



MINUTES

ROCKWALL CITY COUNCIL MEETING

Monday, November 17, 2025 - 5:00 PM

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

I. Call Public Meeting to Order

Mayor McCallum called the meeting to order at 5:00 p.m. Present were Mayor Tim McCallum, Mayor Pro Tem Mark Moeller, and Councilmembers Sedric Thomas, Melba Jeffus, Anna Campbell, Dennis Lewis, and Richard Henson. Also present were City Manager Mary Smith, Assistant City Manager Joey Boyd and City Attorney Frank Garza. Mayor McCallum then read the below-listed discussion items into the record before recessing the public meeting to go into Executive Session.

II. Executive Session

The City of Rockwall City Council will recess into executive session to discuss the following matter as authorized by chapter 551 of the Texas government code:

1. Discussion regarding (re)appointments to city regulatory boards and commissions, pursuant to §551.074 (Personnel Matters)
2. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters).
3. Discussion regarding possible land lease agreement for parking on real property owned by the City of Rockwall in The Harbor District, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding possible land lease agreement for a cellular communication tower on real property owned by the City of Rockwall in Northshore Park, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
5. Discussion regarding terms and possible amendments to the Lease Agreement between City and Shores Country Club (Rockwall Golf and Athletic Club), pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).

III. Adjourn Executive Session

Council adjourned from Executive Session at 6:00 p.m.

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

Mayor McCallum reconvened the meeting at 6:01 p.m.

V. Invocation and Pledge of Allegiance - Pastor Gunnar Ledermann, Divine Peace Church

Pastor Ledermann came forth and delivered the invocation and led the Pledge of Allegiance.

VI. Appointment Items

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

Dr. Conway came forth and briefed Council on recommendations of the Commission relative to planning-related items on tonight's meeting agenda. Council took no action following Dr. Conway's comments.

VII. Open Forum

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

**Matthew Dankson
2790 Beacon Hill
Rockwall, TX**

Mr. Dankson came forth and expressed concern about code enforcement related issues he continues to experience due to the conditions of the property located next door to where he and his mother live. In part, he expressed concerns about carpenter ants, which were treated for; however, the treatment was only a deterrent – not a poison – and it only made the ants invade his own property, and it did not solve the problem. He indicated that city staff treated him with sarcasm and seemed to insinuate he was exaggerating or lying. He indicated he was told by the city manager that the home was uninhabitable; however, the city was going to work with the homeowner to make it habitable again, but the only three things that have occurred in the last three months are: the pool being trained twice and the nuisance vines being poisoned once. These things are things he had to ask for – not things that were related to actual maintenance of the property. He is concerned that the last time the property experienced any maintenance was in 2023, and – at that time – a lot of work was done on the house by a church; however, the property owner chose to not maintain what the church did. He suggested that, since the city manager has said the home is uninhabitable, the city could condemn it and bring it up to code if it chose to do so. He again shared that he homeowner has not lived there for three years, and he has been asking for help for the last six years. He does not know why he is having to suffer the consequences of a neglectful homeowner.

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

VIII. Take Any Action as a Result of Executive Session

Mayor Pro Tem Moeller moved to authorize the Mayor to amend the City Manager's contract. Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mayor Pro Tem Moeller moved to authorize the city manager to negotiate and execute a land lease agreement for a parking lot in the Harbor District. Councilmember Campbell seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mayor Pro Tem Moeller made a motion to approve an assignment of the Rockwell Golf and Athletic Club lease agreement to the Dunn Golf Group and to approve an amendment to Section 13.1 of the lease

agreement to allow for a loan for the golf club improvements. Councilmember Thomas seconded the motion, which passed by a vote of 7 ayes to 0 nays.

