
ROCKWALL CITY COUNCIL MEETING

Monday, October 7, 2024 - 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, Assistant City Manager, Joey Boyd, and City Attorney Frank Garza. Mayor Johannesen read the below-listed discussion items into the record and recessed the public meeting to go into Executive Session at 5:01 p.m.

II. Executive Session

1. Discussion regarding candidates and associated election for the Rockwall Central Appraisal District (CAD) Board of Directors, pursuant to Section 551.074 (personnel matters)
2. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters).
3. Discussion regarding Economic Development prospects, projects, and/or incentives, pursuant to §Section 551.087 (Economic Development)
4. Discussion regarding possible sale/purchase/lease of real property in the vicinity of downtown and E. Washington St., pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney)
5. Discussion regarding process associated with possible City Charter amendments and related legal advice, pursuant to Section §551.071 (Consultation with Attorney)

III. Adjourn Executive Session

Council concluded Ex. Session discussions at 5:58 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. Domestic Violence Awareness Month

2. Toys for Tots Day
3. Breast Cancer Awareness Month
4. Fire Prevention Month
5. National Community Planning Month

Regarding the above proclamations, one-by-one, Mayor Johannesen called forth representatives from various organizations and from the community to accept each of the proclamations he read and presented this evening.

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, Planning & Zoning Commission Chairman, briefed Council on recommendations of the Commission regarding planning-related items on this evening's meeting agenda. Council took no formal action following Mr. Deckard's 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.

There being no one indicating such, he then closed Open Forum.

IX. Take Any Action as a Result of Executive Session

Mayor Pro Tem Jorif moved to put forth Sedric Thomas as a nomination to the Rockwall Central Appraisal District Board of Directors. Councilmember Moeller seconded the motion, which passed by a vote of 6 ayes with 1 abstention (Thomas) (note: nomination will be submitted to the RCAD via resolution).

Mayor Pro Tem Jorif moved to authorize the City Manager to negotiate the purchase of a parcel of land located on SH-66, authorizing the city attorney to finalize all necessary documents to complete the transaction and authorizing the city manager to execute all necessary agreements on behalf of the City. Councilmember Thomas seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mayor Pro Tem Jorif move to authorize the City Manager to negotiate the purchase of a parcel of land located on Washington Street, authorizing the city attorney to finalize all necessary documents to complete the transaction and authorizing the city manager to execute all necessary agreements on behalf of the City. 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 Sept. 16, 2024 city council meeting, and take any action necessary.
2. **Z2024-040** - Consider a request by Carol A. Byrd for the approval of an ordinance for a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.2850-acre parcel of land identified as Lot 5B, Block 5, Griffith 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 403 E. Kaufman Street, and take any action necessary **(2nd Reading)**.

