWALL, TEXAS 75087  
PHONE: (972)771-9004 FAX: (972)771-9005

**SITE PLAN**  
**OUR HOUSE**  
**803 N. GOLIAD STREET**  
B.F. BOYDSTON SRVVEY, ABST. 14  
CITY OF ROCKWALL  
ROCKWALL COUNTY, TEXAS

10-13-15 REV. ACCESS  
ESMT., EX. RAMP &  
PARKING  
REVISION

W.L.D.  
CHECKED

GCW.  
DRAWN

SCALE  
1" = 10' H  
1" = 5' V

JULY 20, 2015  
DATE

15016 SITE  
PLAN 2  
PROJECT

3/14

**SURVEYOR**  
**MADDOX SURVEYING & MAPPING, INC.**

P.O. Box 2109  
Forney, Texas 75126  
(972) 564-4416  
Firm No. 10013200

**Owner**  
**SCOTT MILDER**

830 SHORES BLVD.  
ROCKWALL, TEXAS 75087  
214-497-6411

CITY OF ROCKWALL

ORDINANCE NO. 16-22

SPECIFIC USE PERMIT NO. S-149

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 HERETOFORE AMENDED, SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) FOR A *BANQUET FACILITY/EVENT VENUE* WITHIN PLANNED DEVELOPMENT DISTRICT 50 (PD-50) ON A 0.670-ACRE PARCEL OF LAND, ADDRESSED AS 803 N. GOLIAD STREET AND BEING IDENTIFIED AS LOT 1, BLOCK A, OUR HOUSE 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**, the City has received a request by Scott and Leslie Milder for the approval of a Specific Use Permit (SUP) to allow a *Banquet Facility/Event Venue* on a 0.670-acre parcel of land identified as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, located within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 N. Goliad Street, and more specifically described 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*] and Planned Development District 50 (PD-50) [*Ordinance No. 16-15*] 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 *Banquet Facility/Event Venue* within a Planned Development District 50 (PD-50) as stipulated by *Ordinance No. 16-15* and 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 developed and/or used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as set forth in Planned Development District 50 (PD-50) [*Ordinance No. 16-15*] and Section 4.2, *Residential Office (RO) District*, of Article V, *District Development Standards*, of the Unified Development

Code [Ordinance No. 04-38] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

## 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Banquet Facility/Event Venue* on the subject property at 803 N. Goliad Street and conformance to these stipulations are required for continued operations:

- 1) The hours of operation for this facility shall be limited to Sunday through Thursday, 8:00 AM – 9:00 PM and Friday & Saturday, 8:00 AM – 11:00 PM.
- 2) No on premise food preparation shall be permitted. Service areas shall only be utilized for pre-packaged and/or catered food services.
- 3) No events held on premise shall be open to the general public.
- 4) A uniformed, state licensed security guard and/or off-duty police officer shall be present for events that include the provision of beer, wine and/or liquor. Events that limit alcohol consumption to champagne are exempt from this provision.
- 5) Live outdoor music shall be prohibited.
- 6) No event parking shall be permitted along Goliad Street.
- 7) The parking requirement for the proposed *Banquet Facility/Event Venue* is 14 parking spaces (*i.e. 1580 SF/100 SF = 16 Parking Spaces; Less two [2] parking spaces which were waived by the City Council on February 15, 2016*).
- 8) In the event that the property at 802 N. Alamo Street (*i.e. the property to the southwest of the subject property*) rezones and converts the property to a commercial land use the dedicated 20-foot cross access easement on the subject property shall be paved with concrete to connect the adjacent properties (*i.e. 802 N. Alamo Street and 801 & 807 N. Goliad Street*) as depicted in *Exhibit 'B'* of this ordinance. All paving must be constructed within 60 days of an approved site plan for the property at 802 N. Alamo Street, and shall be in accordance with the standards of Article VI, *Parking and Loading*, of the Unified Development Code.
- 9) As depicted in *Exhibit 'C'* of this ordinance, a maximum of five (5) parking spaces (*conforming to the Engineering Departments Standards of Design Manual*) connected to a 12.5-foot, one-way drive exiting to Alamo Street shall be permitted to be constructed of crushed rock or a similar paving material (*to be approved by the City Engineer*) for a period of 36-months from the approval date of this ordinance. After 36-months the alternative parking surface shall be removed and repaved in accordance with the standards of Article VI, *Parking and Loading*, of the Unified Development Code (*i.e. concrete*). Alternatively, the applicant may request that the City Council grant an extension to the 36-month period upon recommendation by the Planning and Zoning Commission.
- 10) The operation of this site shall conform to all federal, state and local standards and comply with the requirements of Section 2.2, *Compliance Standards*, of this ordinance.

## 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 outline in the Unified Development Code, the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP).

**SECTION 3.** That the official zoning map of the City of Rockwall be corrected to reflect the changes 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 of provision of this ordinance or the application of that section or provision to any person, firm, cooperation, 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 to 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 and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7<sup>TH</sup> DAY OF MARCH, 2016.**




Dennis Lewis, Mayor Pro Tem

**ATTEST:**

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

**APPROVED AS TO FORM:**

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



1<sup>st</sup> Reading: 02-15-2016

2<sup>nd</sup> Reading: 03-07-2016

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

*WHEREAS*, Scott Milder and Leslie Milder, being the owners of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

Port of the Benjamin F. Boydston Survey Abstract No. 14, situated in the City of Rockwall, Rockwall County, Texas, being all of a tract of land to Scott Milder and Leslie Milder as recorded in Volume 7120, Page 228 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

*BEGINNING* at a 1/2 inch iron rod with cop stamped "R.P.L.S. 5034" found for the northeast corner of said Milder tract, and lying on the west right-of-way line of North Goliad Street, also called State Highway Number 205, (a variable width right-of-way);

*THENCE* South 00 degrees 02 minutes 42 seconds West along the west right-of-way of said North Goliad Street and the east line of said Milder tract, a distance of 133.04 feet to a 5/8 inch iron rod stamped "R.P.L.S. 5430" set for the southeast corner of said Milder tract;

*THENCE* South 88 degrees 37 minutes 48 seconds West departing the west line of said North Goliad Street and along the south line of said Milder tract, passing a 1/2 inch iron rod stamped "R.P.L.S. 5034" at a distance of 7.50 feet found for the northeast corner of Lot 1, Block A of the Wagner Christensen Addition, an addition to The City of Rockwall as recorded in Cabinet H, Slide 229, Plat Records Rockwall County, Texas, and continuing a total distance of 105.47 feet to a 1/2 inch iron rod stamped "R.P.L.S. 5034" found for the northwest corner of said Wagner Addition, the northeast corner of a tract of land to Carlos Guevara and Monica A. Guevara recorded in Volume 5484, Page 187 Deed Records Rockwall County, Texas and at an angle point on the south line of said Milder tract;

*THENCE* South 89 degrees 15 minutes 53 seconds West along the north line of said Guevara tract and the south line of said Milder tract, a distance of 110.14 feet to a 3/8 inch iron rod found for the northwest corner of said Guevara tract, the southwest corner of said Milder tract and lying on the east line of North Alamo Street (a called 45 feet wide right-of-way);

*THENCE* North 00 degrees 14 minutes 21 seconds East along the east line of said Alamo Street and the west line of said Milder tract, a distance of 138.19 feet to 1/2 inch iron rod found for the northwest corner of said Milder tract and for the southwest corner of a tract of land to Kimberlee Wylie recorded in Volume 3324, Page 196 Deed Records Rockwall County, Texas ;

*THENCE* South 89 degrees 13 minutes 43 seconds East departing said Alamo Street and along the south line of said Wylie tract a distance of 99.09 feet to 1/2 inch iron rod stamped "R.P.L.S. 5034" found for the southeast corner of said Wylie tract, same being the southwest corner of Lot 1, Block A Double T Ventures Addition, an addition to The City of Rockwall as recorded in Instrument Number 20140000009401 Official Public Records Rockwall County, Texas;

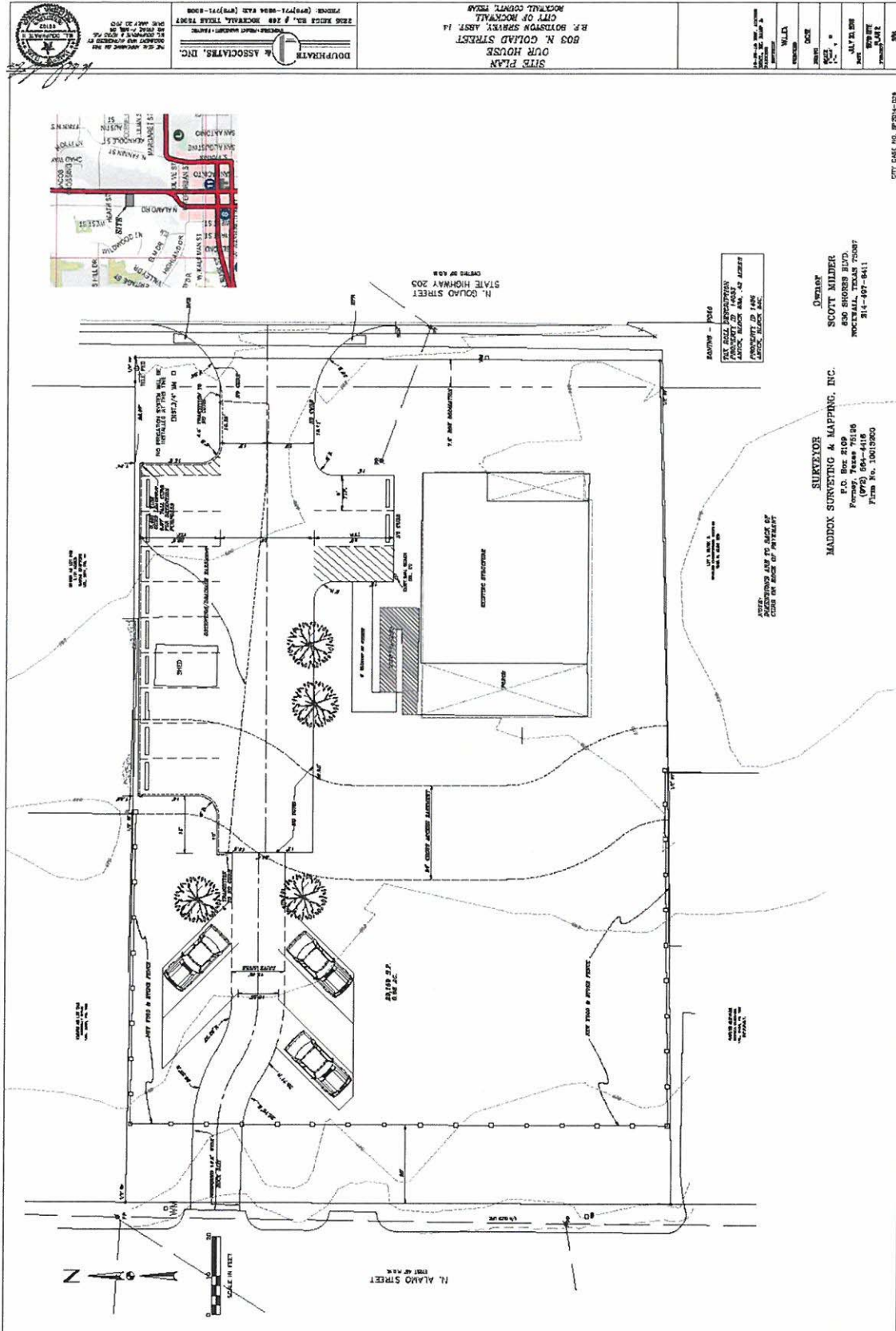
*THENCE* North 89 degrees 57 minutes 10 seconds East along the south line of said Double T Ventures Addition a distance of 116.02 feet to the *POINT OF BEGINNING* containing 29,182 square Feet, or 0.670 of an acre of land.