IX. Consent Agenda

1. Consider approval of the minutes from the November 3, 2025 city council meeting, and take any action necessary.
2. **P2025-036** - Consider a request by the City of Rockwall for the approval of an **ordinance** for the abandonment of public right-of-way situated between E. Washington Street and Denison Street and a Final Plat for Lots 1-5, Block A, Houston-Rose Addition being a 1.956-acre tract of land identified as Lots 1-4, Block T; Lots 1-4, Block U; Lots 1-3, Block V; and Lots 1-3, Block W, Rockwall OT Addition and Lots A & D, Block 8, Griffith Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 301 & 303 Denison Street, 203-305 Fannin Street, and 306 & 308 E. Washington Street, and take any action necessary (**2nd Reading**).
3. Consider an **ordinance** amending the Code of Ordinances in Chapter 44, Utilities regarding the disconnection of utilities and related penalty provisions for failure to bring a property into compliance after proper notice is provided, and take any action necessary. (**2nd reading**)
4. **P2025-038** - Consider a request by Alejandro Rubio for the approval of a Preliminary Plat for Lots 1 & 2, Block A, Rubio Addition being a 4.71-acre tract of land identified as Tracts 7 & 7-1 of the H. K. Newell Survey, Abstract No. 167, and a portion of Tract 2-1 of the J. H. Robnett Survey, Abstract No. 182, Rockwall County, Texas, generally located southeast of the intersection of SH-276 and Rochell Road, and take any action necessary.
5. **P2025-039** - Consider a request by Sam Carroll of Carroll Consulting Group, Inc. on behalf of Jim Bell of Harlan Properties, Inc. for the approval of a Preliminary Plat for The Landon Phase 2 Subdivision being a 93.357-acre parcel of land identified as Lot 20, Block A, The Landon Addition, Rockwall County, Texas, generally located northeast of the intersection of S. Munson Road and Laci Lane, and take any action necessary.

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

**CITY OF ROCKWALL
ORDINANCE NO. 25-75**

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. 25-76

AN ORDINANCE OF THE CITY OF ROCKWALL AMENDING THE ROCKWALL CODE OF ORDINANCES, CHAPTER 44 UTILITIES; ARTICLES I AND V, SECTIONS 44-1 AND 44-279; PROVIDING FOR A PENALTY PROVISION, SEVERABILITY CLAUSE, AND EFFECTIVE DATE.

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

X. Public Hearing Items

1. **Z2025-066** - Hold a public hearing to discuss and consider a request by Alyson DiBlasi of Discovery Lakes, LLC and Discovery Lakes, Phase 1, LLC for the approval of an ordinance for a Zoning Change amending Planned Development District 78 (PD-78) [*Ordinance No. 20-27*] to change the *Garage Orientation* requirements for a 316.315-acre tract of land identified as: [1] Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, [2] Tract 2 of the R. K. Brisco Survey, Abstract No. 16, and [3] Lots 1-9, Block A; Lots 1-5, Block B; Lots 1-11, Block C; Lots 1-10, Block D; and Lot 1, Block E, Discovery Lakes, Phase 1, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for Single-Family 10 (SF-10) District land uses, situated within the SH-276 Overlay (SH-276 OV) District, generally located at the northeast corner of SH-276 and Rochell Road, and take any action necessary (**1st Reading**).

Planning Director Ryan Miller provided background information for this agenda item. The applicant -- *Alyson DiBlasi* -- is requesting to amend Planned Development District 78 (PD-78) for the purpose of allowing *Side Entry Garages* for the *Type 'A' Lots*. Planned Development District 78 (PD-78) -- *also known as the Discovery Lakes Subdivision* -- was originally established by the City Council on August 17, 2015 by *Ordinance No. 15-24*. At the time of approval, this Planned Development District allowed 507 single-family residential lots on 305.315-acres and nine (9) acres of land dedicated for General Retail (GR) District land uses. The 507 single-family residential lots consisted of three (3) lot types: [1] 121 *Type 'A' Lots* that were a minimum size of 80' x 120' or 9,600 SF, [2] 127 *Type 'B' Lots* that were a minimum size of 70' x 110' or 7,700 SF, and [3] 259 *Type 'C' Lots* that were minimum size of 60' x 110' or 6,000 SF. On August 3, 2020, the City Council amended Planned Development District 78 (PD-78) through *Ordinance No. 20-27*. This new ordinance reduced the number of single-family residential lots from 507 to 428 (*i.e. 45 Type 'A' Lots, 177 Type 'B' Lots, and 206 Type 'C' Lots*), and changed the *Type 'A' Lots* from a minimum of 80' x 120' or 9,600 SF to 80' x 200' or 32,670 SF. These are the only changes being proposed to the Planned Development District ordinance. After reviewing the elevations of some of the proposed homes in this phase of the subdivision, staff has no objection to the applicant's request; however, this case being a zoning change, means the decision remains discretionary on the part of Council pending a recommendation from the Planning and Zoning Commission