3. Consider authorizing the City Manager to execute a professional engineering services contract with Lamb-Star LLC., to provide general traffic engineering services, to be paid for by the Engineering Consulting Budget, and take any action necessary.
4. Consider acceptance of the Little Buffalo Creek Wastewater System Improvements easement offer and authorize the City Manager to execute payment to the Lofland Family, in the amount of \$50,660.00, to be funded by the State and Local Fiscal Recovery Funds, and take any action necessary.
5. Consider approval of the construction contract for Little Buffalo Creek Wastewater System Improvements and authorize the City Manager to execute a construction contract with FM Utilities, LLC, in the amount of \$3,762,191.55, to be funded by the State and Local Fiscal Recovery Funds, and take any action necessary.
6. Consider approval of the material testing contract for Little Buffalo Wastewater and Lake Rockwall Estates Sanitary Sewer Improvements and authorize the City Manager to execute a construction contract with Henley Johnston & Associates., in the amount of \$70,905.00, to be funded by the State and Local Fiscal Recovery Funds, and take any action necessary.
7. Consider approval of a construction contract for Lake Rockwall Estates (LRE) Sanitary Sewer Improvements and authorize the City Manager to execute contract with Kitching & Co. LLC, in the amount of \$4,377,543.59, to be funded by the State and Local Fiscal Recovery Funds, and take any action necessary.
8. **P2024-030** - Consider a request by Paul Arce of Projects & Constructions Araque on behalf of Shirley Soto for the approval of a Replat for Lot 1, Block B, Lake Rockwall Estates East Addition being a 0.248-acre tract of land identified as a portion of Lot 1180 and all of Lot 1179 of the Lake Rockwall 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 340 Evans Road, and take any action necessary.
9. **P2024-032** - Consider a request by Kartavya Patel of Triangle Engineering, LLC on behalf of Shane Keilty of Structured REA-Rockwall Land, LLC for the approval of a Replat for Lots 12 & 13, Block B, Fit Sport Life Addition being a 4.624-acre parcel of land identified as a Lot 6, Block B, Fit Sport Life Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the FM-549 Overlay (FM-549 OV) District, located at the southeast corner of the intersection of Corporate Crossing [FM-549] and Fit Sport Life Boulevard, and take any action necessary.
10. Consider authorizing the City Manager to execute an interlocal cooperative agreement between the City of Rockwall and STAR Transit for transportation services for fiscal year 2025 in the amount of \$124,848 to be funded by the Administration Department Operating Budget, and take any action necessary.
11. Consider authorizing the City Manager to execute an agreement with Meals on Wheels Senior Services for certain nutritional and senior service programs for fiscal year 2025 in the amount of \$60,000 to be funded from the Administration Department Operating Budget, and take any action necessary.

12. Consider authorizing the City Manager to execute a new five-year contract between the City of Rockwall and Rockwall Adoption Center for operation of the City's Animal Adoption Center, and take any action necessary.
13. Consider awarding bids in the amount of \$193,816.50 to Child's Play, Inc. for three playground projects to be funded by Rec. Development Funds, and authorize the City Manager to execute associated purchase orders and/or contracts, and take any action necessary.
14. Consider approval of a resolution authorizing and consenting to City of Forney providing sanitary sewer services to 445.98 acres of land (the "Bellagio 443 Tract") through a wholesale wastewater agreement between City of Forney and City of Mesquite, and take any action necessary.
15. Consider awarding bids to Caldwell Country Chevrolet, Rockdale Country Ford, Lake Country Chevrolet, and Silsbee Ford for the purchase of current-year model vehicles for a total amount of \$583,922 to be funded by the 2025 Operating Budget and Water/Sewer funds, including authorizing the City Manager to execute associated purchase orders, and take any action necessary.

Councilmember Lewis pulled item #11 due to the need for him to abstain from this vote (as he serves on the board of this organization).

Councilmember McCallum then moved to approve the Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, and 15). Councilmember Thomas seconded the motion. Councilmember McCallum then briefly provided positive comments about the sewer infrastructure improvements in the Lake Rockwall Estates subdivision, especially pointing out that these improvement are being fully funded by federal grant funding, which is truly great. Mayor Johannesen and Mayor Pro Tem Jorif echoed similar, positive sentiments regarding LRE and these slated improvements.

The ordinance caption was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. ~~24-40~~
SPECIFIC USE PERMIT NO. S-343**

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 *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.2850-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 5B, BLOCK 5, GRIFFITH 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 to approve the Consent Agenda items (minus #11) passed by a vote of 7 ayes to 0 nays.

Regarding Consent Agenda item #11, Mayor Johannesen moved to approve this agenda item. Councilmember McCallum seconded the motion, which passed by a vote of 6 ayes with 1 abstention (Lewis).

