



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

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PROPERTY INFORMATION [PLEASE PRINT]

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 GENERAL LOCATION Northeast of the intersection of Alpha Dr & Sigma Ct

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<input type="checkbox"/> OWNER	QA Logistics Rockwall LP	<input checked="" type="checkbox"/> APPLICANT	Randy Heinrich
CONTACT PERSON		CONTACT PERSON	andrew@masterplantexas.com
ADDRESS	12001 N Central Expy Ste 200	ADDRESS	4945 Bear Claw Ln
CITY, STATE & ZIP	Dallas, TX 75243	CITY, STATE & ZIP	Rockwall, TX 75032
PHONE		PHONE	214-477-2385
E-MAIL		E-MAIL	hhh.brewing.equipment@gmail.com

NOTARY VERIFICATION [REQUIRED]

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

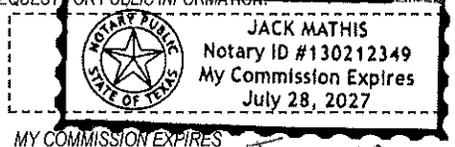
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GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 19th DAY OF October, 2013.

OWNER'S SIGNATURE

David Carweight
Joe Mathis

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



MY COMMISSION EXPIRES July 28, 2027



Summary of Request

Alcohol Variance for 1915 Alpha Dr

On behalf of the property owner, QA Logistics Rockwall LP and applicant, Randy Heinrich, Masterplan requests an alcohol variance for a 6,300 sf craft brewery use at 1915 Alpha Dr. The proposed craft brewery use is located in a LI Light Industrial zoned district and is a lease space in an existing warehouse building at the terminus of Alpha Road. This site is approximately 235 feet measured from property line to property line from school district property. The alcohol variance request is required for the sale of alcoholic beverages within 300 feet of the property line of the school district. The site does not have direct pedestrian access from school district property and is situated at the end of a commercial and office section of land uses fronting Alpha Drive. The applicant, Mr. Heinrich plans to provide a community-serving craft brewery use at this location for the benefit and enjoyment to the citizens of Rockwall.



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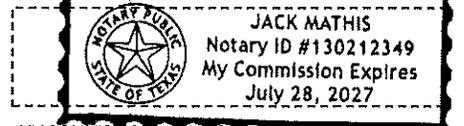
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July 28, 2027



MIS2023-015: Variance for On-Site Consumption of Alcohol at 915 Alpha Drive



Case Location Map =



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Summary of Request

Alcohol Variance for 1915 Alpha Dr

On behalf of the property owner, QA Logistics Rockwall LP and applicant, Randy Heinrich, Masterplan requests an alcohol variance for a 6,300 sf craft brewery use at 1915 Alpha Dr. The proposed craft brewery use is located in a LI Light Industrial zoned district and is a lease space in an existing warehouse building at the terminus of Alpha Road. This site is approximately 235 feet measured from property line to property line from school district property. The alcohol variance request is required for the sale of alcoholic beverages within 300 feet of the property line of the school district. The site does not have direct pedestrian access from school district property and is situated at the end of a commercial and office section of land uses fronting Alpha Drive. The applicant, Mr. Heinrich plans to provide a community-serving craft brewery use at this location for the benefit and enjoyment to the citizens of Rockwall.



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: December 4, 2023
SUBJECT: MIS2023-016; *Variance to the Alcohol Proximity Requirements for 1915 Alpha Drive*

The applicant, Randy Heinrich, is requesting a variance to the distance regulations for the sale of alcoholic beverages by a retail establishment for on and off-premise consumption to allow a *Craft/Micro Brewery* within 300-feet of a public school (*i.e. Herman Utley Middle School*). The subject property is a 5.1292-acre parcel of land (*i.e. Lot 2, Block D, Ellis Centre, Phase 2*) that is located at the terminus of Alpha Drive, and is addressed as 1915 Alpha Drive. A *Craft/Micro Brewery* is a permitted by-right land use in a Light Industrial (LI) District. In accordance with the *Texas Alcoholic Beverage Code*, the City of Rockwall has adopted distance requirements that stipulate a minimum separation between businesses that sell alcohol -- *for on-site or off-site consumption* -- and schools, churches, and hospitals. Section 03.05, *Alcoholic Beverage Sales*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) states the following (*with pertinent information underlined*):

(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.

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

- (1) *Retail establishments may sell beer and wine for off-premises consumption by right if they are located on property that was within the city limits as of November 14, 2007, and are located in a zoning district allowing such use. Retail establishments located on property that was annexed after November 14, 2007, may not engage in the selling of beer and wine for off-premises consumption.*
- (2) *Retail establishments engaged in the selling of beer and wine to the general public for off-premises consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and must be located not less than 300 feet from a church, public school, private school (as defined by the Texas Alcoholic Beverage Code) or public hospital. For a church or public hospital, the 300 feet shall be measured along the property lines of the street fronts and from front door to front*

door, and in a direct line across intersections. For public schools or private schools, the measurement of distance shall be in direct line from the property line of the public school to the property line of the retail establishment and in a direct line across intersections. If the permit or license holder is located on or above the fifth story of a multistory building, the measurement shall be in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.