Staff notified all properties within Planned Development District 78 (PD-78) and within 500-feet of its boundary on October 21, 2025. This included 57 notices. In addition, staff notified the Timber Creek Homeowner's Association (HOA), which was the only Homeowner's Association (HOA) or Neighborhood Organization within 1,500-feet of Planned Development District 78 (PD-78). Staff has received one (1) notice from a property owner within the 500-foot buffer in favor of the applicant's request. In addition, the Planning and Zoning Commission reviewed the case on November 11, 2025, and approved a motion to recommend approval by a vote of 6-0, with Commissioner Hustings having been absent.

Mayor McCallum opened the public hearing, initially asking the applicant to come forth and speak.

Amanda O'Neil
15400 Knoll Trail Dr.
Suite 230
Dallas, TX 75248

Ms. O'Neil came forth and indicated she is the sister of the applicant, Alyson, who is not feeling well and therefore could not attend this evening. He explained that her father had a vision for an architecturally appealing community with integrity. She thanked Council for its consideration of this request.

Mayor McCallum asked if three car garages are required. Mr. Miller indicated that nothing in the current ordinance requires three car garages; however, some of the elevations that have been reviewed do reflect three car garages.

The mayor then commented, wondering why all of the flat entry front garages are not all being taken out of the Type A lots and changed to side entry or j-swing garages instead. Mr. Miller shared that the applicant is only requesting for the Type A lots to be switched to j-swings, and she already has flat/front entries previously approved. Councilmembers Henson and Jeffus both shared that they also prefer that there be no front entry garages, indicating they are in support of all of the front entry garages being replaced by j-swings or side entries. Councilmember Henson also shared that he would like to see the applicant go back and create larger lots and less density, in addition to eliminating the front entry garages.

Ms. O'Neil indicated that the builders they have lined up really do not have an interest in doing front entry garages.

Councilmember Jeffus share she is a big fan of j-swings, and even more a fan of truly side entry garages, as she believes that front-entry garages result in driving down a street and seeing open garages with all the junk stored inside of them. That make the whole neighborhood look junky, so she'd like to see no front entries and only j-swings or side entry garages.

Following additional, brief comments, Mayor McCallum then moved to approve Z2025-066 to allow for side entry and j-swing garages and the removal of all front entry garages on the Type A lots. Councilmember Henson seconded the motion. The caption was read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 25-77

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 78 (PD-78) [ORDINANCE NO. 20-27] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF CHANGING THE DEVELOPMENT STANDARDS FOR A 316.315-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE M. E. HAWKINS SURVEY, ABSTRACT NO. 100 AND TRACT 2 OF THE R. K. BRISCO SURVEY, ABSTRACT NO. 16, 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.

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

2. **Z2025-067** - Hold a public hearing to discuss and consider a request by Lisa Brooks and Renee Holland of Makeway, LLC for the approval of an ordinance for a *Specific Use Permit (SUP)* for a *Daycare Facility Exceeding the Maximum Building Size* in a Neighborhood Services (NS) District on a 2.751-acre tract of land identified as Tract 1-04 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Neighborhood Services (NS) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the southeast corner of the intersection of John King Boulevard and Quail Run Road, and take any action necessary (1st Reading).