# Exhibit 'C'

## Parking Within the Cross Access Easement and Alternate Paving Plan



CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *GENERAL RETAIL STORE AND BANQUET FACILITY/EVENT VENUE* ON A 0.66-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, OUR HOUSE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF 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**, the City has received a request from Scott & Leslie Milder for the approval of a Specific Use Permit (SUP) for a *General Retail Store and Banquet Facility/Event Venue* on a 0.66-acre parcel of land being described as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, addressed as 803 N. Goliad Street [*SH-205*], and being more specifically described and 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 (UDC) [*Ordinance No. 20-02*] and Planned Development District 50 (PD-50) [*Ordinance No. 17-19*] 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 approval of this Specific Use Permit (SUP) ordinance shall supersede all requirements stipulated by *Ordinance No. 16-22 [S-149]*, and *Ordinance No. 16-22* shall expire in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC); and,

**SECTION 2.** That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *General Retail Store and Banquet Facility/Event Venue* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

**SECTION 3.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 04.01, *General Commercial Districts Standards*, and Subsection 04.02, *Residential-Office (RO) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and the following conditions:

### 3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *General Retail Store* and *Hair Salon and/or Manicurist* on the *Subject Property* and conformance to these conditions is required for continued operation:

- (1) The *subject property* should maintain general conformance with the *Concept Plan* contained in *Exhibit 'C'* of this ordinance.
- (2) The hours of operation for the *Banquet Facility/Event Venue* shall be limited to Sunday through Thursday, 8:00 AM – 9:00 PM and Friday & Saturday, 8:00 AM – 11:00 PM.
- (3) The hours of operation for the *General Retail Store* shall be limited to Monday through Sunday 7:00 AM – 8:00 PM.
- (4) No on-premise food preparation shall be permitted. Service areas shall only be utilized for pre-packaged and/or catered food services.
- (5) The sale of alcoholic beverages shall be prohibited; however, alcohol shall be permitted to be provided by the guests for events associated with the *Banquet Facility/Event Venue*.
- (6) No events held on premise shall be open to the general public.
- (7) A uniformed, state licensed security guard and/or off-duty police officer shall be present for events that include the provision of beer, wine and/or liquor. Events that limit alcohol consumption to champagne are exempt from this provision.
- (8) Live outdoor music shall be prohibited.
- (9) No event parking shall be permitted along Goliad Street or Alamo Street.
- (10) The parking requirement for the proposed *Banquet Facility/Event Venue* is 14 parking spaces (*i.e. 1580 SF/100 SF = 16 Parking Spaces; Less two [2] parking spaces which were waived by the City Council on February 15, 2016*).
- (11) The indoor areas shall be limited to maximum occupancy of 49 people.
- (12) In the event that the property at 802 N. Alamo Street (*i.e. the property to the southwest of the subject property*) rezones and converts the property to a commercial land use the dedicated 20-foot cross access easement on the subject property shall be paved with concrete to connect the adjacent properties (*i.e. 802 N. Alamo Street and 801 & 807 N. Goliad Street*) as depicted in *Exhibit 'B'* of this ordinance. All paving must be constructed within 60 days of an approved site plan for the property at 802 N. Alamo Street, and shall be in accordance with the standards of Article 06, *Parking and Loading*, of the Unified Development Code.
- (13) The operation of this site shall conform to all federal, state and local standards and comply with the requirements of Section 3.2, *Compliance*, of this ordinance.

### 3.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Certificate of Occupancy (CO)*, should the business owner 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 may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*].

**SECTION 4.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 5.** 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 6.** 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 7.** 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 8.** 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 3<sup>RD</sup> DAY OF AUGUST, 2020.**

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Jim Pruitt, *Mayor*

**ATTEST:**

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Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

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Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: July 20, 2020

2<sup>nd</sup> Reading: August 3, 2020

DRAFT  
ORDINANCE  
06.30.2020

**Exhibit 'A'**  
*Location Map*

Address: 803 N. Goliad Street

Legal Description: Lot 1, Block A, Our House Addition



**Exhibit 'A'**  
*Location Map*

WHEREAS, Scott Milder and Leslie Milder, being the owners of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

Port of the Benjamin F. Boydston Survey Abstract No. 14, situated in the City of Rockwall, Rockwall County, Texas, being all of a tract of land to Scott Milder and Leslie Milder as recorded in Volume 7120, Page 228 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

*BEGINNING* at a 1/2 inch iron rod with cop stamped "R.P.L.S. 5034" found for the northeast corner of said Milder tract, and lying on the west right-of-way line of North Goliad Street, also called State Highway Number 205, (a variable width right-of-way);

*THENCE* South 00 degrees 02 minutes 42 seconds West along the west right-of-way of said North Goliad Street and the east line of said Milder tract, a distance of 133.04 feet to a 5/8 inch iron rod stamped "R.P.L.S. 5430" set for the southeast corner of said Milder tract;

*THENCE* South 88 degrees 37 minutes 48 seconds West departing the west line of said North Goliad Street and along the south line of said Milder tract, passing a 1/2 inch iron rod stamped "R.P.L.S. 5034" at a distance of 7.50 feet found for the northeast corner of Lot 1, Block A of the Wagner Christensen Addition, an addition to The City of Rockwall as recorded in Cabinet H, Slide 229, Plat Records Rockwall County, Texas, and continuing a total distance of 105.47 feet to a 1/2 inch iron rod stamped "R.P.L.S. 5034" found for the northwest corner of said Wagner Addition, the northeast corner of a tract of land to Carlos Guevara and Monica A. Guevara recorded in Volume 5484, Page 187 Deed Records Rockwall County, Texas and at an angle point on the south line of said Milder tract;

*THENCE* South 89 degrees 15 minutes 53 seconds West along the north line of said Guevara tract and the south line of said Milder tract, a distance of 110.14 feet to a 3/8 inch iron rod found for the northwest corner of said Guevara tract, the southwest corner of said Milder tract and lying on the east line of North Alamo Street (a called 45 feet wide right-of-way);

*THENCE* North 00 degrees 14 minutes 21 seconds East along the east line of said Alamo Street and the west line of said Milder tract, a distance of 138.19 feet to 1/2 inch iron rod found for the northwest corner of said Milder tract and for the southwest corner of a tract of land to Kimberlee Wylie recorded in Volume 3324, Page 196 Deed Records Rockwall County, Texas;

*THENCE* South 89 degrees 13 minutes 43 seconds East departing said Alamo Street and along the south line of said Wylie tract a distance of 99.09 feet to 1/2 inch iron rod stamped "R.P.L.S. 5034" found for the southeast corner of said Wylie tract, same being the southwest corner of Lot 1, Block A Double T Ventures Addition, an addition to The City of Rockwall as recorded in Instrument Number 2014000009401 Official Public Records Rockwall County, Texas;

*THENCE* North 89 degrees 57 minutes 10 seconds East along the south line of said Double T Ventures Addition a distance of 116.02 feet to the *POINT OF BEGINNING* containing 29,182 square Feet, or 0.670 of an acre of land.









# 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:** July 20, 2020  
**APPLICANT:** Leslie & Scott Milder  
**CASE NUMBER:** Z2020-027; *Specific Use Permit (SUP) for 803 N. Goliad Street*

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### SUMMARY

Hold a public hearing to discuss and consider a request by Leslie & Scott Milder for the approval of a Specific Use Permit (SUP) for a *General Retail Store* and *Banquet Facility/Event Venue* on a 0.66-acre parcel of land identified as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 N. Goliad Street, and take any action necessary.

### BACKGROUND

The subject property is considered to be a part of the Old Town Rockwall Addition, and was annexed prior to 1934 based on the August 25, 1934 Sanborn Maps. According to the 2017 Historic Resource Survey, the existing single-family home was constructed in 1903, and is currently identified as a *Medium Contributing* asset. The Rockwall Central Appraisal District (RCAD), list the size of the structure as 1,738 SF. According to the zoning map from January 3, 1972 the subject property was zoned Single-Family 3 (SF-3) District. By 1983 this designation had been changed to a Single-Family 7 (SF-7) District according to the August 16, 1983 zoning map. On August 1, 2005, the subject property was rezoned from a Single-Family 7 (SF-7) District to Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses [*Case No. Z2005-026; Ordinance No. 05-35*]. On August 18, 2014, the City Council approved a Specific Use Permit (SUP) [*Case No. Z2014-019; Ordinance No. 14-34*] for *Antique/Collectable Sales* in conjunction with a *General Retail Store*. The approval of this Specific Use Permit (SUP) was followed up with the submission and approval of a site plan (*Case No. SP2014-026*) on October 28, 2014, converting the land use from a residential land use to a non-residential land use; however, the Specific Use Permit (SUP) allowing *Antique/Collectable Sales* in conjunction with a *General Retail Store* was never utilized and expired in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC).

On December 16, 2015, the owners of the property -- *Scott and Leslie Milder* -- submitted an application requesting to amend Planned Development District 50 (PD-50) to allow for a *Banquet Facility/Event Venue* by Specific Use Permit (SUP) in the district. This was approved by the City Council on February 1, 2016 through *Ordinance No. 16-15*. A subsequent Specific Use Permit (SUP) application requesting a *Banquet Facility/Event Venue* on the subject property was submitted and approved by the City Council on March 7, 2016 [*Ordinance No. 16-22; S-149*]. As part of this approval, the City Council allowed the applicant to defer the development of the cross-access drive until the single-family home at 802 S. Alamo Street [1] rezoned to Planned Development District 50 (PD-50) [*or another non-residential zoning*], and [2] converted the land use to a non-residential land use. In addition, a variance to allow for a gravel drive extending from the concrete parking areas to Alamo Street was approved. This drive was later reconstructed out of concrete by the applicant. Following the approval of the Specific Use Permit (SUP), a replat for the subject property [*Case No. P2015-036*] was filed with Rockwall County on January 29, 2016, creating Lot 1, Block A, Our House Addition. On July 7, 2016, a Certificate of Occupancy (CO) was issued for Our House.

### PURPOSE

The applicant, is requesting the approval of a Specific Use Permit (SUP) for a *General Retail Store* and *Banquet Facility/Event Hall* for the subject property in accordance with Planned Development District 50 (PD-50) [*Ordinance No. 17-19*] and the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC). The purpose of

this request is to establish a cigar shop in conjunction with a *Banquet Facility/Event Venue* on the subject property. This will be a new business and not be associated with the previous *Banquet Facility/Event Venue*.

### ADJACENT LAND USES AND ACCESS

The subject property is located at 803 N. Goliad Street. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a 1,102 SF office building (*801 N. Goliad Street*) situated on a 0.1522-acre parcel of land (*i.e. Lot 1, Block A, Double T. Ventures Addition*). Beyond this are two (2) single-family homes followed by Heath Street, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. All of the properties in this area are zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses.

South: Directly south of the subject property is a 1,032 SF office building (*801 N. Goliad Street*), a 1,216 SF office building (*705 N. Goliad Street*), and two (2) single-family residential homes. The residential properties are zoned Single-Family 7 (SF-7) District and the two (2) office buildings are zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses.

East: Directly east of the subject property is N. Goliad Street [*SH-205*], which is identified as a M4U-M (*i.e. modified major collector, four (4) lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is an office building (*802 N. Goliad Street*) and a vacant lot (*804 N. Goliad Street*). Both of these properties are zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses.

West: Directly west of the subject property is N. Alamo Street, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained within the OURHometown Vision 2040 Comprehensive Plan. Beyond this are several single-family homes zoned Single-Family 10 (SF-10) District.

