

MINUTES



ROCKWALL CITY COUNCIL MEETING

Tuesday, February 18, 2025 - 5:00 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 5:00 p.m. Present were Mayor Trace Johannesen, Mayor Pro Tem Clarence Jorif and Councilmembers Sedric Thomas, Mark Moeller, Anna Campbell, Dennis Lewis and Tim McCallum. Also present were City Manager Mary Smith and Assistant City Manager Joey Boyd. City Attorney Frank Garza remotely participated in Executive Session by video teleconference (ZOOM) and was not present in person for the public meeting.

The mayor read the below-listed discussion items into the record before recessing the public meeting to go into Executive Session at 5:01 p.m.

II. Executive Session

1. Discussion regarding nomination for filling vacant seat on the Rockwall Central Appraisal District (CAD) Board of Directors, pursuant to Section 551.074 (personnel matters).
2. Discussion regarding (re)appointments to city regulatory boards and commissions, pursuant to §551.074 (Personnel Matters).
3. Discussion regarding possible legal action for unpaid taxes against Rockwall RMKP, LP (Hampton Inn), pursuant to §551.071 (Consultation with Attorney).

III. Adjourn Executive Session

Council adjourned Executive Session at 5:30 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 - Mayor Pro Tem Jorif

Mayor Pro Tem Jorif delivered the invocation and led the Pledge of Allegiance.

VI. Proclamations / Awards / Recognitions

1. Teen Dating Violence Awareness Month Proclamation

Mayor Johannesen read and presented this proclamation to members of the Rockwall Youth Advisory Council, Women in Need, the Rockwall County District Attorney's Office, as well as Detective Laurie Burks with the Rockwall Police Department.

VII. Appointment Items

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

Derek Deckard, Chairman of the city's P&Z Commission, came forth and briefed the board on recommendations of the Commission related to the two public hearings on tonight's agenda. Council took no action following his brief comments.

VIII. Open Forum

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

Stan Jeffus
2606 Cypress Drive
Rockwall, TX

Mr. Jeffus came forth and provided comments to the Council related to his concerns with 'density' as it pertains to new residential developments. He provided a PowerPoint presentation, showing various residential neighborhoods that have been approved in the past, briefly explaining their density and their lack of open space. He compared those neighborhoods to the Park Place neighborhood, pointing out that the Park Place neighborhood has a lot more open space and more distance between homes. He shared that he does not wish to redo the city's Comprehensive Plan, but he does have various concerns related to the developments and the developers, many of whom do not live in our city and have no long-term interest.

Mayor Johannesen commented on one of Mr. Jeffus' slides he visually showed, letting everyone know that in that particular subdivision that was developed, the developer agreed to donate a large parcel of land to be utilized as a 'south community park' for citizens to enjoy. He explained that Harry Myers Park is the large community park in the northern portion of the city, but there has historically not been one in the south side of the city. So, this was part of a deal worked out with the developer in order to benefit the city as a whole by adding an additional, large regional park in the south area of the city.

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

IX. Take Any Action as a Result of Executive Session

Regarding Executive Session item #3, Mayor Pro Tem Jorif moved to authorize the city manager and city attorney to take action pursuant to discussions that took place in Executive Session. Councilmember Lewis 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 February 3, 2025, city council meeting, and take any action necessary.
2. **P2025-001** - Consider a request by the City of Rockwall for the approval of an ordinance abandoning public right-of-way and a Replat for Lot 12, Block A, The Meadows Addition being a 0.306-acre tract of land identified as the Greenbelt & Utility Easement, Block A, Meadows Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 17 (PD-

17), and generally located at the terminus of Hail Drive and take any action necessary (**2nd Reading**).