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In this case, the applicant's western property line is located within 238.50-feet from the eastern most property line of *Herman Utley Middle School*. Staff should note that the proposed *Craft/Micro Brewery* will only have direct access to Alpha Drive, which does connect into T. L. Townsend Drive. T. L. Townsend Drive is the only ingress/egress point for the public school; however, the proposed *Craft/Micro Brewery* is 1,959.52-feet from the nearest drive approach of the public school. Taking this into consideration, the applicant's request for a variance to the alcohol proximity requirements is a discretionary decision for the City Council. To assist the City Council in making this decision, staff has provided a map showing the location of the proposed *Craft/Micro Brewery* and the public school. Should the City Council have any questions, staff and the applicant will be available at the December 4, 2023 City Council meeting.



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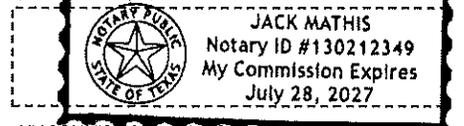
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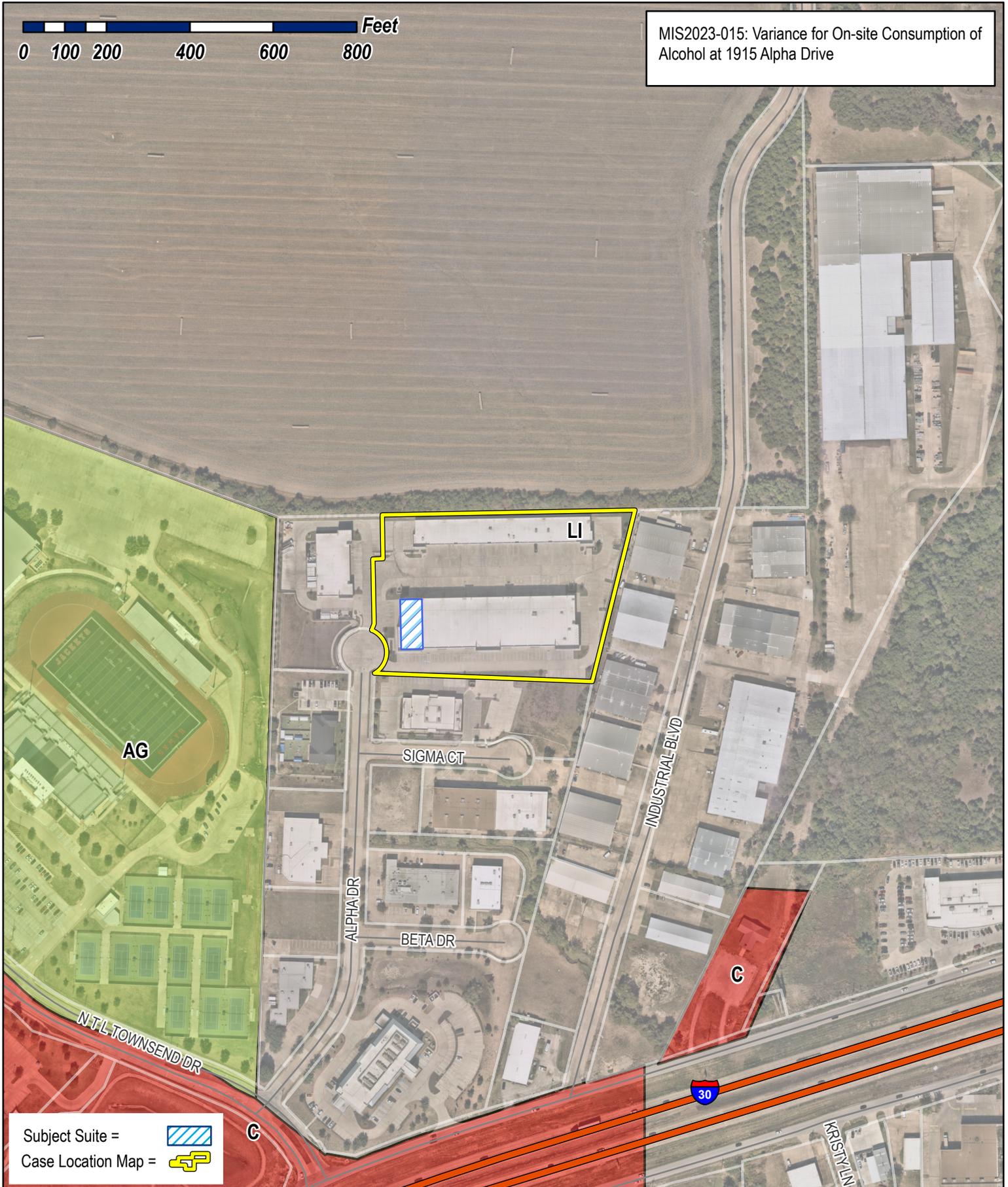


