



# PLANNING AND ZONING CASE CHECKLIST

City of Rockwall  
Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087

P&Z CASE # 22019-017 P&Z DATE 6/11/2019 CC DATE 6/17/2019 APPROVED/DENIED  
ARCHITECTURAL REVIEW BOARD DATE \_\_\_\_\_ HPAB DATE \_\_\_\_\_ PARK BOARD DATE \_\_\_\_\_

## ZONING APPLICATION

- ☐ SPECIFIC USE PERMIT
- ☐ ZONING CHANGE
- ☐ PD CONCEPT PLAN
- ☐ PD DEVELOPMENT PLAN

## SITE PLAN APPLICATION

- ☐ SITE PLAN
- ☐ LANDSCAPE PLAN
- ☐ TREESCAPE PLAN
- ☐ PHOTOMETRIC PLAN
- ☐ BUILDING ELEVATIONS
- ☐ MATERIAL SAMPLES
- ☐ COLOR RENDERING

## PLATTING APPLICATION

- ☐ MASTER PLAT
- ☐ PRELIMINARY PLAT
- ☐ FINAL PLAT
- ☐ REPLAT
- ☐ ADMINISTRATIVE/MINOR PLAT
- ☐ VACATION PLAT
- ☐ LANDSCAPE PLAN
- ☐ TREESCAPE PLAN

- ☐ COPY OF ORDINANCE (ORD.# \_\_\_\_\_)
- ☒ APPLICATIONS
- ☒ RECEIPT
- ☒ LOCATION MAP
- ☒ HOA MAP
- ☒ PON MAP
- ☐ FLU MAP
- ☐ NEWSPAPER PUBLIC NOTICE
- ☐ 500-FT. BUFFER PUBLIC NOTICE
- ☐ PROJECT REVIEW
- ☐ STAFF REPORT
- ☐ CORRESPONDENCE
- ☐ COPY-ALL PLANS REQUIRED
- ☐ COPY-MARK-UPS
- ☐ CITY COUNCIL MINUTES-LASERFICHE
- ☐ MINUTES-LASERFICHE
- ☐ PLAT FILED DATE \_\_\_\_\_
  - ☐ CABINET # \_\_\_\_\_
  - ☐ SLIDE # \_\_\_\_\_

NOTES: \_\_\_\_\_

ZONING MAP UPDATED \_\_\_\_\_





# DEVELOPMENT APPLICATION

City of Rockwall  
Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING &amp; Z

CASE NO.

2019-012

**NOTE:** THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:

CITY ENGINEER:

Please check the appropriate box below to indicate the type of development request (Resolution No. 05-22) [SELECT ONLY ONE BOX]:

**Platting Application Fees:**

- ☐ Master Plat (\$100.00 + \$15.00 Acre)<sup>1</sup>  
☐ Preliminary Plat (\$200.00 + \$15.00 Acre)<sup>1</sup>  
☐ Final Plat (\$300.00 + \$20.00 Acre)<sup>1</sup>  
☐ Replat (\$300.00 + \$20.00 Acre)<sup>1</sup>  
☐ Amending or Minor Plat (\$150.00)  
☐ Plat Reinstatement Request (\$100.00)

**Site Plan Application Fees:**

- ☐ Site Plan (\$250.00 + \$20.00 Acre)<sup>1</sup>  
☐ Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

**Zoning Application Fees:**

- ☐ Zoning Change (\$200.00 + \$15.00 Acre)<sup>1</sup>  
☐ Specific Use Permit (\$200.00 + \$15.00 Acre)<sup>1</sup>  
☒ PD Development Plans (\$200.00 + \$15.00 Acre)<sup>1</sup>

**Other Application Fees:**

- ☐ Tree Removal (\$75.00)

**Notes:**

<sup>1</sup>: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, only the "base fee" is required.

**PROPERTY INFORMATION [PLEASE PRINT]**

Address 961 Clem Road

Subdivision

Lot

Block

General Location Southwestern Corner of Clem Road and FM 3549

**ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]**

Current Zoning Agriculture (Ag) District

Current Use Agriculture

Proposed Zoning Planned Development District

Proposed Use 1 to 1.5 Acre Single Family Residential

Acreage

61.45

Lots [Current]

1

Lots [Proposed]

40

- ☐ **Required for Plats:** By checking the box at the left you agree to waive the statutory time limit for plat approval in accordance with Section 212.009 of the Local Government Code.

**OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]**☐ Owner Unison Investment☒ Applicant Michael Joyce Properties

Contact Person Jen-Liang Wu

Contact Person Ryan Joyce

Address 23545 Crenshaw Blvd

Address 1189 Waters Edge Drive

Suite 201

City, State &amp; Zip Torrance, CA 90505

City, State &amp; Zip Rockwall, TX 75087

Phone 3103250300

Phone 5129656280

E-Mail uniinv@aol.com

E-Mail ryan@michaeljoyceproperties.com

**NOTARY VERIFICATION [REQUIRED]**

Before me, the undersigned authority, on this day personally appeared Jen-Liang Wu [Owner/Applicant Name] the undersigned, who stated the information on this application to be true and certified the following:

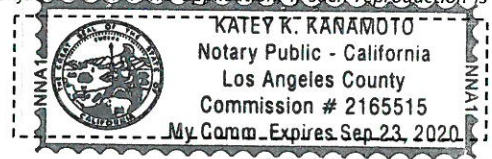
"I hereby certify that I am the owner, or duly authorized agent of the owner, for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ \_\_\_\_\_, to cover the cost of this application, has been paid to the City of Rockwall on this the 4<sup>th</sup> day of April, 20 19. By signing this application I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 04 day of April, 20 19.

Owner's/Applicant's Signature

California

Notary Public in and for the State of Texas



My Commission Expires Sep 23, 2020



# RECEIPT

Project Number: Z2019-012  
Job Address: 961 CLEM RD  
ROCKWALL, TX 75087

Receipt Number: B85300

Printed: 9/4/2019 1:34 pm

Fee Description	Account Number	Fee Amount
ZONING	01-4280	\$ 1,121.75

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**Total Fees Paid:**

**\$ 1,121.75**

Date Paid: 5/21/2019 12:00:00AM

Paid By: MICHAEL JOYCE PROPERTIES

Pay Method: CHECK 2500

Received By: LM





## **DEVELOPMENT REVIEW COMMITTEE (DRC)**

### **CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT**

Phone: (972) 771-7745

Email: [Planning@Rockwall.com](mailto:Planning@Rockwall.com)

**External Review:** Wayne Carter, Charter Communications  
Jim Friske, Charter Communications  
Dinah Wood, Atmos  
Randy Voight, Oncor  
Phillip Dickerson, Oncor  
Brian Duncan, AT&T  
Javier Fernandez, RISD  
Brenda Callaway, TXDOT  
Stephen Geiger, Farmer's Electric  
Frank Spataro, Farmer's Electric

**Internal Review:** Amy Williams, Engineering  
John Shannon, Building Inspections  
Ariana Hargrove, Fire  
Andy Hesser, Parks  
Andy Villarreal, Police

**From:** Planning & Zoning Department

**Date:** 9/4/2019

To assist the Planning Department in evaluating the attached request, we are sending it to you for your review and comments. Please return any comments and/or plan mark-ups to us within five (5) days. Internal staff will also be required to have all comments input into CRW no later than Friday, . Planning staff will assemble all comments received in time for our regularly scheduled DRC meeting on 5/28/2019 at 2:00 p.m. The Planning and Zoning Commission work session will be held on 5/28/2019 at 6:00 p.m. You are welcome to attend both meetings. If you have any questions, please contact us at (972) 771-7745.

**Project Number:** Z2019-012

**Project Name:** 961 Clem Road (AG to SF-1)

**Project Type:** ZONING

**Applicant Name:** MICHAEL JOYCE PROPERTIES

**Owner Name:** ROBERSON, COREY WAYNE

**Project Description:** Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family-1 (SF-1) District land uses on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the west side





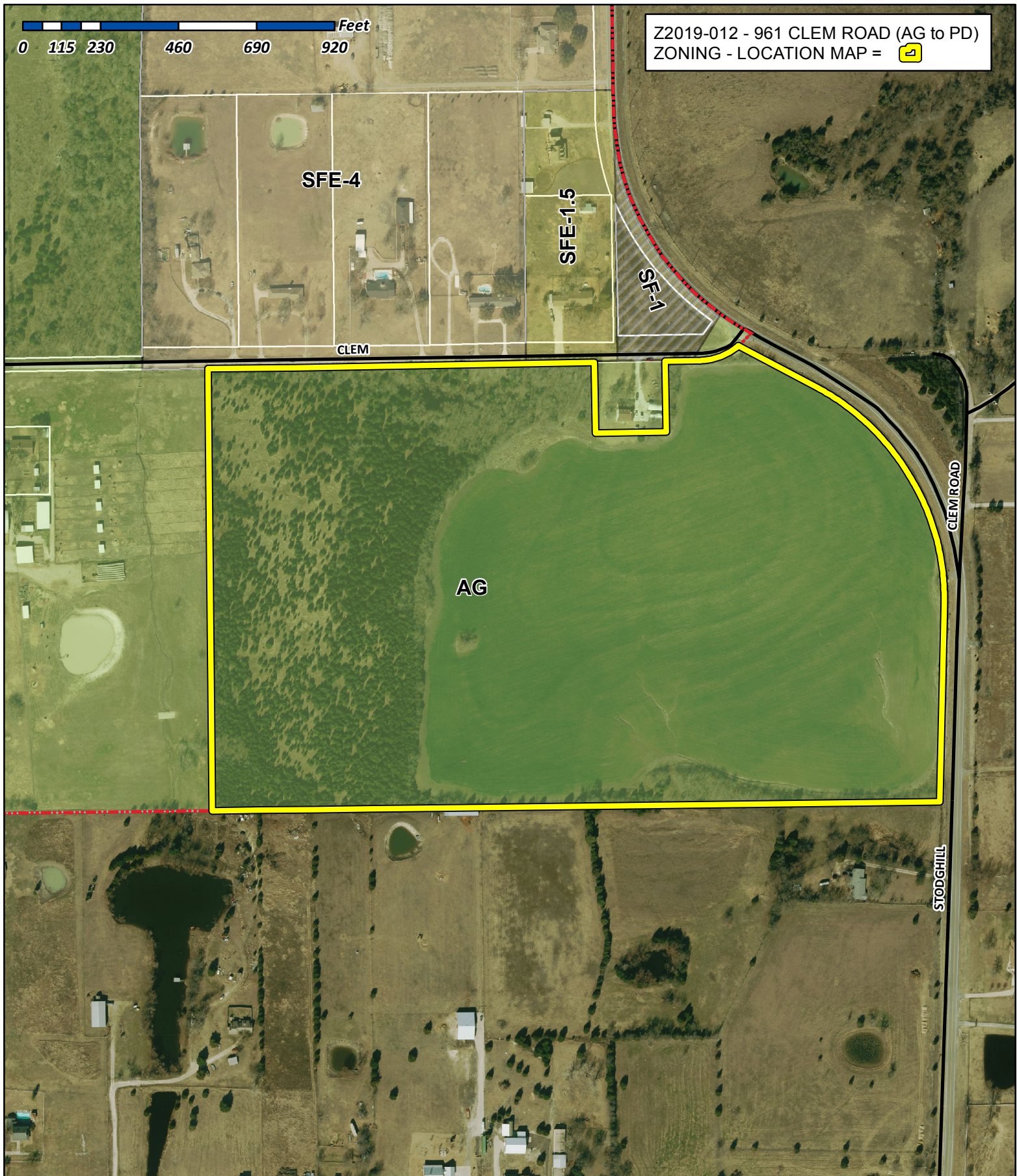
**DEVELOPMENT REVIEW COMMITTEE (DRC)**  
**CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT**

Phone: (972) 771-7745

Email: [Planning@Rockwall.com](mailto:Planning@Rockwall.com)

**of Stodgell Road [FM-3549] north of the intersection of Stodgell Road [FM-3549] and Cornelius Road, and take any action necessary.**





## City of Rockwall

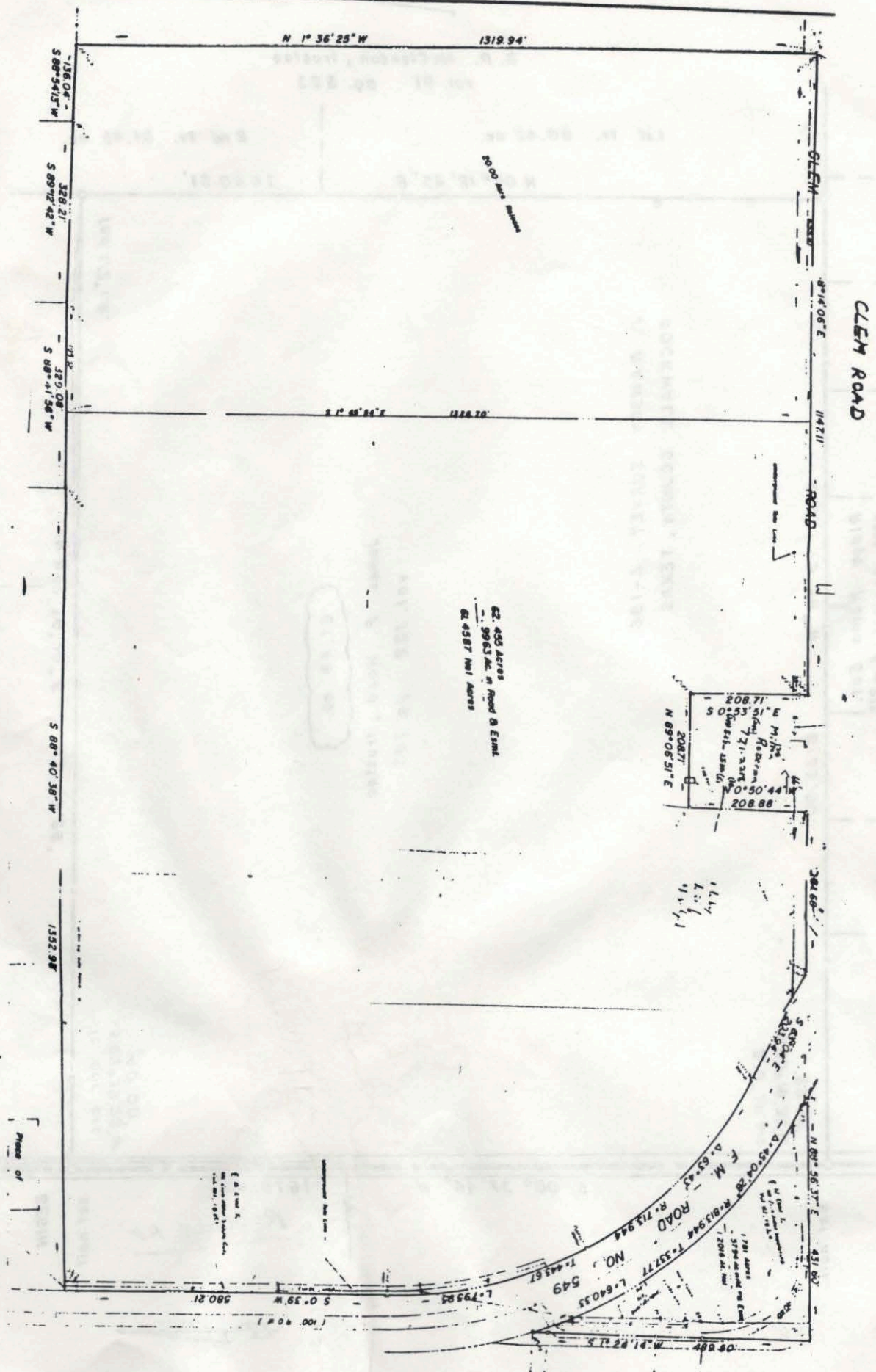
Planning & Zoning Department  
 385 S. Goliad Street  
 Rockwall, Texas 75032  
 (P): (972) 771-7745  
 (W): [www.rockwall.com](http://www.rockwall.com)

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





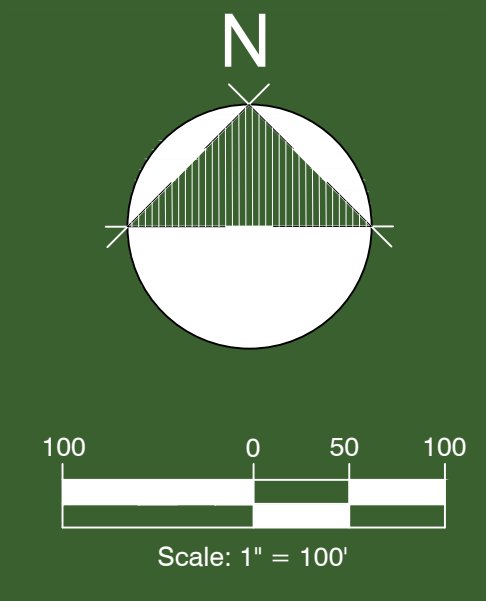
ALL RIGHTS RESERVED  
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NO. 99  
NO. 100







62.455 ACRES  
40 LOTS  
1.0 ACRE MINIMUM



# CONCEPT PLAN F NORTH GATE ROCKWALL, TEXAS

Engineer:  
**ENGINEERING CONCEPTS & DESIGN, L.P.**  
CIVIL ENGINEERING / PROJECT MANAGEMENT /  
CONSTRUCTION SERVICES  
CIVIL REGISTRATION #F001145  
201 N.W. 84th St. Ft. Lauderdale, FL 33321  
954.581.8800 www.ecdp.com fax: 954.581.8801

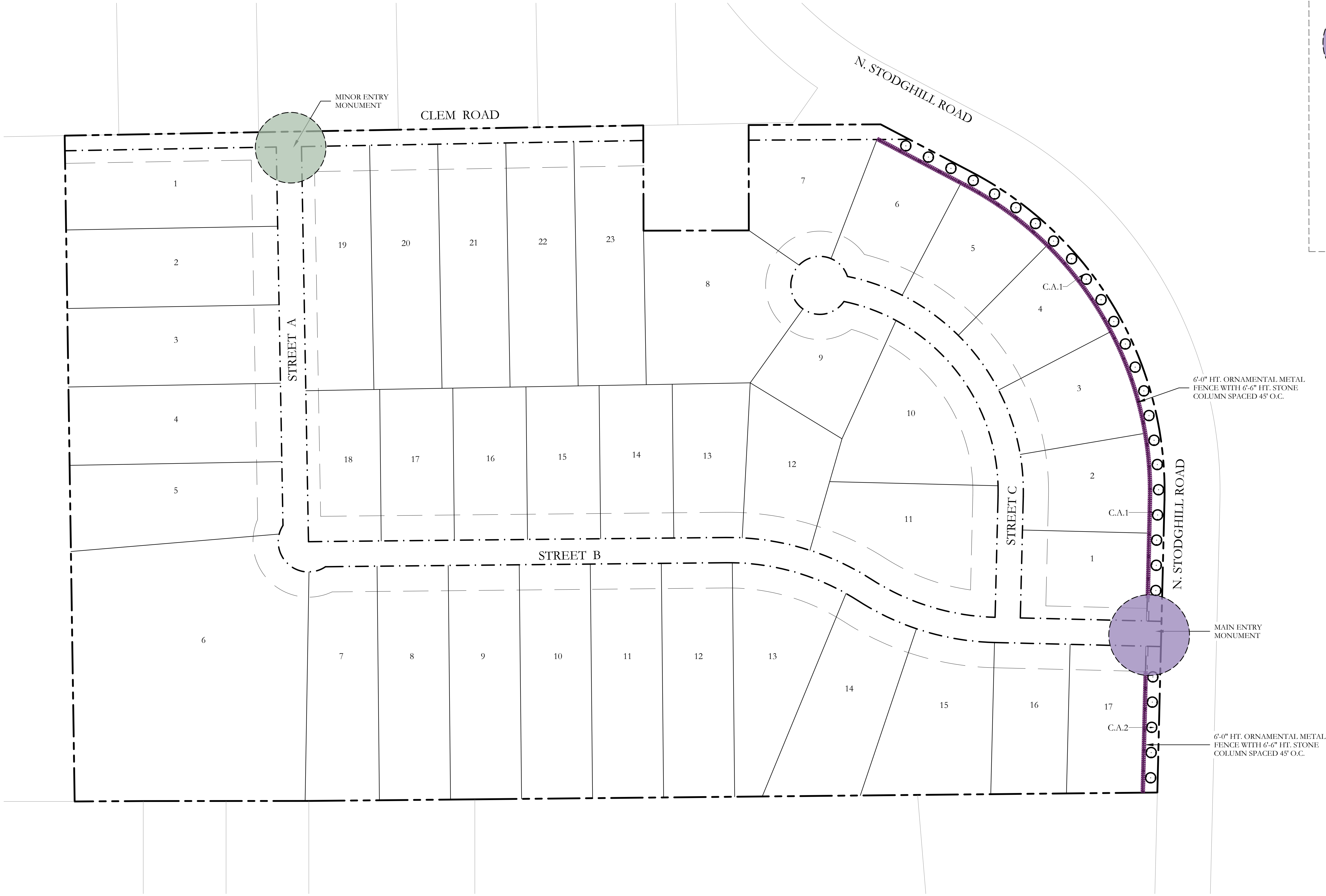


SITE LEGEND

MAIN ENTRY MONUMENTATION

MINOR ENTRY MONUMENTATION

6'-0" HT. ORNAMENTAL METAL  
FENCE W/ 6'-6" HT. STONE COLUMN  
SPACED 45' O.C. MAXIMUM  
PROVIDE 1-3" CALIPER TREE/50 LF  
OF ROAD FRONTAGE



NORTH

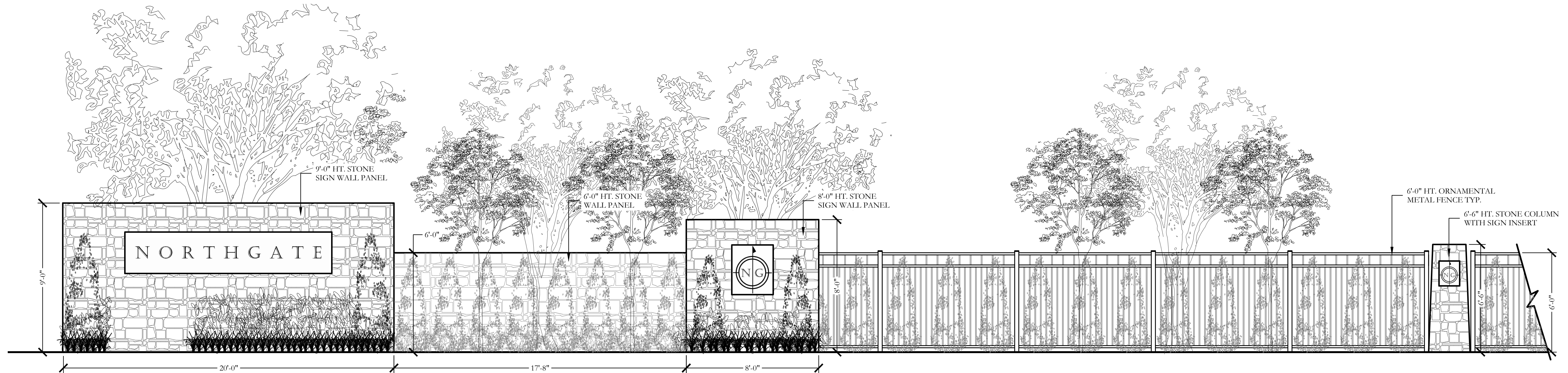
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NORTHGATE CONCEPT PLAN

City of Rockwall, Texas

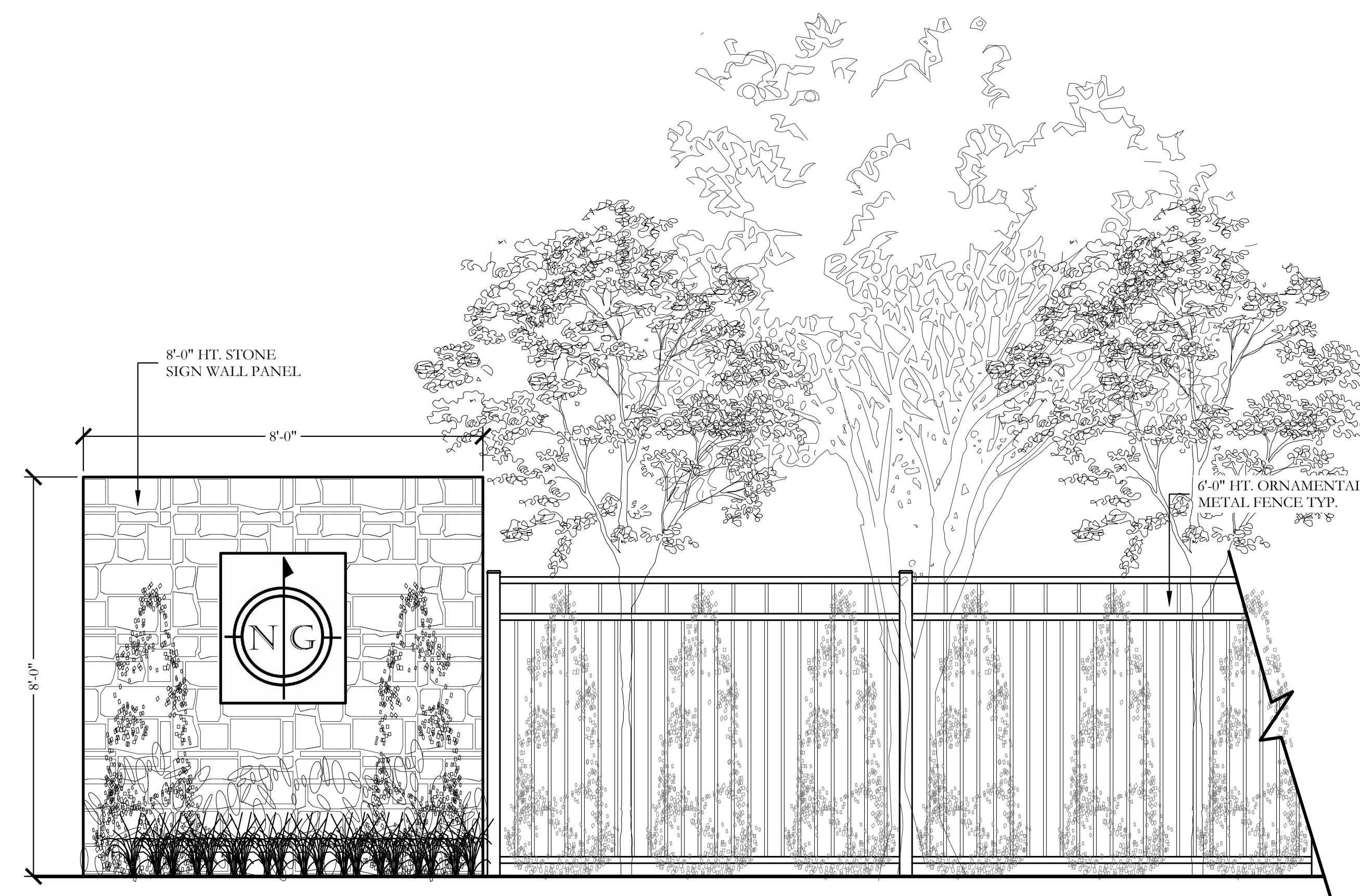
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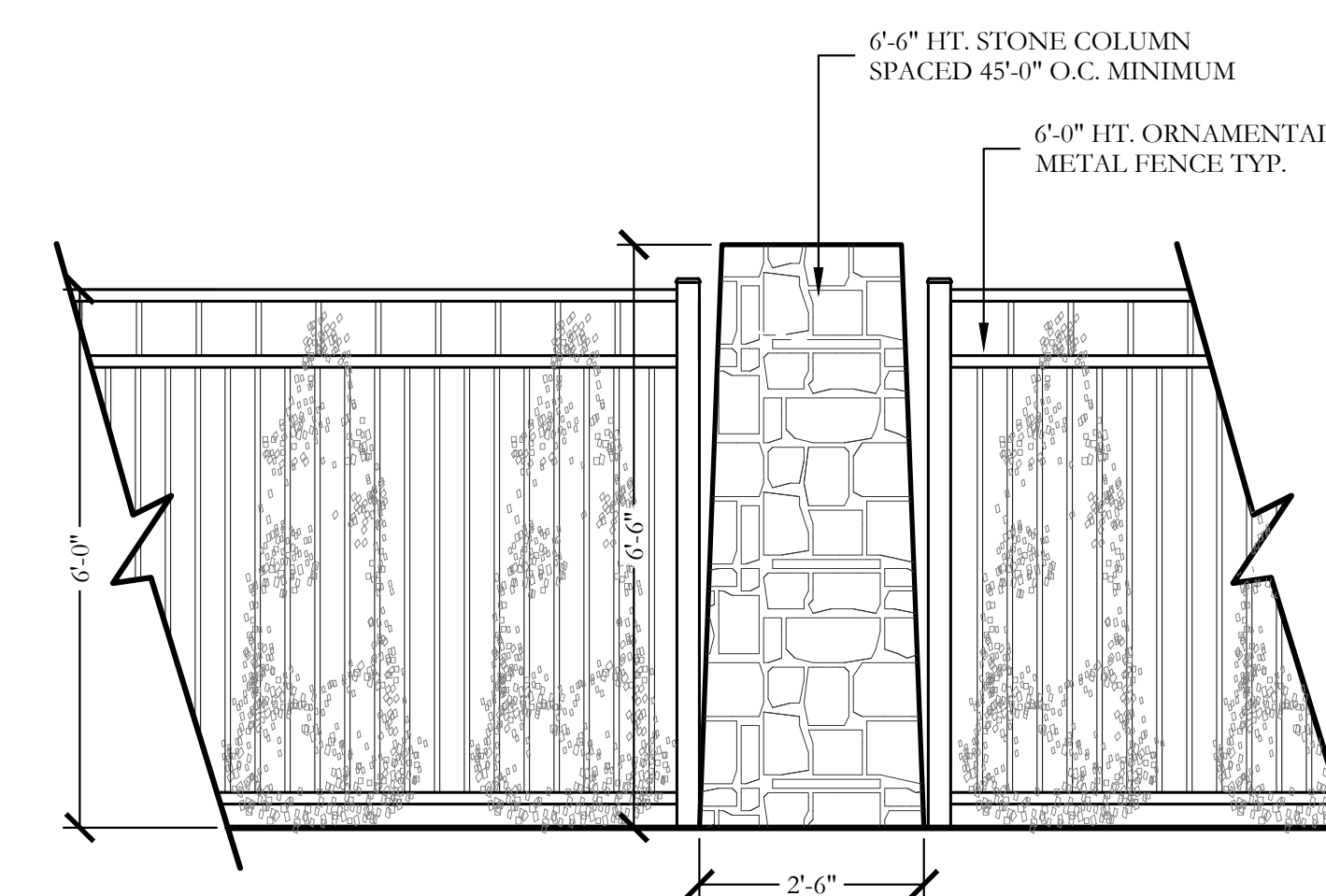
MAIN ENTRY MONUMENT ELEVATION