3. **P2025-002** - Consider a request by the City of Rockwall for the approval of an ordinance abandoning public right-of-way and a Final Plat for Lots 1-4, Block A, Fox-Harris Addition being a 1.124-acre tract of land identified as Lots 1 & 2, Block A, Fox Addition; Lot 3 of the Richard Harris No. 3 Addition; and Lot B, Block 48A, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 205 & 209 S. Clark Street and 206 & 210 Wade Drive, and take any action necessary (**2nd Reading**)
4. Consider awarding bid to Lake Country Chevrolet for the purchase of 2 vehicles for a total amount of \$134,970.50 to be funded by Streets Operating Budget, as well as authorizing the City Manager to execute the associated purchase order, and take any action necessary.
5. Consider approval of the construction contract for SH 276 Utility Relocation Project and authorize the City Manager to execute a construction contract with J&L Construction, in the amount of \$2,879,771.00, to be funded by the 2024 Water and Sewer Bonds, and take any action necessary.
6. Consider approval of Hotel Occupancy Tax (HOT) Subcommittee recommendation for funding Oasis Pickleball in the amount of \$60,000 and Boys & Girls Club Duck Regatta in the amount of \$60,000 from Hotel Occupancy Taxes and authorize the City Manager to execute the agreements, and take any action necessary.

Councilmember Campbell moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, and 6). Councilmember McCallum seconded the motion. The ordinance captions were read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 25-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, CLOSING, ABANDONING AND VACATING A DEDICATED PUBLIC ALLEYWAY MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE AND CONVEYING THE RIGHT-OF-WAY TO THE ADJACENT PROPERTY OWNERS IN THE MANNER DEPICTED IN THIS ORDINANCE; IDENTIFYING A MUNICIPAL PURPOSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL

ORDINANCE NO. 25-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, CLOSING, ABANDONING AND VACATING A DEDICATED PUBLIC ALLEYWAY MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE AND CONVEYING THE RIGHT-OF-WAY TO THE ADJACENT PROPERTY OWNERS IN THE MANNER DEPICTED IN THIS ORDINANCE; IDENTIFYING A MUNICIPAL PURPOSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion to approve the Consent Agenda passed by a vote of 7 ayes to 0 nays.

XI. Public Hearing Items

1. **Z2025-002** - Hold a public hearing to discuss and consider a request by Lee Wickland of Wickland's Sweet Connection on behalf of Windy Busher of Revive for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a *General Retail Store* and *Limited Service Restaurant* on a 0.1617-acre parcel of land identified as Lot 1, Block 1, Henry Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 907 N. Goliad Street, and take any action necessary **(1st Reading)**.

Planning Director, Ryan Miller explained that the subject property was annexed prior to 1934 based on the April 1934 Sanborn Maps. According to the Rockwall County Appraisal District (RCAD) there is a 1,012 SF Office Building located on the subject property, that was formerly a single-family home constructed in 1950. According to the January 3, 1972 zoning map, the subject property was zoned Single-Family 2 (SF-2) District. The zoning designation of the subject property changed from a Single-Family 2 (SF-2) District to a Single Family 3 (SF-3) District sometime between January 3, 1972 and January 22, 1982 based on the City's historic zoning maps. The zoning designation of the subject property changed from a Single-Family 3 (SF-3) District to a Single-Family 7 (SF-7) District sometime between January 22, 1982 and May 16, 1983 based on the City's historic zoning maps. On August 20, 2007, the City Council approved a zoning change [Case No. Z2007-018; Ordinance No. 07-29] that incorporate the subject property into Planned Development District 50 (PD-50). Since the property has been within Planned Development District 50 (PD-50), the ordinance has been amended four (4) times [Ordinance No. 16-15, 17-19, 23-60, & 25-07] in order to establish new permitted uses within the district. The applicant is requesting the approval of a Specific Use Permit (SUP) to allow a General Retail Store and Limited Service Restaurant in a Residential Office (RO) District on the subject property.

The applicant has submitted an application and a zoning exhibit requesting a Specific Use Permit (SUP) for a General Retail Store and Limited Service Restaurant on the subject property. According to the Rockwall Central Appraisal District (RCAD) there is an existing 1,012 SF Office Building situated on the subject property. Within this building, the applicant has medical offices for an aesthetician business (Revive Aesthetics). As part of the applicant's operations, they are requesting to allow a General Retail Store and Limited Service Restaurant. The applicant has indicated that the general retail component will sell merchandise related to the aesthetician business, and the restaurant will sell pre-made baked goods (i.e. cookies, cupcakes, chocolates). Both of these components will serve the clients of the aesthetician business.

On January 22, 2025, staff mailed 106 notices to property owners and occupants within 500-feet of the subject property. In addition, staff notified The Preserve and Caruth Lakes Homeowner's Association (HOA), which are the only HOAs 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). Staff has not received any notices in regard to the applicant's request. On February 11, 2025, the Planning and Zoning Commission approved a motion to recommend approval of the SUP by a vote of 7 - 0.