Planning Director Ryan Miller provided background information for this agenda item. The subject property was annexed into the City on March 16, 1998 by Ordinance No. 98-10 [Case No. A1998-001]. At the time of annexation, the subject property was zoned Agricultural (AG) District. On April 7, 2025, the City Council approved a zoning change [Case No. Z2025-006] changing the zoning of the subject property from an Agriculture (AG) District to a Neighborhood Services (NS) District. The subject property has been vacant since annexation. On October 17, 2025, the applicants -- *Lisa Brooks and Rene'e Holland of Makeway, LLC* -- submitted an application requesting a *Specific Use Permit (SUP)* for a building exceeding 5,000 SF in size in a Neighborhood Services (NS) District to allow the construction of an 11,114 SF daycare facility on a 2.751-acre parcel of land zoned Neighborhood Services (NS) District. According to the Neighborhood Services (NS) District standards contained in the Unified Development Code (UDC), daycare facilities are permitted *by-right* when the building area does not exceed 5,000 SF. When the total building area exceeds this threshold, a Specific Use Permit (SUP) is required. Based on the applicant's submittal, the proposed building will exceed this threshold by 6,114 SF. The site plan shows the construction of a single-story daycare facility with a total building area of approximately 11,114 SF. The proposed building will be oriented toward John King Boulevard, with primary vehicular access taken from E. Quail Run Road and John King Boulevard. No access is proposed from Old E. Quail Run Road, consistent with staff's prior recommendations to limit commercial traffic adjacent to existing residential properties. The building elevations illustrate a structure designed to complement surrounding residential development. The proposed building incorporates a combination of brick and stone masonry, neutral color tones, and pitched roof elements that reduce the perception of massing and create a residentially compatible appearance. The overall height of the structure is approximately 20 feet, which is well below the maximum height allowed within the Neighborhood Services (NS) District. Parking for the facility will be provided along the front and side façades of the building, meeting the minimum off-street parking requirements of the Unified Development Code (UDC). Internal circulation is designed to accommodate parent drop-off and pick-up activity while maintaining safe pedestrian access to the building entrances. A fenced outdoor play area is proposed to the rear of the building and will be enclosed by a minimum six (6) foot wrought-iron fence, consistent with the requirements of the Unified Development Code (UDC). Additional landscape buffering will be provided along all property boundaries, particularly where the property adjoins residentially zoned or used properties. Landscaping along John King Boulevard and Quail Run Road will include canopy trees, ornamental plantings, and turf areas that meet or exceed the minimum landscaping standards of Article 08, Landscape and Fence Standards, of the Unified Development Code (UDC). When the City Council approved the rezoning of the property from Agricultural (AG) to Neighborhood Services (NS) District on March 11, 2025, it recognized the property's potential to accommodate neighborhood-serving commercial uses consistent with the intent of the

Comprehensive Plan's Neighborhood/Convenience Center concept. These small-scale commercial nodes are envisioned to provide everyday services -- such as childcare facilities, personal care establishments, and professional offices -- that meet the daily needs of nearby residents while maintaining a residentially compatible scale and character. The proposed daycare facility aligns with the Comprehensive Plan's guiding principles for neighborhood compatibility and service accessibility.

On October 21, 2025, staff notified 69 property owners and occupants within 500-feet of the subject property. Staff also notified the Caruth Lakes (*Caruth Ridge Estates*) and Stoney Hollow Homeowners Association (HOA), which are the only Homeowner's Associations (HOAs) or Neighborhood Groups participating in the Neighborhood Notification Program that are within 1,500-feet of the subject property. At this time, staff has received four (4) notices in opposition of the applicant's request. In addition, on November 11, 2025, the Planning and Zoning Commission approved a motion to recommend approval of the *Specific Use Permit (SUP)* by a vote of 6 to 0.

Mayor McCallum opened the public hearing, asking the applicant to come forward. No one else indicated a desire to speak, so only the applicant talked. The applicant did not have much more to add to what Mr. Miller had already shared. He just shared that they are trying to do something with the property that will add something beneficial to the community.

Councilmember Henson moved to approve Z2025-067. Mayor Pro Tem Moeller seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 25-78
SPECIFIC USE PERMIT NO. S-387**

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 APPROVE A SPECIFIC USE PERMIT (SUP) FOR A DAYCARE FACILITY EXCEEDING THE MAXIMUM BUILDING SIZE IN A NEIGHBORHOOD SERVICES (NS) DISTRICT FOR A 2.751-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1-04 OF THE S. R. BARNES SURVEY, ABSTRACT NO. 13, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* AND *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 passed by a vote of 7 ayes to 0 nays.

3. **Z2025-068** - Hold a public hearing to discuss and consider a request by Randy Lee Aragon on behalf of Kevin Lefere for the approval of an ordinance for a *Specific Use Permit (SUP)* to allow a *Recording Studio* on a 0.92-acre parcel of land identified as a portion of Lots 2 & 3, Block S, Rockwall OT Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 206 E. Washington Street, and take any action necessary (**1st Reading**).

