



**CASE COVER SHEET**

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

**PLANNING & ZONING CASE NO.**

**PLANNING & ZONING FEE**

**PLATTING APPLICATION**

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

**SITE PLAN APPLICATION**

- SITE PLAN
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING

**ZONING APPLICATION**

- ZONING CHANGE
- SPECIFIC USE PERMIT
- PD DEVELOPMENT PLAN

**OTHER APPLICATION**

- TREE REMOVAL
- VARIANCE REQUEST/SPECIAL EXCEPTIONS

**RECORD OF RECOMMENDATIONS, VOTING RECORDS, AND CONDITIONS OF APPROVAL**

**ARCHITECTURE REVIEW BOARD**

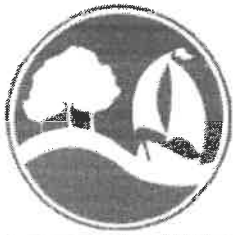
**PLANNING AND ZONING COMMISSION**

**CITY COUNCIL READING #1**

**CITY COUNCIL READING #2**

**CONDITIONS OF APPROVAL**

**NOTES**



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY  
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: \_\_\_\_\_

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>
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- REPLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

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- SITE PLAN (\$250.00 + \$20.00 ACRE) <sup>1</sup>
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### ZONING APPLICATION FEES:

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- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1 & 2</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

### OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) <sup>2</sup>

#### 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.  
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## PROPERTY INFORMATION (PLEASE PRINT)

ADDRESS 316 S. Goliad St. Rockwall TX 75087

SUBDIVISION \_\_\_\_\_ LOT \_\_\_\_\_ BLOCK \_\_\_\_\_

GENERAL LOCATION \_\_\_\_\_

## ZONING, SITE PLAN AND PLATTING INFORMATION (PLEASE PRINT)

CURRENT ZONING Commercial

CURRENT USE Restaurant

PROPOSED ZONING Sell Beer & Wine

PROPOSED USE Restaurant/Comedy Club w/ Beer & Wine

ACREAGE \_\_\_\_\_ LOTS (CURRENT) \_\_\_\_\_

LOTS (PROPOSED) \_\_\_\_\_

**SITE PLANS AND PLATS:** BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3162 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 Revital (Revi) Mervasche  APPLICANT Same

CONTACT PERSON Revi CONTACT PERSON \_\_\_\_\_

ADDRESS 316 S. Goliad St #201 ADDRESS \_\_\_\_\_

CITY, STATE & ZIP Rockwall, TX 75087 CITY, STATE & ZIP \_\_\_\_\_

PHONE 754 204-3659 PHONE \_\_\_\_\_

E-MAIL thebagel lady@uphoo.com E-MAIL \_\_\_\_\_

## NOTARY VERIFICATION (REQUIRED)

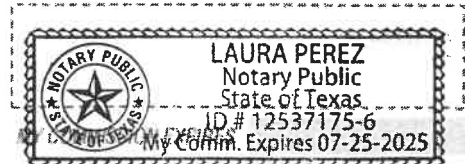
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Revital Mervasche (OWNER) THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT, AND THE APPLICATION FEE OF \$ \_\_\_\_\_ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 31 DAY OF January, 2024

OWNER'S SIGNATURE Revital Mervasche

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS [Signature]



# To fellow members of the board

My name is Revi, my husband and I own The Bagel Lady. As you may or may not know our daughter Jacqueline passed away in May. My husband and I would like to honor her by opening a comedy club. Our daughter was an inspiring chef and Comedian because of that we decided to use half our store on Friday, Saturday and Sunday as a comedy club location.

We feel this would add a great venue here in Rockwall for the 18 and older crowd. We are asking for this exception to sell beer and wine at our location during the evenings when we have comedy shows. We are aware that we are less than 300 feet from Reach Church next-door but our comedy club will be open in the evenings when they are closed. Our coffee house will still be active during the day and will convert to a comedy house on weekend evenings.

Thank you for the consideration

Revi Menasche

Jax Comedy Club

A handwritten signature in black ink, appearing to read 'Revi Menasche', written in a cursive style.



