

ROCKWALL CITY COUNCIL MEETING

Tuesday, January 21, 2025 - 5:30 PM

City Hall Council Chambers - 385 S. Goliad St., Rockwall, TX 75087

I. Call Public Meeting to Order

Mayor Johannesen called the public meeting to order at 5:30 p.m. Present were Mayor Trace Johannesen, Mayor Pro Tem Clarence Jorif and Councilmembers Sedric Thomas, Mark Moeller, Anna Campbell, Tim McCallum, and Dennis Lewis. Also present were City Manager Mary Smith and Assistant City Manager Joey Boyd. City Attorney Frank Garza was listening to the meeting remotely but was absent.

Mayor Johannesen read the below-listed discussion items into the public record before recessing the meeting to go into Executive Session at 5:31 p.m.

II. Executive Session

1. Discussion regarding possible terms of agreement of possible grant for improvements to municipal park, pursuant to Section 551.071 (Attorney consultation).
2. Discussion regarding (re)appointments to city regulatory boards and commissions, pursuant to §551.074 (Personnel Matters).

III. Adjourn Executive Session

Council adjourned from Ex. Session at 5:55 p.m.

IV. Reconvene Public Meeting (6:00 P.M.)

Mayor Johannesen reconvened the public meeting at 6:00 p.m.

V. Invocation and Pledge of Allegiance - Councilmember Thomas

Councilmember Thomas delivered the invocation and led the Pledge of Allegiance.

VI. Proclamations / Awards / Recognitions

1. Food For Kids Day (Kiwanis) Proclamation

Mayor Johannesen read and presented this proclamation to local Kiwanis Club members, congratulating them for recent distribution of their 50,000th food bag. These food bags get sent home with local school district students who do not have weekend food at home. Mrs. Smith, City Manager

and member of Kiwanis, explained more about the program, sharing that school counselors identify the recipients. She expressed how the food bags benefit local school children.

VII. Appointment Items

1. Appointment with Planning & Zoning Commission representative to discuss and answer any questions regarding planning-related cases on the agenda.

No one was present for this appointment item, so it was not addressed.

VIII. Open Forum

Mayor Johannesen explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time.

Bob Wacker
309 Featherstone Drive
Rockwall, TX 75087

Mr. Wacker came forth and gave a brief presentation related to homeowners' associations, highlighting some of the city's regulations from its Unified Development Code and sharing details about HOA dues collected within the Stone Creek Estates subdivision over the last many years (since 2008/2009 timeframe) and things for which HOAs are responsible (i.e. common area maintenance). He went on to ask the city to revise its UDC to require that HOA have sufficient income from assessments to execute and maintain common areas, etc. before the developer can deed them to the HOA. He went on to share several things that his subdivision's HOA has been challenged with (i.e. black mold in its amenity center).

Mr. Miller shared that DC&Rs are private contracts entered into with private residents living within subdivisions, and the city cannot get involved in private contracts. Mrs. Smith shared that the city attorney has indicated he will need to do some research on this topic before he would be able to properly advise the city on these matters.

Stan Jeffus
2606 Cypress Drive
Rockwall, TX 75087

Mr. Jeffus came forth and spoke regarding Z2024-042 (Consent Agenda item #4). Mr. Jeffus indicated that this is a high-density development. He shared it is 2 houses per acre, and it lacks open space. A 'neighborhood,' he shared should have open space and walking paths and should be void of "house-upon house-upon house" being stacked up on one another. He generally expressed opposition to this development, as he does not believe it is properly representative of a 'neighborhood,' and the city should not approve it. Mayor Johannesen shared that it sounds like Mr. Jeffus would like to re-write the city's standards and how it defines density. Mr. Miller briefly commented on how the city currently goes about calculating density.

There being no one else indicating a desire to come forth and speak at this time, Mayor Johannesen then closed Open Forum.

IX. Take Any Action as a Result of Executive Session

Councilmember Lewis moved to appoint Alidor Lefere to fill a vacant seat on the city's ART Commission for a term to run through August of 2026. Mayor Pro Tem Jorif seconded the motion, which passed by a vote of 7 ayes to 0 nays.