NOT TO SCALE



MINOR ENTRY MONUMENT ELEVATION

NOT TO SCALE



COLUMN AND FENCE ELEVATION

NOT TO SCALE

NORTHGATE CONCEPT PLAN

City of Rockwall, Texas



# City of Rockwall

## Project Plan Review History



<b>Project Number</b>	Z2019-012	<b>Owner</b>	ROBERSON, COREY WAYNE	<b>Applied</b>	5/17/2019	LM
<b>Project Name</b>	961 Clem Road (AG to SF-1)	<b>Applicant</b>	MICHAEL JOYCE PROPERTIES	<b>Approved</b>		
<b>Type</b>	ZONING			<b>Closed</b>		
<b>Subtype</b>	REZONE			<b>Expired</b>		
<b>Status</b>	Staff Review			<b>Status</b>		

<b>Site Address</b>	<b>City, State Zip</b>	
961 CLEM RD	ROCKWALL, TX 75087	<b>Zoning</b>

<b>Subdivision</b>	<b>Tract</b>	<b>Block</b>	<b>Lot No</b>	<b>Parcel No</b>	<b>General Plan</b>
	8		8	0072-0000-0008-00-OR	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	Russell McDowell	5/21/2019	5/28/2019	5/21/2019		APPROVED	
ENGINEERING (5/24/2019 11:19 AM SH) - 4% Engineering Fees. - Impact fees. - Must be on septic systems. (will require council approval) - Check if on Mt. Zion Water service list. - Must complete 2nd hydrostatic test, and 1st bacteria tests. - Must loop water on site. - Clem Road must have 61' ROW, 41' back to back, and this project must construct 24'. - FM 3549/ Stodgehill is to be 120' ROW, must dedicate 60' form the centerline. - Wetlands / WOTUS study for the pond to be removed. - May need detention if the culvert under Clem does not have capacity for the storms. Unit hydrograph method will be needed for detention more than 20 acres. - Must show all existing and proposed utilities. - Retaining walls 3' and over must be designed by an engineer. All retaining walls to be rock or stone face. No smooth concrete walls. - Min easement is 20'. Water, sewer, and storm lines must have 10' of easement on both sides of the line. - Must meet all City Standards of Design and Construction  - Also update bullet 13 in the design standards to use the October 2014 standards of design.	Sarah Hager	5/17/2019	5/24/2019	5/24/2019	7	APPROVED	Comments
FIRE	Ariana Hargrove	5/17/2019	5/24/2019	5/23/2019	6	APPROVED	
PLANNING	Korey Brooks	5/17/2019	5/24/2019	5/23/2019	6	COMMENTS	Comments

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed Status	Remarks
Z2019-012 Zoning Change (AG to PD)						
Please address the following comments (M= Mandatory Comments; I = Informational Comments).						
I.1 This is a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family-1 (SF-1) District land uses on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the west side of Stodgehill Road [FM-3549] north of the intersection of Stodgehill Road [FM-3549] and Cornelius Road.						
I.2 For questions or comments concerning this case, please contact Korey Brooks in the Planning Department at (972) 772-6434 or email kbrooks@rockwall.com.						
M.3 For reference, include the case number (Z2019-012) in the lower right hand corner of all pages on future submittals.						
M.4 Please review the draft ordinance prior to meeting on May 28, 2019.						
M.5 Please provide staff with the new survey and legal description once it is completed. In addition, the Clem Road will need to adjusted to show dedication and fill width of road.						
I.6 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections, and provide any additional information that is requested by June 4. The Planning and Zoning Worksession for this case is May 28, 2019. The Planning and Zoning Meeting for this case is June 11, 2019.						
I.7 The projected City Council meeting dates are June 17, 2019 and July 1, 2019. A representative is required to attend all meetings.						



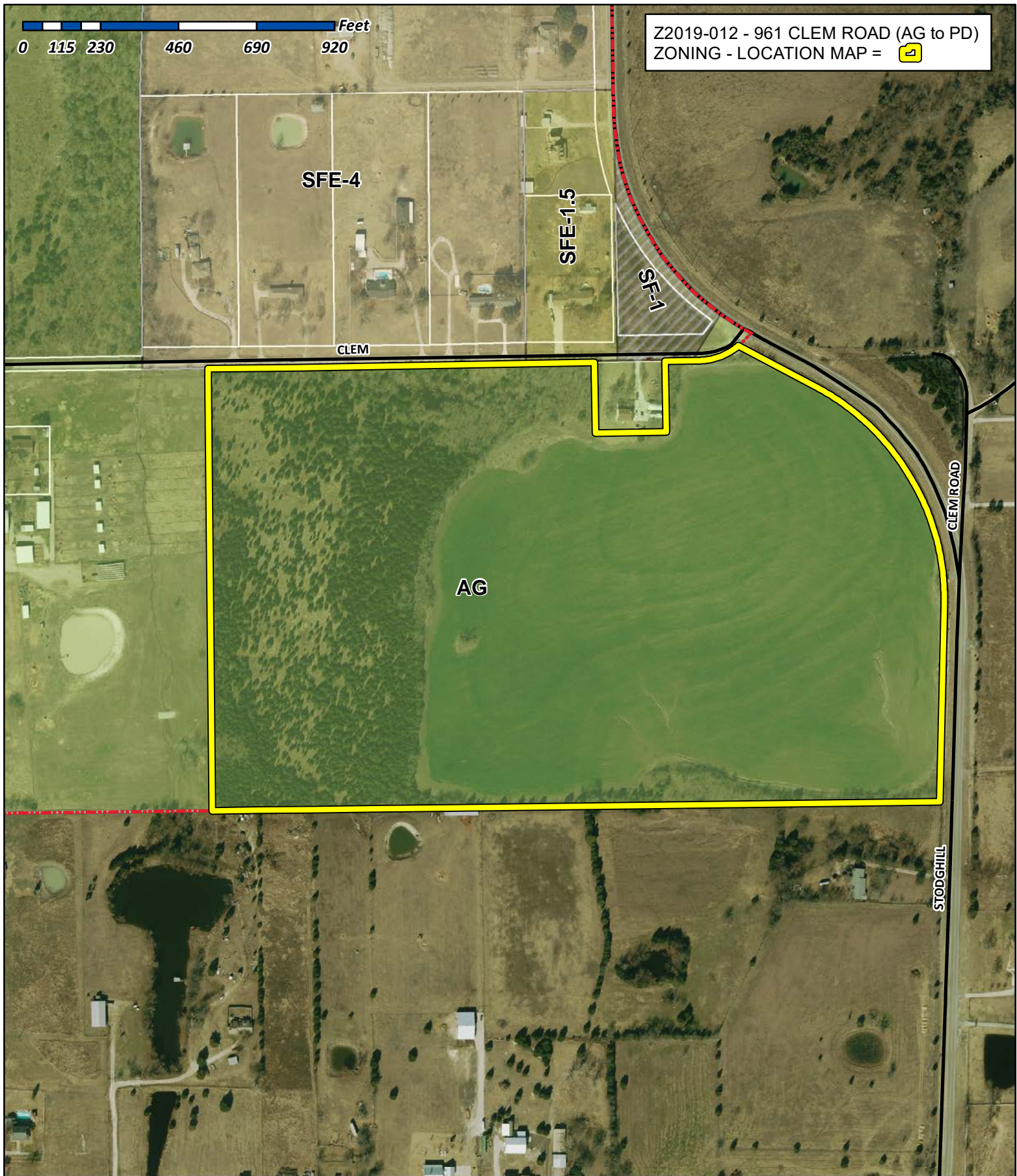


- 4% Engineering Fees.
- Impact fees.
- Must be on septic systems. (will require council approval)
- Check if on Mt. Zion Water service list.
- Must complete 2nd hydrostatic test, and 1st bacteria tests.
- Must loop water on site.
- Clem Road must have 61' ROW, 41' back to back, and this project must construct 24'.
- FM 3549/ Stodghill is to be 120' ROW, must dedicate 60' from the centerline.
- Wetlands / WOTUS study for the pond to be removed.
- May need detention if the culvert under Clem does not have capacity for the storms. Unit hydrograph method will be needed for detention more than 20 acres.
- Must show all existing and proposed utilities.
- Retaining walls 3' and over must be designed by an engineer. All retaining walls to be rock or stone face. No smooth concrete walls.
- Min easement is 20'. Water, sewer, and storm lines must have 10' of easement on both sides of the line.
- Must meet all City Standards of Design and Construction

62.455 ACRES  
40 LOTS  
1.0 ACRE MINIMUM



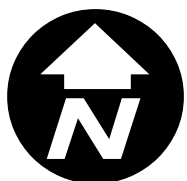




## City of Rockwall

Planning & Zoning Department  
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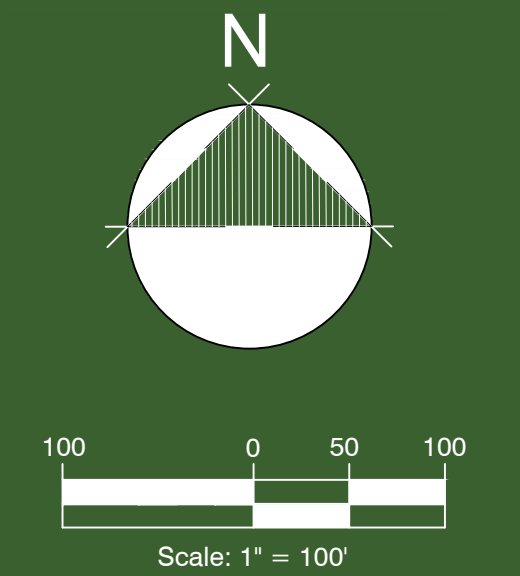




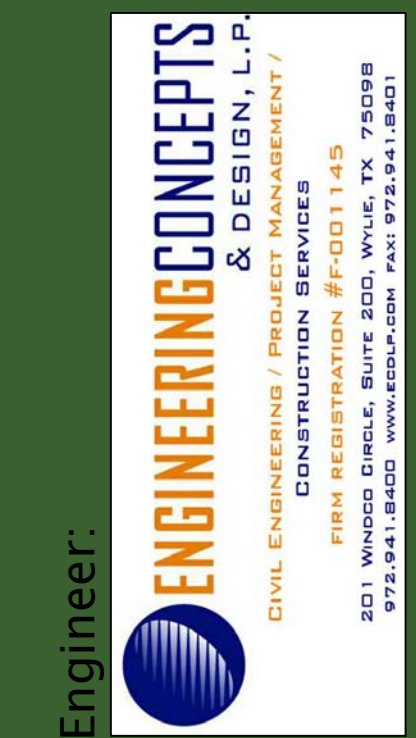




62.455 ACRES  
40 LOTS  
1.0 ACRE MINIMUM



# CONCEPT PLAN F NORTH GATE ROCKWALL, TEXAS



Engineer:



SITE LEGEND

MAIN ENTRY MONUMENTATION

MINOR ENTRY MONUMENTATION

6'-0" HT. ORNAMENTAL METAL FENCE W/ 6'-6" HT. STONE COLUMN SPACED 45' O.C. MAXIMUM PROVIDE 1-3" CALIPER TREE/50 LF OF ROAD FRONTAGE

The diagram is a detailed site plan for the Northgate Concept Plan. It shows a large rectangular area divided into numerous lots, numbered 1 through 23. The lots are arranged in a grid-like fashion, with some variations in size and shape. Key streets include CLEM ROAD at the top, STREET A on the left, STREET B at the bottom, and STREET C on the right. N. STODGHILL ROAD is shown as a curved road on the right side. Two main entry monumentation locations are marked with large purple circles: one at the intersection of STREET A and CLEM ROAD, and another at the intersection of STREET C and N. STODGHILL ROAD. A minor entry monumentation location is marked with a green circle at the intersection of STREET A and CLEM ROAD. The plan also shows various boundary lines, including dashed and dotted lines, and specific annotations for fence types and spacing. For example, '6'-0" HT. ORNAMENTAL METAL FENCE WITH 6'-6" HT. STONE COLUMN SPACED 45' O.C.' is noted along the right boundary. Other labels include 'C.A.1' and 'C.A.2' near specific lots.

NORTHGATE CONCEPT PLAN

City of Rockwall, Texas

NORTH

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50

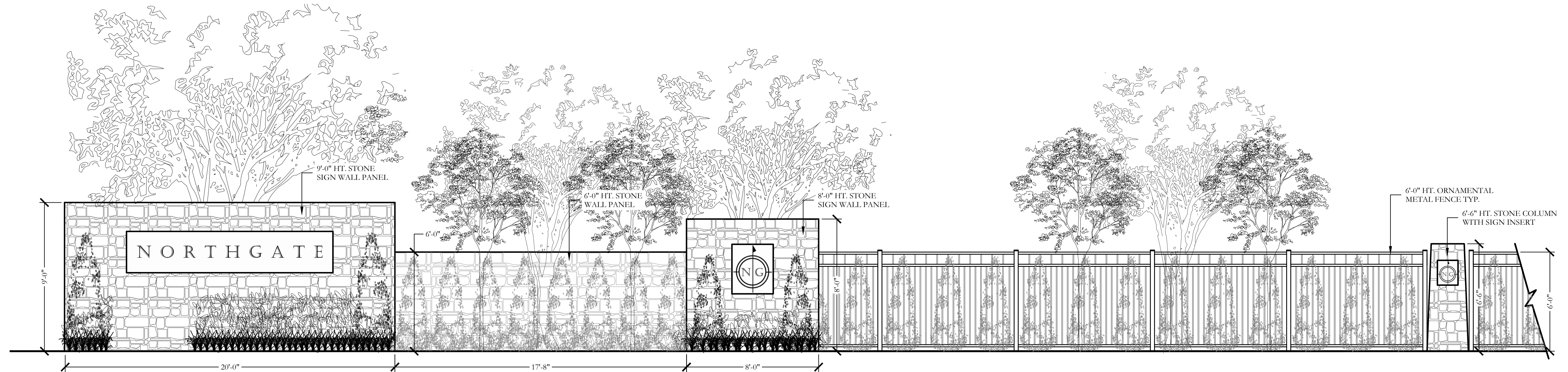
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Scale: 1" = 100'-0"

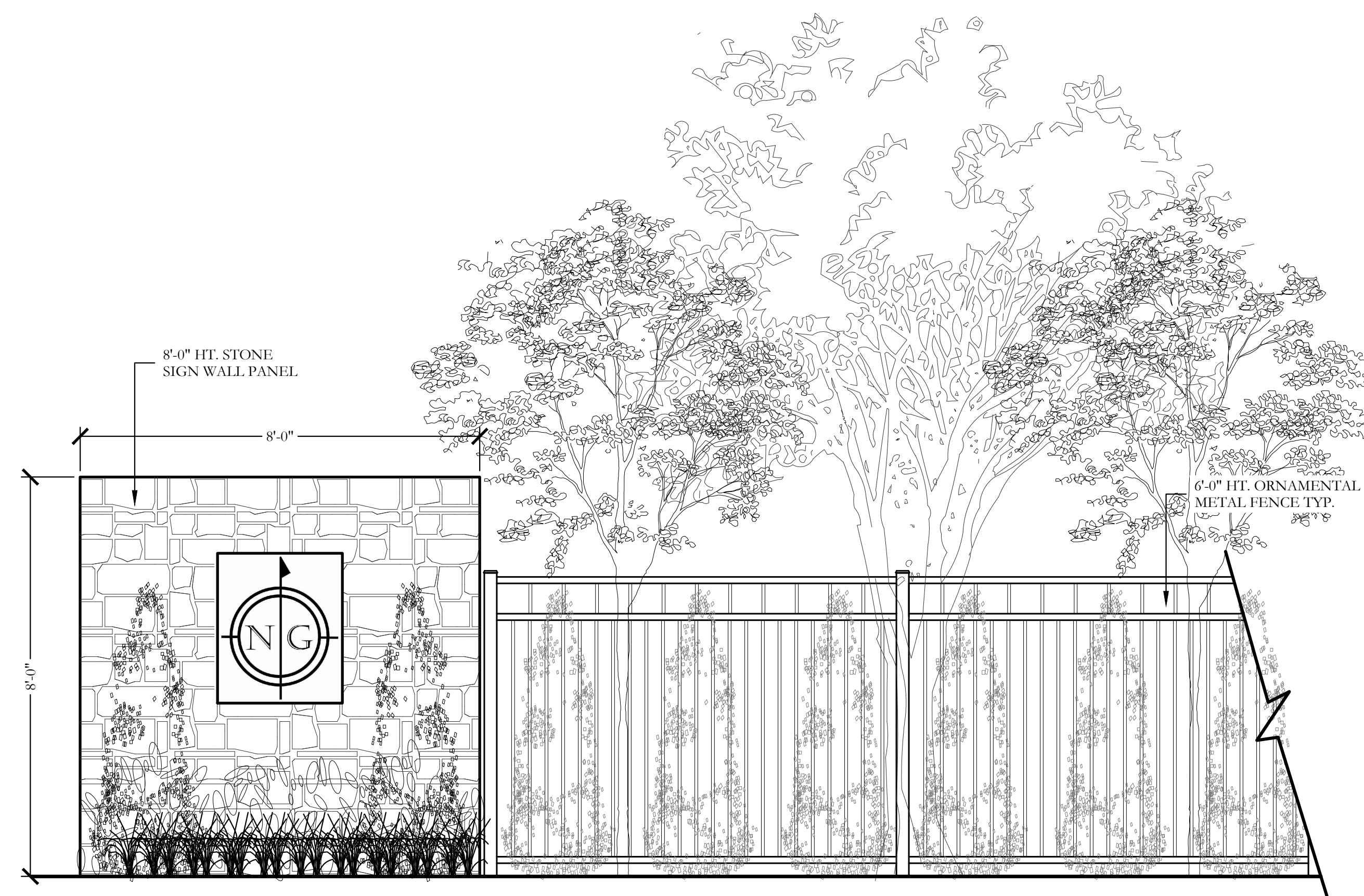
CODY JOHNSON

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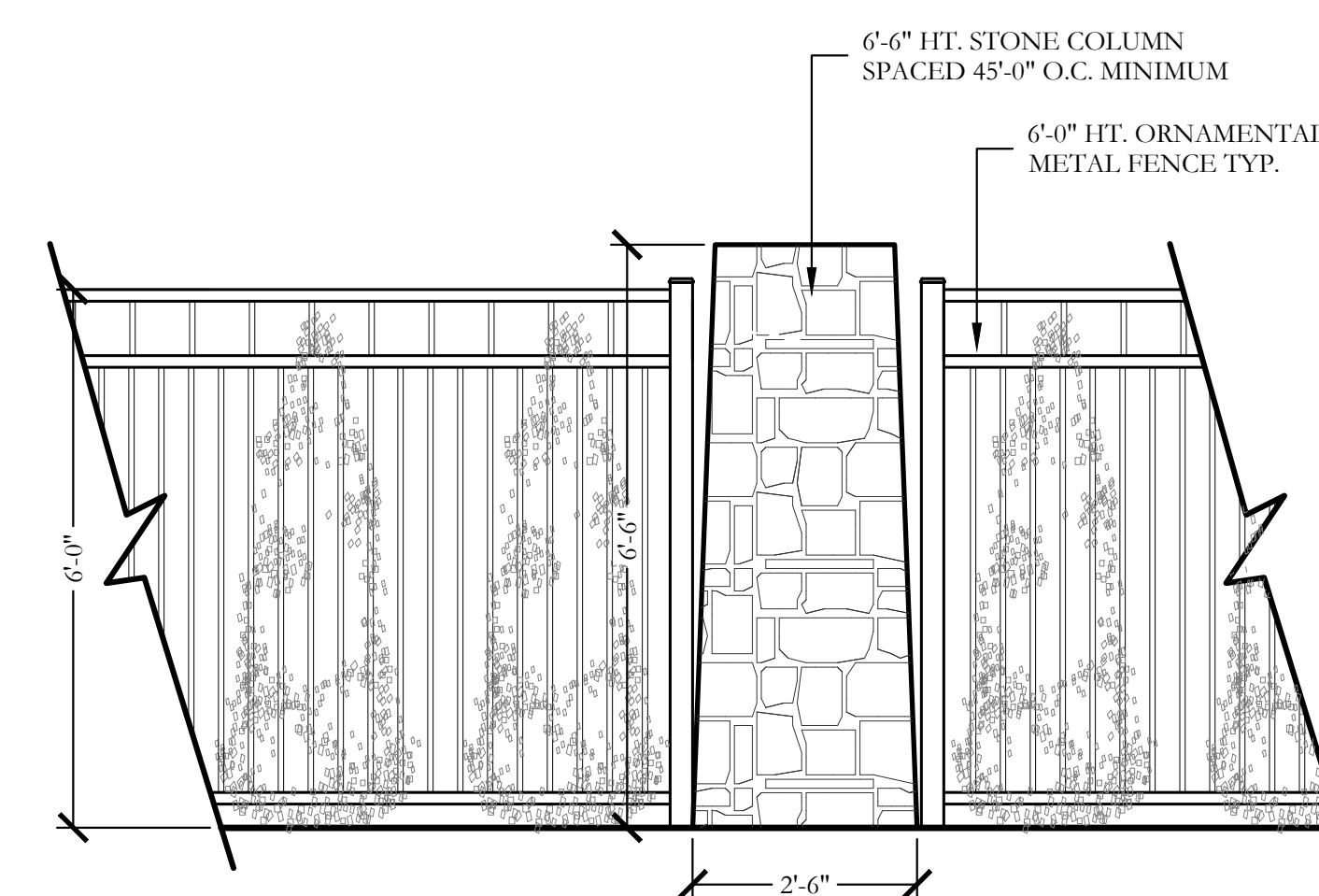
MAIN ENTRY MONUMENT ELEVATION

NOT TO SCALE



MINOR ENTRY MONUMENT ELEVATION

NOT TO SCALE



COLUMN AND FENCE ELEVATION

NOT TO SCALE

NORTHGATE CONCEPT PLAN

City of Rockwall, Texas



## Development Standards.

1. Permitted Uses. Unless specially provided by the Planned Development ordinance, only those uses permitted within the Single Family Rural Estate 1.5 and Single Family 1 (SF-1) District, as stipulated by the Permissible Use Charts contained in Article IV, Permissible Uses, of the Unified Development Code (UDC), are allowed on the Subject Property.
2. Lot Composition and Layout. The lot layout and composition shall generally conform to the Concept Plan depicted in the Exhibit "B" and the stated in Table 1, which is as follows:

Table 1: Lot Composition:

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	120' x 200'	43,560	17	43%
B	130' x 400'	65,340	22	56%

3. Density and Dimension Requirements. Unless specifically provided by this Planned Development ordinance, the development standards stipulated by the SF – RE 1.5 and SF – 1, as specified by Article V, District Development Standards, of the Unified Development Code are applicable to all development on the Subject Property. The maximum permissible density for the Subject Property shall not exceed .75 dwelling units per gross acre of land; however, in no case should the proposed development exceed 41 units. All lots shall conform to the standards depicted in Table 2, which is as follows:

Table 2: Lot Dimensional Requirements:

Minimum Lot Width <sup>(1)</sup>	120'
Minimum Lot Depth	200'
Minimum Front Yard Setback <sup>(2) &amp; (5)</sup>	70'
Minimum Side Yard Setback	25'
Minimum Side yard Setback (Adjacent to a Street) <sup>(2) &amp; (5)</sup>	30'
Minimum Length of Driveway Pavement	70'
Maximum Height <sup>(3)</sup>	38'
Minimum Rear Yard Setback	50'
Minimum Area / Dwelling unit (SF)	2500 SF
Maximum Lot Coverage	20%
Permitted Encroachment into Required Setbacks <sup>(5)</sup>	Allowed

General Notes:

1. The minimum lot width shall be measured at the Front Yard Building Set Back.
  2. The location of the Front Yard Building Setback as measured from the front property line
  3. The Maximum Height shall be measured to the eave or top plate (which ever is grater) of the single-family home
  4. As measured from the rear yard property line
  5. Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimney, eaves, and similar architectural features may encroach beyond the Front Yard Building Setback by up to ten (10) feet for an property; however, the encroachment shall not exceed five (5) feet on side yard setbacks (Adjacent to a street) and shall not encroach into public right-of-way [ a Sunroom is an enclosed room no more than 15 feet in width that has glass on at least 50% of each of the encroaching faces].
4. Building Standards. All development shall adhere to the following building standards:
- (a) Masonry Requirement. The minimum masonry requirement for the exterior facades of all buildings shall be 75%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementaceous fiber board horizontal lap-siding (e.g. HardiBoard or Hardy Plank) and stucco may be used for up to 50% of the masonry requirement.
  - (b) Roof Pitch. A minimum of an 4:12 roof pitch is required on all structures.
  - (c) Garage Orientation. Garages may be orientated in a traditional swing (or j-swing) configuration, side entry or front facing configuration with a minimum setback of 70' (i.e. allowing the garage to be flush with the front façade of the primary structure). All garage configurations that are not front entry shall meet the requirements of Article VI, Parking and Loading, of the Unified Development Code.
5. Fencing Standards. All individual residential fencing and walls shall be architecturally compatible with the design, material and color of the primary structure on the same lot and meet the following standards:
- a. Wrought Iron / Tubular Steel / Pipe Rail. All lots shall utilize fencing materials that shall be open in nature and not exceed 6 feet in height. Fences that extend beyond the front building line of any structure shall be required to be pipe rail or similar. No chain link or wooden fencing shall be allowed.
6. Landscape and Hardscape Standards.
- (1) Landscape. Landscaping shall be reviewed and approved with the PD Site Plan. All Canopy / Shade trees planed within this development shall be a minimum of Four (4) caliper inches in size and all Accent / Ornamental / Under-Story trees shall be a



minimum of four (4) feet in total height. The following tree species are approved for planting with this subdivision:

- a. Canopy / Shade Trees. Bald Cypress, Cedar elm, Texas Red Oak, Homestead Elm, Lace Bark Elm, Alle Elm, Chinese Pistachio, Shumard Oak, Sycamore, Pecan, Live Oak, and Burr Oak.
- b. Accent / Ornamental / Under-Story Trees. Texas Redbud, Eve's Necklace, Mexican Plum, Downy Hawthorn, Crepe Myrtle, Texas Mountain Laurel, Vitex, and Desert Willow

(2) Landscape Buffers. All landscape buffers and planting located within the buffers shall be maintained by the Homeowner's Association (HOA)

- a. Landscape Buffer and Sidewalks (FM 3549). A minimum of 30-foot landscape buffer shall be provided along the frontage of FM 3549 and shall incorporate ground cover, a built-up Berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30 inches and a maximum height of 48 inches. In addition, three (3) canopy tree and four (4) accent trees shall be planted per 100 feet of linear frontage. The developer shall also be responsible for the construction of a five (5) foot sidewalk situated within the 30-foot landscape buffer adjacent to FM 3549.