XI. Public Hearing Items

- 1. MIS2024-001 - Hold a public hearing to discuss and consider approval of an ordinance adopting impact fees for water, wastewater, and roadway facilities by updating the land use assumptions and capital improvement plans for such facilities, establishing updated service areas for such facilities, providing definitions, providing for collection and assessment, and take any action necessary (1st Reading).**

Planning Director, Ryan Miller, provided background information concerning this agenda item. He explained that the update to the fees takes into account the growth and associated infrastructure projections that the city anticipates over the next decade, from 2024 through 2034. He explained that the Planning & Zoning Commission has been serving as the city's Capital Improvements Advisory Committee (CIAC) since March of this year. The CIAC and the committee has been reviewing the proposed land use assumptions and the capital improvement plans. This has included evaluating and updating the impact fees to reflect the current cost of infrastructure. The CIAC made a written recommendation that was shared with the Council back on Sept. 30, 2024, as required by state law. Key recommendations from the CIAC include:

Roadway Impact Fees: (1) the CIAC recommends expanding the program to cover the entire Master Thoroughfare Plan in order to address some changes in state law and to strengthen the city's ability to continue to get developers to construct roadways on the master thoroughfare plan.

Water / Wastewater Impact Fees: The recommendation from the CIAC is to continue collecting water and wastewater impact fees at maximum fee as allowed by the TX Local Government Code.

The rationale for these recommendations is based on the CIAC looking to reduce the burden on taxpayers to fund the growth of infrastructure by increasing new development contributions. Additionally, the CIAC wanted to adjust for the rising costs in construction, materials and labor. Also, the CIAC wanted to ensure that updated fees keep our city aligned with regional norms while allowing the city to manage the type and pace of growth effectively.

Eddie Haas from Freese & Nichols, Inc. and Derek Chaney, PE, from Birkoff, Hendricks & Carter, LLP are consultants who were retained by the City to assist with this process. They have have conducted detailed analyses that informed the recommendations that have been put forth to the public and the Council for consideration. Also, staff has prepared the land use assumptions report, which was predicated on the same 3% compound annual growth rate previously used in 2014 and 2019, as this is the rate at which our city continues to grow. An updated impact fees section will be brought back to Council at a later date, as staff is in the process of revising and rewriting that particular section.

Mr. Haas then came forth and provided a much more detailed presentation to Council concerning the study and associated recommendations pertaining to roadway impact fees. Following his lengthy presentation, Mr. Chaney came forth and briefed Council the water/wastewater impact fee-related study and associated recommendations.

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 MIS2024-001. Councilmember Lewis seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 24-XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE III, *IMPACT FEE REGULATIONS*, OF CHAPTER 38, *SUBDIVISIONS*, FOR THE PURPOSE OF AMENDING THE IMPACT FEES FOR WATER, WASTEWATER, AND ROADWAY FACILITIES BY UPDATING THE LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN FOR SAID FACILITIES; ESTABLISHING UPDATED SERVICE AREAS FOR SUCH FACILITIES; PROVIDING FOR DEFINITIONS; PROVIDING FOR COLLECTION AND ASSESSMENT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REMEDIES; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

2. **Z2024-035** - Hold a public hearing to discuss and consider a request by William S. Dahlstrom of Jackson Walker, LLP on behalf of James J. Melino of Rockwall 549/I-30 Partners, LP and Conveyor I30 Partners, LP for the approval of an ordinance for a Zoning Change from a Commercial (C) District to a Planned Development District for Commercial (C) District land uses on a 67.475-acre tract of land identified as Lot 1, Block B; Lot 1R, Block C; and Lot 1, Block D, Rockwall Commercial Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located at the northwest corner of Stodghill Road and the IH-30 Frontage Road, and take any action necessary (**1st Reading**).