Planning Director Ryan Miller provided background information for this agenda item. This property is located in the city's downtown district. It has a 2,000 square foot building that was constructed in the

1950s and was most recently occupied by a company called The School of Rock, which operates as a music studio. However, that business recently relocated, so the building is currently vacant. The applicant is seeking approval of an SUP that would allow for a small recording studio in conjunction with a music studio. The applicant has stated that the interior configuration of the building will remain largely unchanged and no exterior modifications are proposed for the existing building. In addition, the applicant has indicated that the proposed land use will not alter the traffic patterns, parking demands, or hours of operation compared to the previous land use. According to the Unified Development Code, a music studio is actually a permitted by right land use in the downtown district, but a recording studio requires a specific land use permit. Since the site functioned as a music studio under the School of Rock, this request represents a continuation and minor expansion of the similar use rather than the introduction of a new or incompatible activity. This is a discretionary decision on the part of Council. The city's Planning & Zoning Commission has recommended approval of this item by a vote of 6 to 0. Staff notified all property owners and occupants within 500 feet, and this included a 34 notices. As of tonight one response has been received in favor of the request.

The mayor opened the public hearing and called the applicant forth to speak. There being no one else indicating a desire to speak, he closed the public hearing. The applicant briefly spoke, sharing minor details and indicating he believes this will be a great addition, explaining that no other recording studios are located anywhere within 45 minutes of Rockwall.

Councilmember Lewis moved to approve Z2025-068. Mayor McCallum seconded the motion. The ordinance caption was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 25-79
SPECIFIC USE PERMIT NO. S-388

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, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A RECORDING STUDIO ON A 0.92-ACRE PARCEL OF LAND IDENTIFIED A PORTION OF LOTS 2 & 3, BLOCK S, ROCKWALL OT 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 passed by a vote of 7 ayes to 0 nays.

4. Z2025-069 - Hold a public hearing to discuss and consider a request by Kevin Sayles for the approval of an ordinance for a *Specific Use Permit (SUP)* for an *Accessory Structure* on a 0.417-acre parcel of land identified as Lot 21, Block A, Foxchase Phase 4 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for Single Family 10 (SF-10) District land uses, addressed as 24 Shadydale Lane, and take any action necessary (1st Reading).

Planning Director Ryan Miller provided background information for this agenda item. The subject property was annexed on October 29, 1973 by *Ordinance No. 73-44 [Case No. A1973-006]*. On November 12, 1973, the City Council approved zoning case [*Ordinance No. 73-49*] that established the subject

property as a part of Planned Development District 9 (PD-9), which dedicated the subject property for single-family land uses. Planned Development District 9 (PD-9) was then amended on June 16, 1986 [Ordinance No. 86-55] changing base zoning of the subject property to Single-Family 10 (SF-10) District. The City Council amended Planned Development District 9 (PD-9) an additional nine (9) times [Ordinance No. 87-30, 88-13, 88-20, 95-17, 01-43, 04-02, 11-31, 13-43, & 24-02]; however, none of these amendments made changes to the zoning or development standards for the subject property. On February 22, 1995, the City Council approved a final plat [Case No. 94-35-FP] that establish the subject property as Lot 21, Block A, Foxchase, Phase 4 Addition. On September 4, 2025, the Neighborhood Improvement Service (NIS) Division issued a notice of violation [Case No. CE2025-5189] to the property owner for the construction of an *Accessory Structure* without a permit. Following the applicant's failure to submit for a Specific Use Permit (SUP) on September 12, 2025, two (2) separate citations were issued to the property. In response to this, the applicant applied for a Specific Use Permit (SUP) on October 17, 2025. Given that the proposed structure was constructed without receiving a building permit, the applicant was required to pay the \$1,000.00 *Non-Compliant Structure Fee* in addition to the standard development application fee. The applicant -- Kevin Sayles -- is requesting the approval of a Specific Use Permit (SUP) to allow an unpermitted *Accessory Structure* that exceeds the overall maximum allowable square footage to remain on the subject property. According to the site plan provided by the applicant, the unpermitted *Accessory Structure* is 20-feet by 12-feet (or 240 SF), and is situated in the rear yard of the subject property. It will be located approximately three (3) feet from the rear property line, 15-feet from the front property line adjacent to Shadydale Lane, and have a permanent concrete foundation. The applicant has not provided any additional information related to the exterior materials, overall height, or roof pitch. The current condition on the subject property is that the *Accessory Structure* was constructed without a permit. It appears that the *Accessory Structure* is violation of the 15-foot setback requirement adjacent to Shadydale Lane. In addition, the *Accessory Structure* is situated on concrete blocks and *not* on a permanent concrete foundation. In reviewing a Specific Use Permit (SUP), the Planning and Zoning Commission and City Council are asked to consider: [1] if the structure was constructed without a permit or under false pretenses, [2] the size of the proposed *Accessory Structure* compared to the size of other *Accessory Structures* in the area/neighborhood/subdivision, and [3] the size, architecture, and location of the proposed accessory structure compared to those of the primary structure. In this case, the proposed request was constructed without a building permit, exceeds the maximum size requirements, and architecture does not appear to match the single-family home. In addition, the applicant has failed to provide staff with the requested information regarding the height, roof pitch, and materials. Staff completed an inventory of all *Accessory Structures* within the Foxchase Subdivision near the subject property. Based on the inventoried properties six (6) of the 57 properties had one (1) *Accessory Structure*, four (4) were unpermitted, and the largest was approximately 130 SF. This would make the applicant's *Accessory Structure* the largest in this part of the Foxchase Subdivision. With all this being said, a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. On October 18, 2025, staff mailed 89 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Foxchase, Benton Woods, and Rainbow Lakes Homeowners Associations (HOAs), which are the only HOA 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). Staff has received 11 notices in opposition and two (2) notices in favor of the applicant's request. On November 11, 2025, the Planning and Zoning Commission approved a motion to recommend denial without prejudice of the SUP by a vote of 5-1, with Commissioner Roth dissenting and Commissioner Hustings being absent. Mr. Miller explained that since the P&Z Commission has recommended denial, any potential approval this evening would require a $\frac{3}{4}$ majority vote by Council.