(3) Street Scape Landscaping. Prior to the issuance of a Certificate of Occupancy (CO), all residential single family lots situated within the proposed subdivision shall be landscaped with canopy trees from the list stipulated by section 6(1) of this ordinance in the following sizes and proportions:

- (i) Three (3), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of the required lots.
- (ii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the rear yards of the required lots.
- (iii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the side yards facing the street.

Note: For the purposes of this section only [i.e. Section 6(3) the term "front yard" includes the area within the front yard setback immediately adjoining the front yard of the lot. The Term "required lot" includes the lots 8-17 Along the southern edge of Street B and Lots 1-16 on the Northern edge of Street "B".

(4) Irrigation Requirements. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space, Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association.

(5) Hardscape. Hardscape plans indicating the location of all sidewalks and tails shall be reviewed and approved with the PD Site Plan.

7. Streets. All streets (excluding drives, fire lanes and private parking areas) shall be built according to City street standards.

8. Lighting. Light poles shall not exceed 20-feet in total height (i.e. base and lighting standard). All fixtures shall be directed downward and be positioned to contain all light within the development area.
9. Sidewalks. At a maximum, all sidewalks adjacent to a street shall begin two (2) feet behind the right-of-way and be five (5) feet in overall width.
10. Buried Utilities. New distribution powerlines required to serve the Subject Property shall be placed underground, whether such lines are located internally or along the perimeter of the Subject Property, unless otherwise authorized by the City Council. New transmission powerline, or distribution lines, of a size not typically or cost effectively placed underground (3-phase lines), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the Subject Property. The Developer shall not be required to re-locate existing overhead powerlines along the perimeter of the Subject Property. Temporary powerlines constructed across undeveloped portions of the Subject Property to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the homes and the property line.
11. Open Space. The development will not be required to have open space. A landscape buffer provided along FM 3549 with 5' trail shall satisfy any open space requirements. Additionally, the developer shall construct a pro-rated section of roadway improvements along Clem Road. A 30' landscape buffer shall be provided for any lots that back up to Clem Road and developer shall be required to construct city sidewalk in the buffer. Planting requirements shall be the same as section (2)a. There shall be no berm requirement along Clem Road.
12. Neighborhood Signage. Permanent subdivisions identification signage shall be permitted at all major entry points for the proposed subdivision. Final Design and location of any entry features shall be reviewed and approved with the PD Site Plan.
13. Drainage Standards. The development shall comply with existing drainage standards including the permissible spread of water in the streets and permissible gutter low through intersection as outlined in the City of Rockwall's Standards of Design and Construction (approved in August 2003 and updated in October 2007). The proposed drainage areas, flow patterns and storm drain system that will be constructed shall be based on the City's drainage criteria and be identified on a Conceptual Drainage Plan, which shall be submitted with the Civil Plans at the time of Engineering submittal. The conceptual Drainage plan shall be reviewed and approved by the Engineering Department in compliance with engineering standards.



14. Onsite Waste Water Facilities. All lots shall be serviced by Onsite Waste Water Facilities and shall be permitted through the Texas Commission on Environmental Quality (TCEQ) and in accordance with the requirements set forth by the TCEQ.
15. Homeowner's Association (HOA). A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of Section 38-15 of the Subdivision Regulations contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, screening fences associated with this development.



# CITY OF ROCKWALL

## PLANNING AND ZONING COMMISSION CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

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**TO:** Planning and Zoning Commission  
**DATE:** June 11, 2019  
**APPLICANT:** Ryan Joyce; Michael Joyce Properties  
**CASE NUMBER:** Z2019-012; *Zoning Change (AG to PD)*

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### **SUMMARY**

Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family-1 (SF-1) District land uses on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the west side of Stodgess Road [FM-3549] north of the intersection of Stodgess Road [FM-3549] and Cornelius Road, and take any action necessary.

### **BACKGROUND**

The subject property was annexed in 2008 [*Ordinance No. 08-66*], is located on the west side of Stodgess Road [FM-3549] north of the intersection of Stodgess Road [FM-3549] and Cornelius Road, and is zoned Agricultural (AG) District.

### **PURPOSE**

The applicant is requesting a change in zoning from an Agricultural (AG) District to a Planned Development District for Single-Family 1 (SF-1) District land uses on a 61.45-acre tract of land, which is currently vacant.

### **ADJACENT LAND USES AND ACCESS**

The subject property is located on the west side of Stodgess Road [FM-3549] north of the intersection of Stodgess Road [FM-3549] and Cornelius Road. The land uses adjacent to the subject property are as follows:

**North:** Directly north of the subject property is Clem Road, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan. Beyond this there are several single-family homes that are zoned Single-Family Estate 4 (SFE-4.0), Single-Family Estate 1.5 (SFE-1.5), and Single-Family 1 (SF-1) District.

**South:** Directly south of the subject property there are several single family home that are outside of the city limits of the City of Rockwall. Beyond this is Cornelius Road, which is identified as a M4U (*major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan and delineates the city limits of Rockwall.

**East:** Directly east of the subject property is Stodgess Road [FM-3549], which is identified as a TXDOT4D (*Texas Department of Transportation, four (4) lane, divided roadway*) on the City's Master Thoroughfare Plan and delineates the city limits of Rockwall.



West: Directly west of the subject property, there are several single-family homes that are zoned Agricultural (AG) District followed by the city limits of the City of Rockwall. Beyond this there is a large tract of land that is zoned Agricultural (AG) District followed by FM-1141, which is identified as a M4D (*major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan.

## **CHARACTERISTICS OF THE REQUEST**

The applicant is requesting a change in zoning from an Agricultural (AG) District to a Planned Development District for Single-Family 1 (SF-1) District land uses. The concept plan shows that the 61.45-acre property will consist of 39 single-family lots that will broken-down into two (2) lot types (*i.e. 120' x 200' & 130' x 400'*). Specifically, the development will include 17 lots that will be a minimum of 120' x 200' and 22 lots that will be a minimum of 130' x 400'. The lot sizes will range in size from 43,560 SF (*i.e. one [1] acre*) to 65,340 SF (*i.e. one and one half [1½]-acres*). The proposed minimum size of each dwelling unit (*i.e. air conditioned space*) will be 2,500 SF. The applicant has stated that the homes will be custom homes and will vary from lot to lot. The product will also be a rural style estate lot, which will incorporate a rural-local roadway (*i.e. will not be curb and gutter*) and a minimum front yard setback of 70-feet. The proposed housing product will have a minimum masonry requirement of 80%, with up to 50% cementitious fiberboard horizontal lap siding (*e.g. HardiBoard or Hardy Plan*) and stucco (*i.e. three [3] part stucco or a comparable product -- to be determined be staff*) being permitted. The proposed housing product conforms to the City's minimum masonry and anti-monotony requirements and will allow both *traditional swing* (*i.e. j-swing*), side entry, and flat front entry (*i.e. setback behind the width of the double car garage that is access from the traditional swing configuration*) garage configurations. All garage doors will incorporate upgraded finishes (*e.g. divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be determined by staff*). The development will incorporate less than the required 20% open space; however, it will have a 30-foot landscape buffer adjacent to FM-3549 that will incorporate ground cover, a built-up berm and/or shrubbery -- *or a combination thereof* -- and trees and a five (5) foot sidewalk along the entire frontage. In addition, the applicant has stated that by virtue of the development incorporating larger lots without stockade or solid fencing, it will achieve the same feel as more dense developments that incorporate the required 20% open space.

The proposed Planned Development District will be subject to the land uses and requirements stipulated for the Single-Family 1 (SF-1) District unless specifically called out in the Planned Development District ordinance. A summary of the proposed development standards for each lot type is as follows:

<i>Lot Type (see Concept Plan) ►</i>	<b>A</b>	<b>B</b>
<i>Minimum Lot Width <sup>(1)</sup></i>	120'	130'
<i>Minimum Lot Depth</i>	200'	400'
<i>Minimum Lot Area</i>	43,560 SF	65,340 SF
<i>Minimum Front Yard Setback <sup>(2) &amp; (5)</sup></i>	70'	70'
<i>Minimum Side Yard Setback</i>	25'	25'
<i>Minimum Side Yard Setback (Adjacent to a Street) <sup>(2) &amp; (5)</sup></i>	30'	30'
<i>Minimum Length of Driveway Pavement</i>	70'	70'
<i>Maximum Height <sup>(3)</sup></i>	38'	38'
<i>Minimum Rear Yard Setback <sup>(4)</sup></i>	50'	50'
<i>Minimum Area/Dwelling Unit (SF) [Air Conditioned Space]</i>	2,500 SF	2,500 SF
<i>Maximum Lot Coverage</i>	20%	20%
<i>Permitted Encroachment in Required Setbacks<sup>(5)</sup></i>	Allowed	Allowed

### General Notes:

- <sup>1.</sup> The minimum lot width shall be measured at the *Front Yard Building Setback*.
- <sup>2.</sup> The location of the *Front Yard Building Setback* as measured from the front property line.
- <sup>3.</sup> The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- <sup>4.</sup> As measured from the rear yard property line.
- <sup>5.</sup> Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimney, eaves, and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for a property; however, the

encroachment shall not exceed five (5) feet on side yard setbacks (adjacent to a street) and shall not encroach into public right-of-way. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.

## **INFRASTRUCTURE**

Based on the applicant's concept plan and proposed density, the following infrastructure will be required to be constructed to provide adequate public services to the subject property:

Water. The Master Water Plan indicates that the subject property is located within Water Service Area 780 (*i.e. not serviced by the City of Rockwall*); however, there is some dispute as to whether the City of Rockwall or Mt. Zion Water Supply has the right to serve this property. As a result, the applicant will be required to contact Mt. Zion Supply Corporation in order to determine if the property can be serviced.

Wastewater. The Master Wastewater Plan indicates that there is no wastewater infrastructure in the vicinity. There are no immediate plans for the City to install infrastructure in the area. As a result, the applicant must get approval from the City Council in order to utilize septic systems to serve the development.

Stormwater. Detention on the site may be required if the existing culvert under Clem Road does not have the necessary capacity to accommodate the increased runoff. A unit hydrograph method will need to be used in calculating detention for more than 20-acre.

Roadways. According to the Master Thoroughfare Plan, Clem Road is indicated as a *Minor Collector*, which requires a 60-foot right-of-way with a 41-foot *back to back street*. The applicant is required to construct 21-feet of right-of-way the entire length of the property along Clem Road. FM-3549 is indicated as a TXDOT4D (*Texas Department of Transportation, four (4) lane, divided roadway*), which requires a 120-foot right-of-way. The applicant must dedicate 60-feet from the centerline of FM-3549 for the future expansion of this roadway.

All proposed infrastructure improvements must meet the Engineering Department's *Standards of Design and Construction*.

## **CONFORMANCE WITH THE CITY'S CODES**

The proposed Planned Development District conforms to the majority of the City's code requirements; however, it should be noted that the development standards contained within the Planned Development District ordinance deviate from the requirements of the Unified Development Code (UDC) and the Engineering Department's *Standards of Design and Construction Manual* in the following ways:

- ☑ The Engineering Department's *Standards of Design and Construction Manual* stipulates that, "(A)lleys shall be provided in all residential areas and shall be paved with steel reinforced concrete ..."; however, the code does grant the City Council the ability to "... waive the residential alley requirement, if it is in the best interest of the City." (*Section 2.11; Page 14*)
- ☑ The Unified Development Code (UDC) requires that, "(i)n single-family or duplex districts, parking garages must be located at least 20-feet behind the front building façade for front entry garages, unless it is a *J-Swing [or traditional swing]* garage where the garage door is perpendicular to the street." (*Sec. 4.1; Art. VI; UDC*)
- ☑ According to Section 1.2, *Nature of PD Districts and Minimum Standards*, of Article X, *Planned Development Regulations*, of the UDC, "... (u)nless otherwise provided by the PD Ordinance, a minimum of 20 percent of the gross land area within the entire PD District shall be devoted to open space."



In this case, the applicant is proposing to allow traditional swing, side entry, and flat-front entry garages in lieu of alleyways. All flat-front entry garages will be setback either [1] behind the width of a double garage that is accessed from a traditional swing or [2] flush with the front façade of the home for the standard flat-front entry garages. As a compensatory measure for not meeting the required 20-foot setback stipulated by the Unified Development Code (UDC) for flat-front entry garages, the applicant is requiring that all garage doors incorporate upgraded finishes (e.g. *divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors or a similar alternative*). With regard to the open space requirement, the applicant has stated that estate style lots with non-transparent fencing provide a similar aesthetic as traditional neighborhoods that incorporate opaque fencing and 20% open space. Staff has incorporated these requirements into the draft ordinance and by approving this case, the City Council would be waiving these requirements.

## **CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN**

The OURHometown Vision 2040 Comprehensive Plan indicates that the subject property is located in the *Northeast Residential District* and is designated for *Low Density Residential (LDR)* land uses. The *Northeast Residential District* is characterized by its low-density subdivisions and rural/estate style lots. This district has several large vacant tracts of land that are suitable for low-density residential development, and it is anticipated that this district will be a future growth center for the City. The *Low Density Residential (LDR)* land use category consists of residential subdivisions that are two (2) units per gross acre or less. Primary land uses in this district are suburban, estate, and rural developments. In this case, the development is an estate style subdivision with a density of 0.63 units per gross acre. This is substantially in conformance to intent of the *Northeast Residential District* and the *Low Density Residential (LDR)* land use designation.

In addition, the OURHometown Vision 2040 Comprehensive Plan seeks to “...(p)reserve the City’s current residential to non-residential land use ratio (*i.e. 80% Residential; 20% Commercial*) in order to maintain a balance mix of land uses for fiscal sustainability.” The *Land Use Plan* contained in the Comprehensive Plan was created to guide the City toward the desired 80% residential to 20% non-residential land use balance. Currently, the land use balance is at 75.48% residential to 24.52% non-residential. If the City Council chooses to approve this case -- since this case is proposing zoning in conformance to the *Land Use Plan* -- the ratio will remain the same. A more detailed view of the current and proposed land use ratios has been included in the attached packet. With all this being said, zoning requests are discretionary decisions for the City Council pending a recommendation from the Planning and Zoning Commission.

## **NOTIFICATIONS**

On May 24, 2019, staff mailed 13 notices to property owners and occupants within 500-feet of the subject property and located within the City Limits. There are no Homeowner’s Associations (HOA’s) or neighborhood groups within 1,500-feet of the subject property and participating in the Neighborhood Notification Program. At the time this report was written, staff had not received any notices concerning this case.

## **CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission chooses to recommend approval of the applicant’s request for a change in zoning from an Agricultural (AG) District to a Planned Development District for Single-Family 1 (SF-1) District land uses, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the conditions contained within the *Planned Development District* ordinance;

- (2) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



# City of Rockwall

## Project Plan Review History



<b>Project Number</b>	Z2019-012	<b>Owner</b>	ROBERSON, COREY WAYNE	<b>Applied</b>	5/17/2019	LM
<b>Project Name</b>	961 Clem Road (AG to SF-1)	<b>Applicant</b>	MICHAEL JOYCE PROPERTIES	<b>Approved</b>		
<b>Type</b>	ZONING			<b>Closed</b>		
<b>Subtype</b>	REZONE			<b>Expired</b>		
<b>Status</b>	Staff Review			<b>Status</b>		

<b>Site Address</b>	<b>City, State Zip</b>	
961 CLEM RD	ROCKWALL, TX 75087	<b>Zoning</b>

<b>Subdivision</b>	<b>Tract</b>	<b>Block</b>	<b>Lot No</b>	<b>Parcel No</b>	<b>General Plan</b>
	8		8	0072-0000-0008-00-OR	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	Russell McDowell	5/21/2019	5/28/2019	5/21/2019		APPROVED	
ENGINEERING (5/24/2019 11:19 AM SH) - 4% Engineering Fees. - Impact fees. - Must be on septic systems. (will require council approval) - Check if on Mt. Zion Water service list. - Must complete 2nd hydrostatic test, and 1st bacteria tests. - Must loop water on site. - Clem Road must have 61' ROW, 41' back to back, and this project must construct 24'. - FM 3549/ Stodgehill is to be 120' ROW, must dedicate 60' form the centerline. - Wetlands / WOTUS study for the pond to be removed. - May need detention if the culvert under Clem does not have capacity for the storms. Unit hydrograph method will be needed for detention more than 20 acres. - Must show all existing and proposed utilities. - Retaining walls 3' and over must be designed by an engineer. All retaining walls to be rock or stone face. No smooth concrete walls. - Min easement is 20'. Water, sewer, and storm lines must have 10' of easement on both sides of the line. - Must meet all City Standards of Design and Construction  - Also update bullet 13 in the design standards to use the October 2014 standards of design.	Sarah Hager	5/17/2019	5/24/2019	5/24/2019	7	APPROVED	Comments
FIRE	Ariana Hargrove	5/17/2019	5/24/2019	5/23/2019	6	APPROVED	
PLANNING	Korey Brooks	5/17/2019	5/24/2019	5/23/2019	6	COMMENTS	Comments

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed Status	Remarks
Z2019-012 Zoning Change (AG to PD)						
Please address the following comments (M= Mandatory Comments; I = Informational Comments).						
I.1 This is a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family-1 (SF-1) District land uses on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the west side of Stodgehill Road [FM-3549] north of the intersection of Stodgehill Road [FM-3549] and Cornelius Road.						
I.2 For questions or comments concerning this case, please contact Korey Brooks in the Planning Department at (972) 772-6434 or email kbrooks@rockwall.com.						
M.3 For reference, include the case number (Z2019-012) in the lower right hand corner of all pages on future submittals.						
M.4 Please review the draft ordinance prior to meeting on May 28, 2019.						
M.5 Please provide staff with the new survey and legal description once it is completed. In addition, the Clem Road will need to adjusted to show dedication and fill width of road.						
I.6 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections, and provide any additional information that is requested by June 4. The Planning and Zoning Worksession for this case is May 28, 2019. The Planning and Zoning Meeting for this case is June 11, 2019.						
I.7 The projected City Council meeting dates are June 17, 2019 and July 1, 2019. A representative is required to attend all meetings.						



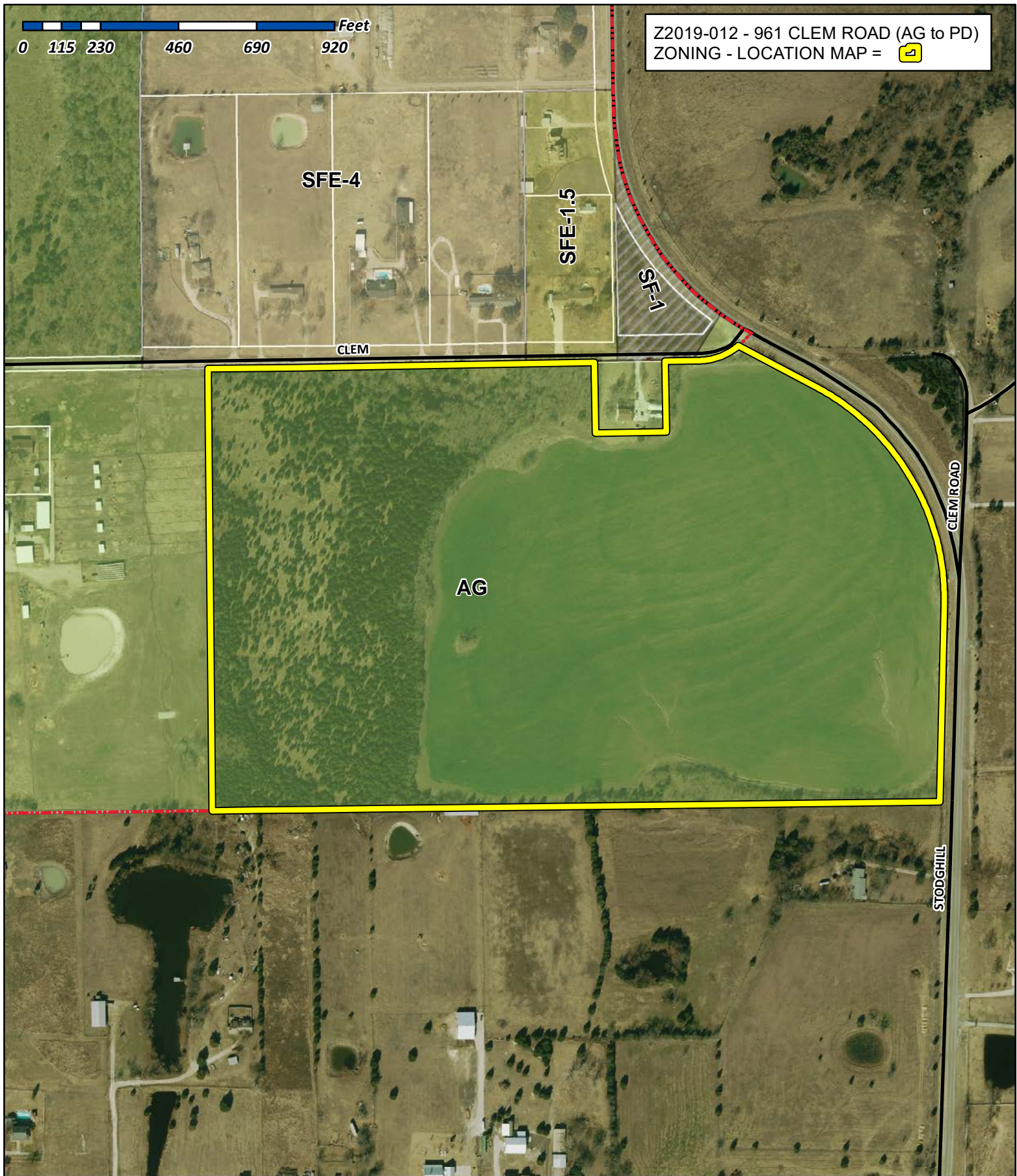


- 4% Engineering Fees.
- Impact fees.
- Must be on septic systems. (will require council approval)
- Check if on Mt. Zion Water service list.
- Must complete 2nd hydrostatic test, and 1st bacteria tests.
- Must loop water on site.
- Clem Road must have 61' ROW, 41' back to back, and this project must construct 24'.
- FM 3549/ Stodghill is to be 120' ROW, must dedicate 60' from the centerline.
- Wetlands / WOTUS study for the pond to be removed.
- May need detention if the culvert under Clem does not have capacity for the storms. Unit hydrograph method will be needed for detention more than 20 acres.
- Must show all existing and proposed utilities.
- Retaining walls 3' and over must be designed by an engineer. All retaining walls to be rock or stone face. No smooth concrete walls.
- Min easement is 20'. Water, sewer, and storm lines must have 10' of easement on both sides of the line.
- Must meet all City Standards of Design and Construction

62.455 ACRES  
40 LOTS  
1.0 ACRE MINIMUM



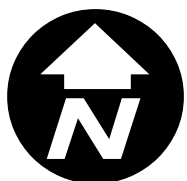




## City of Rockwall

Planning & Zoning Department  
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Rockwall, Texas 75032  
(P): (972) 771-7745  
(W): [www.rockwall.com](http://www.rockwall.com)

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



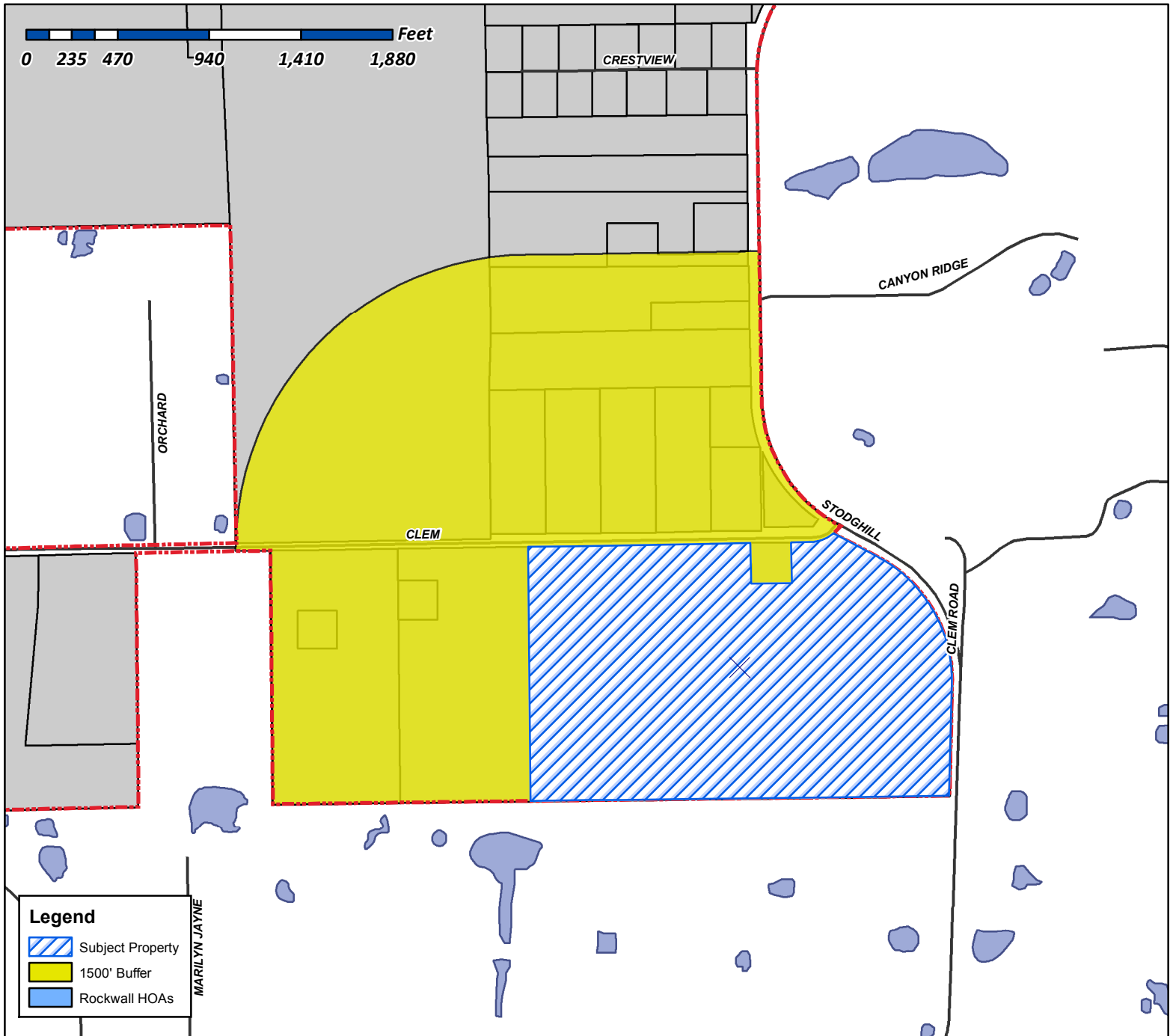




# City of Rockwall

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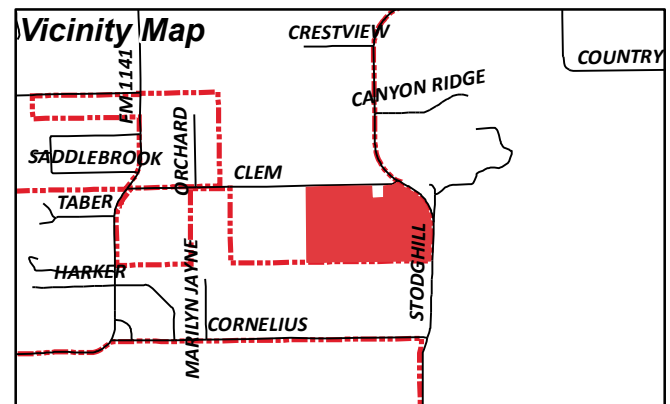
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**Case Number:** Z2019-012  
**Case Name:** Zoning Change (AG to PD)  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** 961 Clem Road