### CHARACTERISTICS OF THE REQUEST

The existing *Banquet Facility/Event Venue* (*i.e. Our House*) currently operates out of the 1,738 SF converted single-family home. Kurt Naumann of Eldorado Fine Cigars, LLC has submitted a letter proposing to supplant the current business and establish with a *General Retail Store* and *Banquet Facility/Event Venue*. The proposed *General Retail Store* will be a cigar shop that -- *according to Mr. Naumann's letter* -- "...tailors to the cigar enthusiast, including comfortable seating throughout the store, multiple TV's, and a walk-in humidor..." The facility will also host special events centered around cigar brands for their customers. In addition, the letter states that they also want to offer the space to rent for private parties and celebrations.

### CONFORMANCE TO THE CITY'S CODES

According to Planned Development District 50 (PD-50) [*Ordinance No. 17-19*] the subject property is restricted to the land uses permitted within the Residential-Office (RO) District, and according to the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) a *General Retail Store* and *Banquet Facility/Event Venue* requires a Specific Use Permit (SUP) in the Residential-Office (RO) District. Neither of these land uses require additional conditional use restrictions; however, *Ordinance No. 17-19* does define a *Banquet Facility/Event Venue* "...as a commercial facility that can be rented out for the purpose of hosting private events (*e.g. birthday parties, wedding receptions, meetings, etc.*). These events shall not be open to the general public."

### STAFF ANALYSIS

Since the applicant is proposing to continue to use the property as a *Banquet Facility/Event Venue*, staff has carried the operational conditions of *Ordinance No. 16-22 (S-149)* over to the new draft ordinance. Staff also added several requirements pertaining to the operation of a *General Retail Store*. With this being said, staff needs to point out that when this property was granted the original Specific Use Permit (SUP) [*S-149; Ordinance No. 16-22*], a waiver was granted through the ordinance that allowed the applicant to defer the construction of the 24-foot cross-access drive -- *connecting the subject property to both 801 & 807 N. Goliad Street [SH-205]* -- until the residential property at *802 S. Alamo Street* was rezoned to a non-residential zoning

and converted to a commercial land use. Currently, the property at 802 S. Alamo Street faces on to Alamo Street and all the properties on this street are residential. This property owner has also not indicated an intent to rezone the property; however, staff has added this to the new draft ordinance using the same wording as the original ordinance. Since the proposed ordinance will supersede the existing ordinance this approval is a discretionary decision for the City Council, and the City Council retains the ability to change any of the operational conditions in the draft ordinance prior to adoption.

## **NOTIFICATIONS**

On July 2, 2020, staff mailed 99 notices to property owners and occupants within 500-feet of the subject property. There are no Homeowner's Associations (HOAs) or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had one (1) property owner notification, two (2) online property owner notifications, and one (1) email in favor of the request.

## **CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission chooses to approve the applicant's request for a Specific Use Permit (SUP) to or a *General Retail Store* and *Banquet Facility/Event Hall* on the subject property, 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 Specific Use Permit (SUP) ordinance and which are detailed as follows:
  - (a) The subject property should maintain general conformance with the *Concept Plan* contained in *Exhibit 'C'* of the draft ordinance.
  - (b) The hours of operation for the *Banquet Facility/Event Hall* shall be limited to Sunday through Thursday, 8:00 AM – 9:00 PM and Friday & Saturday, 8:00 AM – 11:00 PM.
  - (c) The hours of operation for the *General Retail Store* shall be limited to Monday through Sunday 7:00 AM – 8:00 PM.
  - (d) No on-premise food preparation shall be permitted. Service areas shall only be utilized for pre-packaged and/or catered food services.
  - (e) The sale of alcoholic beverages shall be prohibited; however, alcohol shall be permitted to be provided by the guests for events associated with the *Banquet Facility/Event Hall*.
  - (f) No events held on premise shall be open to the general public.
  - (g) A uniformed, state licensed security guard and/or off-duty police officer shall be present for events that include the provision of beer, wine and/or liquor. Events that limit alcohol consumption to champagne are exempt from this provision.
  - (h) Live outdoor music shall be prohibited.
  - (i) No event parking shall be permitted along Goliad Street or Alamo Street.
  - (j) The parking requirement for the proposed Banquet Facility/Event Venue is 14 parking spaces (*i.e. 1580 SF/100 SF = 16 Parking Spaces; Less two [2] parking spaces which were waived by the City Council on February 15, 2016*).
  - (k) The indoor areas shall be limited to maximum occupancy of 49 people.
  - (l) In the event that the property at 802 N. Alamo Street (*i.e. the property to the southwest of the subject property*) rezones and converts the property to a commercial land use the dedicated 20-foot cross access easement on the subject property

shall be paved with concrete to connect the adjacent properties (i.e. 802 N. Alamo Street and 801 & 807 N. Goliad Street) as depicted in *Exhibit 'B'* of the draft ordinance. All paving must be constructed within 60 days of an approved site plan for the property at 802 N. Alamo Street, and shall be in accordance with the standards of Article 06, *Parking and Loading*, of the Unified Development Code.

- (m) The operation of this site shall conform to all federal, state and local standards and comply with the requirements of Section 3.2, *Compliance*, of the draft ordinance.
- (2) The applicant will be required to apply for a Certificate of Occupancy (CO) for the subject property prior to commencing operations; and,
- (3) 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 July 14, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) with the conditions of approval by a vote of 6-0, with Commissioner Moeller absent.



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. \_\_\_\_\_

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

DIRECTOR OF PLANNING: *[Signature]*

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: 803 N. Goliad Rockwell TX 75087  
 Subdivision: OVR HOUSE ADDITION Lot 1 Block A  
 General Location:  Hwy 205 between Heath Street and Kaufman

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

Current Zoning: Residential Office/Light Retail Current Use: NONE  
 Proposed Zoning: SAME Proposed Use: Ciger Lounge  
 Acreage: 0.66 Lots [Current]: 1 Lots [Proposed]: 1

**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: Leshia and Scott Milder  Applicant: \_\_\_\_\_  
 Contact Person: Scott Milder Contact Person: \_\_\_\_\_  
 Address: 501 Camp Creek Rd. Address: \_\_\_\_\_  
 City, State & Zip: Rockwall, TX 75087 City, State & Zip: \_\_\_\_\_  
 Phone: 214 497 6411 Phone: \_\_\_\_\_  
 E-Mail: milderman@gmail.com E-Mail: \_\_\_\_\_

## NOTARY VERIFICATION [REQUIRED]

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

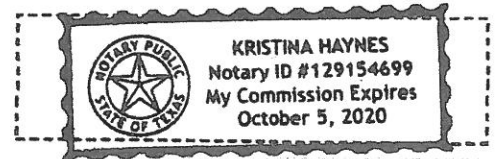
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ \_\_\_\_\_, to cover the cost of this application, has been paid to the City of Rockwall on this the 19 day of JUNE, 2020. By signing this application, 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 19 day of JUNE, 2020

Owner's Signature


*[Signature]*  
*[Signature]*

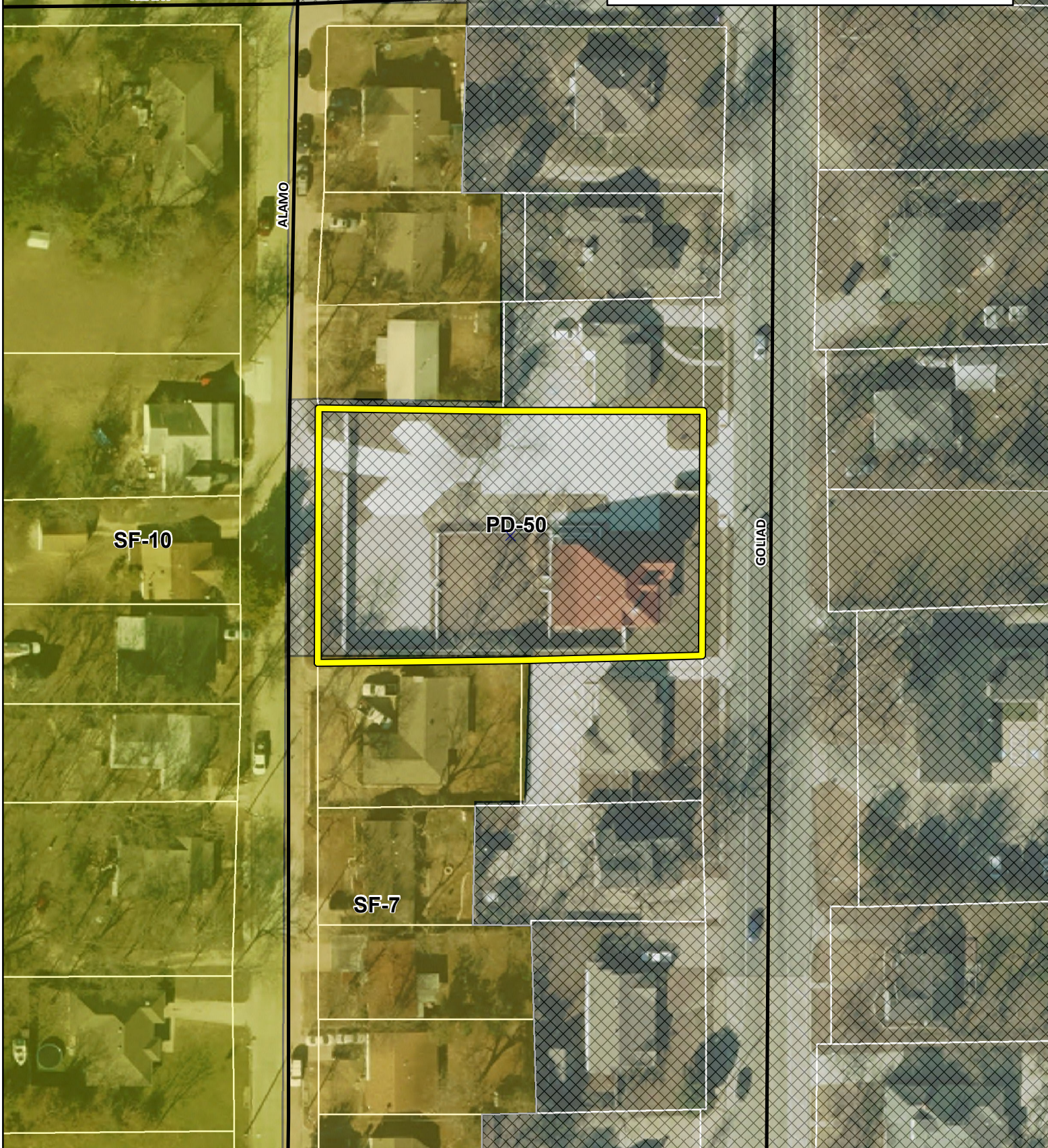
Notary Public in and for the State of Texas



My Commission Expires



Z2020-026- SUP FOR 803 N. GOLIAD STREET  
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.