Mr. Miller, Planning Director, provided background information concerning this agenda item. This property is located at the northwest corner of Stodghill Road and the IH-30 Frontage Road. The subject property was annexed by the City Council on December 3, 1985 by *Ordinance No. 85-69 [Case No. A1985-002]*. At the time of annexation, the subject property was zoned Agricultural (AG) District. According to the December 7, 1993 *Zoning Map*, a portion of the subject property was zoned Highway Commercial (HC) District at some point between annexation and December 6, 1993. This designation was later changed to a Light Industrial (LI) District between December 8, 1993 and April 5, 2005 according to the City's *Historic Zoning Maps*. On January 6, 2020, the City Council approved *Case No. P2019-048 (filed on April 9, 2021)* establishing the subject property as Lot 1, Block B; Lot 1R, Block C; and Lot 1, Block D, Rockwall Commercial Addition. On October 2, 2023, the City Council adopted *Ordinance No. 23-56 [Case No. Z2023-041]* changing the zoning of the subject property from an Agricultural (AG) District and Light Industrial (LI) District to a Commercial (C) District. The subject property has remained vacant since annexation. On August 16, 2024, the applicant -- Bill Dahlstrom of Jackson Walker, LLP -- submitted a development application requesting to change the zoning of the subject property from a Commercial (C) District to a Planned Development District for Commercial (C) District land uses. Specifically, the applicant is requesting the approval of a Concept Plan that shows the subject property being zoned to allow: [1] a Large Format Retailer, [2] an Urban Residential style Condominium Building, [3] a Low-Rise Residential Community and Townhome Development, and [4] a Regional Shopping Center.

Mr. Miller indicated that the applicant is requesting to rezone the property to create a Planned Development District that has limited Commercial District land uses. He further explained that staff has taken the land uses permitted in a "Commercial District" (which is what the subject property is subject to today) and has even further limited those land uses included in tonight's draft ordinance such that the ones reflected have eliminated those not consistent with the intent of the city's commercial (IH-30) corridor and the proposed concept plan (i.e. some eliminated include 'car dealership,' 'car wash,' 'mini warehouse,' 'pawn shop' – all of which would either be allowed by right or via an SUP). The applicant is wanting to divide the property into four sub-districts, with Sub-District A having 18.70 acres, which will be dedicated to a single, large format retailer (161,000 sq. feet and 650 parking spaces). It is being proposed that a portion of Conveyor Street be

abandoned and privately maintained. So, if Council chooses to approve this request this evening, a roadway abandonment ordinance (in addition to the case-related ordinance) will need to be read. Sub-District B will consist of 33.215 acres will be a variety retail center with commercial retail, restaurants, shopping and entertainment businesses. There will also be a central open space where restaurants back to a stage / performance area and another open space that will be an entry feature to the shopping center. Sub-District C will have a 250 unit urban residential condominium development with a wrap format (parking garage in the center with units wrapped around it). It will have 387 parking spaces within the garage. Sub-District D will have 115 townhomes and 120 condominium units and 435 parking spaces. The condos will be individually metered and deeded; however, the units may be owed by one or more property owners – something the city cannot control or regulate. Mr. Miller went on to show preliminary renderings / concept plans for each sub-district. The applicant will be required to submit a PD Development Plan, an interim step, in the planning and zoning process that will allow the Planning & Zoning Commission to look at the design and determine how well it conforms to the concept plan. Mr. Miller went on to share brief details of key changes the applicant made between the first time it went before the P&Z Commission and the second time (i.e. additional trails to increase connectivity and create more of a mixed use environment; additional green space with a stage/performance area; a 190' flagpole to serve as an eastern entry feature for the city; also, incorporation of some phasing as far as the construction timing is concerned; changes to the lot mix (net decrease in overall dwelling units per acre/lowering of the density); changes to the signage plan in Sub-District A (removed one of two digital billboards, reduced number of overall signs, removed all billboards adjacent to IH-30, provided a specific signage plan (most of which meet the city's municipal code of ordinances).

Mr. Miller went on to share that the current proposal does better align to the city's Comprehensive Plan with a few deviations that are not a-typical in the commercial IH-30 corridor. Generally, the plan does seem to align with the city's Comprehensive Plan. Any potential approval of this request is a discretionary decision on the part of Council. Staff mailed out 43 notices to property owners and occupants located within 500' of the subject property and has received two notices (within the 500') back in favor; 5 notices in favor (from those outside of the notification area, but in the city); 32 emails from property owners outside of the notification area (but within the city) that were opposed to this case.

Mayor Johannesen called forth the applicant / applicant representatives to speak at this time.