**Date Created:** 5/21/2019

**For Questions on this Case Call** (972) 771-7745

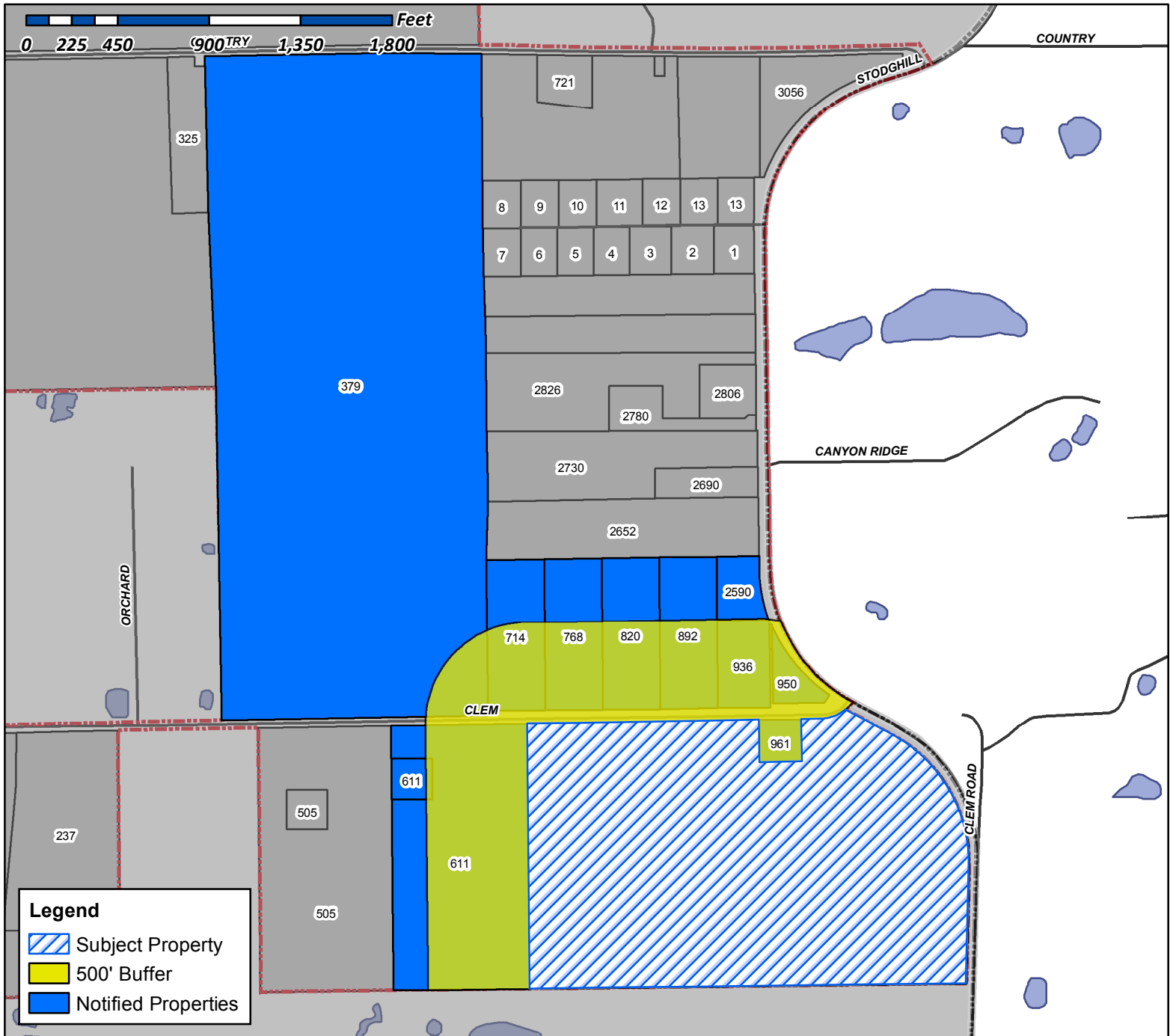




# City of Rockwall

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Rockwall, Texas 75087  
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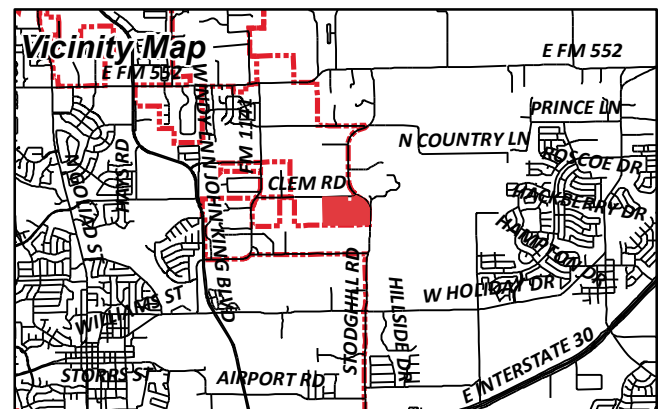
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**Case Number:** Z2019-012  
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**Case Address:** 961 Clem Road

**Date Created:** 5/21/2019

**For Questions on this Case Call** (972) 771-7745





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KARL W ERWIN ESTATE  
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UNISON INVESTMENT  
23545 CRENSHAW BLVD STE 201  
TORRANCE, CA 90505

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2590 FM 3549 STODGHILL RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
379 N COUNTRY LN  
ROCKWALL, TX 75032

CURRENT RESIDENT  
611 CLEM RD  
ROCKWALL, TX 75032

CANAVAN JOHN P & RITA  
714 CLEM RD  
ROCKWALL, TX 75087

BELL SALLY REDDICK  
768 CLEM RD  
ROCKWALL, TX 75087

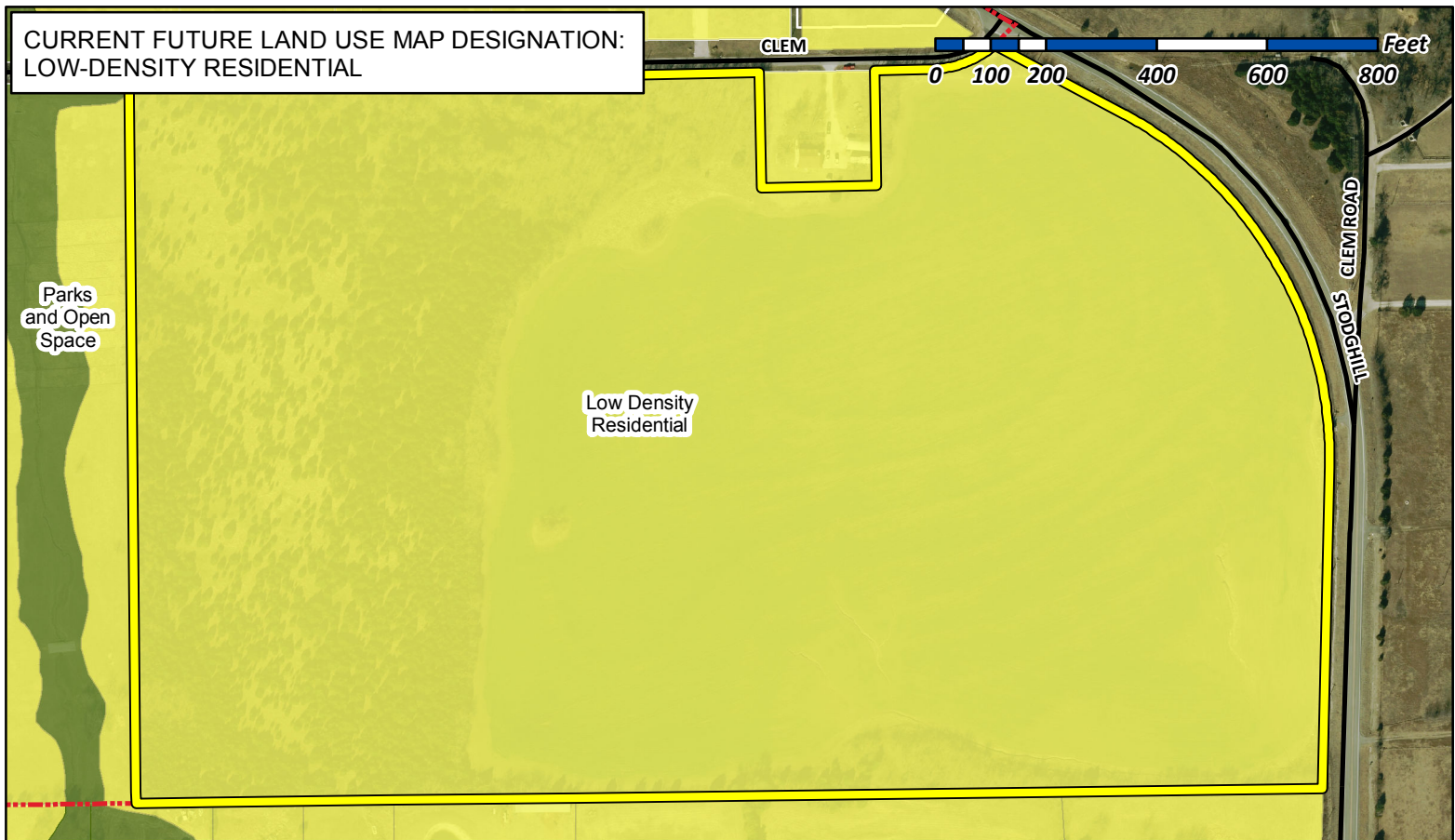
SHLENSKY HOWARD J & DARLA A  
820 CLEM RD  
ROCKWALL, TX 75087

MOREAU ROBERT G JR & SHERRY L  
892 CLEM ROAD  
ROCKWALL, TX 75087

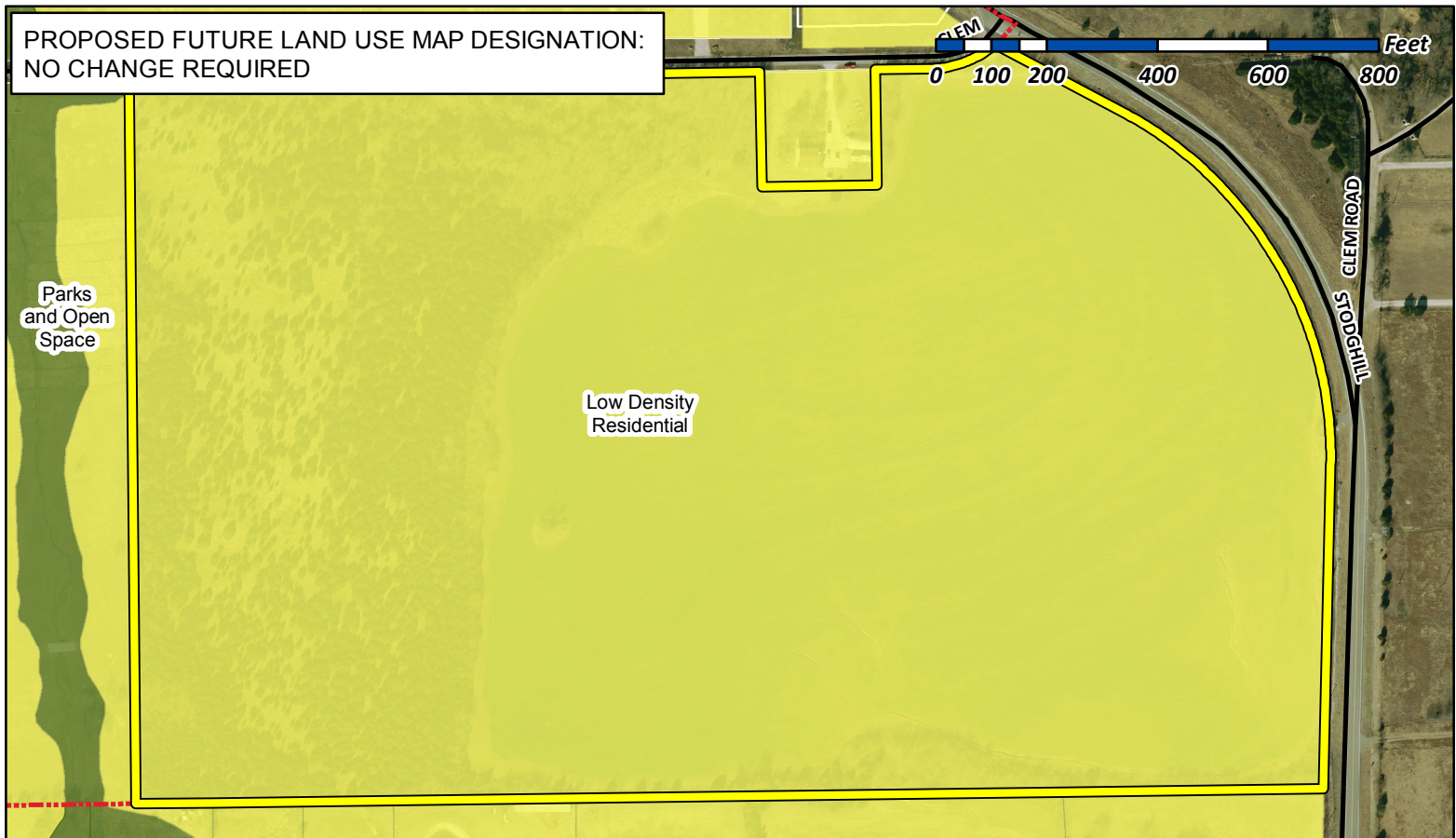
BENNETT JILL M  
936 CLEM RD  
ROCKWALL, TX 75087

MARTIN DANIEL AND LAURA  
961 CLEM RD  
ROCKWALL, TX 75087

CURRENT FUTURE LAND USE MAP DESIGNATION:  
LOW-DENSITY RESIDENTIAL



PROPOSED FUTURE LAND USE MAP DESIGNATION:  
NO CHANGE REQUIRED



## City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75032  
(P): (972) 771-7745  
(W): [www.rockwall.com](http://www.rockwall.com)

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





# 11 NORTHEAST RESIDENTIAL DISTRICT

## DISTRICT DESCRIPTION

The *Northeast Residential District* is characterized by its established low-density residential subdivisions and rural/estate style lots. This district is anticipated to be a future growth center for the City, having several large vacant tracts of land suitable for low-density, residential development. In addition, the City currently owns a large tract of land that will be a northern community park and serve this district in the future.

## DISTRICT STRATEGIES

The *Northeast Residential District* being mostly an established residential district, is not anticipated to change or transition. The strategies for this district are:

- 1 Estate and Rural Residential.** The maintenance of the *Estate* and *Rural Residential* housing types are important to balancing the diversity of suburban lots to large lot housing within the City. These areas also provide rural reserves for the City and create a natural transition zone to the east, towards FM-3549.
- 2 Suburban Residential.** Any new *Suburban Residential* developments should include a mix of larger to mid-sized lots. Lots in these developments should not be smaller than existing *Suburban Residential* in this district.
- 3 Infill Development.** Residential infill development within this district should be compatible with the surrounding structures and should generally follow the guidelines for low density, suburban housing or rural/estate housing.
- 4 Neighborhood/Convenience Centers.** The commercial in this district is intended to support the existing residential subdivisions and should be compatible in scale with the adjacent residential structures.
- 5 John King Boulevard Trail Plan.** A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in *Appendix 'B'* of this Comprehensive Plan.

## POINTS OF REFERENCE

- A. Stoney Hollow Subdivision
- B. Celia Hays Elementary School
- C. North Country Lane Park
- D. Saddlebrook Estates Subdivision
- E. Resthaven Funeral Home

## LAND USE PALETTES

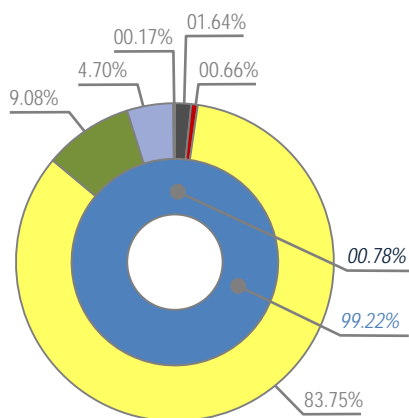
- Current Land Use
- Future Land Use

- ★ John King Boulevard Trail Plan Rest Stop/Trailblazer Pylon

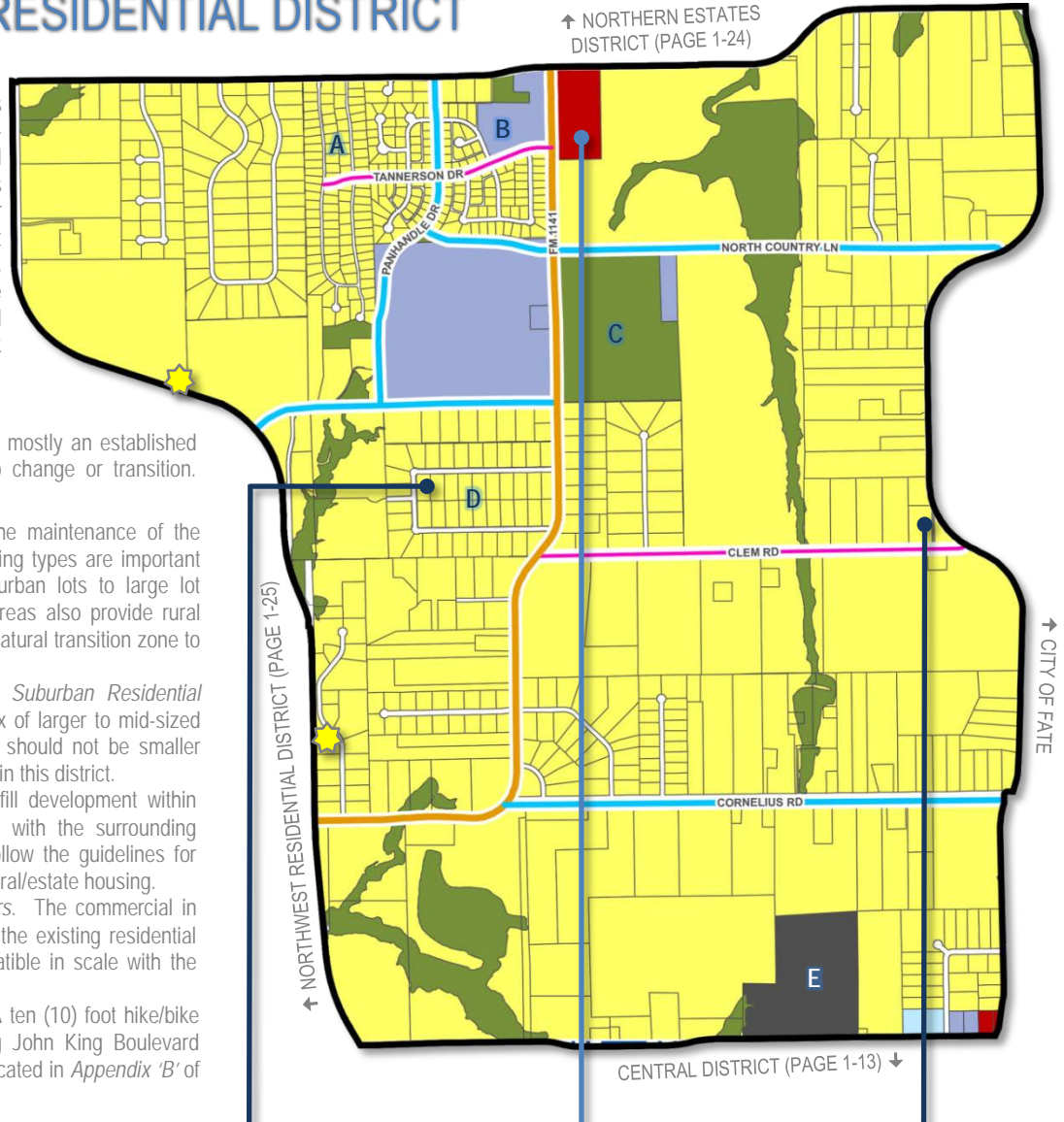
BUILD OUT  
 1,964  
 5,794

% OF ROCKWALL  
 3.13%  
 0.99%  
 3.10%

CURRENT  
 625  
 18  
 1,844



MINOR COLLECTOR	0.78%
M4U	99.22%
M4D	0.00%
CEMETERY (CEM)	32.34-ACRES
COMMERCIAL/RETAIL (CR)	13.02-ACRES
LOW DENSITY RESIDENTIAL (LDR)	1,646.83-ACRES
PARKS AND OPEN SPACE (OS)	178.54-ACRES
PUBLIC (P)	92.45-ACRES
QUASI-PUBLIC (QP)	3.25-ACRES



2 Current Suburban Residential



4 Future Neighborhood/Convenience Center



1 Current Rural Residential



# FISCAL IMPACT ANALYSIS TOOL

**ASSUMPTIONS:** (1) All values are based on the Appraised Value and not the Market Value; (2) All Agricultural (AG) District land is assumed to be residential under Current Zoning and zoned in accordance to the Future Land Use Map under Current Zoning at Build Out.

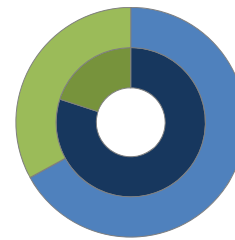
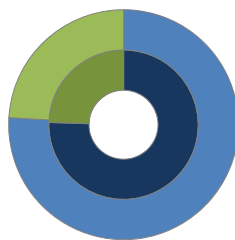
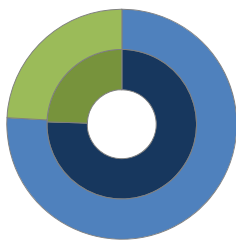
**DISCLAIMER:** The information provided below is not a reasonable basis for the approval or denial of any zoning case. This is a general tool that is meant to assist elected and appointed officials in the understanding the potential fiscal impacts of a zoning request, and to track conformance to the Comprehensive Plan's targeted land use ratios of 80% residential to 20% commercial land use, which is intended to yield a 67% residential value to 33% commercial value.

**SUMMARY OF METHODOLOGY:** The methods used in this study are based on a rough fiscal impact analysis, and involve reducing the City's land values down to a per square footage cost to estimate potential impact on existing property value. The cost of service model is constructed around the City's current fiscal year costs versus the percentage of land area that is currently residential and non-residential. A per capita multiplier and average cost method were used to estimate sales tax.

**CASE NO.:** Z2019-012

**CASE NAME:** Zoning Change (AG to PD) for Northgate Estates

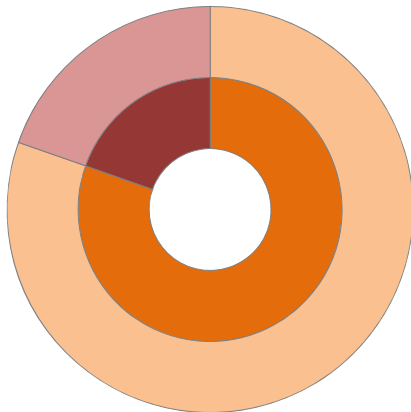
## ZONING MAP



GOAL

		PRESENT				PROPOSED				CHANGE				GOAL			
		LAND USE		LAND VALUE		LAND USE		LAND VALUE		LAND USE		LAND VALUE					
		ACRES	%	EST. PROP. VALUE	%	ACRES	%	EST. PROP. VALUE	%	CH. ACRES	% CHANGE	CHANGE IN VALUE	% CHANGE	ACREAGE	VALUE	DIFFERENCE	
NON-RESIDENTIAL	RESIDENTIAL	10,932.42	75.48%	\$ 4,084,912,315.77	75.90%	10,932.42	75.48%	4,104,283,002.17	75.98%	(0.00)	0.00%	19,370,686.40	0.36%	80%	67%	-8.98%	
	NON-RESIDENTIAL	3,552.00	24.52%	\$ 1,297,389,588.23	24.10%	3,552.00	24.52%	1,297,389,588.23	24.02%	0.00	0.00%	-	0.00%	20%	33%	-8.98%	
		14,484.42	100.00%	\$ 5,382,301,904.00	100.00%	14,484.42	100.00%	5,401,672,590.40	100.00%			19,370,686.40	0.36%	100%	100%		
OPEN SPACE		2,487.57		\$ 380,531,381.26		2,487.57		\$ 381,558,120.00									
TOTAL		16,971.99		\$ 5,762,833,285.26		16,971.99		5,783,230,710.40									

PRESENT			PROPOSED			CHANGE		
ACRES	%		ACRES	%		ACRES	%	
19,687.93	80.37%		19,687.93	80.37%		-	0.00%	
4,809.14	19.63%		4,809.14	19.63%		-	0.00%	
24,497.07	100.00%		24,497.07	100.00%				
OPEN SPACE	6,114.49		6,114.49					
TOTAL	30,611.56		30,611.56					



## FUTURE LAND USE MAP

## ESTIMATED COST/REVENUES

### BENCHMARKS

	[A] Current Zoning	[B] Current Zoning Potential @ BO	[C] Proposed Zoning @ BO	[B] - [C] Difference of Proposed vs. Current
Residential Value	\$ -	\$ 64,989,778.99	\$ 19,370,686.40	\$ (45,619,092.59)
Non-Residential Value	\$ 1,284,540.00	\$ -	\$ -	\$ -
Residential Acreage	-	-	62.66	\$ 62.66
Non-Residential Acreage	62.66	62.66	-	\$ (62.66)

### ANNUAL REVENUES

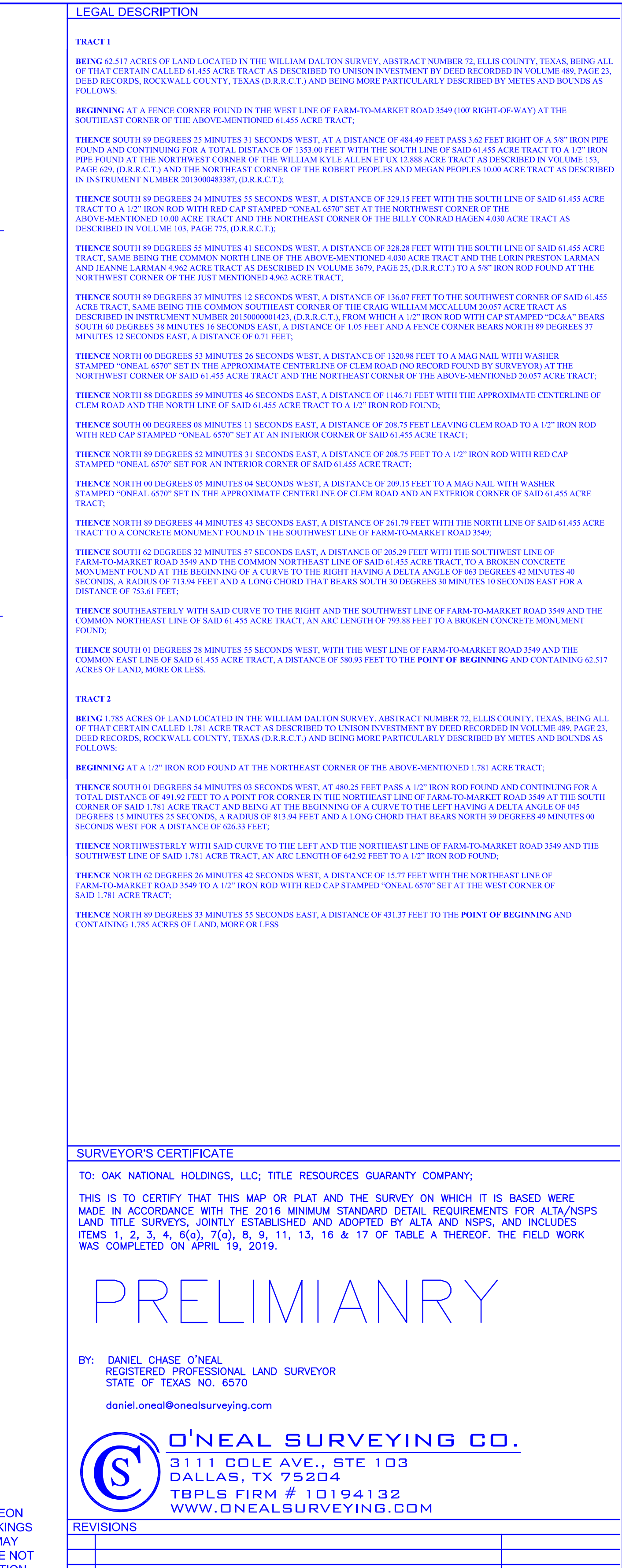
Residential Revenues	\$ -	\$ 261,503.60	\$ 77,889.53	\$ (183,614.07)
Non-Residential Revenues	\$ 5,165.14	\$ -	\$ -	\$ -
Direct Sales Tax Increase	\$ -	\$ -	\$ -	\$ -
Indirect Sales Tax Increase	\$ -	\$ 24,847.93	\$ 108,237.59	\$ 83,389.66
Total Revenues	\$ 5,165.14	\$ 286,351.53	\$ 186,127.12	\$ (100,224.42)


### ANNUAL EXPENDITURES

Cost of Community Service for Residential	\$ -	\$ (649,417.01)	\$ (149,865.46)	\$ 499,551.55
Cost of Community Service for Non-Residential	\$ -	\$ -	\$ -	\$ -
Total Estimated Expenditures	\$ -	\$ (649,417.01)	\$ (149,865.46)	\$ 499,551.55

### EST. ANN. COST/REVENUES

EST. ANN. COST/REVENUES	\$ 5,165.14	\$ (363,065.48)	\$ 36,261.65	\$ 399,327.13
OTHER BENCHMARKS				
Additional Citizens Added to Population	273	115	(158)	
Estimated Non-Resident Consumers in City	-	-	-	

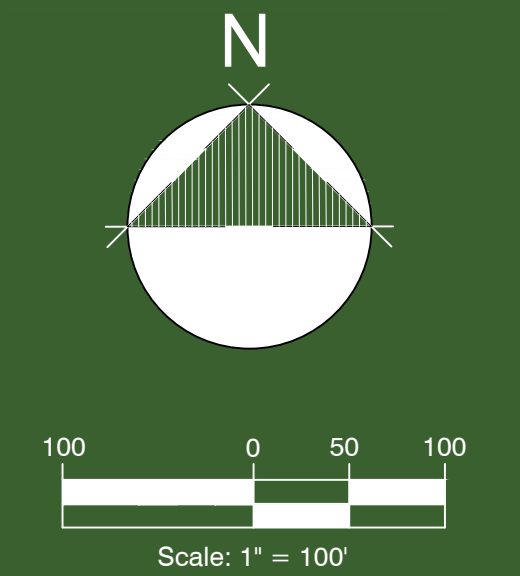


	<p align="center"> <i>ALTA/NSPS LAND TITLE SURVEY</i>  <i>SHOWING</i>  <i>A PORTION OF THE</i>  <i>WILLIAM DALTON SURVEY, ABSTRACT NO. 72</i>  <i>ROCKWALL COUNTY, TEXAS</i> </p>	
	<p align="center"> <i>MICHAEL JOYCE PROPERTIES</i> </p>	
PREPARED FOR:	PROJECT NO. 19081.00	
	DRAWN BY: DCO	
	CHECKED BY: DCO	
	SCALE: 1"=100'	
DATE:	JUNE 5, 2019	
	SHEET NO. <div align="center">1 of 1</div>	





62.455 ACRES  
40 LOTS  
1.0 ACRE MINIMUM



# CONCEPT PLAN F NORTH GATE ROCKWALL, TEXAS

Engineer:  
**ENGINEERING CONCEPTS & DESIGN, L.P.**  
CIVIL ENGINEERING / PROJECT MANAGEMENT /  
CONSTRUCTION SERVICES  
FIRM REGISTRATION #F001145  
201 WEST 94TH STREET, SUITE 100, IRVING, TEXAS 75039  
972.941.8400 WWW.ECDP.COM FAX 972.941.8401



SITE LEGEND

MAIN ENTRY MONUMENTATION

MINOR ENTRY MONUMENTATION

6'-0" HT. ORNAMENTAL METAL FENCE W/ 6'-6" HT. STONE COLUMN SPACED 45' O.C. MAXIMUM PROVIDE 1-3" CALIPER TREE/50 LF OF ROAD FRONTAGE

The diagram is a detailed site plan for the Northgate Concept Plan. It shows a network of streets: Clem Road at the top, N. Stodghill Road on the right, and three internal streets labeled STREET A, STREET B, and STREET C. The plan is divided into numerous numbered lots, ranging from 1 to 23. Two circular features represent entry monuments: a larger purple circle labeled 'MAIN ENTRY MONUMENT' located at the intersection of Street A and N. Stodghill Road, and a smaller green circle labeled 'MINOR ENTRY MONUMENT' located at the intersection of Clem Road and Street A. A curved fence line, indicated by a dashed line with small circles, follows the outer boundary of the site along N. Stodghill Road. Callouts point to this fence with the text '6'-0" HT. ORNAMENTAL METAL FENCE WITH 6'-6" HT. STONE COLUMN SPACED 45' O.C.'. Other callouts include 'C.A.1' and 'C.A.2' pointing to specific areas within the lot divisions.