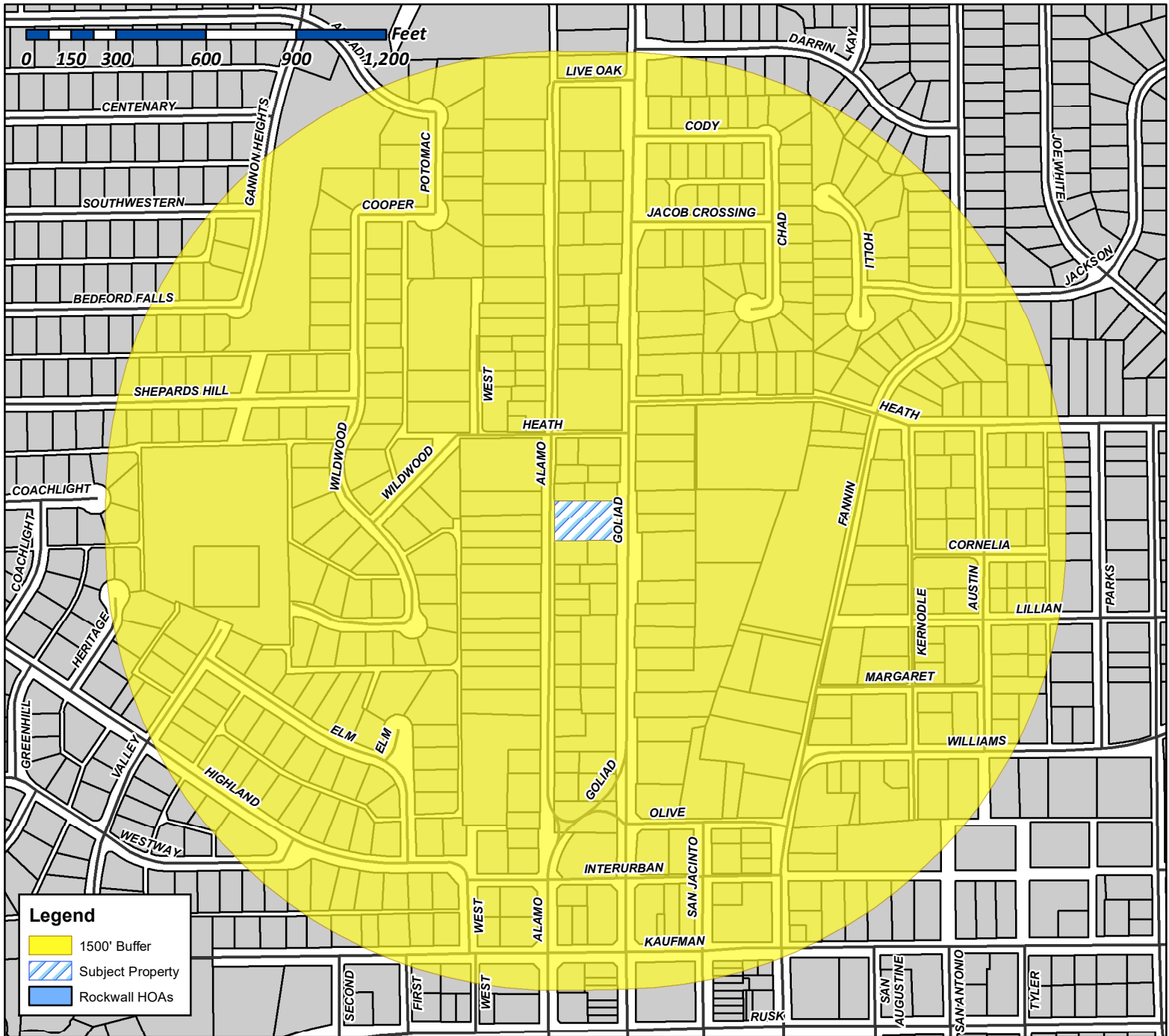
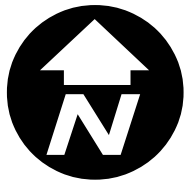




# City of Rockwall

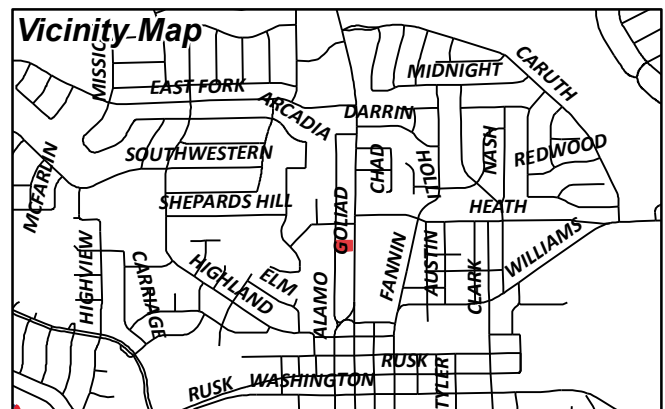
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

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**Case Number:** Z2020-027  
**Case Name:** SUP for 803 N. Goliad Street  
**Case Type:** Specific Use Permit  
**Zoning:** PD-50  
**Case Address:** 803 N. Goliad Street

**Date Created:** 6/21/2020  
**For Questions on this Case Call** (972) 771-7745

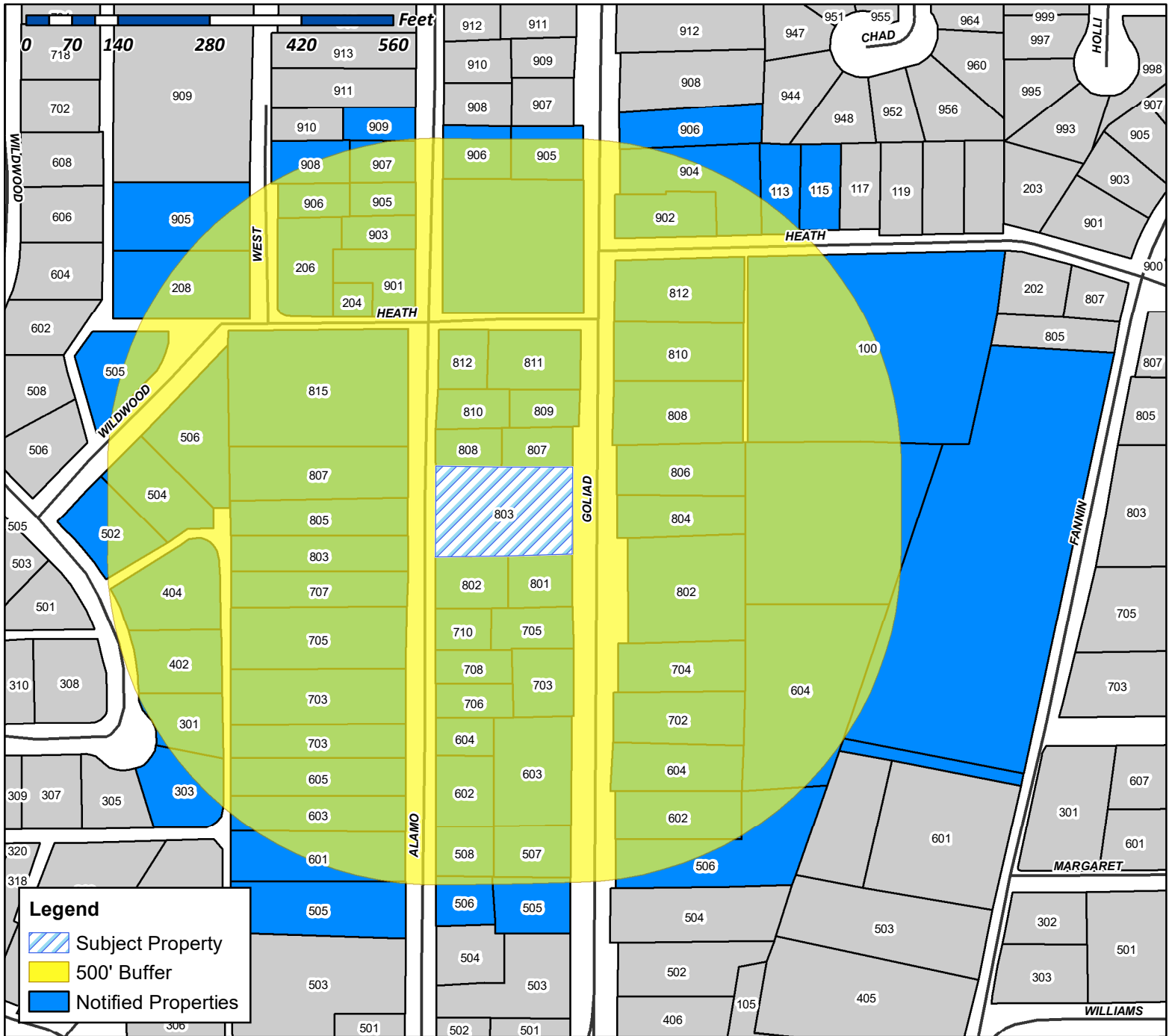
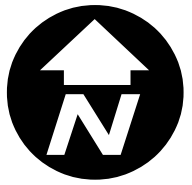




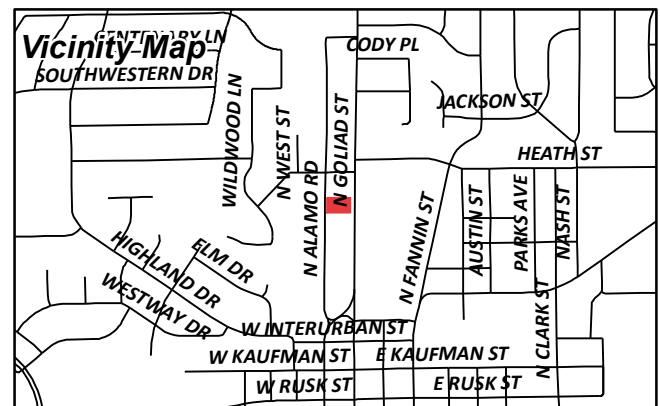
# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
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**Case Number:** Z2020-027  
**Case Name:** SUP for 803 N. Goliad Street  
**Case Type:** Specific Use Permit  
**Zoning:** PD-50  
**Case Address:** 803 N. Goliad Street



**Date Created:** 6/21/2020  
For Questions on this Case Call (972) 771-7745

CURRENT RESIDENT  
100 E HEATH  
ROCKWALL, TX 75087

BARKER PERRY H & ELIZABETH D  
104 SCENIC DR  
HEATH, TX 75032

TEEL BRITTON & BARBARA  
10925 ROCKSTONE DR  
BALCH SPRINGS, TX 75180

WAGNER GERALD P  
112 LOS PECES  
GUN BARRELL, TX 75156

HILL TOBY VERN H & ANGELA DAWN  
113 E HEATH ST  
ROCKWALL, TX 75087

CHISENHALL ROBERT  
115 E HEATH ST  
ROCKWALL, TX 75087

DAVENPORT RENTAL PROPERTIES - SERIES 200  
DARRIN DRIVE  
1270 COASTAL DR  
ROCKWALL, TX 75087

DOUBLE T VENTURES LLC  
1500 S KREYMER LN  
WYLIE, TX 75098

WRIGHT JOHN M & SUSAN L  
1605 SEASCAPE CT  
ROCKWALL, TX 75087

MEYERS STUART A & BRENDA S  
1614 S LAKESHORE DR  
ROCKWALL, TX 75087

CITY LIFT STATION  
201 E WASHINGTON ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
204 W HEATH  
ROCKWALL, TX 75087