William S. Dahlstrom
Land Use Attorney with Jackson Walker
on behalf of Pegasus Ablon
2323 Ross Avenue
Dallas, TX

Mike Ablon with Pegasus Ablon
8222 Douglas Avenue, #390
Dallas, TX

Mr. Ablon came forth and provided comments to Council, indicating he and his team made some substantial changes to the original proposal based on feedback received by the City and by residents. Mr. Ablon shared that a retailer like IKEA has the ability to attract along with it other businesses such as specialty grocery store retailers and chef specialized restaurants, all of which, he indicated, will benefit the city as far as being a destination location for the region and improving the city's sales tax revenue.

Mayor Johannesen opened the public hearing at this time, asking if anyone would like to speak at this time and asking that any speakers please limit their comments to three minutes or less.

Ciara Ortiz
1583 N. Hills Drive
Rockwall, TX 75087

Ms. Ortiz came forth and shared views regarding various benefits regarding this proposal and various reasons she is in favor of approval of this request.

Les Chapman
733 Sunset Hill Drive
Rockwall, TX 75087

Mr. Chapman came forth and generally spoke against approval of this request.

Susan Lorey
308 Summerhill Drive
Rockwall, TX 75032

Ms. Lorey came forth and spoke in opposition of this item's approval.

Milton Wittig
1759 Baywatch Drive
Rockwall, TX

Mr. Wittig came forth and spoke in opposition of this item being approved.

Leslie Wilson
535 Cullins Road
Rockwall, TX 75032

Mrs. Wilson came forth and indicated she built her home in 1997. She went on to speak in opposition of this item being approved.

Mike Rasmussen
507 Park Place Blvd.
Rockwall, TX

Mr. Rasmussen shared he wrote letters to each council member, and he thanked those who acknowledged his letter. He went on to share various reasons why he is opposed to approval of this request this evening.

Mike McElroy
605 Limmerhill
Rockwall, TX 75087

Mr. McElroy came forth and generally spoke in opposition of this item being approved this evening.

Penelope Chapman
733 Sunset Hill Drive
Rockwall, TX 75087

Mrs. Chapman came forth and shared that she is opposed to approval of this request, chiefly due to her concerns about water supply limitations and challenges, both now and in the future. She urged Council to not approve this request.

**Patty Griffin
2140 Airport Road
Rockwall, TX**

Mrs. Griffin shared that her home is right up against the notification area, but she did not receive a notice in the mail (Mr. Miller, Planning Director, clarified that she lives just outside of the 500' notification area). She spoke in opposition of this request.

**Gerzim Daniel
2067 Airport Road
Rockwall, TX 75087**

Mr. Daniel shared that he moved to Rockwall from Garland about a year ago, and he lives on the same street as Mrs. Griffin. He went on to share details of research he indicated he has done related to increases in crime rates as related to multi-family. He generally spoke in opposition of this request this evening.

Councilmember Lewis asked Mr. Daniel for some clarification on the studies he spoke about. Mr. Daniel shared that they were studies done by universities in the United States and they focused on the impacts that 'multi-family' housing has when that sort of development comes.

**David Garcia
2705 Cypress Drive
Rockwall, TX**

Mr. Garcia shared that he works on planning projects for elected officials throughout the country. He and his wife moved here from Illinois about five years ago. Mr. Garcia generally spoke in opposition of this request this evening.

**Stan Jeffus
2606 Cypress Drive
Rockwall, TX**

Mr. Jeffus came forth and shared a story about his home being roofed one time years ago, making the point that one word can make a big difference. He pointed out he believes "urban residential 'style' condominiums" is a sneaky word that really means 'apartments,' no matter what others say. He spoke in opposition of this request.

**Larry Jeffus
552 Granite Fields Drive
Rockwall, TX**

Mr. Jeffus came forth and spoke in opposition of this request being approved. He is especially concerned about big stores that end up going out of business, in time, and he is also opposed to the apartments.