**CITY OF ROCKWALL**  
CITY COUNCIL MEMORANDUM

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

---

**TO:** Mayor and City Council  
**CC:** Mary Smith, *City Manager*  
Joey Boyd, *Assistant City Manager*  
**FROM:** Ryan Miller, *Director of Planning and Zoning*  
**DATE:** February 20, 2024  
**SUBJECT:** MIS2024-002; *Variance to the Distance Requirements for Alcoholic Beverage Sales for On-Site Consumption in Conjunction with a Restaurant (i.e. The Bagel Lady Deli & Coffee Shop)*

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The applicant -- *Revi Menasche* -- is requesting the approval of a variance to the proximity requirements for the sale of alcoholic beverages for on-site consumption for the purpose of establishing a Comedy Club in conjunction with an existing restaurant (*i.e. The Bagel Lady Deli & Coffee Shop*). In accordance with the *Texas Alcoholic Beverage Code*, the City of Rockwall has adopted distance requirements that stipulate a minimum separation between businesses that sell alcohol -- *for on-site or off-site consumption* -- and schools, churches, and hospitals. Subsection 03.05, *Alcoholic Beverage Sales*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) states the following (*with pertinent information underlined*):

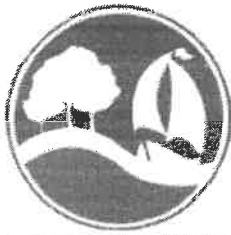
(A) Restaurants with Alcoholic Beverage Sales.

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

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

Currently, the existing restaurant is located in the *Eastlake Business Center*, which is a multi-tenant shopping center located at 316 N. Goliad Street [SH-205]. Located approximately 55.00-feet from the front door of the existing restaurant -- *on the same side of the shopping center* -- is the front door of an existing church (*i.e. Reach Church*) [see the proximity map in the attached packet]. Based on this, the applicant is requesting a variance to the alcohol proximity requirements. Staff should point out that there is currently an existing *Craft Micro Brewery* on the parcel of land directly north of the *Eastlake Business Center*; however, the *Craft Micro Brewery* does appear to meet the proximity requirements -- *being approximately 345.00-feet as*

*measured along the property lines of the street fronts and from the front door to front door of both establishments -- as stipulated by the Texas Alcoholic Beverage Commission's (TABC's) Alcoholic Beverage Code. With this being said, the approval of the requested variance is a discretionary decision for the City Council. Should the City Council have any questions, staff and the applicant will be available at the February 20, 2024 City Council meeting.*



