
ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, August 01, 2022 - 6:00 PM

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

I. CALL PUBLIC MEETING TO ORDER

Mayor Fowler called the public meeting to order at 6:01 p.m. Present were Mayor Kevin Fowler, Mayor Pro Tem Trace Johannesen, and Councilmembers Clarence Jorif, Anna Campbell, Bennie Daniels and Mark Moeller. Also present were City Manager Mary Smith and Assistant City Manager Joey Boyd. City Attorney Frank Garza and Councilmember Dana Macalik were absent from the meeting.

II. INVOCATION AND PLEDGE OF ALLEGIANCE - MAYOR PRO TEM JOHANNESSEN

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

III. OPEN FORUM

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

Bob Wacker
309 Featherstone Drive
Rockwall, TX

Mr. Wacker shared comments pertaining to Quail Run near Hays Road and potential improvements to that portion of the roadway in conjunction with the developer who will be developing the Hance property (which is on tonight's agenda for 2nd reading (Skorburg)).

Michael Rasmussen
507 Park Place Blvd.
Rockwall, TX 75087

Mr. Rasmussen came forth to share that he is seeking help on what is currently the SPR Packaging business / property located behind the Park Place residential subdivision. He has concerns about the property (i.e. dead trees in need of attention). Mrs. Smith shared that our Parks Director, Travis Sales has reached out to SPR about the dead trees and has provided to the company recommended trees that will live and be viable alternatives to plant. She pointed out that planting trees right now during this time of year is not ideal, but Mr. Sales will be working with SPR to identify trees to be planted in the fall.

Adam Buczek
8214 Westchester Dr., Suite 900
Dallas, TX 75225

Mr. Buczek came forth and shared that the portion of the roadway that Mr. Wacker pointed out a few minutes ago is not actually going to be part of the “Hance property” development / project. So that portion will not be reconstructed as part of the new, residential development.

George Russell
3B Lakeway Drive
Heath, TX

Mr. Russell came forth and shared that he was in Uvalde when the school shooting tragedy happened. He does not anticipate that we have those sorts of problems here in Rockwall; however, he does have speeding-related concerns especially related to vehicles traveling on Ridge Road right near the Heath/Rockwall city limit line outside of the Chandler’s Landing subdivision. He stressed that the speeds are ‘out of control,’ and this issue needs to be addressed by law enforcement.

There being no one else wishing to come forth and speak at this time, Mayor Fowler closed Open Forum. Fowler then recognized interim Police Chief, Ed Fowler who is joining tonight’s city council meeting, with the former chief having moved on to another position elsewhere.

IV. CONSENT AGENDA

1. Consider approval of the minutes from the July 18, 2022 regular city council meeting, and take any action necessary.
2. **Z2022-029** - Consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of an **ordinance** for a Zoning Change amending Planned Development District 59 (PD-59) [*Ordinance No. 19-08*] being a 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) for Neighborhood Services (NS) District, Single-Family 7 (SF-7) District, and Residential-Office (RO) District land uses, located between W. Washington Street and T. L. Townsend Drive, and take any action necessary (**2nd Reading**).
3. **Z2022-030** - Consider a request by Cory Cannon of Siren Rock Brewing Company for the approval of an **ordinance** for a Specific Use Permit (SUP) amending *Ordinance No.18-34 (S-194)* to allow a *Craft Winery* in conjunction with an existing *Craft Brewery* on a 1.233-acre parcel of land identified as Lot 2, Cain Properties No. 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 310 S. Goliad Street, and take any action necessary (**2nd Reading**).
4. **Z2022-031** - Consider a request by Mark and Veronica Combs for the approval of an **ordinance** for a Specific Use Permit (SUP) for an accessory *Guest Quarters/Detached Garage* on a 0.7379-acre parcel of land identified as Block 105A-1 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 401 S. Clark Street, and take any action necessary (**2nd Reading**).
5. **Z2022-033** - Consider a request by Patrick Filson of Kirkman Engineering on behalf of 101 Hubbard Dr., LLC for the approval of an **ordinance** for a PD Development Plan for a *Restaurant* on a 1.021-acre tract of land identified as Lot 4, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the *Summit Office Subdistrict* of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, generally located at the southwest corner of the intersection of Horizon Road [*FM-3097*] and the IH-30 Frontage Road, and take any action necessary (**2nd Reading**).
6. **P2022-035** - Consider a request by Drew Donosky of Claymoore Engineering on behalf of Clay Cooley of 1540 East IH-30 Rockwall, LLC for the approval of a Replat for Lot 3, Block 1, Rockwall Recreational Addition being a 4.40-acre parcel of land identified as Lot 2, Block 1, Rockwall Recreational Addition,

City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1540 E. IH-30, and take any action necessary.

7. **P2022-036** - Consider a request by Patrick Hogan, PE of Kimley Horn on behalf of Justin Day of Platform Rockwall, LP for the approval of a *Final Plat* for Lots 1 & 2, Block A, Platform Rockwall Addition being a 16.889-acre parcel of land identified as Tract 4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, 1818, 1824 & 1860 Airport Road, and take any action necessary.
8. Consider authorizing the City Manager to execute an interlocal agreement with Rockwall County for Fire Protection Services for fiscal year 2023, and take any action necessary.