Mayor Johannesen opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

Councilmember McCallum moved to approve Z2025-002. 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 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) TO ALLOW A *GENERAL RETAIL STORE AND LIMITED SERVICE RESTAURANT* ON A 0.1617-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK 1, HENRY ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED 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 to approve passed by a vote of 7 ayes to 0 nays.

2. **Z2025-003** - Hold a public hearing to discuss and consider a request by Trenton Austin of GT Plumbing Services, LLC on behalf Tim Connolly of Connolly Squared, LLC for the approval of an **ordinance** for a *Zoning Change* to amend Planned Development District 46 (PD-46) [Ordinance No. 21-32] being a 47.37-acre tract of land situated within the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for Commercial (C) District land uses, situated within the SH-276 Overlay (SH-276 OV) District, generally located at the northeast corner of Corporate Crossing and SH-276, and take any action necessary (**1st Reading**).

Planning Director, Ryan Miller, indicated the subject property was annexed -- along with the rest of the land area that makes up Planned Development District 46 (PD46) -- by the City Council on July 21, 1997 by Ordinance No. 97-14 [Case No. A1997-001]. At the time of annexation, the subject property and the remainder of Planned Development District 46 (PD-46) were zoned Agricultural (AG) District; however, many of the land uses that exist today were already established uses at the time of annexation. Based on this, the City Council approved Ordinance No. 99-05 on March 1, 1999. This ordinance changed the zoning of the area from an Agricultural (AG) District to Planning Development District 46 (PD-46). Under this Planned Development District all of the properties were given a base zoning of Commercial (C) District, but were also granted the ability to continue the current land use on each of the properties (i.e. the zoning ordinance made the legally non-conforming land uses by-right land uses for each of the properties). For the subject property, this allowed Pawn Shop land use as a by-right land use. On August 2, 2021, the City Council approved an amendment to Planned Development District 46 [Case No. Z2021-024] to allow the Warehouse/Distribution Center land use by right on Tract 12 through the adoption of Ordinance No. 21-32. According to the Rockwall County Appraisal District (RCAD) currently situated on the subject property is an 8,262 SF commercial building that was previously used by a Dance Studio (i.e. Royalty Dance Studio).

The applicant is requesting to amend Planned Development District 46 (PD46) [Ordinance No. 21-32] to allow Outside Storage in conjunction with the Building Maintenance, Service, and Sales land use on the subject property at 2305 SH-276. The applicant has submitted a concept plan depicting the proposed Building Maintenance, Service, and Sales facility, a future building, and the location of the proposed outside storage areas for the trucks and equipment. The applicant also provided a letter outlining their proposed operations and requesting the amendment to Planned Development District 46 (PD-46).

Since this is an amendment to an existing Planned Development District ordinance, it required staff to notify all property owners within the Planned Development District and within 500-feet of the Planned Development District's boundaries concerning the zoning change. As a result, on January 22, 2025, staff mailed 78 notices to property owners and occupants in or within 500-feet of the Planned Development District 46 (PD-46). Staff also sent a notice to the Lofland Farms and Timber Creek Homeowner's Associations (HOAs), which are the only HOA's 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 received one (1) notice and two (2) letters in favor of the applicant's request. On February 11, 2025, the Planning and Zoning Commission approved a motion to recommend approval of the amendment to Planned Development District 46 (PD-46) by a vote of 7-0.

Mayor Johannesen opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

Mayor Pro Tem Jorif moved to approve Z2025-003. Councilmember McCallum 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 46 (PD-46) [ORDINANCE NO. 21-32] 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 46 (PD-46), BEING A 47.37-ACRE TRACT OF LAND SITUATED WITHIN THE J. A. RAMSEY SURVEY, ABSTRACT NO. 186, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED AND DEPICTED HEREIN BY EXHIBIT 'A' 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 to approve passed by a vote of 7 ayes to 0 nays.

XII. Adjournment

Mayor Johannesen adjourned the meeting at 6:29 p.m.

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


TRACE JOHANNESSEN, MAYOR

ATTEST:


KRISTY TEAGUE, CITY SECRETARY