NBN COMMERCIAL GROUP LLC  
2040 N BELT LINE RD STE 400  
MESQUITE, TX 75150

PRITCHETT JOHNETTA  
206 W HEATH ST  
ROCKWALL, TX 75087

PEOPLES DOSVILLE  
208 W HEATH ST  
ROCKWALL, TX 75087

KHATER CHARLES ETUX  
2368 E FM 552  
ROCKWALL, TX 75087

HOLLON GREGORY D  
2778 S FM 549  
ROCKWALL, TX 75032

FERRIS BETH  
301 WILDWOOD LN  
ROCKWALL, TX 75087

ANGLE GLENDA ANNE  
303 WILDWOOD LN  
ROCKWALL, TX 75087

FALLS DAVID C & TERRI L  
3608 LAKESIDE DR  
ROCKWALL, TX 75087

SWIERCINSKY JOSHUA L  
3922 MEDITERRANEAN ST  
ROCKWALL, TX 75087

MORENO ANTONIO AND SUZANNE T  
402 WILDWOOD LANE  
ROCKWALL, TX 75087

COOK CAROLINE D  
404 WILDWOOD LN  
ROCKWALL, TX 75087

MORGAN NANCY D  
429 PARK PLACE BLVD  
ROCKWALL, TX 75087

HOWELL RONALD & MICHELE  
434 JORDAN FARM CIRCLE  
ROCKWALL, TX 75087

TREVINO BERTHA & LOUIS  
4917 SAINT JAMES CT  
MESQUITE, TX 75150

WOODARD CARL E ET UX  
502 WILDWOOD TER  
ROCKWALL, TX 75087

NASH M CALVIN ETUX  
504 WILDWOOD TER  
ROCKWALL, TX 75087

CURRENT RESIDENT  
505 WILDWOOD  
ROCKWALL, TX 75087

TUCKER PAMELA  
505 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
505 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
506 N ALAMO  
ROCKWALL, TX 75087

CURRENT RESIDENT  
506 N GOLIAD  
ROCKWALL, TX 75087

HICKERSON JON D  
506 WILDWOOD TER  
ROCKWALL, TX 75087

FLEMING HALLIE B  
507 N GOLIAD  
ROCKWALL, TX 75087

MORGAN RHONA L &  
JACK HADLEY JR  
508 N ALAMO RD  
ROCKWALL, TX 75087

SMITH GREGORY S  
510 LIFE SPRING DR  
ROCKWALL, TX 75087

HAM JOSHUA L  
512 HIGHVIEW LANE  
ROCKWALL, TX 75087

RNDI COMPANIES INC  
519 E INTERSTATE 30 # 157  
ROCKWALL, TX 75087

FANG PROPERTIES LLC  
536 LOMA VISTA  
HEATH, TX 75032

CURRENT RESIDENT  
601 N ALAMO  
ROCKWALL, TX 75087

CARDENAS CECILIO & CARMEN  
602 N ALAMO ROAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
602 N GOLIAD  
ROCKWALL, TX 75087

HAMILTON JOANN  
603 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
603 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
604 GOLIAD  
ROCKWALL, TX 75087

DOMINGUEZ, JOSE AND JOHANNA  
604 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
604 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
605 N ALAMO  
ROCKWALL, TX 75087

CASTRO MICHAEL AND RENE  
700 WINDSONG LN  
ROCKWALL, TX 75087

SMITH G DAVID  
702 N GOLIAD ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
703 N ALAMO RD  
ROCKWALL, TX 75087

IRBY DENNIS  
703 N GOLIAD ST  
ROCKWALL, TX 75087

J-PEG PROPERTIES LLC  
704 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
705 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
705 N GOLIAD ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
706 N ALAMO  
ROCKWALL, TX 75087

CALABRESE CORINNA RAE  
707 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
708 N ALAMO  
ROCKWALL, TX 75087

CURRENT RESIDENT  
710 N ALAMO  
ROCKWALL, TX 75087

CRISWELL BARBARA  
7110 HUNT LANE  
ROCKWALL, TX 75087

CRISWELL BARBARA  
7110 HUNT LANE  
ROCKWALL, TX 75087

CRISWELL BARBARA  
7110 HUNT LANE  
ROCKWALL, TX 75087

CHRISTENSEN VALERIE  
801 N GOLIAD  
ROCKWALL, TX 75087

GUEVARA CARLOS & MONICA A  
802 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
802 N GOLIAD  
ROCKWALL, TX 75087

SEAMANS RANDY KALIN AND RACHEL K  
803 N ALAMO  
ROCKWALL, TX 75087

CURRENT RESIDENT  
804 N GOLIAD  
ROCKWALL, TX 75087

FORGIONE JERILYN DENISE  
805 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
806 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
807 N GOLIAD  
ROCKWALL, TX 75087

WYLIE KIMBERLY  
808 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
808 N GOLIAD  
ROCKWALL, TX 75087

MARTINEZ RAQUEL P  
809 N GOLIAD ST  
ROCKWALL, TX 75087

SWIERCINSKY LEXUS M  
810 N ALAMO RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
810 N GOLIAD  
ROCKWALL, TX 75087

AOUN PIERRE E  
811 N GOLIAD ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
812 N GOLIAD  
ROCKWALL, TX 75087

WAY CODY B AND AMBER C  
812 NORTH ALAMO STREET  
ROCKWALL, TX 75087

CAIN JAMES O  
815 N ALAMO RD  
ROCKWALL, TX 75087

MILDER SCOTT & LESLIE  
830 SHORES BLVD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
901 N ALAMO  
ROCKWALL, TX 75087

CURRENT RESIDENT  
902 N GOLIAD  
ROCKWALL, TX 75087

MOMSEN KIMBERLY  
903 N ALAMO ROAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
904 N GOLIAD ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
905 N ALAMO ST  
ROCKWALL, TX 75087

CURRENT RESIDENT  
905 N WEST  
ROCKWALL, TX 75087

WILLIAMS ALEX R  
906 N ALAMO RD  
ROCKWALL, TX 75087

TCB CONSTRUCTION GROUP LLC  
906 N GOLIAD  
ROCKWALL, TX 75087

POINTER PRICE AND  
MANUEL LOZANO  
906 N GOLIAD STREET  
ROCKWALL, TX 75087

BRIONES RONALD AND THERESA  
906 N WEST  
ROCKWALL, TX 75087

JC GAERLAN LLC  
907 NORTH ALAMO ROAD  
ROCKWALL, TX 75087

MARTINKUS NICOLE  
908 N WEST ST  
ROCKWALL, TX 75087

MOLINA JOE C II  
909 N ALAMO  
ROCKWALL, TX 75087

CONSELMAN EQUITIES LLC  
PO BOX 2284  
ROCKWALL, TX 75087

TRANSGLOBAL INSPECTIONS LLC  
PO BOX 265  
FATE, TX 75132

WOMEN IN NEED INC  
PO BOX 349  
GREENVILLE, TX 75403

COOPER JAMES A & MICHELLE R  
PO BOX 492  
ROCKWALL, TX 75087

LAYTON ERIC A  
PO BOX 998  
ROCKWALL, TX 75087

# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

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

**Case No. Z2020-027: SUP for a General Retail Store at 803 N. Goliad Street**

Hold a public hearing to discuss and consider a request by Leslie & Scott Milder for the approval of a *Specific Use Permit (SUP)* for a *General Retail Store* and *Banquet Facility/Event* on a 0.66-acre parcel of land identified as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 N. Goliad Street, 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, July 14, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, July 20, 2020 at 6:00 PM. 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:

**Ryan Miller**  
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 Monday, July 20, 2020 at 4:00 PM 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 AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

**Case No. Z2020-027: SUP for a General Retail Store at 803 N. Goliad Street**

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:

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

# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

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

**Case No. Z2020-025: SUP for 507 N. Goliad Street for a General Retail Store**

Hold a public hearing to discuss and consider a request by Hallie Fleming for the approval of a Specific Use Permit (SUP) for a General Retail Store and Hair Salon and/or Manicurist on a 0.2254-acre parcel of land identified as Lot 1, Block A, Artventures Studio Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, addressed as 507 N. Goliad Street, 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, July 14, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, July 20, 2020 at 6:00 PM. 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:

**Ryan Miller**  
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 Monday, July 20, 2020 at 4:00 PM 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 AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

**Case No. Z2020-025: SUP for 507 N. Goliad Street for a General Retail Store**

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.

*Perfectly appropriate for PD 50.*

Name: *Leslie Milder*  
Address: *803 N. Goliad*

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



# Zoning & Specific Use Permit Input Form

## Case Number \*

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2020-027

Please place a check mark on the appropriate line below: \*

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

## Respondent Information

Please provide your information.

First Name \*

Ronald

Last Name \*

Briones

Address \*

906 N West St

City \*

Rockwall

State \*

TX

Zip Code \*

75087

Email Address \*

asayib@icloud.com

Phone Number

972-971-5540

Please check all that apply: \*

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other: .....

How did you hear about this Zoning or Specific Use Permit (SUP) request? \*

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other: .....

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Google Forms

# Zoning & Specific Use Permit Input Form

## Case Number \*

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2020-027

Please place a check mark on the appropriate line below: \*



I am in favor of the request.



I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

This additional use will improve the area by attracting shoppers to the area. The increased supports continued improvement to the property and creates sales tax for the city

## Respondent Information

Please provide your information.

First Name \*

Stuart

Last Name \*

Meyers

Address \*

506 n goliad

City \*

Rockwall

State \*

Tx

Zip Code \*

75087

Email Address \*

drsmeyers@gmail.com

Phone Number

214-769-1994

Please check all that apply: \*

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other: .....

How did you hear about this Zoning or Specific Use Permit (SUP) request? \*

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other: .....

This content is neither created nor endorsed by Google.

Google Forms

**From:** [G. David Smith](#)  
**To:** [Miller, Ryan](#)  
**Subject:** Z2020-027  
**Date:** Tuesday, July 7, 2020 9:38:00 AM

---

I am in favor of this request. The requested use is a natural progression of the development along Goliad. The Milders have demonstrated good stewardship of the property.

Sent from my iPhone  
G. David Smith  
702 N. Goliad  
Rockwall, Texas 75087  
(972) 771-2579  
(972) 771-0513 fax  
Board Certified P.I. Trial Law

---

This email was scanned by Bitdefender

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



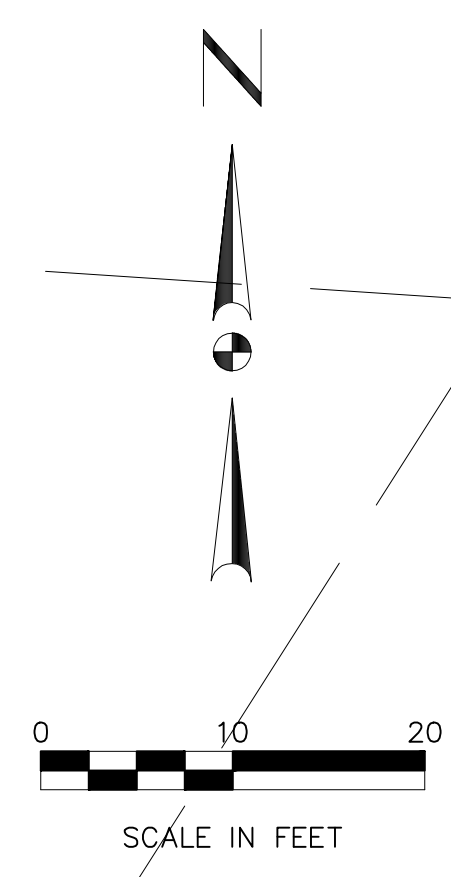
Date: June 20, 2020

**Legal Description:** Eldorado Fine Cigars LLC. An upscale retail cigar lounge that sells premium cigars, pipe tobacco, and accessories.