Melba Jeffus

2606 Cypress Drive
Rockwall, TX

Mrs. Jeffus came forth and spoke in opposition of this request, specifically pointing out that she and many others are opposed to the apartments that are included in this request. She is okay with the IKEA and the entertainment aspects of the request, but she is very opposed to the multi-family portion of the proposal.

Caroline Nuytten
304 Wooded Trail
Rockwall (County), TX 75087

Mrs. Nuytten came forth and shared that in Fate, there is a multi-family apartment complex that was supposed to be age-restricted. However, when it could not be filled up with enough older tenants, a lot of the units ended up being filled up with Section 8 subsidized housing. She went on to speak in opposition of this request this evening.

Chuck Nuytten
304 Wooded Trail
Rockwall (County), TX 75087

Mr. Nuytten came forth and spoke in opposition of this request, especially due to his concerns related to the proposed apartments.

Donna Harrington
233 Winding Ridge Lane
Rockwall, (County) TX

Mrs. Harrington does not believe IKEA is a good fit for Rockwall, and she has a lot of concerns about the proposed development. She spoke in opposition of this request this evening.

There being no one else wishing to come forth and speak at this time, Mayor Johannesen closed the Public Hearing.

The applicant, Mr. Ablon, came forth and shared he will not address some of the concerns that residents vocalized this evening (such as water and electricity), as some of those issues are city-related issues in particular, and he trusts those issues are being planned for appropriately by the city.

Councilmember Campbell shared that she is a school teacher, and she has personally witnessed the impact that multifamily has on the schools. She wonders how many school-aged children. Mr. Ablon shared that the estimated number of school-aged children in this sized development will probably be up to forty kids / students. Councilmember Campbell asked for and received some clarification on several topics (i.e. cost of each student / impact on the schools; expected impact on the tax base associated with this commercial development; why IKEA requires that the retail be attached to multifamily (the applicant shared that they desire to have that component because it will further support the retail component)).

Councilmember Lewis sought clarification from IKEA regarding how many stores IKEA has closed / moved to a different location. Mr. Dahlstrom shared that he is not aware of any of them closing. Councilmember Lewis also confirmed that the applicant would have to build exactly what is shown to the City in its proposal if/when it actually gets ready to build. Councilmember Lewis shared that he recently had a conversation with

our city's Police Chief, Ed Fowler, and for this reason, he had previously sought clarification from Mr. Daniels' (resident who spoke earlier) regarding studies he was quoting earlier this evening related to crime statistics. He shared some details regarding data he received from our city's police chief that indicates crime in multi-family developments currently in existence in our city limits is actually lower, overall, than calls for service in residential areas. Councilmember Lewis then asked Chief Fowler to speak more about the data he and his staff pulled and studied, clarifying that the Chief takes no 'position' on the matter. He was simply asked for more information and clarification on crime-related statistics within our city, especially related to multi-family apartments.

Police Chief, Ed Fowler, went on to share extensive details concerning crime statistics and data he and his staff pulled, evaluated, and broke down, working most all weekend to assimilate this sort of crime data and study it following Councilmember Lewis seeking more information regarding this sort of data, specifically within our city.

Mayor Johannesen pointed out that the reason we have low crime is because our police department does a really good job of providing a very high level of service to our community. Councilmember Lewis thanked Chief Fowler for extensively studying the crime statistics in order to produce facts for him to consider.

Councilmember Thomas asked the applicant for clarification on the expected timeline. Mr. Dahlstrom shared that he would like to start IKEA as soon as possible. Mr. Ablon shared that the anticipated timeline on IKEA would be about 2 years, and the ultimate build-out timeline would be about six years, overall. Councilman Thomas sought clarification on the proposed living units. Mr. Ablon shared that the average one-bedroom apartment would be around 900 square feet, and the expected rent would be \$2,400 per month.

Councilmember Moeller asked Mr. Ablon for clarification on the multifamily, acknowledging that he knows the housing product will be very high and very good. Councilmember Moeller went on to indicate he saw that each unit could be individually deeded, and he wonders if they will all be rentals / leased. Mr. Ablon shared that, yes, they will all be leased units for rent.