NORTHGATE CONCEPT PLAN

City of Rockwall, Texas

NORTH

100

50

0

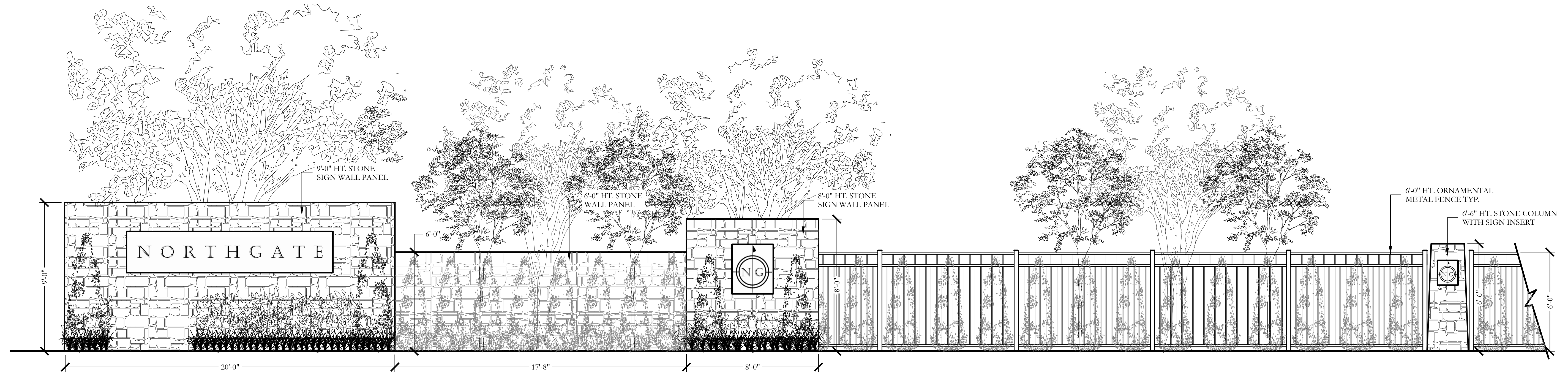
100

Scale: 1" = 100'-0"

CODY JOHNSON

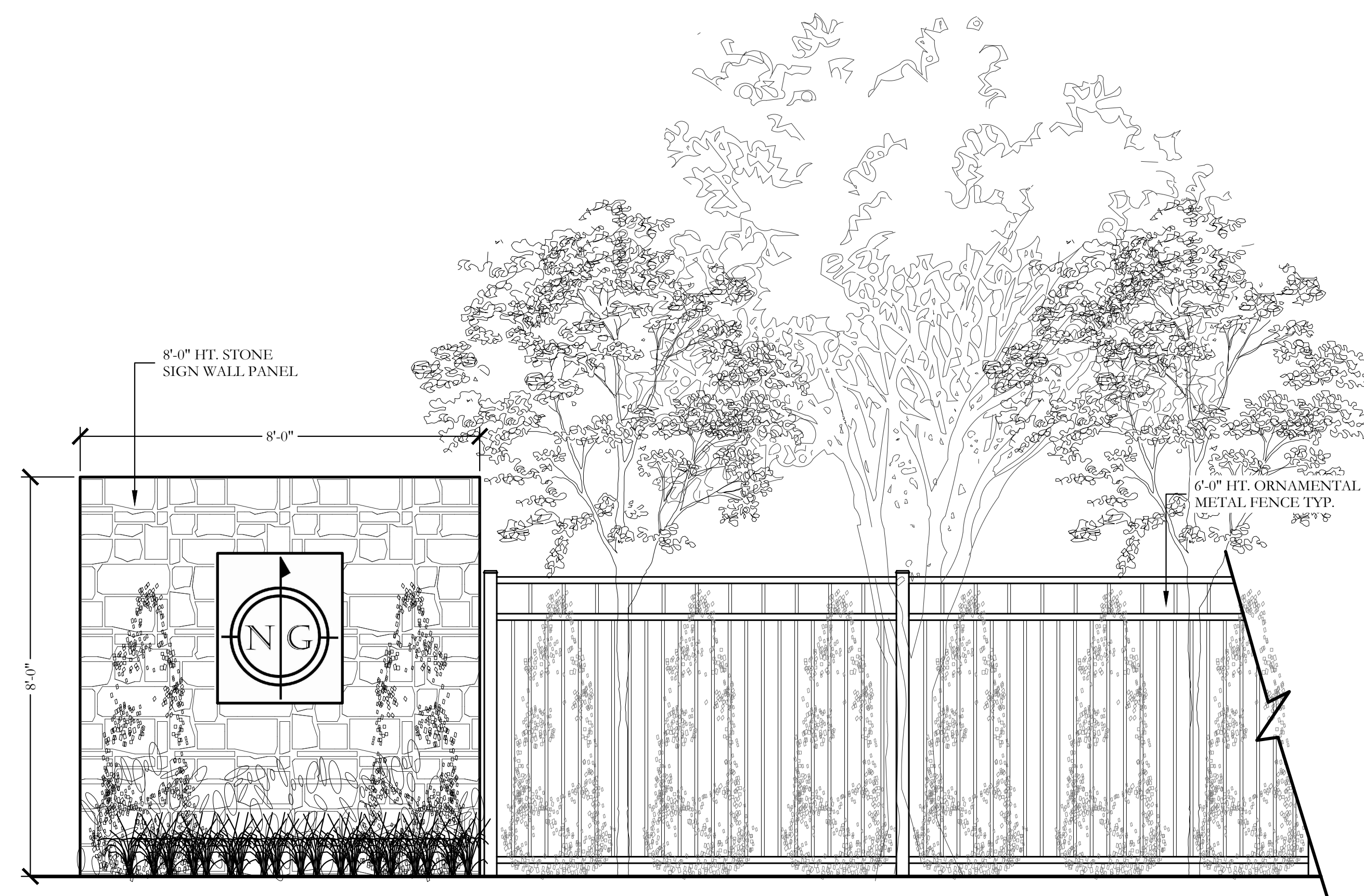
s · t · u · d · i · o





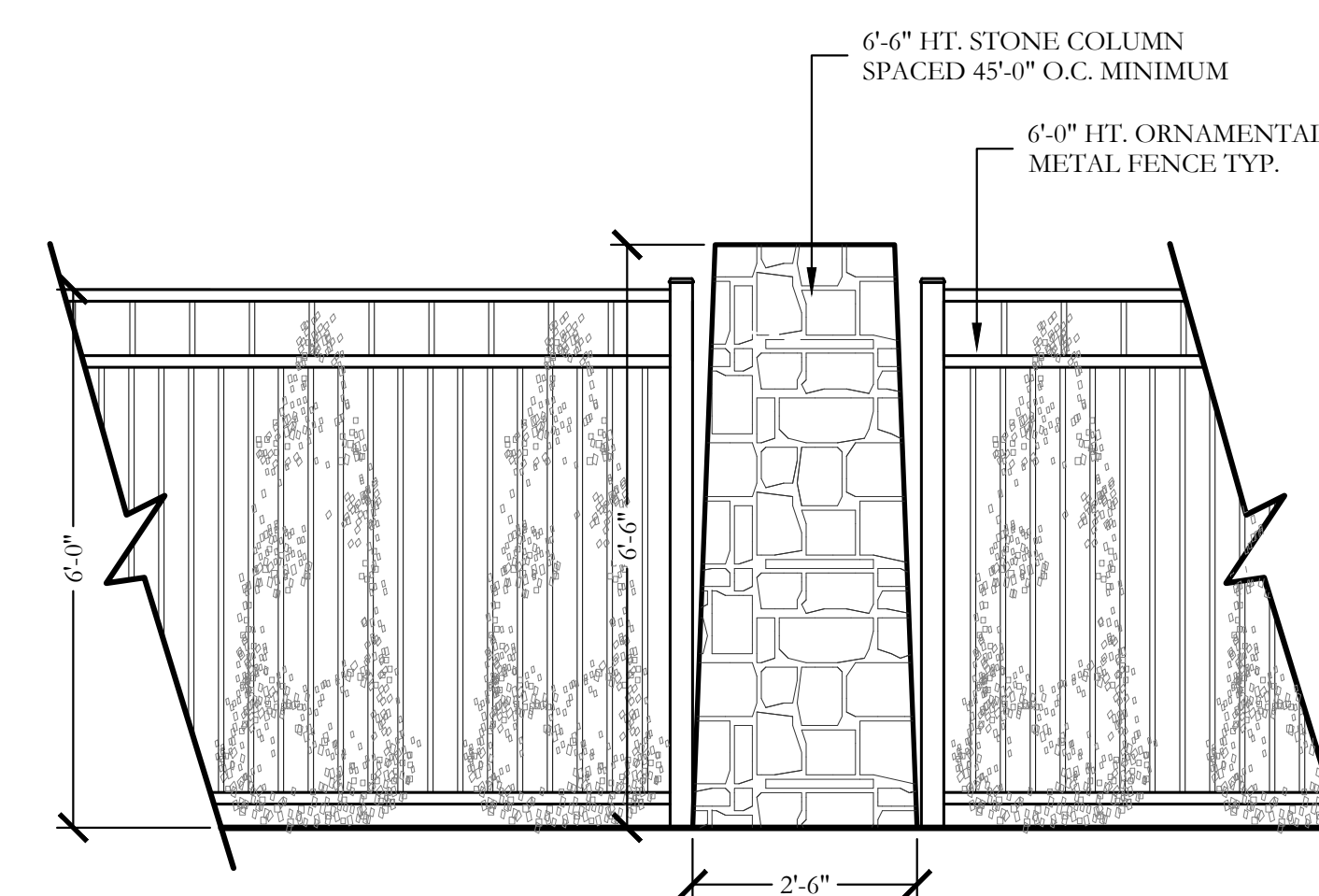
MAIN ENTRY MONUMENT ELEVATION

NOT TO SCALE



MINOR ENTRY MONUMENT ELEVATION

NOT TO SCALE



COLUMN AND FENCE ELEVATION

NOT TO SCALE

NORTHGATE CONCEPT PLAN

City of Rockwall, Texas

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] 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 1 (SF-1) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 62.45-ACRE TRACT OF LAND IDENTIFIED AS TRACT 4 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72, 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.

**WHEREAS**, the City has received a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 1 (SF-1) District land uses, on a 62.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [Ordinance No. 04-38] should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

**SECTION 1.** That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

**SECTION 2.** That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, depicted in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

**SECTION 3.** That development of the *Subject Property* shall generally be in accordance with the *Density and Development Standards*, outlined in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a



condition of approval of the amended zoning classification for the *Subject Property*;

**SECTION 4.** That a *Master Parks and Open Space Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan* described in *Exhibit 'C'* of this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

**SECTION 5.** That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

- (a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 6(b) through 6(f) below*), shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.
- (b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for a *Master Parks and Open Space Plan* in accordance with the time period specified in Section 212.009 of the *Texas Local Government Code*.
  - (1) Master Parks and Open Space Plan
  - (2) Master Plat
  - (3) Preliminary Plat
  - (4) PD Site Plan
  - (5) Final Plat
- (c) *Master Parks and Open Space Plan.* An *Master Parks and Open Space Plan* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, prepared in accordance with this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.
- (d) *Master Plat.* A *Master Plat* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify the proposed timing of each phase of the proposed development. A *Master Plat* application may be processed by the City concurrently with a *Master Parks and Open Space Plan* application for the development.
- (e) *Preliminary Plat.* A *Preliminary Plat* for each phase of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted in accordance with the phasing plan established by the *Master Plat* and shall include a *Treescape Plan* for the phase being *Preliminary Platted*. A *Preliminary Plat* application may be processed by the City concurrently with a *Master Plat* and a *Master Parks and Open Space Plan* application for the development.
- (f) *PD Site Plan.* A *PD Site Plan* for each phase of the development of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Final Plat* application for the development.
- (g) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, shall be submitted for approval.

**SECTION 6.** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (\$2,000.00) for each offense and

each and every day such offense shall continue shall be deemed to constitute a separate offense;

**SECTION 7.** That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

**SECTION 8.** The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

**SECTION 9.** That this ordinance shall take effect immediately from and after its passage;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 1<sup>ST</sup> DAY OF JULY, 2019.**

\_\_\_\_\_  
Jim Pruitt, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: June 17, 2019

2<sup>nd</sup> Reading: July 1, 2019



**Exhibit 'A':**  
*Legal Description*

**BEING** 62.517 acres of land located in the WILLIAM DALTON SURVEY, ABSTRACT NUMBER 72, Ellis County, Texas, being all of that certain called 61.455 acre tract as described to Unison Investment by deed recorded in volume 489, page 23, Deed Records, Rockwall County, Texas (D.R.R.C.T.) and being more particularly described by metes and bounds as follows:

**BEGINNING** at a fence corner found in the west line of Farm-to-Market Road 3549 (100' right-of-way) at the southeast corner of the above-mentioned 61.455 acre tract;

**THENCE** South 89 degrees 25 minutes 31 seconds West, at a distance of 484.49 feet pass 3.62 feet right of a 5/8" iron pipe found and continuing for a total distance of 1353.00 feet with the south line of said 61.455 acre tract to a 1/2" iron pipe found at the northwest corner of the William Kyle Allen et ux 12.888 acre tract as described in Volume 153, Page 629, (D.R.R.C.T.) and the northeast corner of the Robert Peoples and Megan Peoples 10.00 acre tract as described in Instrument Number 2013000483387, (D.R.R.C.T.);

**THENCE** South 89 degrees 24 minutes 55 seconds West, a distance of 329.15 feet with the south line of said 61.455 acre tract to a 1/2" iron rod with red cap stamped "ONEAL 6570" set at the northwest corner of the above-mentioned 10.00 acre tract and the northeast corner of the Billy Conrad Hagen 4.030 acre tract as described in Volume 103, Page 775, (D.R.R.C.T.);

**THENCE** South 89 degrees 55 minutes 41 seconds West, a distance of 328.28 feet with the south line of said 61.455 acre tract, same being the common north line of the above-mentioned 4.030 acre tract and the Lorin Preston Larman and Jeanne Larman 4.962 acre tract as described in Volume 3679, Page 25, (D.R.R.C.T.) to a 5/8" iron rod found at the northwest corner of the just mentioned 4.962 acre tract;

**THENCE** South 89 degrees 37 minutes 12 seconds West, a distance of 136.07 feet to the southwest corner of said 61.455 acre tract, same being the common southeast corner of the Craig William McCallum 20.057 acre tract as described in Instrument Number 20150000001423, (D.R.R.C.T.), from which a 1/2" iron rod with cap stamped "DC&A" bears South 60 degrees 38 minutes 16 seconds East, a distance of 1.05 feet and a fence corner bears North 89 degrees 37 minutes 12 seconds East, a distance of 0.71 feet;

**THENCE** North 00 degrees 53 minutes 26 seconds West, a distance of 1320.98 feet to a mag nail with washer stamped "ONEAL 6570" set in the approximate centerline of Clem Road (no record found by surveyor) at the northwest corner of said 61.455 acre tract and the northeast corner of the above-mentioned 20.057 acre tract;

**THENCE** North 88 degrees 59 minutes 46 seconds East, a distance of 1146.71 feet with the approximate centerline of Clem Road and the north line of said 61.455 acre tract to a 1/2" iron rod found;

**THENCE** South 00 degrees 08 minutes 11 seconds East, a distance of 208.75 feet leaving Clem Road to a 1/2" iron rod with red cap stamped "ONEAL 6570" set at an interior corner of said 61.455 acre tract;

**THENCE** North 89 degrees 52 minutes 31 seconds East, a distance of 208.75 feet to a 1/2" iron rod with red cap stamped "ONEAL 6570" set for an interior corner of said 61.455 acre tract;

**THENCE** North 00 degrees 05 minutes 04 seconds West, a distance of 209.15 feet to a mag nail with washer stamped "ONEAL 6570" set in the approximate centerline of Clem Road and an

**Exhibit 'A':**  
*Legal Description*

exterior corner of said 61.455 acre tract;

**THENCE** North 89 degrees 44 minutes 43 seconds East, a distance of 261.79 feet with the north line of said 61.455 acre tract to a concrete monument found in the southwest line of Farm-To-Market Road 3549;

**THENCE** South 62 degrees 32 minutes 57 seconds East, a distance of 205.29 feet with the southwest line of Farm-To-Market Road 3549 and the common northeast line of said 61.455 acre tract, to a broken concrete monument found at the beginning of a curve to the right having a delta angle of 063 degrees 42 minutes 40 seconds, a radius of 713.94 feet and a long chord that bears South 30 degrees 30 minutes 10 seconds East for a distance of 753.61 feet;

**THENCE** southeasterly with said curve to the right and the southwest line of Farm-To-Market Road 3549 and the common northeast line of said 61.455 acre tract, an arc length of 793.88 feet to a broken concrete monument found;

**THENCE** south 01 degrees 28 minutes 55 seconds west, with the west line of Farm-To-Market Road 3549 and the common east line of said 61.455 acre tract, a distance of 580.93 feet to the **POINT OF BEGINNING** and containing 62.517 acres of land, more or less.



Exhibit 'B':  
Survey







**Exhibit 'D':**  
*Density and Development Standards*

**Density and Development Standards.**

1. *Permitted Uses.* Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 1 (SF-1) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.
2. *Lot Composition and Layout.* The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'C'* and stated in *Table 1*, which is as follows:

*Table 1: Lot Composition*

<i>Lot Type</i>	<i>Minimum Lot Size (FT)</i>	<i>Minimum Lot Size (SF)</i>	<i>Dwelling Units (#)</i>	<i>Dwelling Units (%)</i>
A	120' x 200'	43,560 SF	17	43.6%
B	130' x 400'	65,340 SF	22	56.4%
<i>Maximum Permitted Units:</i>			39	100.00%

3. *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 1 (SF-1) District, as specified by Article V, *District Development Standards*, of the Unified Development Code (UDC) are applicable to all development on the *Subject Property*. The maximum permissible density for the *Subject Property* shall not exceed 0.75 dwelling units per gross acre of land; however, in no case should the proposed development exceed 41 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

*Table 2: Lot Dimensional Requirements*

<i>Lot Type (see Concept Plan) ▶</i>	<i>A</i>	<i>B</i>
<i>Minimum Lot Width <sup>(1)</sup></i>	120'	130'
<i>Minimum Lot Depth</i>	200'	400'
<i>Minimum Lot Area</i>	43,560 SF	65,340 SF
<i>Minimum Front Yard Setback <sup>(2) &amp; (5)</sup></i>	70'	70'
<i>Minimum Side Yard Setback</i>	25'	25'
<i>Minimum Side Yard Setback (Adjacent to a Street) <sup>(2) &amp; (5)</sup></i>	30'	30'
<i>Minimum Length of Driveway Pavement</i>	70'	70'
<i>Maximum Height <sup>(3)</sup></i>	38'	38'
<i>Minimum Rear Yard Setback <sup>(4)</sup></i>	50'	50'
<i>Minimum Area/Dwelling Unit (SF) [Air Conditioned Space]</i>	2,500 SF	2,500 SF
<i>Maximum Lot Coverage</i>	20%	20%
<i>Permitted Encroachment in Required Setbacks <sup>(5)</sup></i>	Allowed	Allowed

*General Notes:*

- <sup>1</sup>: The minimum lot width shall be measured at the *Front Yard Building Setback*.
- <sup>2</sup>: The location of the *Front Yard Building Setback* as measured from the front property line.
- <sup>3</sup>: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- <sup>4</sup>: As measured from the rear yard property line.
- <sup>5</sup>: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimney, eaves, and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for a property; however, the encroachment shall not exceed five (5) feet on side yard setbacks (adjacent to a street) and shall not encroach into public right-of-way. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.

**Exhibit 'D':**  
*Density and Development Standards*

4. **Building Standards.** All development shall adhere to the following building standards:

- (a) **Masonry Requirement.** The minimum masonry requirement for the exterior façades of all buildings shall be 80%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (e.g. *HardiBoard* or *Hardy Plank*) and stucco (i.e. *three [3] part stucco* or a comparable -- to be determined by staff) may be used for up to 50% of the masonry requirement.
- (b) **Roof Pitch.** A minimum of an 8:12 roof pitch is required on all structures with the exception of porches, which shall have a minimum of a 4:12 roof pitch.
- (c) **Garage Orientation.** Garages shall be oriented in a *traditional swing* (or *j-swing*), side entry, or in a flat-front entry configuration (i.e. *even with the front façade of the primary structure*). Garages utilizing a *traditional swing* (or *j-swing*) are permitted to have a single garage door facing the street that is behind the width of the double car garage that is accessed from a *traditional swing* configuration. All garage doors shall be required to have upgraded finishes (e.g. *divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be approved by staff*) [examples of acceptable garage configurations are depicted in Figure 1].

**Figure 1:** Example Garage Doors



5. **Anti-Monotony Restrictions.** The development shall adhere to the *Anti-Monotony Matrix* depicted in Table 3 below (for spacing requirements see Figures 2 & 3 below).

**Table 3 : Anti-Monotony Matrix**

Lot Type	Minimum Lot Size	Elevation Features
A	120' x 200'	(1), (2), (3)
B	130' x 400'	(1), (2), (3)

- (1) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.
- (2) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or Clem Road shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:



**Exhibit 'D':**  
*Density and Development Standards*

- (a) Number of Stories
  - (b) Permitted Encroachment Type and Layout
  - (c) Roof Type and Layout
  - (d) Articulation of the Front Façade
- (3) Permitted encroachment (*i.e. porches*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.
- (4) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

Figure 2: Properties line up on the opposite side of the street. Where **RED** is the subject property.



Figure 3: Properties do not line up on opposite side of the street. Where **RED** is the subject property.



6. **Fencing Standards.** All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:

- (a) **Wrought Iron/Tubular Steel.** All Lots shall utilize fencing materials that shall be open in nature and not to exceed six (6) feet in height. Fences that extend beyond the

**Exhibit 'D':**  
*Density and Development Standards*

front building line of any structure shall be required to be pipe-rail or similar. No chain link or wooden fencing shall be allowed.

- (b) *Wrought Iron/Tubular Steel*. Lots located along the perimeter of the subdivision, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences shall not exceed six (6) feet in height. All perimeter fencing of the development shall incorporate masonry columns at 45-feet off center spacing.

**7. Landscape and Hardscape Standards.**

- (1) *Landscape*. Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height.

- (2) *Landscape Buffers*. All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

- (a) *Landscape Buffer and Sidewalks (FM-3549)*. A minimum of a 30-foot landscape buffer shall be provided along FM-3549 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a five (5) foot sidewalk situated within the 30-foot landscape buffer adjacent to FM-3549.

- (b) *Landscape Buffer and Sidewalks (Clem Road)*. A minimum 20-foot landscape buffer shall be provided

- (3) *Street Trees*. Prior to issuance of a Certificate of Occupancy (CO), all residential single-family lots situated within the proposed subdivision shall be landscaped with canopy trees from the list stipulated by Section 7.1 of this ordinance in the following sizes and proportions:

- (i) Three (3), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of the required lots
  - (ii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the rear yards of the required lots.
  - (iii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the side yards facing the street.

- (4) *Irrigation Requirements*. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association (HOA).

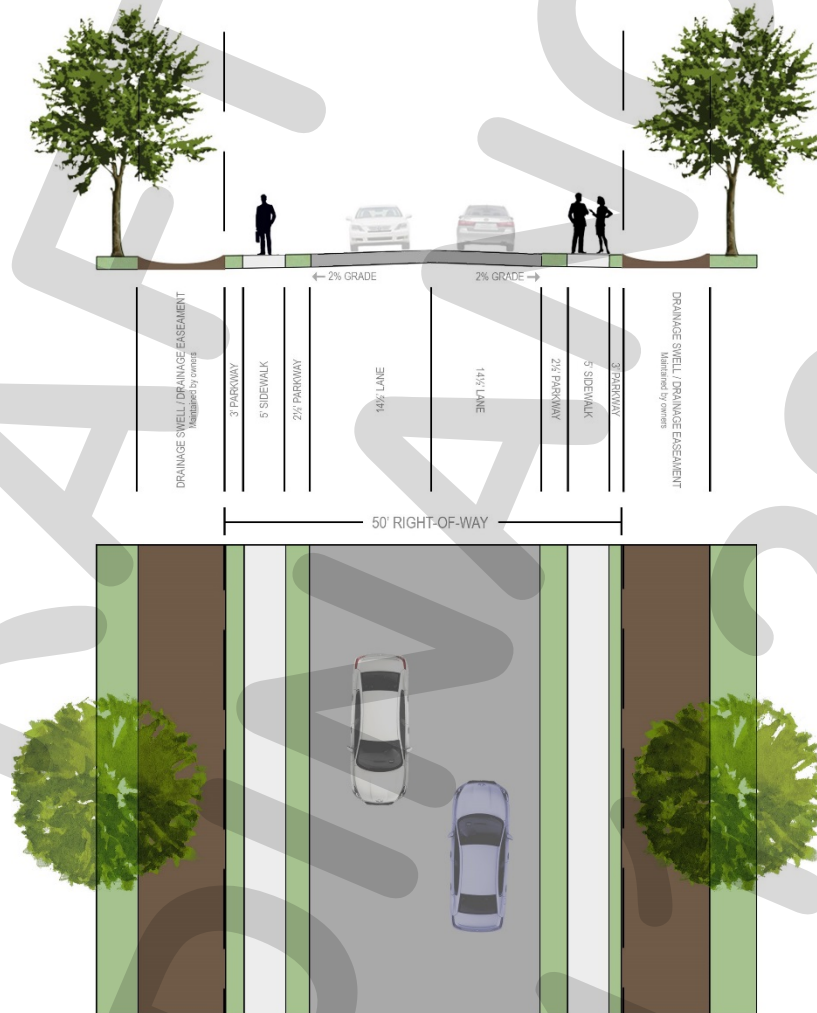


**Exhibit 'D':**  
*Density and Development Standards*

(5) *Hardscape*. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.