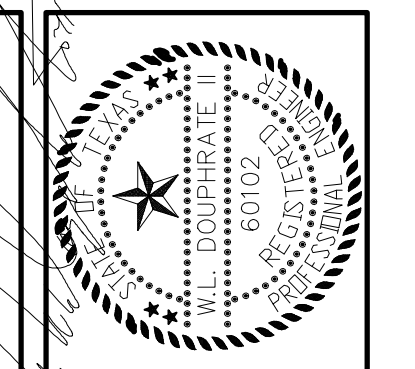
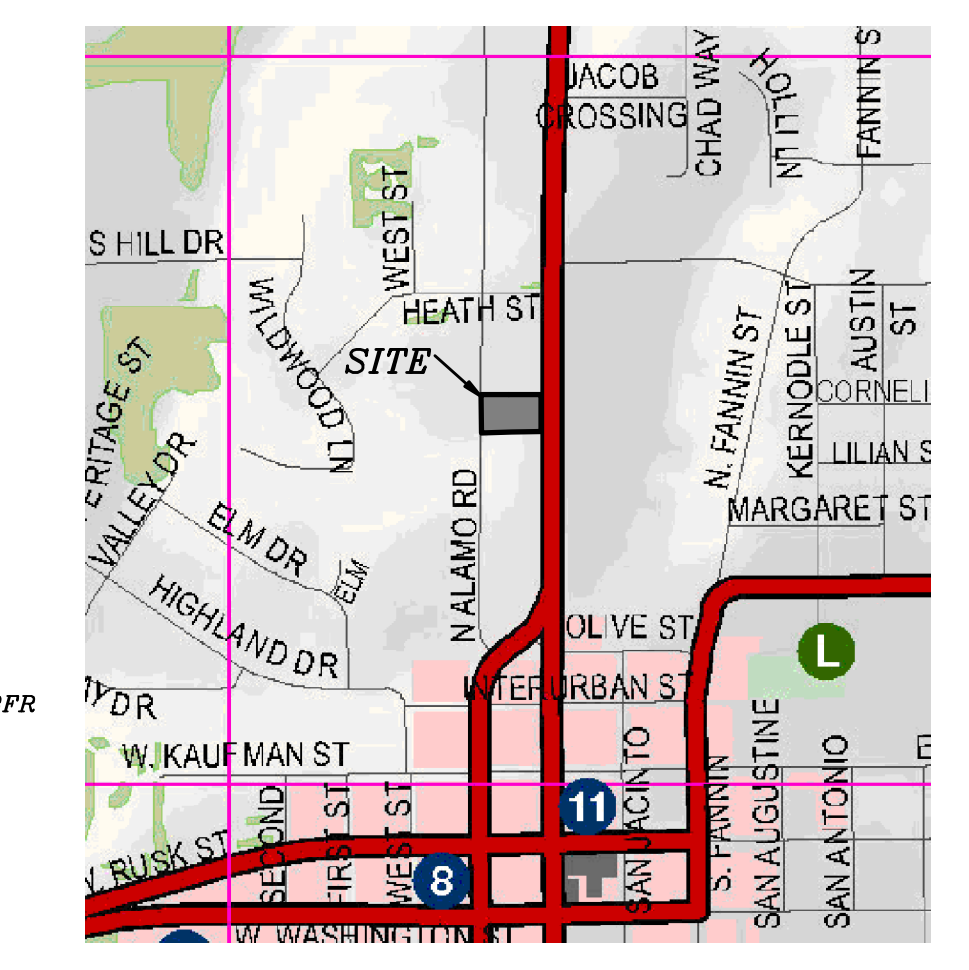
**Concept Plan:** We request that smoking be permitted both inside and outside of the property, allowing for an exceptional smoking experience. We will create an atmosphere that tailors to the cigar enthusiast, including comfortable seating throughout the store, multiple TVs, and a walk-in humidor that will offer the world's finest cigars. We will create a festive outdoor seating area also, including patio seating, multiple TVs, yard picnic tables, and so on. We will host special events to entertain our customers, including brand events where manufacturer representatives and leaders in the cigar industry can offer education and incentives surrounding their brand. We will also offer space to rent for private parties and celebrations.

Eldorado Fine Cigars was first established in McKinney Texas in March of 2018. We acquired an existing store in the same space that was struggling and implemented a different approach. We created a cigar lounge with an inviting atmosphere, including comfortable lounge seating, big screen TVs, locker memberships offering exclusive discounts, cigar brand events, and created one of the best selections of cigars in the area. As a result, our store has grown significantly over the last couple of years and is considered one of the best cigar stores in North Texas. We intend to create the same environment and quality of service in the city of Rockwall with a second store. Eldorado Fine Cigars in Rockwall will complement the downtown area, offering another venue for entertainment and luxury that the community has grown to expect.





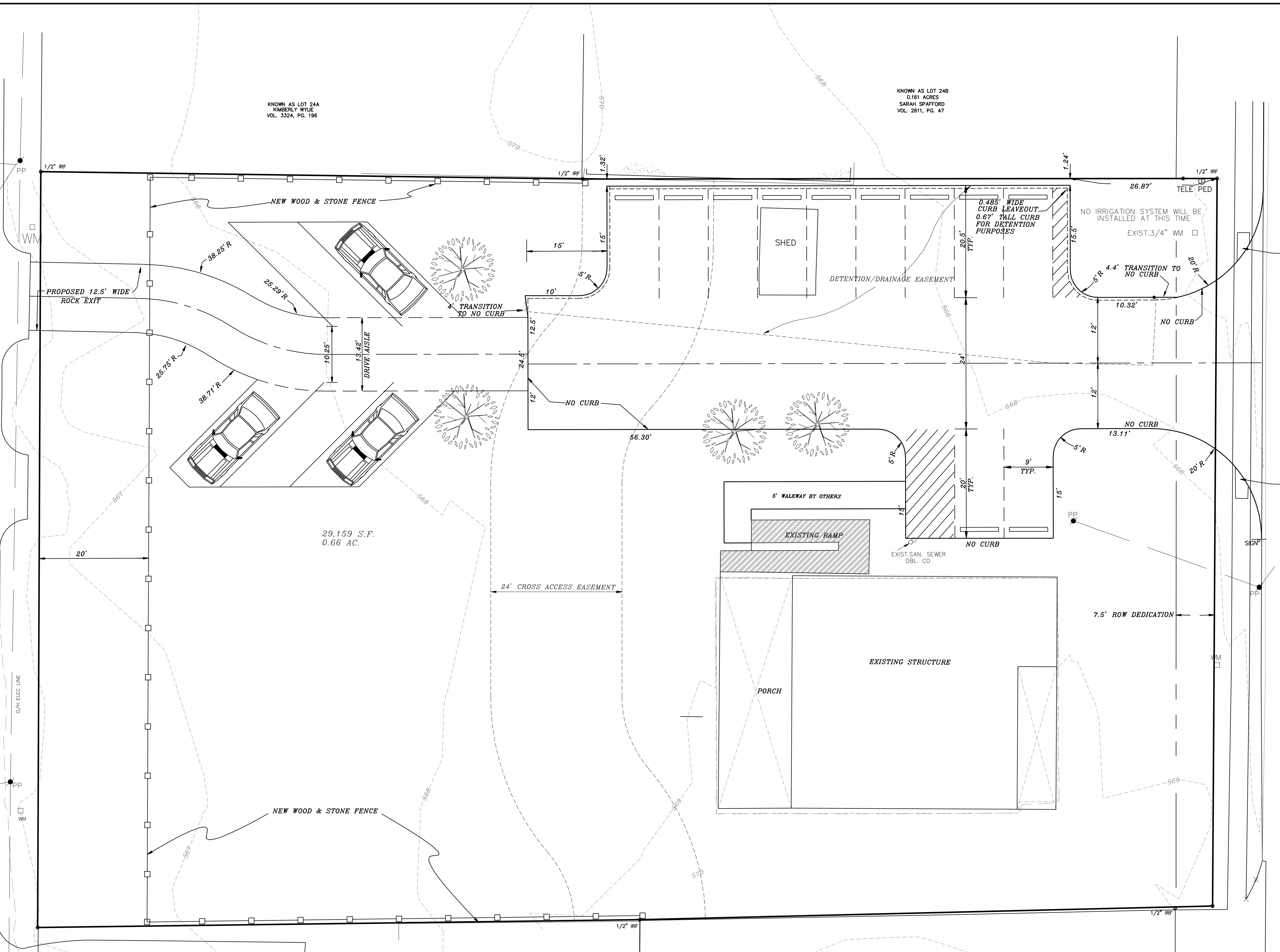
N. ALAMO STREET  
EXIST 45' R.O.W.



DOUPHRATE & ASSOCIATES, INC.  
ENGINEERING - PROJECT MANAGEMENT - SURVEYING  
2235 RIDGE RD., # 200 ROCKWALL, TEXAS 75087  
PHONE: (972)771-9004 FAX: (972)771-9005

**SITE PLAN**  
**OUR HOUSE**  
**803 N. GOLIAD STREET**  
B.F. BOYDSTON SRVEY, ABST. 14  
CITY OF ROCKWALL  
ROCKWALL COUNTY, TEXAS

10-13-15 REV. ACCESS ESMT., EX. RAMP & PARKING REVISION	W.L.D.
CHECKED	
DRAWN	GCW.
SCALE 1" = 10' H 1" = 5' V	
DATE	JULY 20, 2015
PROJECT	15016 SITE PLAN 2
	3/14



KNOWN AS LOT 24A  
KIMBERLY WYLE  
VOL. 3324, PG. 196

KNOWN AS LOT 24B  
0.161 ACRES  
SARAH SPAFFORD  
VOL. 2511, PG. 47

29,159 S.F.  
0.66 AC.

LOT 1, BLOCK A  
WAGNER CHRISTENSEN ADDITION  
CAB. H. SLIDE 229

CARLOS GUEVARA  
MONICA GUEVARA  
VOL. 5484, PG. 187  
O.P.R.R.C.T.

NOTE:  
DIMENSIONS ARE TO BACK OF  
CURB OR EDGE OF PAVEMENT

ZONING - PD50

TAX ROLL DESCRIPTION  
PROPERTY ID 14033  
AMICK, BLOCK 23A, .43 ACRES  
PROPERTY ID 1435  
AMICK, BLOCK 24C.

**SURVEYOR**  
**MADDOX SURVEYING & MAPPING, INC.**

P.O. Box 2109  
Forney, Texas 75126  
(972) 564-4416  
Firm No. 10013200

**Owner**  
**SCOTT MILDER**

830 SHORES BLVD.  
ROCKWALL, TEXAS 75087  
214-497-6411

CITY OF ROCKWALL

ORDINANCE NO. 16-22

SPECIFIC USE PERMIT NO. S-149

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 HERETOFORE AMENDED, SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) FOR A *BANQUET FACILITY/EVENT VENUE* WITHIN PLANNED DEVELOPMENT DISTRICT 50 (PD-50) ON A 0.670-ACRE PARCEL OF LAND, ADDRESSED AS 803 N. GOLIAD STREET AND BEING IDENTIFIED AS LOT 1, BLOCK A, OUR HOUSE 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**, the City has received a request by Scott and Leslie Milder for the approval of a Specific Use Permit (SUP) to allow a *Banquet Facility/Event Venue* on a 0.670-acre parcel of land identified as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, located within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 N. Goliad Street, and more specifically described 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*] and Planned Development District 50 (PD-50) [*Ordinance No. 16-15*] 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 *Banquet Facility/Event Venue* within a Planned Development District 50 (PD-50) as stipulated by *Ordinance No. 16-15* and 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 developed and/or used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as set forth in Planned Development District 50 (PD-50) [*Ordinance No. 16-15*] and Section 4.2, *Residential Office (RO) District*, of Article V, *District Development Standards*, of the Unified Development

Code [Ordinance No. 04-38] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

## 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Banquet Facility/Event Venue* on the subject property at 803 N. Goliad Street and conformance to these stipulations are required for continued operations:

- 1) The hours of operation for this facility shall be limited to Sunday through Thursday, 8:00 AM – 9:00 PM and Friday & Saturday, 8:00 AM – 11:00 PM.
- 2) No on premise food preparation shall be permitted. Service areas shall only be utilized for pre-packaged and/or catered food services.
- 3) No events held on premise shall be open to the general public.
- 4) A uniformed, state licensed security guard and/or off-duty police officer shall be present for events that include the provision of beer, wine and/or liquor. Events that limit alcohol consumption to champagne are exempt from this provision.
- 5) Live outdoor music shall be prohibited.
- 6) No event parking shall be permitted along Goliad Street.
- 7) The parking requirement for the proposed *Banquet Facility/Event Venue* is 14 parking spaces (*i.e. 1580 SF/100 SF = 16 Parking Spaces; Less two [2] parking spaces which were waived by the City Council on February 15, 2016*).
- 8) In the event that the property at 802 N. Alamo Street (*i.e. the property to the southwest of the subject property*) rezones and converts the property to a commercial land use the dedicated 20-foot cross access easement on the subject property shall be paved with concrete to connect the adjacent properties (*i.e. 802 N. Alamo Street and 801 & 807 N. Goliad Street*) as depicted in *Exhibit 'B'* of this ordinance. All paving must be constructed within 60 days of an approved site plan for the property at 802 N. Alamo Street, and shall be in accordance with the standards of Article VI, *Parking and Loading*, of the Unified Development Code.
- 9) As depicted in *Exhibit 'C'* of this ordinance, a maximum of five (5) parking spaces (*conforming to the Engineering Departments Standards of Design Manual*) connected to a 12.5-foot, one-way drive exiting to Alamo Street shall be permitted to be constructed of crushed rock or a similar paving material (*to be approved by the City Engineer*) for a period of 36-months from the approval date of this ordinance. After 36-months the alternative parking surface shall be removed and repaved in accordance with the standards of Article VI, *Parking and Loading*, of the Unified Development Code (*i.e. concrete*). Alternatively, the applicant may request that the City Council grant an extension to the 36-month period upon recommendation by the Planning and Zoning Commission.
- 10) The operation of this site shall conform to all federal, state and local standards and comply with the requirements of Section 2.2, *Compliance Standards*, of this ordinance.

## 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 outline in the Unified Development Code, the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP).

**SECTION 3.** That the official zoning map of the City of Rockwall be corrected to reflect the changes 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 of provision of this ordinance or the application of that section or provision to any person, firm, cooperation, 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 to 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 and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7<sup>TH</sup> DAY OF MARCH, 2016.**




Dennis Lewis, Mayor Pro Tem

**ATTEST:**

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

**APPROVED AS TO FORM:**

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



1<sup>st</sup> Reading: 02-15-2016

2<sup>nd</sup> Reading: 03-07-2016

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

*WHEREAS*, Scott Milder and Leslie Milder, being the owners of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

Port of the Benjamin F. Boydston Survey Abstract No. 14, situated in the City of Rockwall, Rockwall County, Texas, being all of a tract of land to Scott Milder and Leslie Milder as recorded in Volume 7120, Page 228 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

*BEGINNING* at a 1/2 inch iron rod with cap stamped "R.P.L.S. 5034" found for the northeast corner of said Milder tract, and lying on the west right-of-way line of North Goliad Street, also called State Highway Number 205, (a variable width right-of-way);

*THENCE* South 00 degrees 02 minutes 42 seconds West along the west right-of-way of said North Goliad Street and the east line of said Milder tract, a distance of 133.04 feet to a 5/8 inch iron rod stamped "R.P.L.S. 5430" set for the southeast corner of said Milder tract;

*THENCE* South 88 degrees 37 minutes 48 seconds West departing the west line of said North Goliad Street and along the south line of said Milder tract, passing a 1/2 inch iron rod stamped "R.P.L.S. 5034" at a distance of 7.50 feet found for the northeast corner of Lot 1, Block A of the Wagner Christensen Addition, an addition to The City of Rockwall as recorded in Cabinet H, Slide 229, Plat Records Rockwall County, Texas, and continuing a total distance of 105.47 feet to a 1/2 inch iron rod stamped "R.P.L.S. 5034" found for the northwest corner of said Wagner Addition, the northeast corner of a tract of land to Carlos Guevara and Monica A. Guevara recorded in Volume 5484, Page 187 Deed Records Rockwall County, Texas and at an angle point on the south line of said Milder tract;

*THENCE* South 89 degrees 15 minutes 53 seconds West along the north line of said Guevara tract and the south line of said Milder tract, a distance of 110.14 feet to a 3/8 inch iron rod found for the northwest corner of said Guevara tract, the southwest corner of said Milder tract and lying on the east line of North Alamo Street (a called 45 feet wide right-of-way);

*THENCE* North 00 degrees 14 minutes 21 seconds East along the east line of said Alamo Street and the west line of said Milder tract, a distance of 138.19 feet to 1/2 inch iron rod found for the northwest corner of said Milder tract and for the southwest corner of a tract of land to Kimberlee Wylie recorded in Volume 3324, Page 196 Deed Records Rockwall County, Texas ;

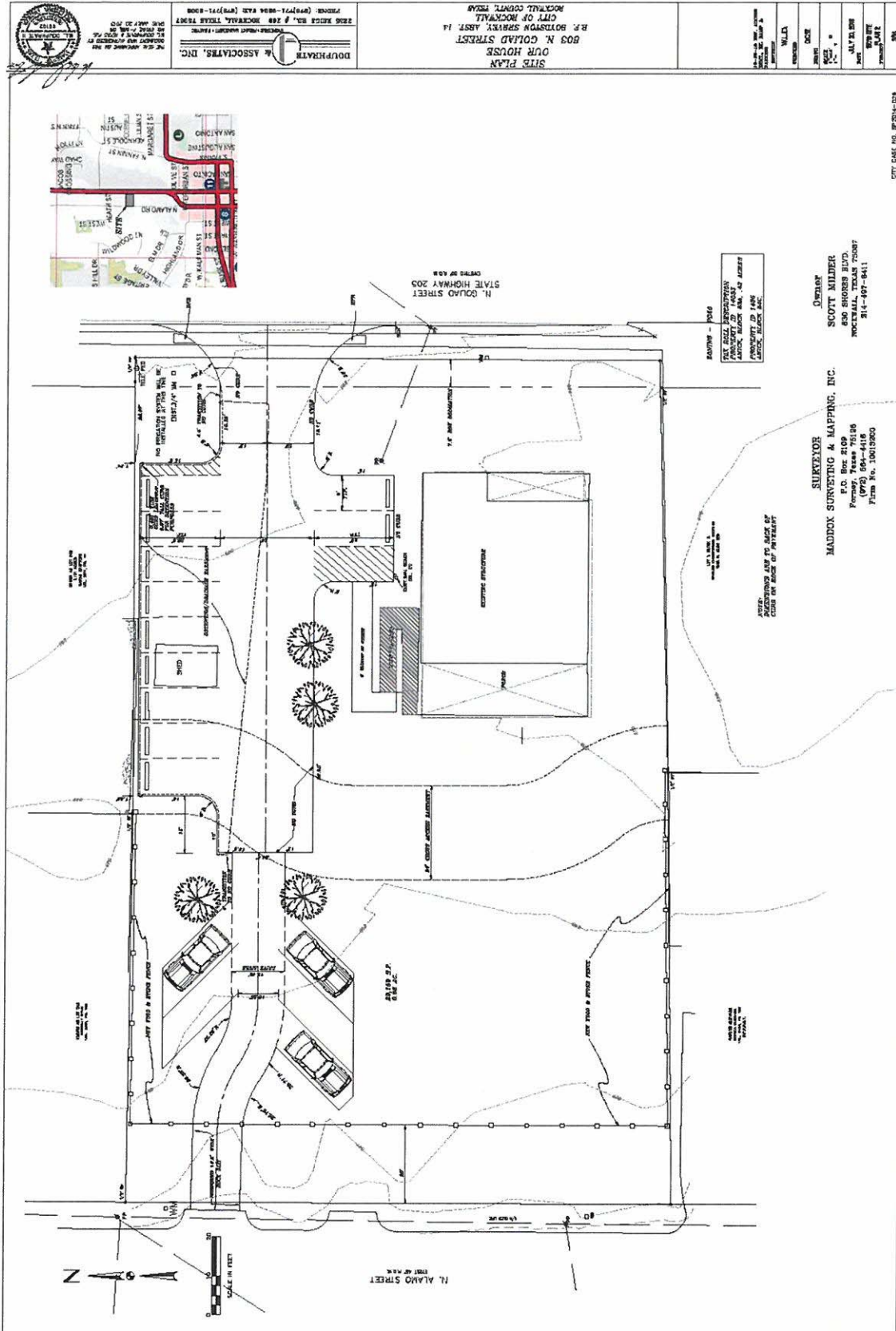
*THENCE* South 89 degrees 13 minutes 43 seconds East departing said Alamo Street and along the south line of said Wylie tract a distance of 99.09 feet to 1/2 inch iron rod stamped "R.P.L.S. 5034" found for the southeast corner of said Wylie tract, same being the southwest corner of Lot 1, Block A Double T Ventures Addition, an addition to The City of Rockwall as recorded in Instrument Number 20140000009401 Official Public Records Rockwall County, Texas;

*THENCE* North 89 degrees 57 minutes 10 seconds East along the south line of said Double T Ventures Addition a distance of 116.02 feet to the *POINT OF BEGINNING* containing 29,182 square Feet, or 0.670 of an acre of land.



# Exhibit 'C'

## Parking Within the Cross Access Easement and Alternate Paving Plan



CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *GENERAL RETAIL STORE AND BANQUET FACILITY/EVENT VENUE* ON A 0.66-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, OUR HOUSE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF 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**, the City has received a request from Scott & Leslie Milder for the approval of a Specific Use Permit (SUP) for a *General Retail Store and Banquet Facility/Event Venue* on a 0.66-acre parcel of land being described as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, addressed as 803 N. Goliad Street [*SH-205*], and being more specifically described and 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 (UDC) [*Ordinance No. 20-02*] and Planned Development District 50 (PD-50) [*Ordinance No. 17-19*] 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 approval of this Specific Use Permit (SUP) ordinance shall supersede all requirements stipulated by *Ordinance No. 16-22 [S-149]*, and *Ordinance No. 16-22* shall expire in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC); and,

**SECTION 2.** That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *General Retail Store and Banquet Facility/Event Venue* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,



**SECTION 3.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 04.01, *General Commercial Districts Standards*, and Subsection 04.02, *Residential-Office (RO) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and the following conditions:

### 3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *General Retail Store* and *Hair Salon and/or Manicurist* on the *Subject Property* and conformance to these conditions is required for continued operation:

- (1) The *subject property* should maintain general conformance with the *Concept Plan* contained in *Exhibit 'C'* of this ordinance.
- (2) The hours of operation for the *Banquet Facility/Event Venue* shall be limited to Sunday through Thursday, 8:00 AM – 9:00 PM and Friday & Saturday, 8:00 AM – 11:00 PM.
- (3) The hours of operation for the *General Retail Store* shall be limited to Monday through Sunday 7:00 AM – 8:00 PM.
- (4) No on-premise food preparation shall be permitted. Service areas shall only be utilized for pre-packaged and/or catered food services.
- (5) The sale of alcoholic beverages shall be prohibited; however, alcohol shall be permitted to be provided by the guests for events associated with the *Banquet Facility/Event Venue*.
- (6) No events held on premise shall be open to the general public.
- (7) A uniformed, state licensed security guard and/or off-duty police officer shall be present for events that include the provision of beer, wine and/or liquor. Events that limit alcohol consumption to champagne are exempt from this provision.
- (8) Live outdoor music shall be prohibited.
- (9) No event parking shall be permitted along Goliad Street or Alamo Street.
- (10) The parking requirement for the proposed *Banquet Facility/Event Venue* is 14 parking spaces (*i.e. 1580 SF/100 SF = 16 Parking Spaces; Less two [2] parking spaces which were waived by the City Council on February 15, 2016*).
- (11) The indoor areas shall be limited to maximum occupancy of 49 people.
- (12) In the event that the property at 802 N. Alamo Street (*i.e. the property to the southwest of the subject property*) rezones and converts the property to a commercial land use the dedicated 20-foot cross access easement on the subject property shall be paved with concrete to connect the adjacent properties (*i.e. 802 N. Alamo Street and 801 & 807 N. Goliad Street*) as depicted in *Exhibit 'B'* of this ordinance. All paving must be constructed within 60 days of an approved site plan for the property at 802 N. Alamo Street, and shall be in accordance with the standards of Article 06, *Parking and Loading*, of the Unified Development Code.
- (13) The operation of this site shall conform to all federal, state and local standards and comply with the requirements of Section 3.2, *Compliance*, of this ordinance.