Mayor Pro Tem Jorif shared he believes the IKEA will serve the city and the citizens very well. He questions if the multi-family aspect can be omitted – is there any, any way possible that the project can be 'retail only?' Mr. Ablon shared that his answer to that question is "no."

Councilmember McCallum asked if Mr. Ablon will share who his primary investors are and what his 'capital stack' is for this project (where is the cash coming from)? City Attorney Frank Garza interjected that, it is up to Mr. Ablon's discretion if he would like to answer the questions, but he cautioned that the City Council cannot take those answers into consideration at all during this zoning case. Mr. Ablon shared that, in more than 30 years, he has never been asked this sort of question at a council meeting. Mr. Ablon shared that he prefers to not answer the questions. Councilmember McCallum asked who currently has the land under contract. Mr. Ablon shared that it is IKEA who currently has the land under contract. Councilmember McCallum suggested that the developer might consider, in lieu of the multi-family aspect of the proposal, building a very nice hotel and convention center instead. Mr. Ablon clarified that right now, he is putting forth this particular proposal. Councilmember McCallum went on to express concerns about the proposal, especially because he and many members of the community are opposed to the multi-family aspect of this proposal.

Mayor Johannesen shared that, generally, he is opposed to multifamily housing in the city. His voting history has shown that to be so; however, in this specific situation, the ability for this to attract tax revenue that will come from outside of our city and support our city's tax base and for it to contain some really desirable retail, is something that is attractive. He is not a big fan of the multi-family aspect. He went on to speak briefly

about concerns he has heard expressed (i.e. traffic, crime, infrastructure, schools, signage, water, etc.). After briefly mentioning the concerns, he then briefly mentioned the various 'pros' associated with the proposal, if it gets approved (i.e. infrastructure will be built, tax base will be grown, it will attract more quality retailers (in addition to the IKEA), it is not a car dealership, massive tax advantage for the school district). He went on to share that he has assimilated about 15 positive things about the proposal and a few things that are 'cons.'

Mayor Johannesen then moved to approve Z2024-035. Councilmember Thomas seconded the motion. He went on to share several reasons why he believes this proposal is a good idea. Thomas shared that he works for a company that is a "Department of Defense" retailer company, indicating they build developments on military installations across the world. His company has seen these sort of developments work well when there is housing incorporated into the development and large number of residents to support the retail / shopping aspects. He pointed out that the housing product in this instance will not be cheap, and it certainly won't be "Section 8" housing. Rather, local residents, like teachers, EMTs, firefighters, etc. will live in these sorts of apartments (like his own daughter who is a local school teacher and a military veteran). He believes that residents who would end up living here would not be ones who come to do crimes.

Councilmember Moeller shared he has some concerns, and he also really does like the proposed project and what it could bring to Rockwall. He has concerns about, if this is not approved, the land could be parceled out. He wonders if this proposal is the very best proposal. He does know Mr. Ablon builds very high-quality projects. He has personally been very 'torn' regarding this proposed project. He believes there is probably more positives to the proposal than 'negatives.' If it were to NOT be approved, he has a lot of concerns about what could come (that may essentially be worse) instead.

Mayor Johannesen provided brief, additional comments. Thereafter, the (two) ordinance captions were read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 24-_____**

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

**CITY OF ROCKWALL
ORDINANCE NO. 24-_____**

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 A COMMERCIAL (C) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR COMMERCIAL (C) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 67.475-ACRE TRACT OF LAND IDENTIFIED AS LOT 1, BLOCK B; LOT 1R, BLOCK C; AND LOT 1, BLOCK D, ROCKWALL COMMERCIAL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* AND FURTHER DEPICTED IN *EXHIBIT 'B'* 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 this item passed by a vote of 4 ayes with 3 nays (Jorif, Campbell and McCallum).

Mayor Johannesen called for a brief break at 9:02 p.m. He then reconvened the meeting at 9:16 p.m. It was noted that Councilmember McCallum left the meeting during the break, and he was then absent from the remainder of the Council meeting this evening.