# DEVELOPMENT APPLICATION

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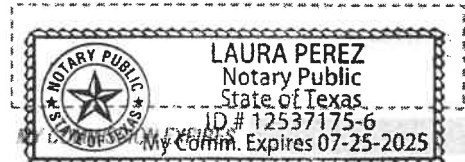
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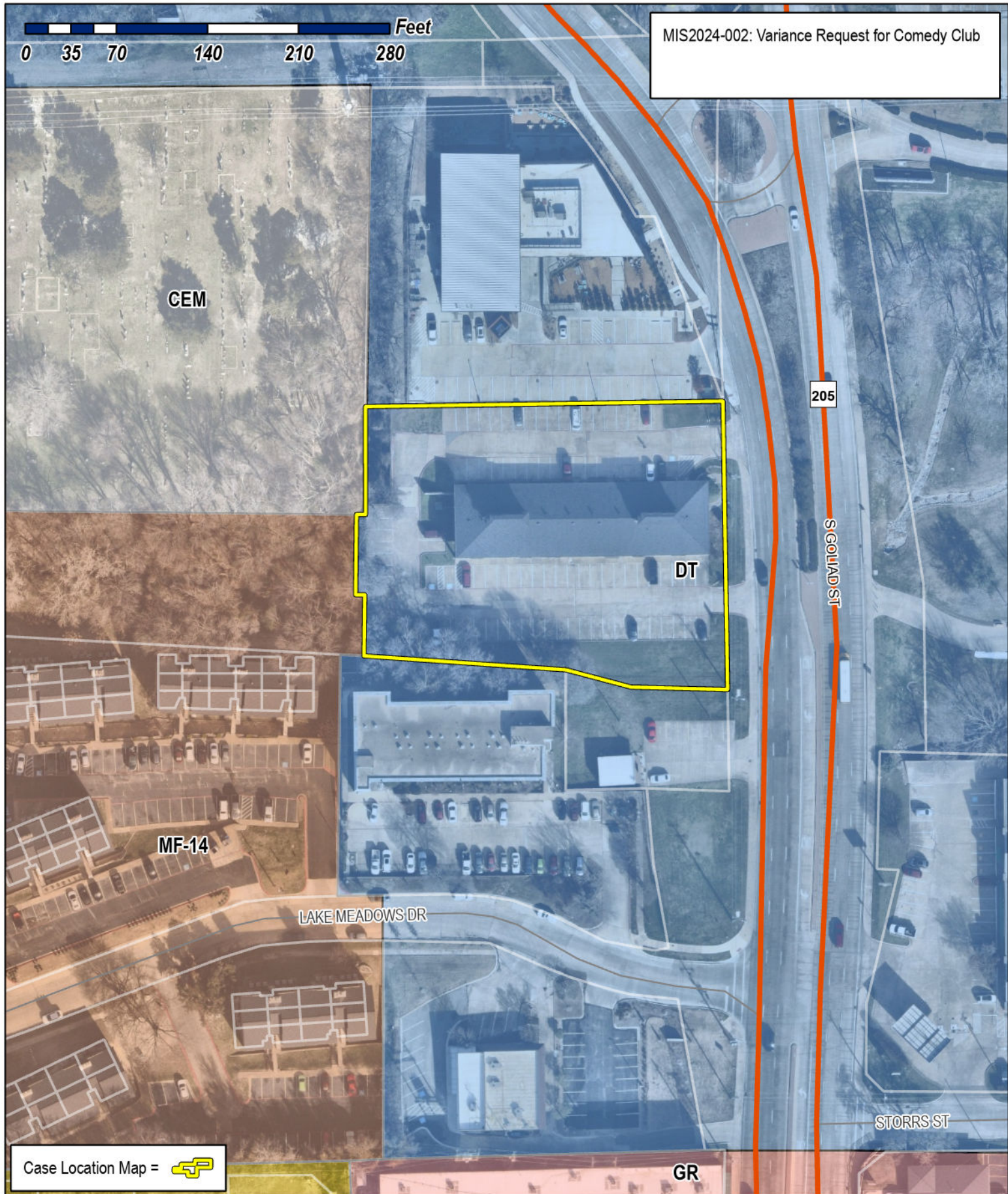
OWNER'S SIGNATURE Revital Mervasche

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS [Signature]



0 35 70 140 210 280 Feet

MIS2024-002: Variance Request for Comedy Club



Case Location Map = 



# City of Rockwall

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



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Revi Menasche


Jax Comedy Club

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Variance to the Proximity Alcohol Requirements at 316 S. Goliad St.

Subject Suite = 



# City of Rockwall

Planning & Zoning Department  
 385 S. Goliad Street  
 Rockwall, Texas 75087  
 (P): (972) 771-7745  
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← Super Food





REACH:  
ROCKWALL

265  
SHOW CARS  
CALL US TODAY  
936-779-7771



DATE: May 16, 2024

TO: Revital Menasche  
316 S. Goliad Street, Suite 201  
Rockwall, TX 75087

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

SUBJECT: MIS2024-002; *Variance to the Distance Requirements for Alcoholic Beverage Sales for On-Site Consumption in Conjunction with a Restaurant (i.e. The Bagel Lady Deli & Coffee Shop)*

Ms. Menasche,

This letter serves to notify you that the above referenced case (*i.e. Miscellaneous Case*) that you submitted for consideration by the City of Rockwall was approved by the City Council on February 20, 2024. The following is a record of all recommendations, voting records and conditions of approval:

City Council

On March 4, 2024, the City Council approved a motion to approve the variance by a vote of 5-1, with Council Member Jorif dissenting, and Council Member McCallum absent.

Should you have any questions or concerns regarding your case, please feel free to contact me a (972) 772-6441.

Sincerely,

A handwritten signature in black ink, appearing to read 'R Miller'.

Ryan Miller, AICP  
Director of Planning and Zoning  
City of Rockwall Planning and Zoning Department