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July 28, 2027



MIS2023-015: Variance for On-site Consumption of Alcohol at 1915 Alpha Drive



Subject Suite = 
 Case Location Map = 



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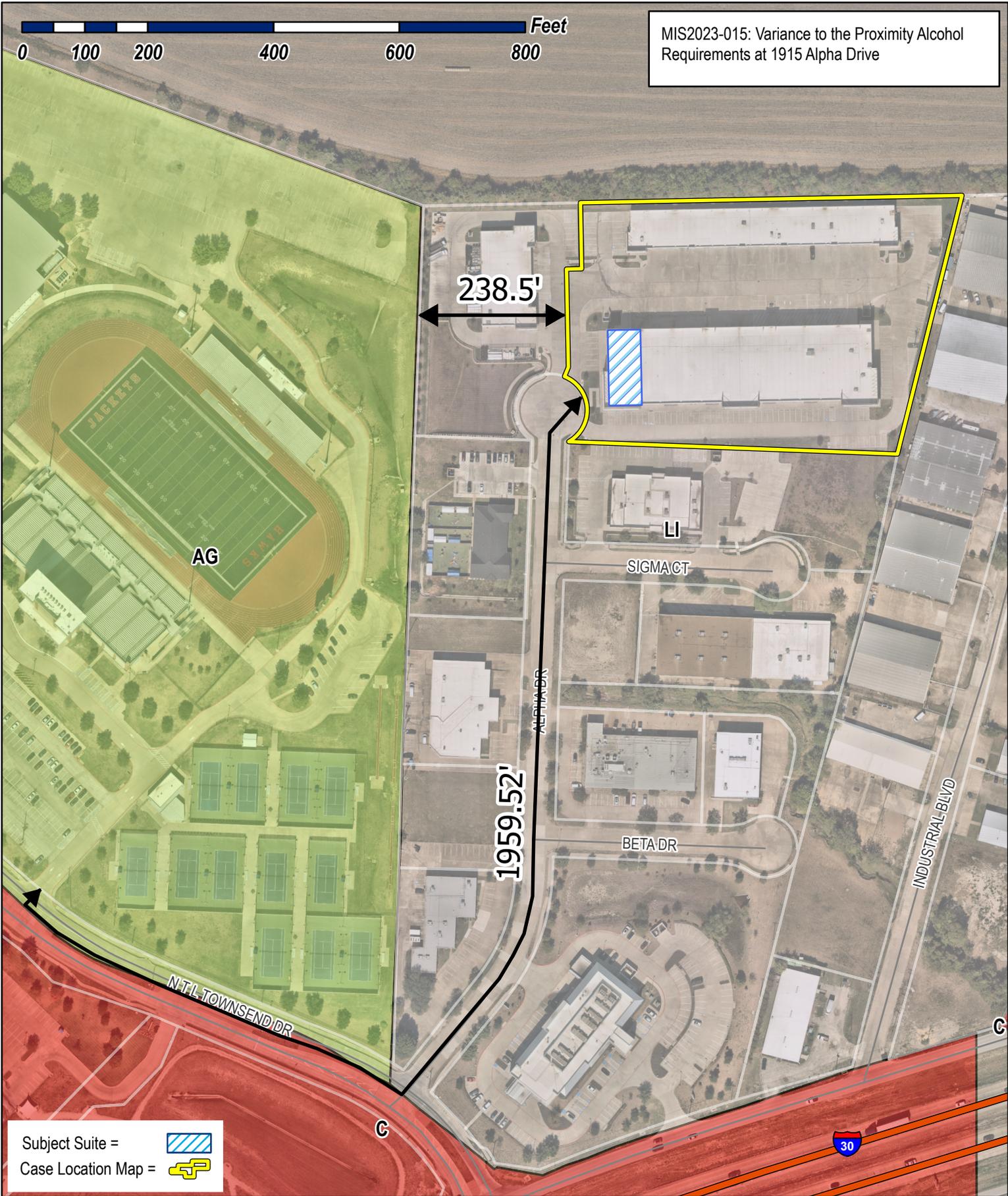
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MIS2023-015: Variance to the Proximity Alcohol Requirements at 1915 Alpha Drive



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December 11, 2023

TO: Randy Heinrich
4945 Bear Claw Lane
Rockwall, TX 75032

CC: QA Logistics Rockwall, LP
12001 N. Central Expressway, Suite 200
Dallas, TX 75243

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

SUBJECT: MIS2023-015; Variance for to the Alcohol Proximity Requirements for 1915 Alpha Drive

Mr. Heinrich:

This letter serves to notify you that the above referenced case, that you submitted for consideration by the City of Rockwall, was approved by the City Council on December 4, 2023. The following is a record of all recommendations, voting records and conditions of approval:

City Council

On December 4, 2023, the City Council approved a motion to approve the variance by a vote of 5-0, with Council Members Campbell and Moeller absent.

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

Sincerely,

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

Ryan Miller, AICP
Director of Planning and Zoning