XII. Action Items

1. **Z2024-036** - Discuss and consider a request by Travis Block for the approval of an ordinance for a Specific Use Permit (SUP) for a Detached Garage on a 0.53-acre tract of land identified as a portion of Block 4 of the Garner Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 921 N. Alamo Street, and take any action necessary (**2nd Reading**).

Indication was given that this item did not receive unanimous approval at the last Council meeting. So, it has been placed as an Action Item for consideration this evening.

Councilmember Lewis moved to approve Z2024-036. Councilmember Campbell seconded the motion. Mayor Pro Tem Jorif briefly expressed his various reasonings for voting in opposition of this particular request. The ordinance caption was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 24-39
SPECIFIC USE PERMIT NO. S-342**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *DETACHED GARAGE* ON A 0.530-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF BLOCK 4, GARNER 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.

Mayor Johannesen shared this is not a building that will be seen from the road, so it makes sense to approve it in this instance. The motion to approve passed by a vote of 5 ayes, 1 absence (McCallum), and 1 nay (Jorif).

2. Discuss and consider a request from Republic Waste, Inc. for an extension to the existing Solid Waste Collection Agreement, including authorizing the City Manager to negotiate said extension, and take any action necessary.

City Manager Mary Smith provided brief, introductory comments pertaining to this agenda item, indicating that the representative from Republic Waste has requested this agenda item for consideration by Council this evening. Rick Berans with Republic Waste then came forth and addressed the Council. He shared that sixteen months is the lead time on ordering and receiving new vehicles. He indicated he is, at a minimum, wanting to get some sort of indication from Council on what it wants to do with the city's solid waste contract, as it comes to an end in December of 2025.

Councilmember Lewis moved to approve an extension to the existing solid waste collection agreement with Republic Waste, Inc., and authorize the city manager to negotiate said extension. Mayor Pro Tem Jorif seconded the motion.

City Manager Mary Smith provided interesting statistics, sharing that each resident has the opportunity for 180 Republic Waste service stops annually. With the residential customer counts, that equates to 2,865,240 opportunities to do the job right or to do it wrong. She shared that, although the city staff do certainly get calls if collections are missed, the calls count in the single digits most days. She share that Republic, by and large, really does provide a very good service to our city. Mayor Johannesen echoed the good job that Republic provides within our city.

Following the brief comments, the motion passed by a vote of 6 ayes to 0 nays.

3. **A2024-001** - Discuss and consider the expiration of an existing 212 Development Agreement for ten (10) properties contiguous with the City of Rockwall's corporate limits and being a ~482.39-acre tract of land identified as Tracts 5, 38, 38-01, & 38-3 of the J. Strickland Survey, Abstract No. 187; Tracts 1-1 & 3-1 of the M. Simmons Survey, Abstract No. 197; Tracts 2 & 2-1 of the E. Sherwood Survey, Abstract No. 206; and Tracts 7 & 7-1 of the J. Smith Survey, Abstract No. 191, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located north of FM-552, west of FM-549, and east of Anna Cade Road, and take any action necessary.

Planning Director, Ryan Miller provided background information on this agenda item. Councilmember Thomas then moved to approve A2024-001 and extend the 212 Development Agreement by a period of an additional fifteen years. Councilmember Moeller seconded the motion, which passed by a vote of 6 ayes with 1 absence (McCallum).

XIII. 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
2. Fire Department Monthly Report
3. Parks & Recreation Department Monthly Report
4. Police Department Monthly Report
5. Sales Tax Historical Comparison

City Manager, Mary Smith reminded Council of the annual city volunteers appreciation event slated for Wed., October 16 from 6:00 – 8:00 p.m.

XIV. Adjournment

Mayor Johannesen adjourned the meeting at 9:28 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS 21st DAY OF OCTOBER, 2024.

ATTEST:


KRISTY TEAGUE, CITY SECRETARY




Trace Johannesen, Mayor