Mayor McCallum 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 and invited the applicant to speak.

The applicant, Kevin Sayles, then came forth and addressed Council. He explained he moved to this location in July of this year, and he was unaware that there is an ordinance that requires that a shed be permitted. He explained that he had this structure built and delivered, and – had he known there were certain requirements – he would have ensured that it had met those requirements; however, he was unaware. He explained that initially when the city discovered the structure and sent a notification of violation, it was sent to the prior homeowner, so it delayed him (the new homeowner) in finding out about the violation. Once he found out the structure was out of compliance, he did come to the city, pay the \$1,000 fee, and now he is here before Council. He went on to explain that, even if the structure is moved, due to the height of his fence and the grade of the yard, the visual footprint (and it being seen from street view) will likely not change at all.

Following Mr. Sayles' comments, Councilmember Thomas sought and received clarification that the only thing out of compliance is the size of the structure and that it needs to be sitting on a concrete slab. Mr. Miller confirmed this is the case.

Councilmember Lewis asked if the applicant built this structure himself or if someone else did. Mr. Sayles shared that a contractor built the structure and then brought it in on a truck. Councilmember Lewis shared that – even if the applicant was unaware – the contractor who built and delivered the structure should have know that a permit was required. However, ultimately the homeowner is responsible. It upsets him with things get built without a permit being obtained beforehand.

Councilmember Jeffus shared that she has concerns since neighbors have indicated they are opposed to this structure and it does not meet the city's prescribed size-related standards.

Councilmember Campbell asked for and received clarification from Mr. Miller regarding the size, including the height, of this structure and that it would be seen by others no matter what due to the grade of his property, the height of his fence and the height of the structure.

Mayor McCallum asked if this home is located within an HOA and if the applicant sought approval from the HOA. Mr. Sayles shared that when he purchased the home, none of the documents indicated that his home is located in an HOA. Mr. Miller also indicated he does not believe it's located within an HOA.

Mayor Pro Tem McCallum moved to deny this case without prejudice. The motion was seconded by Councilmember Jeffus. The mayor commented to the applicant that since this is being denied 'without prejudice,' he can come back and work with staff on this matter. The motion to deny then passed by a vote of 5 ayes with 2 nays (Campbell and Thomas).