8. *Streets*. All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to the City's street standards as shown below in *Figure 3*.

**Figure 3:** Rural-Local Roadway Cross-section



9. *Lighting*. Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.

10. *Sidewalks*. All sidewalks adjacent to a street shall be a maximum of three (3) feet inside the right-of-way line and be five (5) feet in overall width.

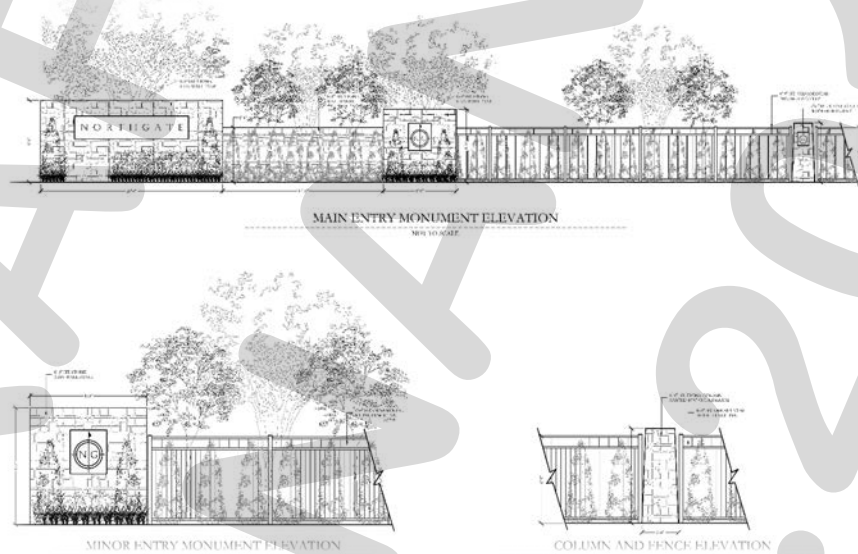
11. *Buried Utilities*. New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be

**Exhibit 'D':**  
**Density and Development Standards**

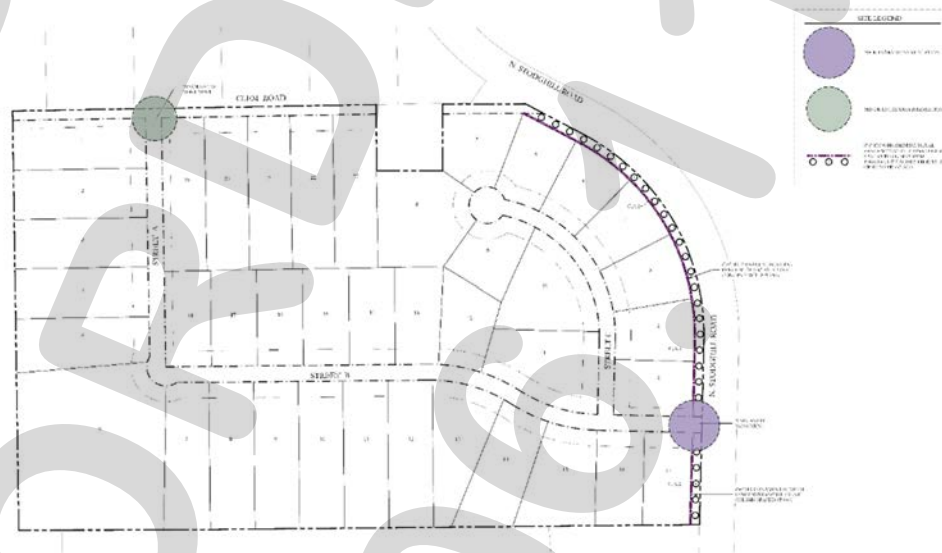
considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

12. **Neighborhood Signage and Enhancements.** Permanent subdivision identification signage shall be permitted at all major and minor entry points for the proposed subdivision (shown in Figure 5 below). Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*. The developer shall provide enhanced landscaping areas within the Subject Property as generally depicted in Figure 4. The final design of these areas shall be provided on the PD Site Plan.

**Figure 4: Neighborhood Signage**



**Figure 5: Neighborhood Signage/Enhanced Landscaping Areas**





**Exhibit 'D':**  
*Density and Development Standards*

13. *Homeowner's Association (HOA)*. A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all private neighborhood parks, trails, open space and common areas (*including drainage facilities*), irrigation, landscaping, screening fences and neighborhood signage associated with this development.
14. *On-Site Sewage Facilities. Septic Systems* are permitted on all lots within this subdivision pending conformance to the following standards:
- (a) All *Septic Systems* shall be designed by a licensed *On-Site Sewage Facility (OSSF)* professional (e.g. *licensed engineer, sanitarian, and etcetera*).
  - (b) A stamped and signed copy of the *Septic System* plans indicating the full limits of the septic field shall be submitted to the city at the time of building permit on a *lot-by-lot* basis.
  - (c) All *Septic Systems* shall be inspected and approved by the City's chosen inspector.
15. *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.



# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

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**TO:** Mayor and City Council  
**DATE:** June 17, 2019  
**APPLICANT:** Ryan Joyce; *Michael Joyce Properties*  
**CASE NUMBER:** Z2019-012; *Zoning Change (AG to PD)*

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### **SUMMARY**

Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family-1 (SF-1) District land uses on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the west side of Stodghill Road [FM-3549] north of the intersection of Stodghill Road [FM-3549] and Cornelius Road, and take any action necessary.

### **BACKGROUND**

The subject property was annexed in 2008 [*Ordinance No. 08-66*], is located on the west side of Stodghill Road [FM-3549] north of the intersection of Stodghill Road [FM-3549] and Cornelius Road, and is zoned Agricultural (AG) District.

### **PURPOSE**

The applicant is requesting a change in zoning from an Agricultural (AG) District to a Planned Development District for Single-Family 1 (SF-1) District land uses on a 61.45-acre tract of land, which is currently vacant.

### **ADJACENT LAND USES AND ACCESS**

The subject property is located on the west side of Stodghill Road [FM-3549] north of the intersection of Stodghill Road [FM-3549] and Cornelius Road. The land uses adjacent to the subject property are as follows:

**North:** Directly north of the subject property is Clem Road, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan. Beyond this there are several single-family homes that are zoned Single-Family Estate 4 (SFE-4.0), Single-Family Estate 1.5 (SFE-1.5), and Single-Family 1 (SF-1) District.

**South:** Directly south of the subject property there are several single family home that are outside of the city limits of the City of Rockwall. Beyond this is Cornelius Road, which is identified as a M4U (*major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan and delineates the city limits of Rockwall.

**East:** Directly east of the subject property is Stodghill Road [FM-3549], which is identified as a TXDOT4D (*Texas Department of Transportation, four (4) lane, divided roadway*) on the City's Master Thoroughfare Plan and delineates the city limits of Rockwall.

West: Directly west of the subject property, there are several single-family homes that are zoned Agricultural (AG) District followed by the city limits of the City of Rockwall. Beyond this there is a large tract of land that is zoned Agricultural (AG) District followed by FM-1141, which is identified as a M4D (*major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan.

## **CHARACTERISTICS OF THE REQUEST**

The applicant is requesting a change in zoning from an Agricultural (AG) District to a Planned Development District for Single-Family 1 (SF-1) District land uses. The concept plan shows that the 61.45-acre property will consist of 40 single-family lots that will broken-down into two (2) lot types (*i.e. 120' x 200' & 130' x 400'*). Specifically, the development will include 17 lots that will be a minimum of 120' x 200' and 23 lots that will be a minimum of 130' x 400'. Of the 40 proposed lots 39 of the lots will range in size from 43,560 SF (*i.e. one [1] acre*) to 65,340 SF (*i.e. one and one half [1½]-acres*). There will be one (1) lot that will be 235,299 SF (*i.e. ~ five and one half [5½] acres*). The proposed minimum size of each dwelling unit (*i.e. air conditioned space*) will be 2,500 SF. The applicant has stated that the homes will be custom homes and will vary from lot to lot. The product will also be a rural style estate lot, which will incorporate a rural-local roadway (*i.e. will not be curb and gutter*) and a minimum front yard setback of 70-feet. The proposed housing product will have a minimum masonry requirement of 80%, with up to 50% cementitious fiberboard horizontal lap siding (*e.g. HardiBoard or Hardy Plan*) and stucco (*i.e. three [3] part stucco or a comparable product -- to be determined be staff*) being permitted. The proposed housing product conforms to the City's minimum masonry and anti-monotony requirements and will allow both *traditional swing* (*i.e. j-swing*), side entry, and flat front entry (*i.e. setback behind the width of the double car garage that is access from the traditional swing configuration*) garage configurations. All garage doors will incorporate upgraded finishes (*e.g. divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be determined by staff*). The development will incorporate less than the required 20% open space; however, it will have a 30-foot landscape buffer adjacent to FM-3549 that will incorporate ground cover, a built-up berm and/or shrubbery -- *or a combination thereof* -- and trees and a five (5) foot sidewalk along the entire frontage. In addition, the applicant has stated that by virtue of the development incorporating larger lots without stockade or solid fencing, it will achieve the same feel as more dense developments that incorporate the required 20% open space. The proposed Planned Development District will be subject to the land uses and requirements stipulated for the Single-Family 1 (SF-1) District unless specifically called out in the Planned Development District ordinance. A summary of the proposed development standards for each lot type is as follows:

<i>Lot Type (see Concept Plan) ►</i>	<b>A</b>	<b>B</b>
<i>Minimum Lot Width <sup>(1)</sup></i>	120'	130'
<i>Minimum Lot Depth</i>	200'	400'
<i>Minimum Lot Area</i>	43,560 SF	65,340 SF
<i>Minimum Front Yard Setback <sup>(2) &amp; (5)</sup></i>	70'	70'
<i>Minimum Side Yard Setback</i>	25'	25'
<i>Minimum Side Yard Setback (Adjacent to a Street) <sup>(2) &amp; (5)</sup></i>	30'	30'
<i>Minimum Length of Driveway Pavement</i>	70'	70'
<i>Maximum Height <sup>(3)</sup></i>	38'	38'
<i>Minimum Rear Yard Setback <sup>(4)</sup></i>	50'	50'
<i>Minimum Area/Dwelling Unit (SF) [Air Conditioned Space]</i>	2,500 SF	2,500 SF
<i>Maximum Lot Coverage</i>	20%	20%
<i>Permitted Encroachment in Required Setbacks<sup>(5)</sup></i>	Allowed	Allowed

### General Notes:

- <sup>1.</sup> The minimum lot width shall be measured at the *Front Yard Building Setback*.
- <sup>2.</sup> The location of the *Front Yard Building Setback* as measured from the front property line.
- <sup>3.</sup> The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- <sup>4.</sup> As measured from the rear yard property line.
- <sup>5.</sup> Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimney, eaves, and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for a property; however, the



encroachment shall not exceed five (5) feet on side yard setbacks (adjacent to a street) and shall not encroach into public right-of-way. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.

## **INFRASTRUCTURE**

Based on the applicant's concept plan and proposed density, the following infrastructure will be required to be constructed to provide adequate public services to the subject property:

Water. The Master Water Plan indicates that the subject property is located within Water Service Area 780 (*i.e. not serviced by the City of Rockwall*); however, there is some dispute as to whether the City of Rockwall or Mt. Zion Water Supply has the right to serve this property. As a result, the applicant will be required to contact Mt. Zion Supply Corporation in order to determine if the property can be serviced.

Wastewater. The Master Wastewater Plan indicates that there is no wastewater infrastructure in the vicinity. There are no immediate plans for the City to install infrastructure in the area. As a result, the applicant must get approval from the City Council in order to utilize septic systems to serve the development.

Stormwater. Detention on the site may be required if the existing culvert under Clem Road does not have the necessary capacity to accommodate the increased runoff. A unit hydrograph method will need to be used in calculating detention for more than 20-acre.

Roadways. According to the Master Thoroughfare Plan, Clem Road is indicated as a *Minor Collector*, which requires a 60-foot right-of-way with a 41-foot *back to back street*. The applicant is required to construct 21-feet of right-of-way the entire length of the property along Clem Road. FM-3549 is indicated as a TXDOT4D (*Texas Department of Transportation, four (4) lane, divided roadway*), which requires a 120-foot right-of-way. The applicant must dedicate 60-feet from the centerline of FM-3549 for the future expansion of this roadway.

All proposed infrastructure improvements must meet the Engineering Department's *Standards of Design and Construction*.

## **CONFORMANCE WITH THE CITY'S CODES**

The proposed Planned Development District conforms to the majority of the City's code requirements; however, it should be noted that the development standards contained within the Planned Development District ordinance deviate from the requirements of the Unified Development Code (UDC) and the Engineering Department's *Standards of Design and Construction Manual* in the following ways:

- ☑ The Engineering Department's *Standards of Design and Construction Manual* stipulates that, "(A)lleys shall be provided in all residential areas and shall be paved with steel reinforced concrete ..."; however, the code does grant the City Council the ability to "... waive the residential alley requirement, if it is in the best interest of the City." (*Section 2.11; Page 14*)
- ☑ The Unified Development Code (UDC) requires that, "(i)n single-family or duplex districts, parking garages must be located at least 20-feet behind the front building façade for front entry garages, unless it is a *J-Swing [or traditional swing]* garage where the garage door is perpendicular to the street." (*Sec. 4.1; Art. VI; UDC*)
- ☑ According to Section 1.2, *Nature of PD Districts and Minimum Standards*, of Article X, *Planned Development Regulations*, of the UDC, "... (u)nless otherwise provided by the PD Ordinance, a minimum of 20 percent of the gross land area within the entire PD District shall be devoted to open space."

In this case, the applicant is proposing to allow traditional swing, side entry, and flat-front entry garages in lieu of alleyways. All flat-front entry garages will be setback either [1] behind the width of a double garage that is accessed from a traditional swing or [2] flush with the front façade of the home for the standard flat-front entry garages. As a compensatory measure for not meeting the required 20-foot setback stipulated by the Unified Development Code (UDC) for flat-front entry garages, the applicant is requiring that all garage doors incorporate upgraded finishes (e.g. *divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors or a similar alternative*). With regard to the open space requirement, the applicant has stated that estate style lots with non-transparent fencing provide a similar aesthetic as traditional neighborhoods that incorporate opaque fencing and 20% open space. Staff has incorporated these requirements into the draft ordinance and by approving this case, the City Council would be waiving these requirements.

## **CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN**

The OURHometown Vision 2040 Comprehensive Plan indicates that the subject property is located in the *Northeast Residential District* and is designated for *Low Density Residential (LDR)* land uses. The *Northeast Residential District* is characterized by its low-density subdivisions and rural/estate style lots. This district has several large vacant tracts of land that are suitable for low-density residential development, and it is anticipated that this district will be a future growth center for the City. The *Low Density Residential (LDR)* land use category consists of residential subdivisions that are two (2) units per gross acre or less. Primary land uses in this district are suburban, estate, and rural developments. In this case, the development is an estate style subdivision with a density of 0.63 units per gross acre. This is substantially in conformance to intent of the *Northeast Residential District* and the *Low Density Residential (LDR)* land use designation.

In addition, the OURHometown Vision 2040 Comprehensive Plan seeks to “...(p)reserve the City’s current residential to non-residential land use ratio (*i.e. 80% Residential; 20% Commercial*) in order to maintain a balance mix of land uses for fiscal sustainability.” The *Land Use Plan* contained in the Comprehensive Plan was created to guide the City toward the desired 80% residential to 20% non-residential land use balance. Currently, the land use balance is at 75.48% residential to 24.52% non-residential. If the City Council chooses to approve this case -- since this case is proposing zoning in conformance to the *Land Use Plan* -- the ratio will remain the same. A more detailed view of the current and proposed land use ratios has been included in the attached packet. With all this being said, zoning requests are discretionary decisions for the City Council pending a recommendation from the Planning and Zoning Commission.

## **NOTIFICATIONS**

On May 24, 2019, staff mailed 13 notices to property owners and occupants within 500-feet of the subject property and located within the City Limits. There are no Homeowner’s Associations (HOA’s) or neighborhood groups within 1,500-feet of the subject property and participating in the Neighborhood Notification Program. At the time this report was written, staff had not received any notices concerning this case.

## **CONDITIONS OF APPROVAL**

If the City Council chooses to approve the applicant’s request to request for a change in zoning from an Agricultural (AG) District to a Planned Development District (PD) for Single-Family 1 (SF-1) District land uses, then staff would propose the following conditions of approval:

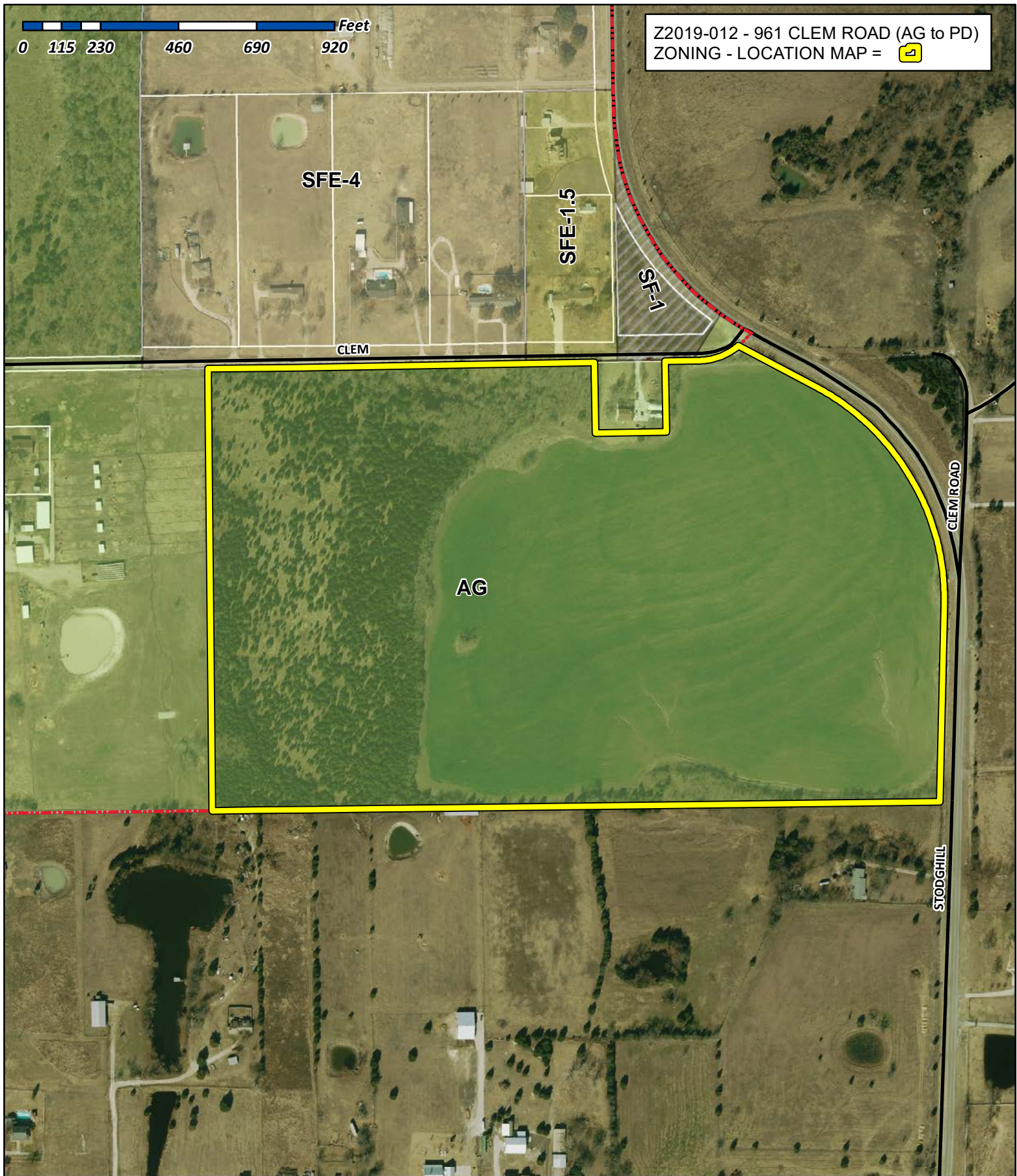
- (1) The applicant shall be responsible for maintaining compliance with the conditions contained within the *Planned Development District* ordinance;

- (2) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

### **PLANNING AND ZONING COMMISSION**

On June 11, 2019, the Planning and Zoning Commission's motion to recommend approval of the applicant's request passed by a vote of 6-0 with Chair Lyons absent.

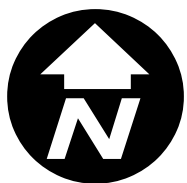




## City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75032  
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(W): [www.rockwall.com](http://www.rockwall.com)

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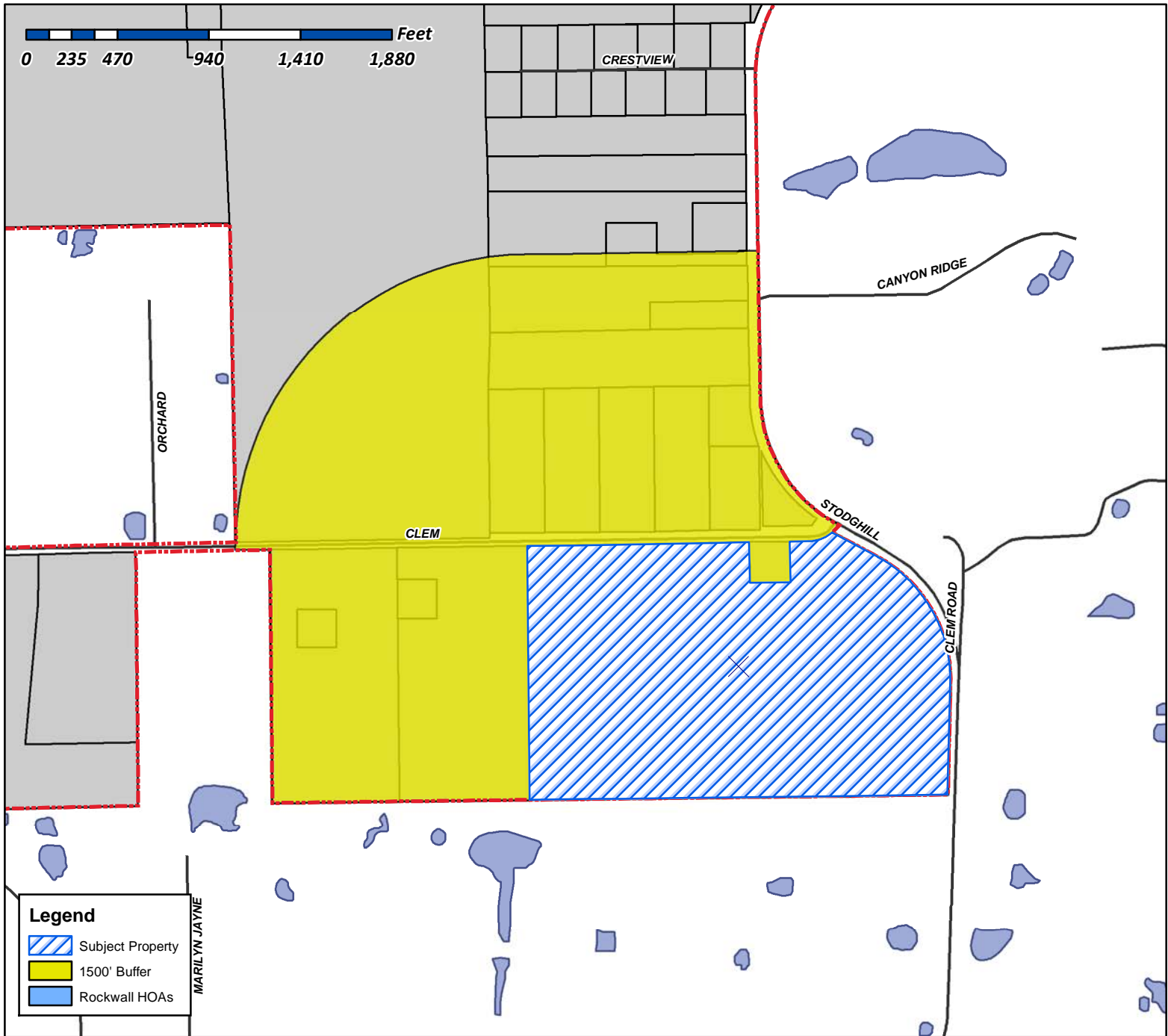




# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
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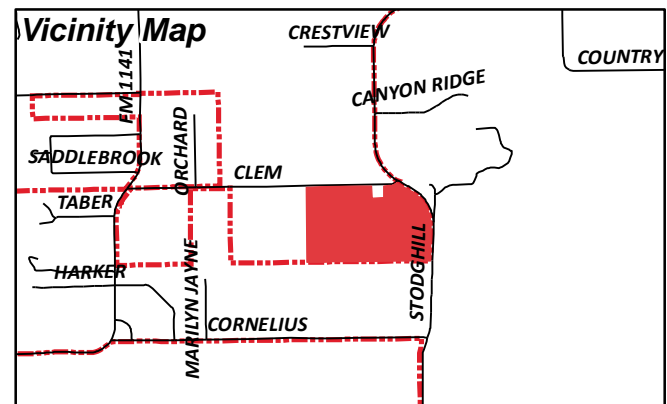
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**Case Number:** Z2019-012  
**Case Name:** Zoning Change (AG to PD)  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** 961 Clem Road

**Date Created:** 5/21/2019

**For Questions on this Case Call** (972) 771-7745

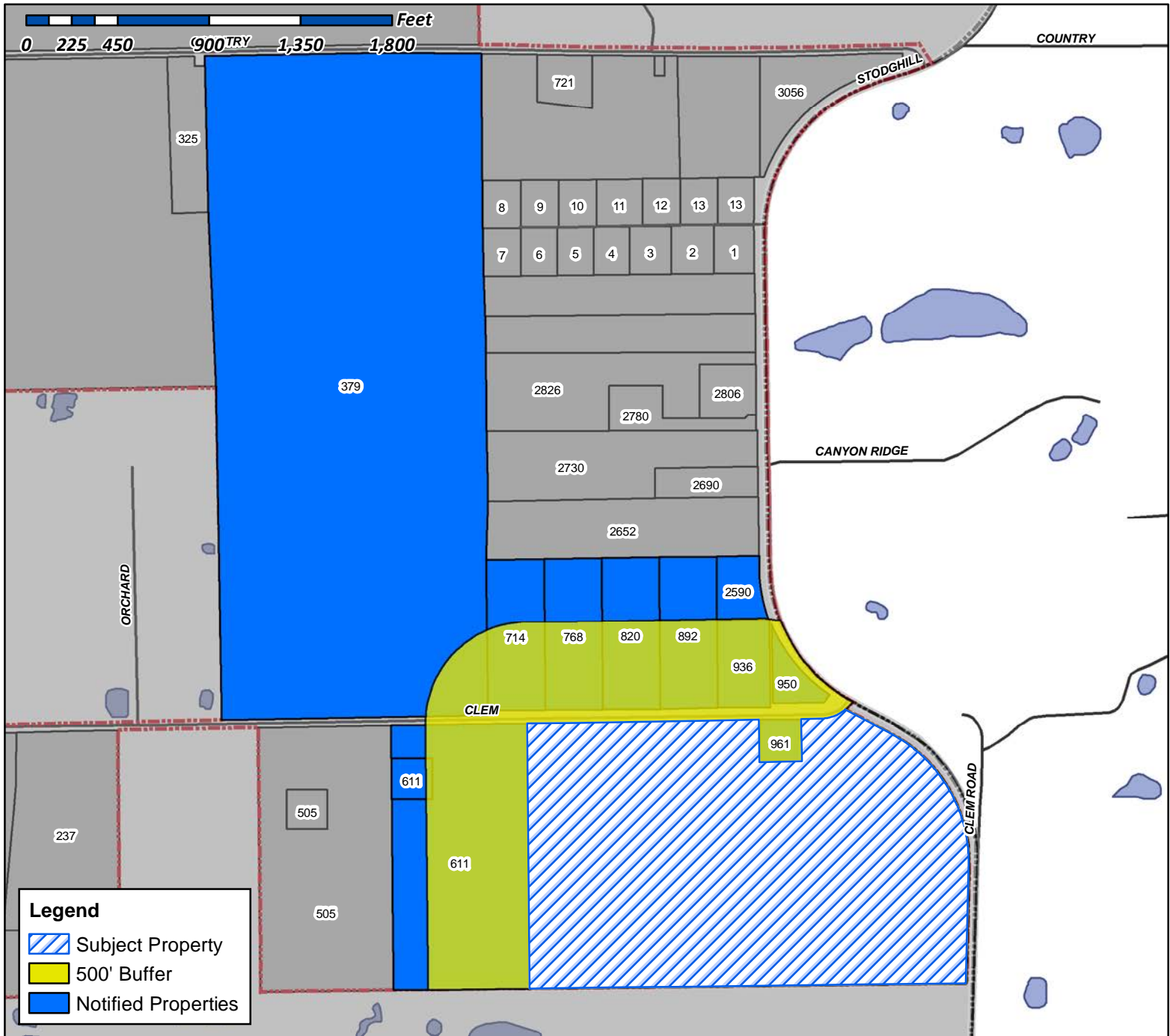




# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): [www.rockwall.com](http://www.rockwall.com)