X. Consent Agenda

1. Consider approval of the minutes from the Jan. 6, 2025 city council meeting, and take any action necessary.
2. Consider authorizing the City Manager to execute this contract renewal option with SLM Landscaping for a period of one-year for the new 2025-2026 projected cost in the amount of \$676,651.04 to be funded by the Parks Operations budget, and take any action necessary.
3. Consider authorizing the City Manager to execute a one-year contract with three 1-year renewal options with North Texas Baseball Association to host Fall and Spring baseball tournaments at Leon Tuttle Athletic Complex, and take any action necessary.
4. **P2024-042** - Consider a request by Brian Cramer of CCD – Rockwall, LLC for the approval of a Preliminary Plat for the Southside Hills Subdivision consisting of 384 single-family residential lots on a 262.94-acre tract of land identified as Tracts 17-13, 17-14, 17-15, 17-16, & 40-8 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 99 (PD-99) for Single-Family 10 (SF-10) and limited General Retail (GR) District land uses, located on the east side of SH-205 [S. Goliad Street] south of the intersection of SH-205 and FM-549, and take any action necessary.
5. **P2024-043** - Consider a request by Brian Cramer of CCD – Rockwall, LLC for the approval of a Master Plat for the Southside Hills Subdivision consisting of 384 single-family residential lots on a 262.94-acre tract of land identified as Tracts 17-13, 17-14, 17-15, 17-16, & 40-8 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 99 (PD-99) for Single-Family 10 (SF-10) and limited General Retail (GR) District land uses, located on the east side of SH-205 [S. Goliad Street] south of the intersection of SH-205 and FM-549, and take any action necessary.

Councilmember Thomas moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, and 5). Councilmember Moeller seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XI. Public Hearing Items

1. **Z2024-061** - Hold a public hearing to discuss and consider a request by Adam Buczek of the Skorburg Company on behalf of Dr. Karl Erwin of the Estate of Karl W. Erwin for the approval of an ordinance for a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 101.43-acre tract of land identified as Tract 4 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas zoned Agricultural (AG) District, generally located on the southside of North Country Lane east of the intersection of North Country Lane and FM-1141, and take any action necessary (**1st Reading**).

Indication was given that this public hearing will not be heard this evening but will, instead, be continued and heard at the February 18, 2025 city council meeting. (The applicant is making changes to the proposed concept plan and the proposed PD ordinance to address concerns raised by the Planning & Zoning Commission during the previous P&Z public hearing).

2. **Z2024-062** - Hold a public hearing to discuss and consider a request by Tzemach Moshe Kalmenson for the approval of an ordinance for a Zoning Change amending Planned Development District 50 (PD-50) [*Ordinance No. 23-60*] to incorporate an additional 0.2010-acre parcel of land and amend the land uses for the purpose of allowing the *House of Worship* land use by Specific Use Permit (SUP) within the district being a 21.467-acre tract of land situated within the S. S. McCurry Survey, Abstract No. 146 and B. F. Boydston Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses and Single-Family 10 (SF-10) District, situated within the North Goliad Corridor Overlay (NGC OV) District, generally located along N. Goliad Street [*SH-205*] north of Olive Street and south of Live Oak Street, and take any action necessary (1st Reading).

Planning Director, Ryan Miller provided background information regarding this agenda item. The applicant is requesting an SUP to allow a House of Worship at 917 N. Goliad Street / 918 N. Alamo Road, which is just north of the city's downtown district. He shared that homes along this area have had the option to either remain residential homes or convert into certain business-related uses. These 'uses' are reviewed on a case-by-case basis by the City Council. The applicant in this instance is looking to obtain permission to utilize this particular home as a "house of worship, and – as part of the process – Council is being asked to consider amending PD-50 to allow a "house of worship" as one, potential 'use' within the district. He went on to share that staff mailed out 382 notices to land owners and occupants within 500' of the subject property, and six notices were received back in opposition to this request. Also, nearby HOAs were also notified, in addition to notice being published in the newspaper. In addition, the city's P&Z Commission heard the case on January 14 and unanimously recommended its approval.

Mayor Johannesen opened the public hearing, asking if anyone would like to come forth and speak at this time. The rabbi, who is the applicant, came forth and briefly addressed the Council, sharing that he and a small number of attendees have been meeting within the home of him and his wife. So they welcome an opportunity to have this approved so they can begin meeting elsewhere.