Mayor Fowler pulled item #3 from the Consent Agenda in order to consider it separately, as Councilman Daniels had voted 'against' this item at the last, regular council meeting (upon first reading).

Mayor Pro Tem Johannesen moved to approve the remaining Consent Agenda items (#s 1, 2, 4, 5, 6, 7, and 8). Councilmember Campbell seconded the motion. The ordinance captions were read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 22-39**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO AMEND PLANNED DEVELOPMENT DISTRICT 59 (PD-59) [*ORDINANCE NO. 19-08*] BEING A 56.70-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED HEREIN BY EXHIBIT 'B'; 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.

**CITY OF ROCKWALL
ORDINANCE NO. 22-41
SPECIFIC USE PERMIT NO. S-285**

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 *GUEST QUARTERS AND DETACHED GARAGE* ON A 0.7379-ACRE PARCEL OF LAND, IDENTIFIED AS BLOCK 105A-1 OF THE B. F. BOYDSTON 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 6 ayes with 1 absent (Macalik).

Regarding Consent Agenda item #3, Mayor Fowler moved to approve this agenda item (Z2022-030). Mayor Pro Tem Johannesen seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 22-40
SPECIFIC USE PERMIT NO. S-284**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING *ORDINANCE NO. 18-34 [S-194]* AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *CRAFT BREWERY, DISTILLERY AND/OR WINERY* ON A 1.16-ACRE PARCEL OF LAND IDENTIFIED AS LOT 2 OF THE CAIN PROPERTIES ADDITION #1 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.

The motion to approve passed by a vote of 4 ayes, 2 nays (Jorif and Daniels) and 1 absence (Macalik).

V. ACTION ITEMS

- 1. Z2022-034** - Discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Larry Hance of R & R Investments 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 85.63-acre tract of land identified as Tracts 2-01, 2- 04, 2-05 & 2-06 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located at the southwest corner of the intersection of Hays Road and John King Boulevard, and take any action necessary (**1st Reading**).

Brian Holland with Skorburg Company came forth and briefly addressed Council concerning this agenda item. He generally indicated that he went back and reduced the lot number and increased the size of some of the lots based on feedback received during the last council meeting.

Following additional, brief comments Councilmember Daniels moved to approve Z2022-034. Councilmember Jorif seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 22-XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR SINGLE-FAMILY 10

(SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 85.63-ACRE TRACT OF LAND IDENTIFIED AS TRACTS 2-01, 2-04, 2-05 & 2-06 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; 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.

City Secretary, Kristy Teague, pointed out that she inadvertently overlooked reading the ordinance caption associated with Consent Agenda item #5 above (Z2022-033) a few minutes ago. Indication was given that Council does not need to 're-vote' on the item. Mrs. Teague simply needs to read the ordinance caption into the record, which she did so at this time, as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 22-42**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 32 (PD-32) [ORDINANCE NO. 17-22] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A PD DEVELOPMENT PLAN FOR A RESTAURANT ON A 1.021-ACRE PARCEL OF LAND IDENTIFIED AS LOT 4, BLOCK A, HARBOR DISTRICT ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED AND DEPICTED HEREIN BY *EXHIBIT 'A'*; 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 Action Item #1 (Z2022-034) passed by a vote of 6 ayes with 1 absence (Macalik).

2. **A2022-002** - Discuss and consider the expiration of an existing 212 Development Agreement for five (5) properties contiguous with the City of Rockwall's corporate limits and being identified as Tracts 1-1, 17 & 17-01 of the J. Lockhart Survey, Abstract No. 137 and Tracts 6 & 6-01 of the J. H. Bailey Survey Abstract No. 22, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located along and at the terminus of Zollner Road, and take any action necessary.

Planning Director, Ryan Miller shared background information concerning this agenda item. At the request of Mayor Pro Tem Johannesen, Mr. Miller explained in more detail what a "212 Development Agreement" is and how it impacts a particular piece of property. A couple of the council members shared that they would potentially like to see the term of this updated agreement be set at 5 years. Mayor Fowler went on to share that he is actually in favor of the city moving forward with annexing a portion of this property at this time, especially considering that the City did not hear back from one of the two property owners associated with this overall property. Mrs. Smith, City Manager, shared that annexing a portion of this overall property will neither 'hurt nor harm' the City of Rockwall.

Mayor Fowler made a motion to extend the 212 Development Agreement for Tracts 1-4 (being Tracts 1-1, 17, & 17-01 of the J. Lockhart Survey, Abstract No. 137 and Tract 6 of the J. H. Bailey Survey, Abstract No. 22) for a period of 5 years and then move forward with annexation on Tract 5 (being Tract 6-01 of the J. H. Bailey Survey, Abstract No. 22). Councilmember Moeller seconded the motion, which passed by a vote of 6 ayes with 1 absence (Macalik).

VI. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Building Inspections Department Monthly Report - June 2022
2. Fire Department Monthly Report - June 2022
3. Parks & Rec Department Monthly Report - June 2022
4. Police Department Monthly Report - June 2022
5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics

No discussion took place regarding monthly reports, and no action was taken.

VII. ADJOURNMENT

Mayor Fowler adjourned the meeting at 6:31 p.m.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS
15th DAY OF AUGUST, 2022.**



KEVIN FOWLER, MAYOR

ATTEST:


KRISTY TEAGUE, CITY SECRETARY