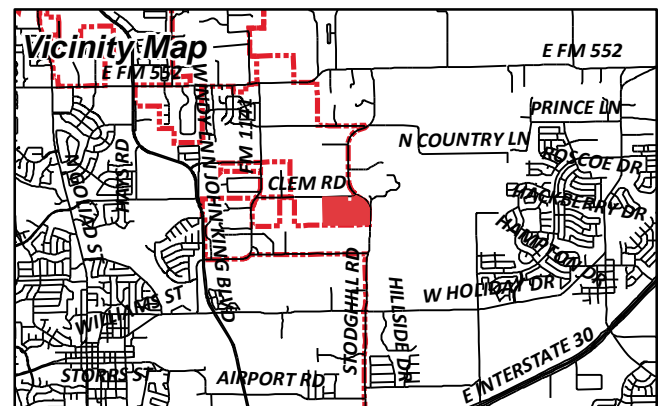
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



**Case Number:** Z2019-012  
**Case Name:** Zoning Change (AG to PD)  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** 961 Clem Road

**Date Created:** 5/21/2019

**For Questions on this Case Call (972) 771-7745**





TURNHAM DAVID & LORI  
1485 MADISON DR  
ROCKWALL, TX 75032

MCCALLUM CRAIG WILLIAM  
1983 N STODGHILL RD  
ROCKWALL, TX 75087

ERWIN KARL DANIEL EXECUTOR  
KARL W ERWIN ESTATE  
2030 CROSSWOOD LANE  
IRVING, TX 75063

UNISON INVESTMENT  
23545 CRENSHAW BLVD STE 201  
TORRANCE, CA 90505

BURNETT LEE K  
2590 FM 3549 STODGHILL RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
379 N COUNTRY LN  
ROCKWALL, TX 75032

CURRENT RESIDENT  
611 CLEM RD  
ROCKWALL, TX 75032

CANAVAN JOHN P & RITA  
714 CLEM RD  
ROCKWALL, TX 75087

BELL SALLY REDDICK  
768 CLEM RD  
ROCKWALL, TX 75087

SHLENSKY HOWARD J & DARLA A  
820 CLEM RD  
ROCKWALL, TX 75087

MOREAU ROBERT G JR & SHERRY L  
892 CLEM ROAD  
ROCKWALL, TX 75087

BENNETT JILL M  
936 CLEM RD  
ROCKWALL, TX 75087

MARTIN DANIEL AND LAURA  
961 CLEM RD  
ROCKWALL, TX 75087



# NOTICE OF PUBLIC HEARING

## CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

To Whom It May Concern:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

**Case No. Z2019-012: 961 Clem Road (AG to SF-1)**

*Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family-1 (SF-1) District land uses on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the west side of Stodgehill Road [FM-3549] north of the intersection of Stodgehill Road [FM-3549] and Cornelius Road, and take any action necessary.*

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 6/11/2019 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 6/17/2019 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

**Korey Brooks**  
**Rockwall Planning and Zoning Dept.**  
**385 S. Goliad Street**  
**Rockwall, TX 75087**

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by **6/17/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:  
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development-cases)

— . . . PLEASE RETURN THE BELOW FORM — . . .

**Case No. Z2019-012: 961 Clem Road (AG to SF-1)**

Please place a check mark on the appropriate line below:

- ☐ I am in favor of the request for the reasons listed below.
- ☐ I am opposed to the request for the reasons listed below.

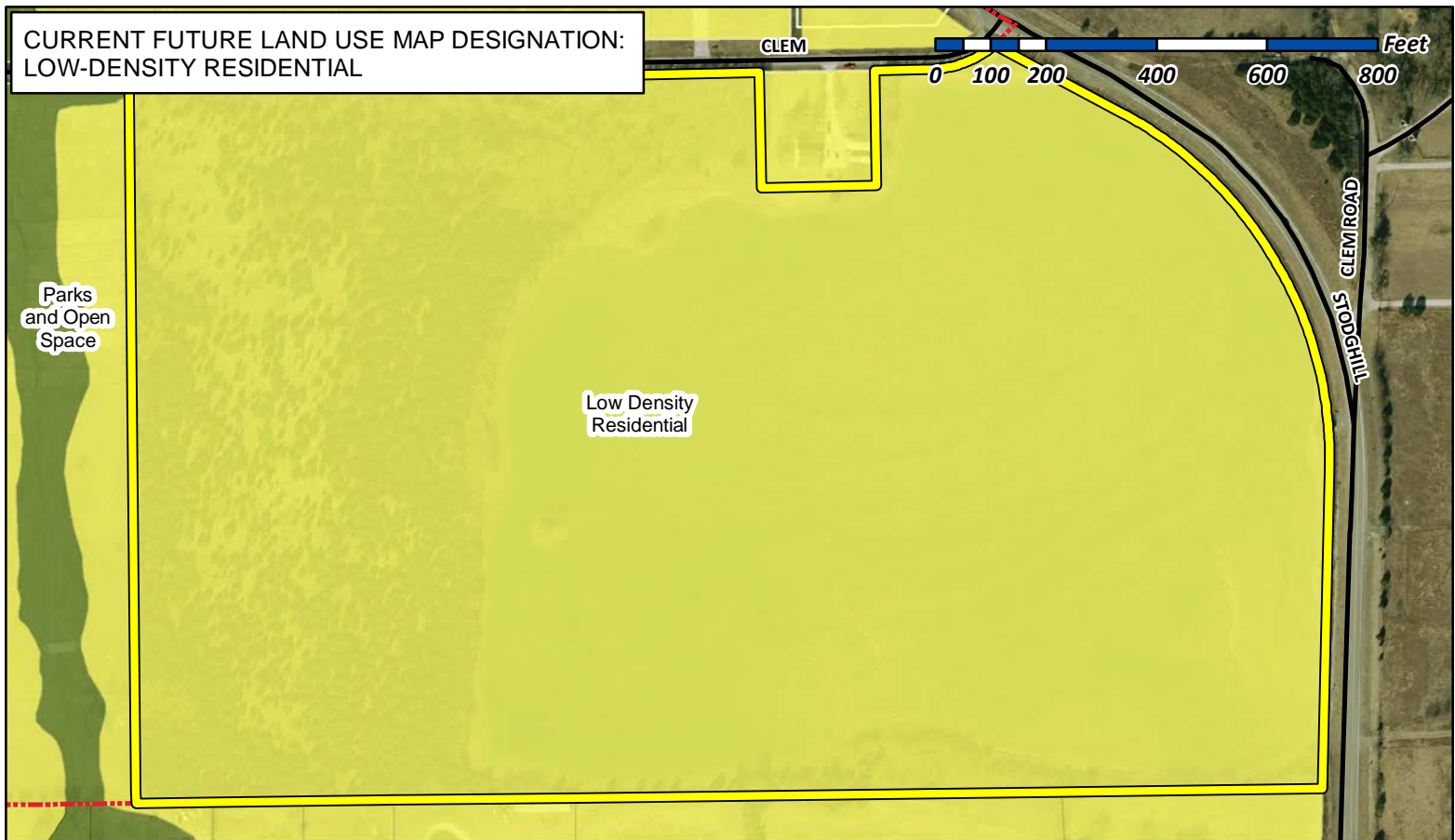
Name:

Address:

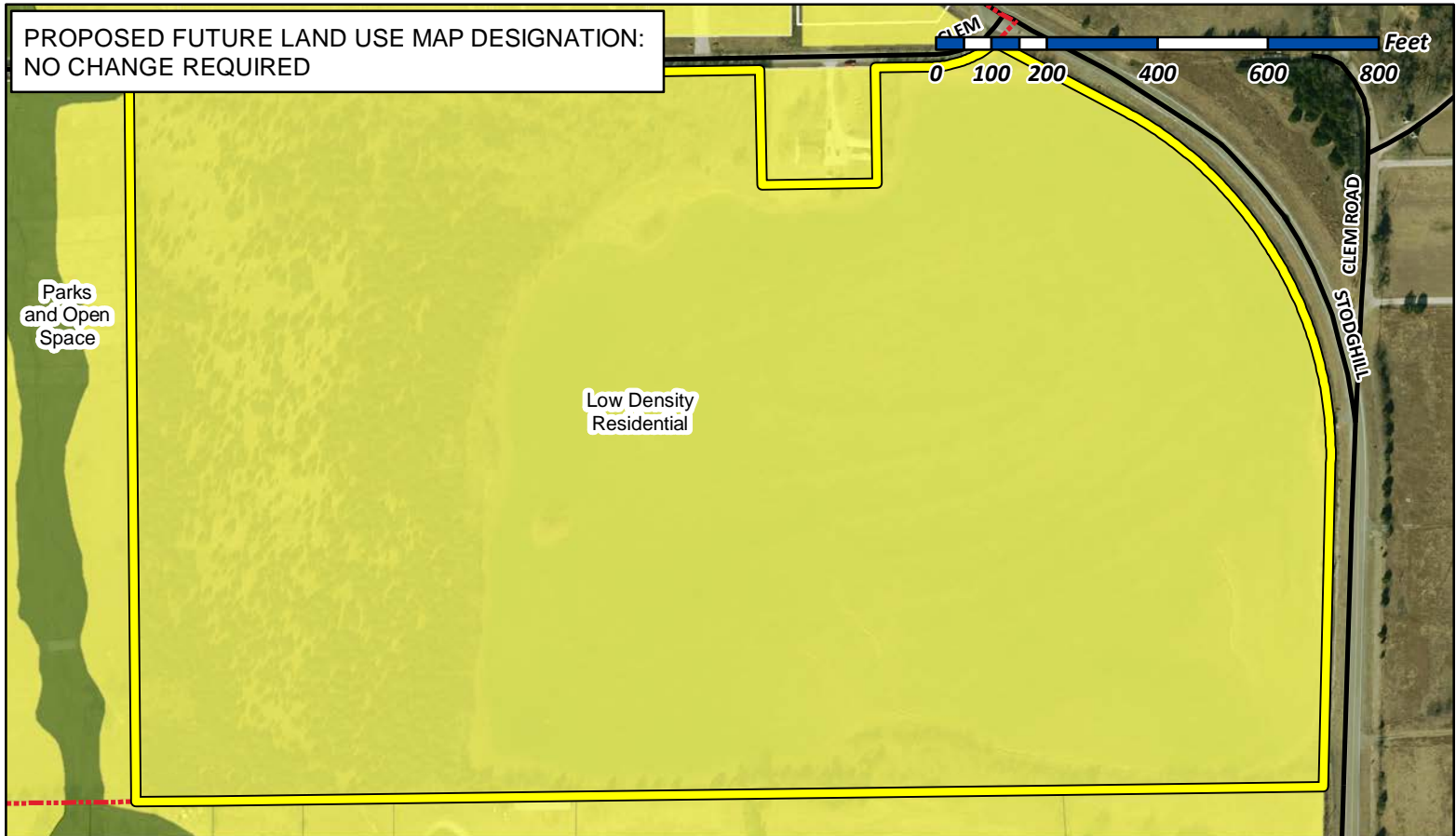
**Tex. Loc. Gov. Code, Sec. 211.006 (d)** If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

CURRENT FUTURE LAND USE MAP DESIGNATION:  
LOW-DENSITY RESIDENTIAL



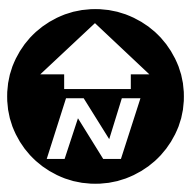
PROPOSED FUTURE LAND USE MAP DESIGNATION:  
NO CHANGE REQUIRED



## City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75032  
(P): (972) 771-7745  
(W): [www.rockwall.com](http://www.rockwall.com)

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# 11 NORTHEAST RESIDENTIAL DISTRICT

## DISTRICT DESCRIPTION

The *Northeast Residential District* is characterized by its established low-density residential subdivisions and rural/estate style lots. This district is anticipated to be a future growth center for the City, having several large vacant tracts of land suitable for low-density, residential development. In addition, the City currently owns a large tract of land that will be a northern community park and serve this district in the future.

## DISTRICT STRATEGIES

The *Northeast Residential District* being mostly an established residential district, is not anticipated to change or transition. The strategies for this district are:

- 1 Estate and Rural Residential.** The maintenance of the *Estate and Rural Residential* housing types are important to balancing the diversity of suburban lots to large lot housing within the City. These areas also provide rural reserves for the City and create a natural transition zone to the east, towards FM-3549.
- 2 Suburban Residential.** Any new *Suburban Residential* developments should include a mix of larger to mid-sized lots. Lots in these developments should not be smaller than existing *Suburban Residential* in this district.
- 3 Infill Development.** Residential infill development within this district should be compatible with the surrounding structures and should generally follow the guidelines for low density, suburban housing or rural/estate housing.
- 4 Neighborhood/Convenience Centers.** The commercial in this district is intended to support the existing residential subdivisions and should be compatible in scale with the adjacent residential structures.
- 5 John King Boulevard Trail Plan.** A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in *Appendix 'B'* of this Comprehensive Plan.

## POINTS OF REFERENCE

- A. Stoney Hollow Subdivision
- B. Celia Hays Elementary School
- C. North Country Lane Park
- D. Saddlebrook Estates Subdivision
- E. Resthaven Funeral Home

## LAND USE PALETTES

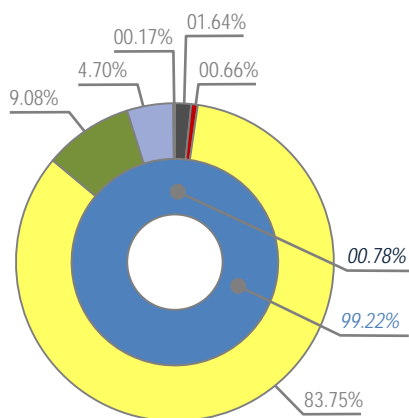
- Current Land Use
- Future Land Use

- ★ John King Boulevard Trail Plan Rest Stop/Trailblazer Pylon

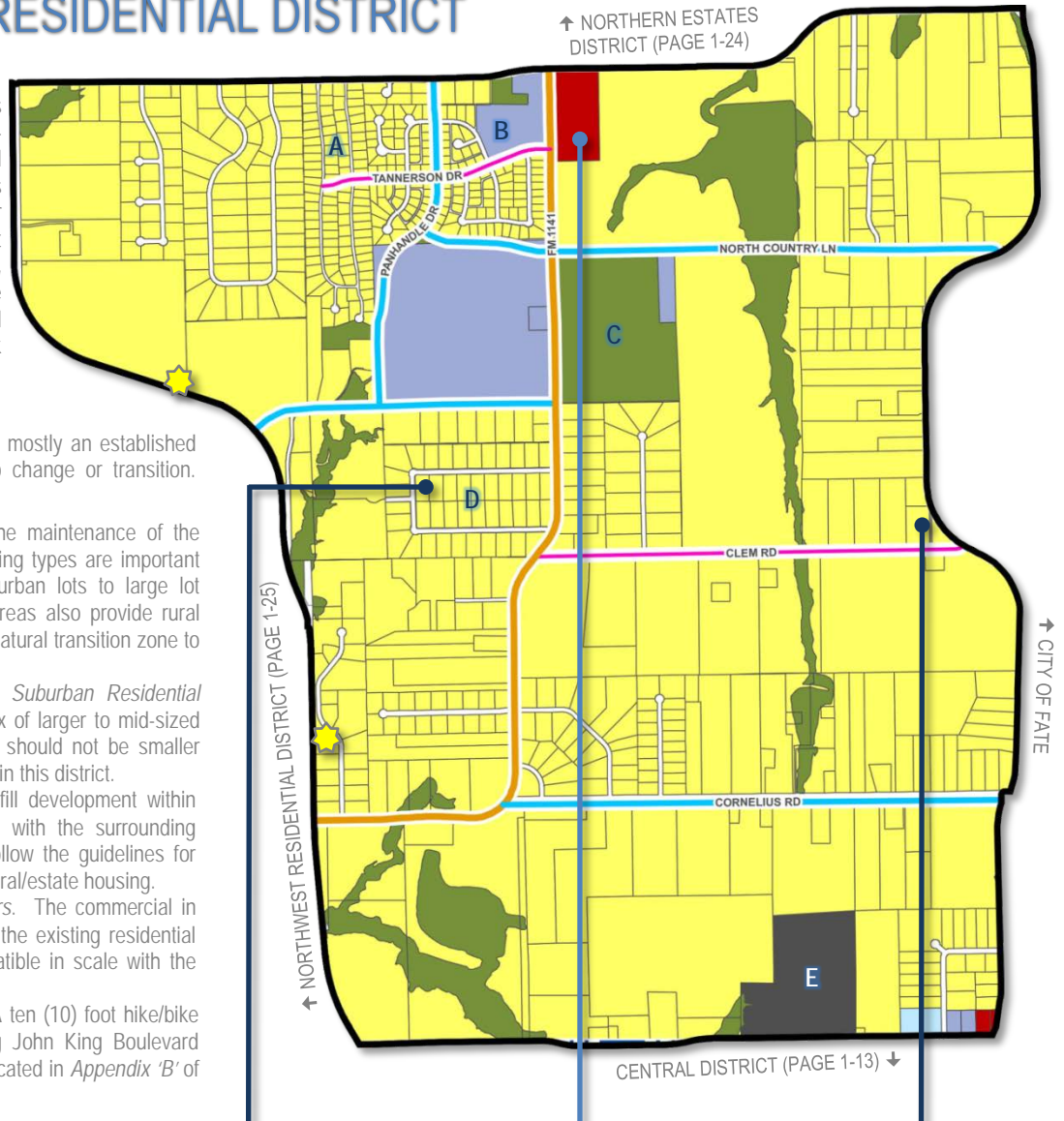
BUILD OUT  
 1,964  
 5,794

% OF ROCKWALL  
 3.13%  
 0.99%  
 3.10%

CURRENT  
 625  
 18  
 1,844



MINOR COLLECTOR	0.78%
M4U	99.22%
M4D	0.00%
CEMETERY (CEM)	32.34-ACRES
COMMERCIAL/RETAIL (CR)	13.02-ACRES
LOW DENSITY RESIDENTIAL (LDR)	1,646.83-ACRES
PARKS AND OPEN SPACE (OS)	178.54-ACRES
PUBLIC (P)	92.45-ACRES
QUASI-PUBLIC (QP)	3.25-ACRES
COMMERCIAL	0.78%
RESIDENTIAL	99.22%
MIXED USE	0.00%



2 Current Suburban Residential



4 Future Neighborhood/Convenience Center



1 Current Rural Residential

# FISCAL IMPACT ANALYSIS TOOL

**ASSUMPTIONS:** (1) All values are based on the Appraised Value and not the Market Value; (2) All Agricultural (AG) District land is assumed to be residential under Current Zoning and zoned in accordance to the Future Land Use Map under Current Zoning at Build Out.

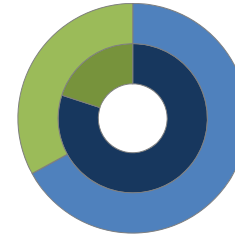
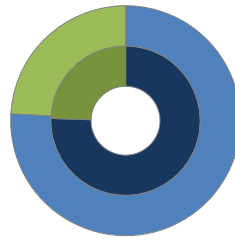
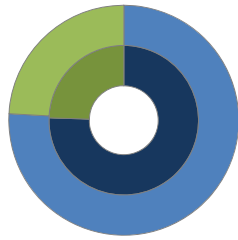
**DISCLAIMER:** The information provided below is not a reasonable basis for the approval or denial of any zoning case. This is a general tool that is meant to assist elected and appointed officials in the understanding the potential fiscal impacts of a zoning request, and to track conformance to the Comprehensive Plan's targeted land use ratios of 80% residential to 20% commercial land use, which is intended to yield a 67% residential value to 33% commercial value.

**SUMMARY OF METHODOLOGY:** The methods used in this study are based on a rough fiscal impact analysis, and involve reducing the City's land values down to a per square footage cost to estimate potential impact on existing property value. The cost of service model is constructed around the City's current fiscal year costs versus the percentage of land area that is currently residential and non-residential. A per capita multiplier and average cost method were used to estimate sales tax.

**CASE NO.:** Z2019-012

**CASE NAME:** Zoning Change (AG to PD) for Northgate Estates

## ZONING MAP



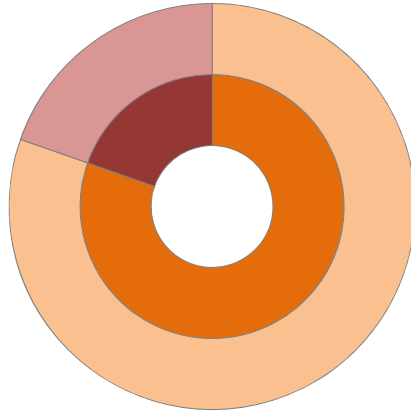
	LAND USE		LAND VALUE	
	ACRES	%	EST. PROP. VALUE	%
RESIDENTIAL	10,932.42	75.48%	\$ 4,084,912,315.77	75.90%
NON-RESIDENTIAL	3,552.00	24.52%	\$ 1,297,389,588.23	24.10%
	14,484.42	100.00%	\$ 5,382,301,904.00	100.00%
OPEN SPACE	2,487.57		\$ 380,531,381.26	
TOTAL	16,971.99		\$ 5,762,833,285.26	

	LAND USE		LAND VALUE	
	ACRES	%	EST. PROP. VALUE	%
RESIDENTIAL	10,932.42	75.48%	4,104,283,002.17	75.98%
NON-RESIDENTIAL	3,552.00	24.52%	1,297,389,588.23	24.02%
	14,484.42	100.00%	5,401,672,590.40	100.00%
OPEN SPACE	2,487.57		\$ 381,558,120.00	
TOTAL	16,971.99		5,783,230,710.40	

LAND USE		LAND VALUE	
CH. ACRES	% CHANGE	CHANGE IN VALUE	% CHANGE
(0.00)	0.00%	19,370,686.40	0.36%
-	0.00%	-	0.00%
		19,370,686.40	0.36%

ACREAGE	VALUE	DIFFERENCE
80%	67%	-8.98%
20%	33%	-8.98%
100%	100%	

	PRESENT	
	ACRES	%
RESIDENTIAL	19,687.93	80.37%
NON-RESIDENTIAL	4,809.14	19.63%
	24,497.07	100.00%
OPEN SPACE	6,114.49	
TOTAL	30,611.56	
	PROPOSED	
	ACRES	%
RESIDENTIAL	19,687.93	80.37%
NON-RESIDENTIAL	4,809.14	19.63%
	24,497.07	100.00%
OPEN SPACE	6,114.49	
TOTAL	30,611.56	
	CHANGE	
	ACRES	%
RESIDENTIAL	-	0.00%
NON-RESIDENTIAL	-	0.00%



## FUTURE LAND USE MAP

## ESTIMATED COST/REVENUES

### BENCHMARKS

Residential Value	\$ -	\$ 64,989,778.99	\$ 19,370,686.40	\$ (45,619,092.59)
Non-Residential Value	\$ 1,284,540.00	\$ -	\$ -	\$ -
Residential Acreage	-	-	62.66	\$ 62.66
Non-Residential Acreage	62.66	62.66	-	\$ (62.66)

### ANNUAL REVENUES

	[A] Current Zoning	[B] Current Zoning Potential @ BO	[C] Proposed Zoning @ BO	[B] - [C] Difference of Proposed vs. Current
Residential Revenues	\$ -	\$ 261,503.60	\$ 77,889.53	\$ (183,614.07)
Non-Residential Revenues	\$ 5,165.14	\$ -	\$ -	\$ -
Direct Sales Tax Increase	\$ -	\$ -	\$ -	\$ -
Indirect Sales Tax Increase	\$ -	\$ 24,847.93	\$ 108,237.59	\$ 83,389.66
Total Revenues	\$ 5,165.14	\$ 286,351.53	\$ 186,127.12	\$ (100,224.42)

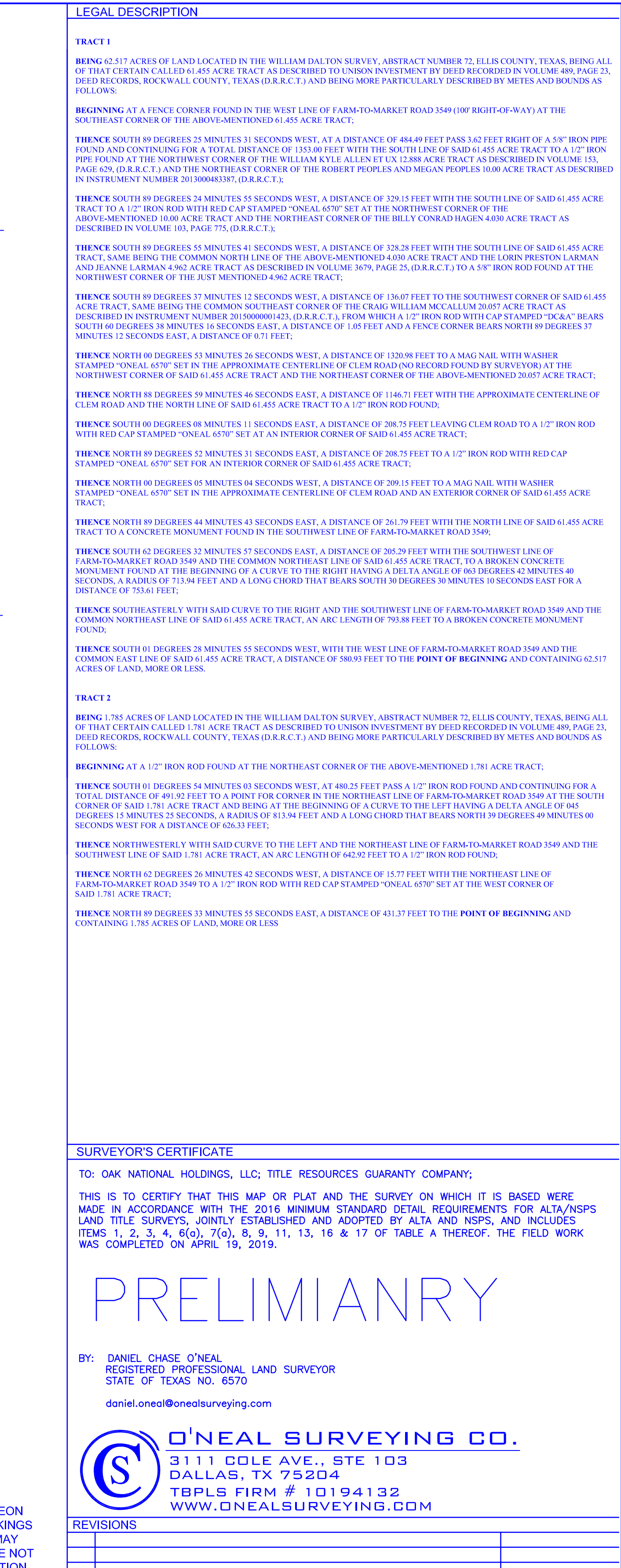
### ANNUAL EXPENDITURES

Cost of Community Service for Residential	\$ -	\$ (649,417.01)	\$ (149,865.46)	\$ 499,551.55
Cost of Community Service for Non-Residential	\$ -	\$ -	\$ -	\$ -
Total Estimated Expenditures	\$ -	\$ (649,417.01)	\$ (149,865.46)	\$ 499,551.55

### EST. ANN. COST/REVENUES

EST. ANN. COST/REVENUES	\$ 5,165.14	\$ (363,065.48)	\$ 36,261.65	\$ 399,327.13
OTHER BENCHMARKS				
Additional Citizens Added to Population		273	115	(158)
Estimated Non-Resident Consumers in City		-	-	-



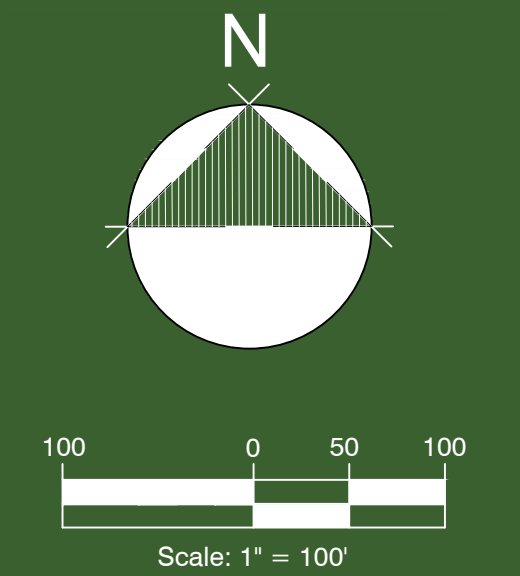


<div>PROJECT OWNERS</div> <div>com</div>	<div>ALTA/NSPS LAND TITLE SURVEY</div> <div>SHOWING</div> <div>A PORTION OF THE</div> <div>WILLIAM DALTON SURVEY, ABSTRACT NO. 72</div> <div>ROCKWALL COUNTY, TEXAS</div>	
	<div>PREPARED FOR:</div>	<div>PROJECT NO. 19081.00</div>
		<div>DRAWN BY: DCO</div>
		<div>CHECKED BY: DCO</div>
		<div>SCALE: 1"=100'</div>
<div>MICHAEL JOYCE PROPERTIES</div>		<div>DATE:</div> <div>JUNE 5, 2019</div>
		<div>SHEET NO.</div> <div>1 of 1</div>





62.455 ACRES  
40 LOTS  
1.0 ACRE MINIMUM



# CONCEPT PLAN F NORTH GATE ROCKWALL, TEXAS

Engineer:  
**ENGINEERING CONCEPTS & DESIGN, L.P.**  
CIVIL ENGINEERING / PROJECT MANAGEMENT /  
CONSTRUCTION SERVICES  
FIRM REGISTRATION #F001145  
201 WEST 10TH STREET, SUITE 100, ROCKWALL, TEXAS 75087  
972.941.8400 WWW.ECDLP.COM FAX 972.941.8401



SITE LEGEND

MAIN ENTRY MONUMENTATION

MINOR ENTRY MONUMENTATION

6'-0" HT. ORNAMENTAL METAL FENCE W/ 6'-6" HT. STONE COLUMN SPACED 45' O.C. MAXIMUM PROVIDE 1-3" CALIPER TREE/50 LF OF ROAD FRONTAGE

The diagram is a detailed site plan for the Northgate Concept Plan. It shows a layout of streets and numbered lots. Clem Road runs along the top edge. N. Stodghill Road runs along the right edge, curving around a central area. Street A is a vertical street on the left side. Street B is a horizontal street in the lower middle. Street C is a vertical street on the right side, adjacent to N. Stodghill Road. Lots are numbered 1 through 23. Two main entry monuments are shown: one at the top left corner (Minor Entry Monument) and one at the bottom right corner (Main Entry Monument). A fence line, indicated by a dashed line with circles, runs along the right side of the site, following the curve of N. Stodghill Road. The fence is labeled '6'-0" HT. ORNAMENTAL METAL FENCE WITH 6'-6" HT. STONE COLUMN SPACED 45' O.C.'.