Glenda Angle
303 Wildwood Lane
Rockwall, TX 75087

Ms. Angle has concerns about this request, specifically related to nearby residential streets and traffic and related congestion that this type of 'use' may create. She has concerns about emergency vehicles being able to access the small, adjacent residential roadways as well. She asked for Council to please consider these concerns when making a decision about this request.

There being no one else desiring to come forth and speak at this time, Mayor Johannesen then closed the public hearing.

Councilmember Moeller asked Mr. Miller for clarification on if an additional driveway will be incorporated, and – if so – will TXDOT be okay with that? Mr. Miller provided clarification, indicating that – yes – they would have an additional driveway, and they will have to pour a commercial parking lot also. Councilmember Thomas asked if Council will see this particular ‘house of worship’ again in the future. Mr. Miller shared that – yes, it will come back to Council at a later date. This evening, Council is only being asked if the city will even consider this type of ‘use’ in this Planned Development district. The particulars of the request would come back to Council for further consideration later on.

Mayor Johannesen provided brief comments, indicating he has spoken to the applicant who is the rabbi over this small, Jewish congregation. He does not believe there will be any traffic-related concerns, as the church meets on Shabbat, and the attendees walk to the location. They do not drive.

Following the mayor’s brief comments, Councilmember Thomas moved to approve Z2024-062. Mayor Pro Tem Jorif seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 25-XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) [ORDINANCE NO. 23-60] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) TO INCORPORATE AN ADDITIONAL 0.2010-ACRE PARCEL OF LAND AND TO ALLOW THE CHURCH/HOUSE OF WORSHIP LAND USE TO BE PERMITTED BY A SPECIFIC USE PERMIT (SUP) WITHIN THE SUBJECT PROPERTY, BEING A 21.266-ACRE TRACT OF LAND SITUATED WITHIN THE S. S. McCURRY SURVEY, ABSTRACT NO. 146 AND B. F. BOYDSTON SURVEY, ABSTRACT NO. 14, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT ‘A’ AND DEPICTED IN EXHIBIT ‘B’ OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A 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.

The motion passed by a vote of 7 ayes to 0 nays.

3. **Z2024-064** - Hold a public hearing to discuss and consider a request by Inocencio Barron on behalf of Ariel Palacios for the approval of an ordinance for a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* on a 0.1650-acre parcel of land identified as Lot 910-A0 of Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District, addressed as 178 Lynne Drive, and take any action necessary (1st Reading).

Planning Director, Ryan Miller provided background information on this agenda item. The purpose of the request is related to the applicant’s desire to construct a one-story 1,590 square foot single-family home at 178 Lynne Drive within the Lake Rockwall Estates subdivision. Previously, a 1,064 square foot mobile home was located at this address; however, said structure was removed sometime between 2023 and 2024, and it is now a vacant lot. When reviewing these types of requests, Council is asked to evaluate the proposed size, location and architecture of the home compared to the existing, nearby

housing. In this case, the applicant is proposing to put the garage about 4' in front of the front façade of the SF home, so – if approved – the typical 20' setback requirement would be waived by Council. Also, this proposed does not meet the city's cementitious material percentage requirement, as it exceeds the requirement by 32%; however, there are examples of newer homes within this same subdivision where the percentage of cementitious material is also exceeded. Staff mailed notices to 158 property owners and occupants within 500' of the location, and one notice of opposition was received back. In addition, the city's Planning & Zoning Commission heard this case on January 14 and has unanimously recommended its approval.

Mayor Johannesen opened the public hearing, asking if anyone would like to come forth and speak at this time. The applicant did not wish to address Council. There being no one indicating a desire to speak, he then closed the public hearing.

Following brief comments, Mayor Pro Tem Jorif moved to approve Z2024-064. Councilmember Lewis seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 25-XX
SPECIFIC USE PERMIT NO. S-3XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 75 (PD-75) [ORDINANCE NO. 16-01] AND 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 RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.1650-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 910-A0 OF THE ROCKWALL LAKE ESTATES #2 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.

The motion passed by a vote of 7 ayes to 0 nays.

XII. Adjournment

Mayor Johannesen adjourned the meeting at 6:40 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS 3rd DAY OF FEBRUARY, 2025.

ATTEST:


KRISTY TEAGUE, CITY SECRETARY




TRACE JOHANNESSEN, MAYOR