5. **Z2025-071** - Hold a public hearing to discuss and consider a request by Michael Lewis for the approval of an ordinance for a *Specific Use Permit (SUP)* for Residential Infill Adjacent to an Established Subdivision and a *Guest Quarters/Secondary Living Unit* for the purpose of constructing a single-family home on a 5.05-acre parcel of land identified as a Lot 2, Block 1, Lofland Lake Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 4.0 (SFE-4.0) District, addressed as 2592 FM-549, and take any action necessary (**1st**

Reading).

Planning Director Ryan Miller provided background information for this agenda item. He explained that the applicant would like to construct a 3,287 square foot, single-family, one-story home and a 1,267 square foot secondary living quarters. In reviewing a request for residential infill, the City Council has asked to consider the size, location, and architecture of the proposed single-family unit to homes in the established subdivision. And to assist the City Council, staff has provided a housing analysis showing homes, the estates, and a breakdown in the density and dimensional standards. Mr. Miller explained that the proposed home does meet all the density and dimensional requirements for a property in a single-family estate 4.0. With regard to the guest quarters or secondary living unit, the Unified Development Code does allow guest quarters or secondary living units by right in the single-family estate 4.0 district, pending the square footage of the structure does not exceed 30% of the square footage of the primary structure. In this case, the proposed home is going to be 3,287 square feet, which would allow a "by-right guest quarters" of 983.40 square feet. So the secondary unit is proposed to be 283.60 square larger than what would otherwise be allowed 'by right.' The Council may grant approval of this larger secondary guest quarters through granting an SUP. Also, the residential infill part of this request also requires approval of an SUP. Sixty notices were mailed out to property owners and occupants located within 500' of the proposed home, but no notices were received back in response. In addition, the Planning & Zoning Commission has recommended approval of this request by a vote of 6 to 0.

The applicants, Michael Lewis and his wife, came forth to address Council, indicating their address to be: 2592 FM-549. Mr. Miller explained that they would like to construct this home and then move his wife's aging mother in with them in order to take care of her.

Following questions and answers between Council and the applicant, Councilmember Thomas moved to approve Z2025-071. Councilmember Lewis seconded the motion. Councilmember Jeffus asked for clarification regarding if, at some point in the future, this secondary living quarters could become a short-term rental (STR) someday in the future, for example if/when the mother / mother-in-law passes away. Mr. Miller indicated that, yes, at some point that is a possibility, as it would be within the property owner's rights, and it would be considered as an 'owner occupied STR' at that point.

The ordinance caption was then read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 25-80
SPECIFIC USE PERMIT NO. S-389**

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 ADJACENT TO AN ESTABLISHED SUBDIVISION AND A GUEST QUARTERS/SECONDARY LIVING UNIT* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME AND GUEST QUARTERS ON A 5.05-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 2, BLOCK 1, LOFLAND LAKE ESTATES 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.

6. **Z2025-072** - Hold a public hearing to discuss and consider a request by James Martin of Gardner Land Holdings LLC on behalf of Bart Gardner of Gardner Land Holdings, LLC for the approval of an ordinance for a Zoning Change from an Agricultural (AG) District and Commercial (C) District to a Planned Development District for General Retail (GR) District and Commercial (C) District land uses on a 15.601-acre tract of land identified as Tract 2 of the J. R. Johnson Survey, Abstract No. 128, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, generally located at the northwest corner of S. Goliad Street [SH-205] and Lofland Circle, and take any action necessary (**1st Reading**).

Mayor McCallum shared that the applicant withdrew this item. So it was not discussed, and no action was taken on this agenda item.

7. **Z2025-073** - Hold a public hearing to discuss and consider a request by Tyler Adams of Greenlight Studio, LLC on behalf of Michael Grose of Max Realty Holdings LLC for the approval of an ordinance for a Specific Use Permit (SUP) for a Major Auto Repair Garage on a 0.90-acre tract of land identified as Tract 4-6 of the N. M. Ballard Survey, Abstract No. 24, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-276 Overlay (SH-276 OV) District, generally located at the northeast corner of SH-276 and T. L. Townsend Drive, and take any action necessary (**1st Reading**).

Mayor McCallum shared that the applicant withdrew this item. So it was not discussed, and no action was taken on this agenda item.

XI. Adjournment

Mayor McCallum adjourned the meeting at 7:01 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS 1st DAY OF DECEMBER, 2025.


TIM McCALLUM, MAYOR

ATTEST:


KRISTY TEAGUE, CITY SECRETARY