### 3.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Certificate of Occupancy (CO)*, should the business owner 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 may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*].

**SECTION 4.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 5.** 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 6.** 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 7.** 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 8.** 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 3<sup>RD</sup> DAY OF AUGUST, 2020.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: July 20, 2020

2<sup>nd</sup> Reading: August 3, 2020

DRAFT  
ORDINANCE  
07.20.2020

**Exhibit 'A'**  
*Location Map*

Address: 803 N. Goliad Street

Legal Description: Lot 1, Block A, Our House Addition



**Exhibit 'A'**  
*Location Map*

WHEREAS, Scott Milder and Leslie Milder, being the owners of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

Port of the Benjamin F. Boydston Survey Abstract No. 14, situated in the City of Rockwall, Rockwall County, Texas, being all of a tract of land to Scott Milder and Leslie Milder as recorded in Volume 7120, Page 228 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

*BEGINNING* at a 1/2 inch iron rod with cop stamped "R.P.L.S. 5034" found for the northeast corner of said Milder tract, and lying on the west right-of-way line of North Goliad Street, also called State Highway Number 205, (a variable width right-of-way);

*THENCE* South 00 degrees 02 minutes 42 seconds West along the west right-of-way of said North Goliad Street and the east line of said Milder tract, a distance of 133.04 feet to a 5/8 inch iron rod stamped "R.P.L.S. 5430" set for the southeast corner of said Milder tract;

*THENCE* South 88 degrees 37 minutes 48 seconds West departing the west line of said North Goliad Street and along the south line of said Milder tract, passing a 1/2 inch iron rod stamped "R.P.L.S. 5034" at a distance of 7.50 feet found for the northeast corner of Lot 1, Block A of the Wagner Christensen Addition, an addition to The City of Rockwall as recorded in Cabinet H, Slide 229, Plat Records Rockwall County, Texas, and continuing a total distance of 105.47 feet to a 1/2 inch iron rod stamped "R.P.L.S. 5034" found for the northwest corner of said Wagner Addition, the northeast corner of a tract of land to Carlos Guevara and Monica A. Guevara recorded in Volume 5484, Page 187 Deed Records Rockwall County, Texas and at an angle point on the south line of said Milder tract;

*THENCE* South 89 degrees 15 minutes 53 seconds West along the north line of said Guevara tract and the south line of said Milder tract, a distance of 110.14 feet to a 3/8 inch iron rod found for the northwest corner of said Guevara tract, the southwest corner of said Milder tract and lying on the east line of North Alamo Street (a called 45 feet wide right-of-way);

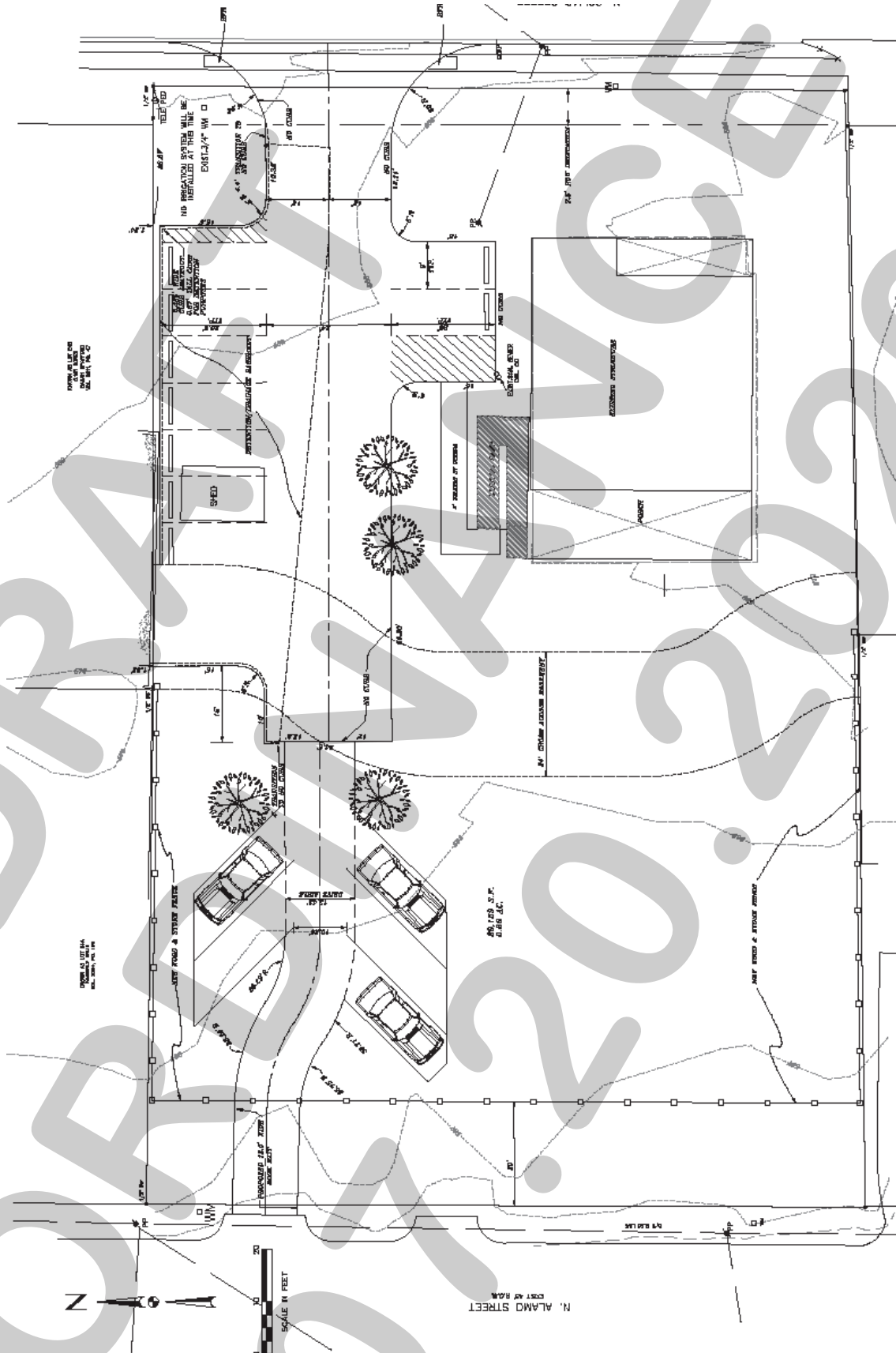
*THENCE* North 00 degrees 14 minutes 21 seconds East along the east line of said Alamo Street and the west line of said Milder tract, a distance of 138.19 feet to 1/2 inch iron rod found for the northwest corner of said Milder tract and for the southwest corner of a tract of land to Kimberlee Wylie recorded in Volume 3324, Page 196 Deed Records Rockwall County, Texas;

*THENCE* South 89 degrees 13 minutes 43 seconds East departing said Alamo Street and along the south line of said Wylie tract a distance of 99.09 feet to 1/2 inch iron rod stamped "R.P.L.S. 5034" found for the southeast corner of said Wylie tract, same being the southwest corner of Lot 1, Block A Double T Ventures Addition, an addition to The City of Rockwall as recorded in Instrument Number 2014000009401 Official Public Records Rockwall County, Texas;

*THENCE* North 89 degrees 57 minutes 10 seconds East along the south line of said Double T Ventures Addition a distance of 116.02 feet to the *POINT OF BEGINNING* containing 29,182 square Feet, or 0.670 of an acre of land.



Exhibit 'C':  
Concept Plan





August 10, 2020

TO: Scott and Leslie Milder  
501 Camp Creek Road  
Rockwall, TX 75087

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

SUBJECT: Z2020-027; *Specific Use Permit (SUP) for 803 N. Goliad Street*

Mr. & Mrs. Milder:

This letter serves to notify you that the above referenced zoning case, that you submitted for consideration by the City of Rockwall, was approved by the City Council on August 3, 2020. The following is a record of all recommendations, voting records and conditions of approval:

Staff Recommendations

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
  - (a) The subject property should maintain general conformance with the *Concept Plan* contained in *Exhibit 'C'* of the draft ordinance.
  - (b) The hours of operation for the *Banquet Facility/Event Hall* shall be limited to Sunday through Thursday, 8:00 AM – 9:00 PM and Friday & Saturday, 8:00 AM – 11:00 PM.
  - (c) The hours of operation for the *General Retail Store* shall be limited to Monday through Sunday 7:00 AM – 8:00 PM.
  - (d) No on-premise food preparation shall be permitted. Service areas shall only be utilized for pre-packaged and/or catered food services.
  - (e) The sale of alcoholic beverages shall be prohibited; however, alcohol shall be permitted to be provided by the guests for events associated with the *Banquet Facility/Event Hall*.
  - (f) No events held on premise shall be open to the general public.
  - (g) A uniformed, state licensed security guard and/or off-duty police officer shall be present for events that include the provision of beer, wine and/or liquor. Events that limit alcohol consumption to champagne are exempt from this provision.
  - (h) Live outdoor music shall be prohibited.
  - (i) No event parking shall be permitted along Goliad Street or Alamo Street.
  - (j) The parking requirement for the proposed Banquet Facility/Event Venue is 14 parking spaces (i.e. 1580 SF/100 SF = 16 Parking Spaces; Less two [2] parking spaces which were waived by the City Council on February 15, 2016).
  - (k) The indoor areas shall be limited to maximum occupancy of 49 people.
  - (l) In the event that the property at 802 N. Alamo Street (i.e. the property to the southwest of the subject property) rezones and converts the property to a commercial land use the dedicated 20-foot cross access easement on the subject property shall be paved with concrete to connect the adjacent properties (i.e. 802 N. Alamo Street and 801 & 807 N. Goliad Street) as depicted in *Exhibit 'B'* of the draft ordinance. All paving must be constructed within 60 days of an approved site plan for the property at 802 N. Alamo Street, and shall be in accordance with the standards of Article 06, *Parking and Loading*, of the Unified Development Code.
  - (m) The operation of this site shall conform to all federal, state and local standards and comply with the requirements of Section 3.2, *Compliance*, of the draft ordinance.
- (2) The applicant will be required to apply for a Certificate of Occupancy (CO) for the subject property prior to commencing operations; and,



- (3) 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 July 14, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) with the conditions of approval by a vote of 6-0, with Commissioner Moeller absent.

City Council

On July 20, 2020, the City Council approved the Specific Use Permit (SUP) by a vote of 7-0 (1<sup>st</sup> Reading).

On August 3, 2020, the City Council approved the Specific Use Permit (SUP) by a vote of 6-0, with Councilmember Daniels absent (2<sup>nd</sup> Reading).

Included with this letter is a copy of Ordinance No. 20-25, which is the regulating ordinance adopted with the City Council's approval of this case. Should you have any questions or concerns regarding your zoning case, please feel free to contact me a (972) 771-7745.

Sincerely,



Ryan Miller, AICP  
Director of Planning and Zoning