NORTHGATE CONCEPT PLAN

City of Rockwall, Texas

NORTH

100

50

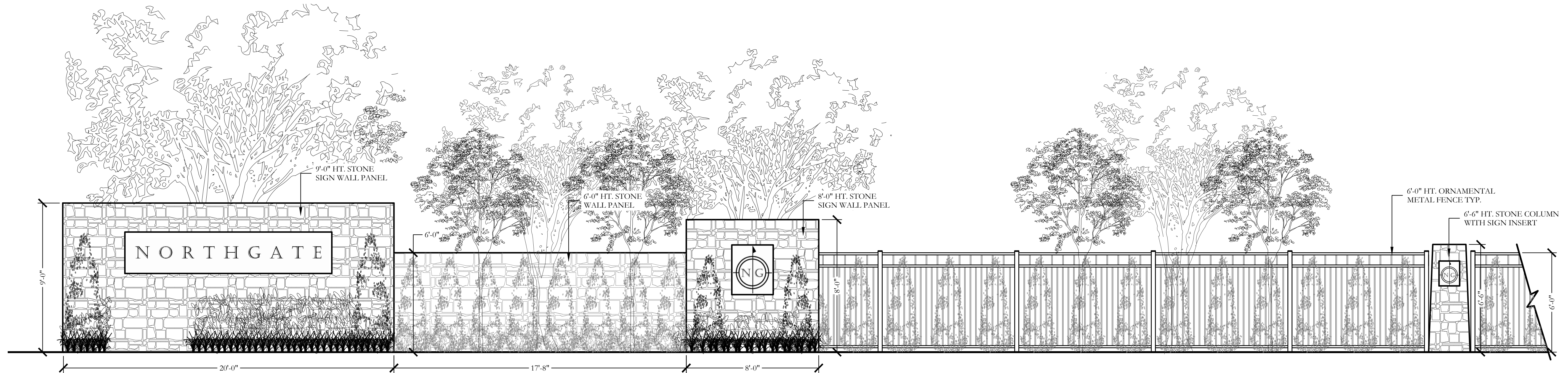
0

100

Scale: 1" = 100'-0"

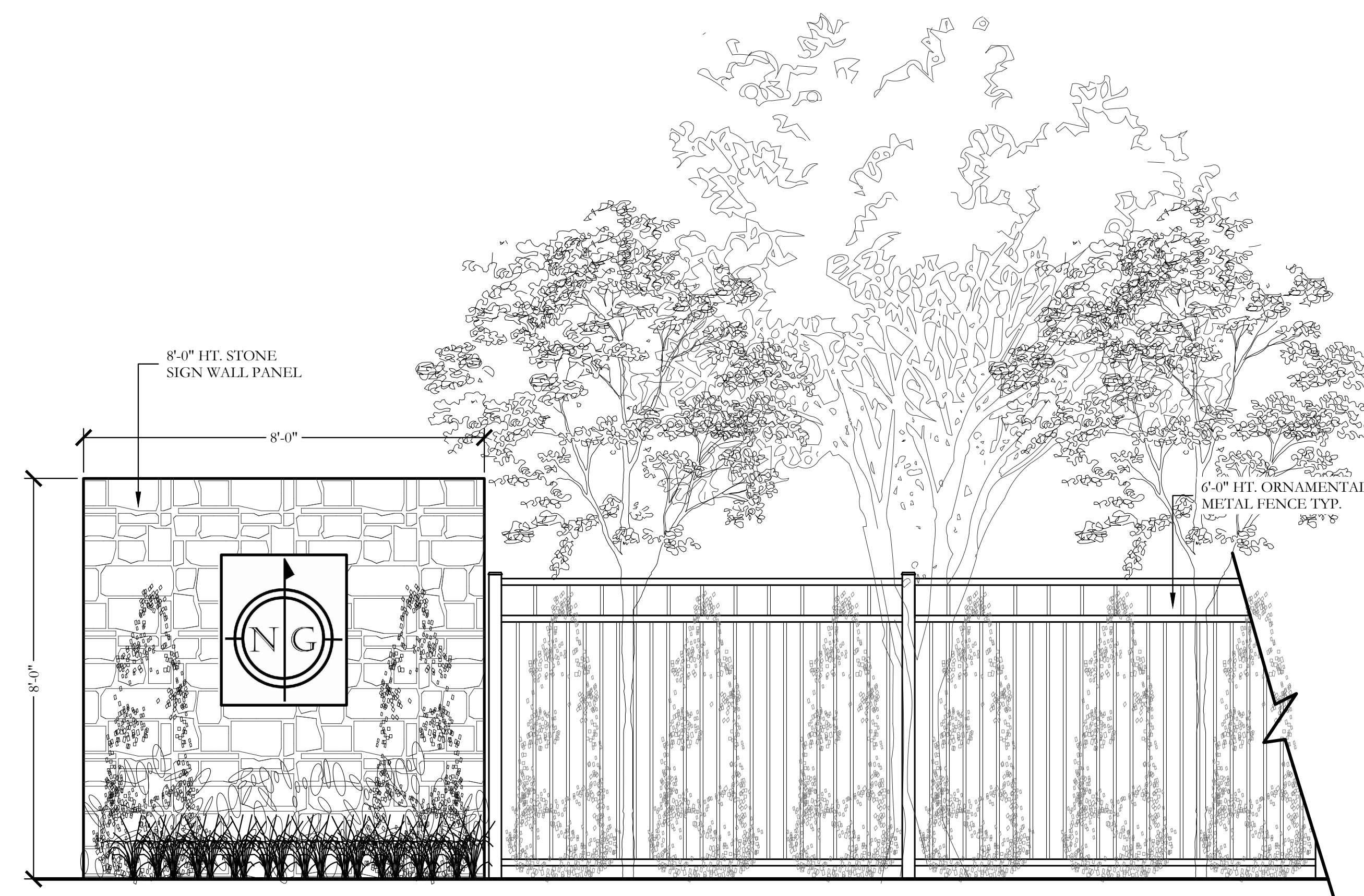
CODY JOHNSON

s · t · u · d · i · o



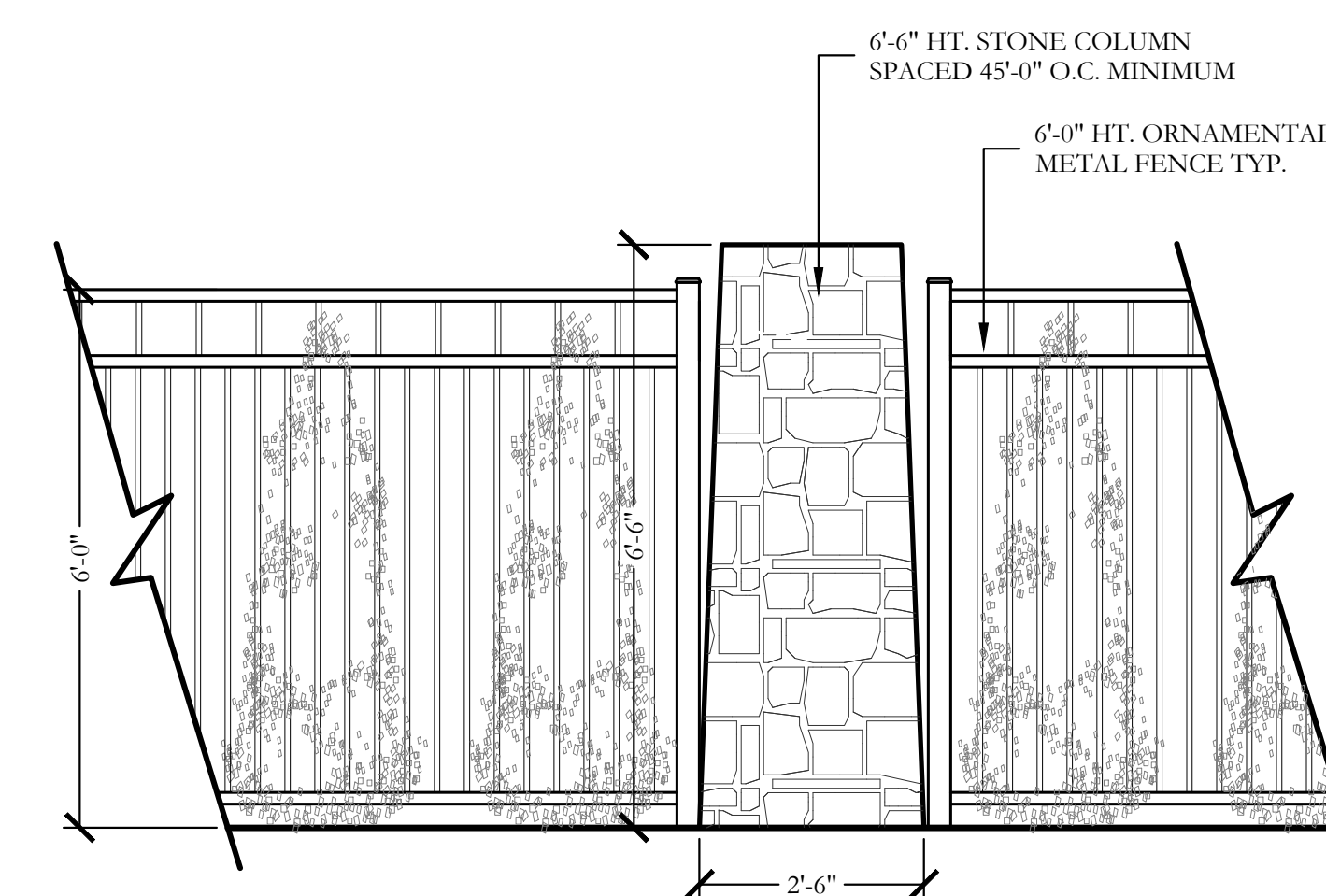
MAIN ENTRY MONUMENT ELEVATION

NOT TO SCALE



MINOR ENTRY MONUMENT ELEVATION

NOT TO SCALE



COLUMN AND FENCE ELEVATION

NOT TO SCALE

NORTHGATE CONCEPT PLAN

City of Rockwall, Texas



CITY OF ROCKWALL

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] 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 1 (SF-1) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 62.45-ACRE TRACT OF LAND IDENTIFIED AS TRACT 4 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72, 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.

**WHEREAS**, the City has received a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 1 (SF-1) District land uses, on a 62.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [Ordinance No. 04-38] should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

**SECTION 1.** That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

**SECTION 2.** That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, depicted in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

**SECTION 3.** That development of the *Subject Property* shall generally be in accordance with the *Density and Development Standards*, outlined in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a

condition of approval of the amended zoning classification for the *Subject Property*;

**SECTION 4.** That a *Master Parks and Open Space Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan* described in *Exhibit 'C'* of this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

**SECTION 5.** That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

- (a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 6(b) through 6(f) below*), shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.
- (b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for a *Master Parks and Open Space Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.
  - (1) Master Parks and Open Space Plan
  - (2) Master Plat
  - (3) Preliminary Plat
  - (4) PD Site Plan
  - (5) Final Plat
- (c) *Master Parks and Open Space Plan.* An *Master Parks and Open Space Plan* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, prepared in accordance with this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.
- (d) *Master Plat.* A *Master Plat* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify the proposed timing of each phase of the proposed development. A *Master Plat* application may be processed by the City concurrently with a *Master Parks and Open Space Plan* application for the development.
- (e) *Preliminary Plat.* A *Preliminary Plat* for each phase of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted in accordance with the phasing plan established by the *Master Plat* and shall include a *Treescape Plan* for the phase being *Preliminary Platted*. A *Preliminary Plat* application may be processed by the City concurrently with a *Master Plat* and a *Master Parks and Open Space Plan* application for the development.
- (f) *PD Site Plan.* A *PD Site Plan* for each phase of the development of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Final Plat* application for the development.
- (g) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, shall be submitted for approval.

**SECTION 6.** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (\$2,000.00) for each offense and

each and every day such offense shall continue shall be deemed to constitute a separate offense;

**SECTION 7.** That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

**SECTION 8.** The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

**SECTION 9.** That this ordinance shall take effect immediately from and after its passage;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 1<sup>ST</sup> DAY OF JULY, 2019.**

\_\_\_\_\_  
Jim Pruitt, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: June 17, 2019

2<sup>nd</sup> Reading: July 1, 2019



**Exhibit 'A':**  
*Legal Description*

**BEING** 62.517 acres of land located in the WILLIAM DALTON SURVEY, ABSTRACT NUMBER 72, Ellis County, Texas, being all of that certain called 61.455 acre tract as described to Unison Investment by deed recorded in volume 489, page 23, Deed Records, Rockwall County, Texas (D.R.R.C.T.) and being more particularly described by metes and bounds as follows:

**BEGINNING** at a fence corner found in the west line of Farm-to-Market Road 3549 (100' right-of-way) at the southeast corner of the above-mentioned 61.455 acre tract;

**THENCE** South 89 degrees 25 minutes 31 seconds West, at a distance of 484.49 feet pass 3.62 feet right of a 5/8" iron pipe found and continuing for a total distance of 1353.00 feet with the south line of said 61.455 acre tract to a 1/2" iron pipe found at the northwest corner of the William Kyle Allen et ux 12.888 acre tract as described in Volume 153, Page 629, (D.R.R.C.T.) and the northeast corner of the Robert Peoples and Megan Peoples 10.00 acre tract as described in Instrument Number 2013000483387, (D.R.R.C.T.);

**THENCE** South 89 degrees 24 minutes 55 seconds West, a distance of 329.15 feet with the south line of said 61.455 acre tract to a 1/2" iron rod with red cap stamped "ONEAL 6570" set at the northwest corner of the above-mentioned 10.00 acre tract and the northeast corner of the Billy Conrad Hagen 4.030 acre tract as described in Volume 103, Page 775, (D.R.R.C.T.);

**THENCE** South 89 degrees 55 minutes 41 seconds West, a distance of 328.28 feet with the south line of said 61.455 acre tract, same being the common north line of the above-mentioned 4.030 acre tract and the Lorin Preston Larman and Jeanne Larman 4.962 acre tract as described in Volume 3679, Page 25, (D.R.R.C.T.) to a 5/8" iron rod found at the northwest corner of the just mentioned 4.962 acre tract;

**THENCE** South 89 degrees 37 minutes 12 seconds West, a distance of 136.07 feet to the southwest corner of said 61.455 acre tract, same being the common southeast corner of the Craig William McCallum 20.057 acre tract as described in Instrument Number 20150000001423, (D.R.R.C.T.), from which a 1/2" iron rod with cap stamped "DC&A" bears South 60 degrees 38 minutes 16 seconds East, a distance of 1.05 feet and a fence corner bears North 89 degrees 37 minutes 12 seconds East, a distance of 0.71 feet;

**THENCE** North 00 degrees 53 minutes 26 seconds West, a distance of 1320.98 feet to a mag nail with washer stamped "ONEAL 6570" set in the approximate centerline of Clem Road (no record found by surveyor) at the northwest corner of said 61.455 acre tract and the northeast corner of the above-mentioned 20.057 acre tract;

**THENCE** North 88 degrees 59 minutes 46 seconds East, a distance of 1146.71 feet with the approximate centerline of Clem Road and the north line of said 61.455 acre tract to a 1/2" iron rod found;

**THENCE** South 00 degrees 08 minutes 11 seconds East, a distance of 208.75 feet leaving Clem Road to a 1/2" iron rod with red cap stamped "ONEAL 6570" set at an interior corner of said 61.455 acre tract;

**THENCE** North 89 degrees 52 minutes 31 seconds East, a distance of 208.75 feet to a 1/2" iron rod with red cap stamped "ONEAL 6570" set for an interior corner of said 61.455 acre tract;

**THENCE** North 00 degrees 05 minutes 04 seconds West, a distance of 209.15 feet to a mag nail with washer stamped "ONEAL 6570" set in the approximate centerline of Clem Road and an

**Exhibit 'A':**  
*Legal Description*

exterior corner of said 61.455 acre tract;

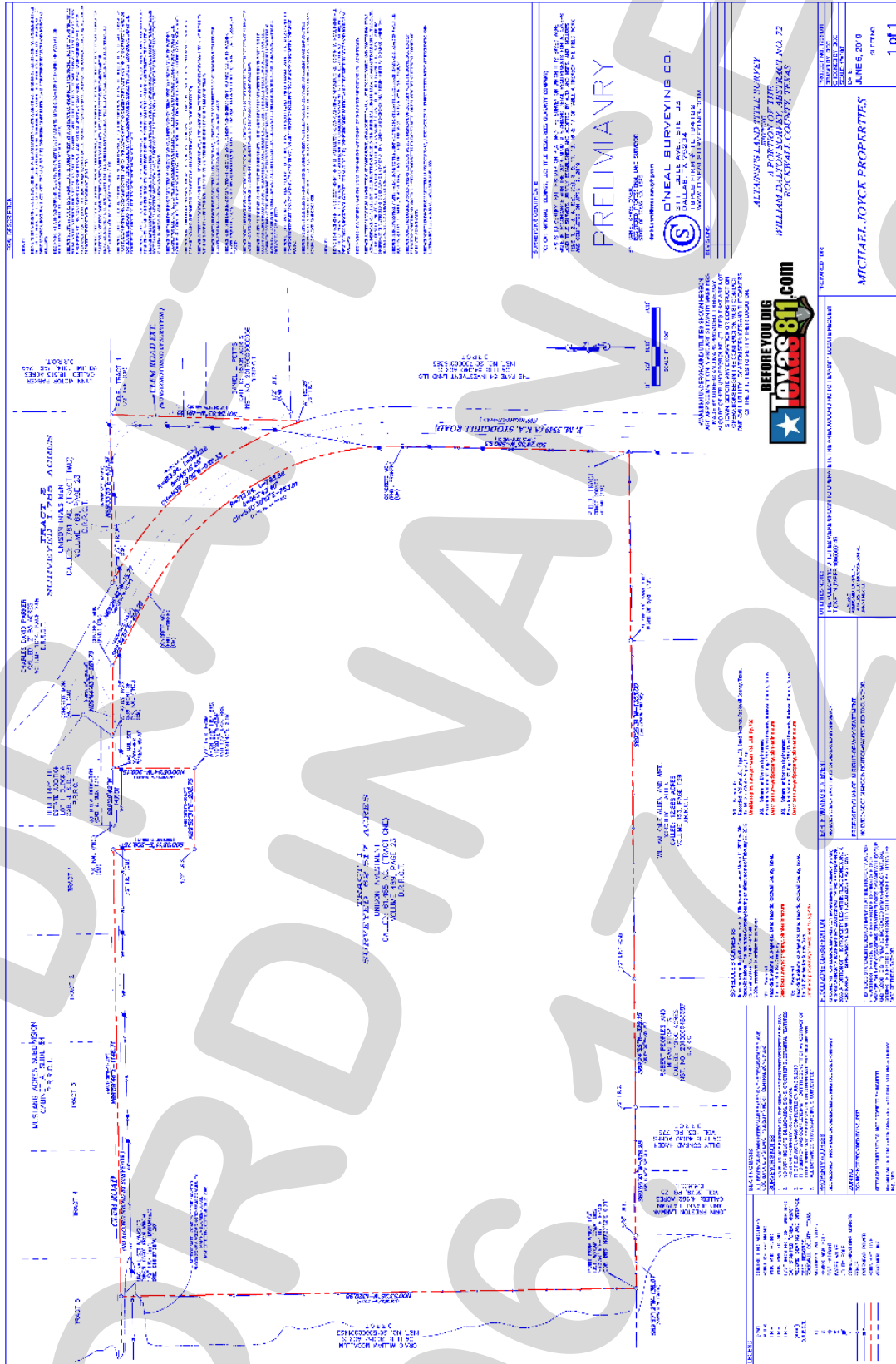
**THENCE** North 89 degrees 44 minutes 43 seconds East, a distance of 261.79 feet with the north line of said 61.455 acre tract to a concrete monument found in the southwest line of Farm-To-Market Road 3549;

**THENCE** South 62 degrees 32 minutes 57 seconds East, a distance of 205.29 feet with the southwest line of Farm-To-Market Road 3549 and the common northeast line of said 61.455 acre tract, to a broken concrete monument found at the beginning of a curve to the right having a delta angle of 063 degrees 42 minutes 40 seconds, a radius of 713.94 feet and a long chord that bears South 30 degrees 30 minutes 10 seconds East for a distance of 753.61 feet;

**THENCE** southeasterly with said curve to the right and the southwest line of Farm-To-Market Road 3549 and the common northeast line of said 61.455 acre tract, an arc length of 793.88 feet to a broken concrete monument found;

**THENCE** south 01 degrees 28 minutes 55 seconds west, with the west line of Farm-To-Market Road 3549 and the common east line of said 61.455 acre tract, a distance of 580.93 feet to the **POINT OF BEGINNING** and containing 62.517 acres of land, more or less.

Exhibit 'B':  
Survey





# Exhibit 'C': Concept Development Plan



**Exhibit 'D':**  
*Density and Development Standards*

**Density and Development Standards.**

1. *Permitted Uses.* Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 1 (SF-1) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.
2. *Lot Composition and Layout.* The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'C'* and stated in *Table 1*, which is as follows:

*Table 1: Lot Composition*

<i>Lot Type</i>	<i>Minimum Lot Size (FT)</i>	<i>Minimum Lot Size (SF)</i>	<i>Dwelling Units (#)</i>	<i>Dwelling Units (%)</i>
A	120' x 200'	43,560 SF	17	42%
B	130' x 400'	65,340 SF	23	58%
<i>Maximum Permitted Units:</i>			40	100.00%

3. *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 1 (SF-1) District, as specified by Article V, *District Development Standards*, of the Unified Development Code (UDC) are applicable to all development on the *Subject Property*. The maximum permissible density for the *Subject Property* shall not exceed 0.75 dwelling units per gross acre of land; however, in no case should the proposed development exceed 41 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

*Table 2: Lot Dimensional Requirements*

<i>Lot Type (see Concept Plan) ►</i>	<i>A</i>	<i>B</i>
<i>Minimum Lot Width <sup>(1)</sup></i>	120'	130'
<i>Minimum Lot Depth</i>	200'	400'
<i>Minimum Lot Area</i>	43,560 SF	65,340 SF
<i>Minimum Front Yard Setback <sup>(2) &amp; (5)</sup></i>	70'	70'
<i>Minimum Side Yard Setback</i>	25'	25'
<i>Minimum Side Yard Setback (Adjacent to a Street) <sup>(2) &amp; (5)</sup></i>	30'	30'
<i>Minimum Length of Driveway Pavement</i>	70'	70'
<i>Maximum Height <sup>(3)</sup></i>	38'	38'
<i>Minimum Rear Yard Setback <sup>(4)</sup></i>	50'	50'
<i>Minimum Area/Dwelling Unit (SF) [Air Conditioned Space]</i>	2,500 SF	2,500 SF
<i>Maximum Lot Coverage</i>	20%	20%
<i>Permitted Encroachment in Required Setbacks <sup>(5)</sup></i>	Allowed	Allowed

*General Notes:*

- <sup>1</sup>: The minimum lot width shall be measured at the *Front Yard Building Setback*.
- <sup>2</sup>: The location of the *Front Yard Building Setback* as measured from the front property line.
- <sup>3</sup>: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- <sup>4</sup>: As measured from the rear yard property line.
- <sup>5</sup>: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimney, eaves, and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for a property; however, the encroachment shall not exceed five (5) feet on side yard setbacks (adjacent to a street) and shall not encroach into public right-of-way. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.

**Exhibit 'D':**  
*Density and Development Standards*

4. **Building Standards.** All development shall adhere to the following building standards:

- (a) **Masonry Requirement.** The minimum masonry requirement for the exterior façades of all buildings shall be 80%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (e.g. *HardiBoard* or *Hardy Plank*) and stucco (i.e. *three [3] part stucco* or a comparable -- to be determined by staff) may be used for up to 50% of the masonry requirement.
- (b) **Roof Pitch.** A minimum of an 8:12 roof pitch is required on all structures with the exception of porches, which shall have a minimum of a 4:12 roof pitch.
- (c) **Garage Orientation.** Garages shall be oriented in a *traditional swing* (or *j-swing*), side entry, or in a flat-front entry configuration (i.e. *even with the front façade of the primary structure*). Garages utilizing a *traditional swing* (or *j-swing*) are permitted to have a single garage door facing the street that is behind the width of the double car garage that is accessed from a *traditional swing* configuration. All garage doors shall be required to have upgraded finishes (e.g. *divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be approved by staff*) [examples of acceptable garage configurations are depicted in Figure 1].

**Figure 1:** Example Garage Doors



5. **Anti-Monotony Restrictions.** The development shall adhere to the *Anti-Monotony Matrix* depicted in Table 3 below (for spacing requirements see Figures 2 & 3 below).

**Table 3 : Anti-Monotony Matrix**

Lot Type	Minimum Lot Size	Elevation Features
A	120' x 200'	(1), (2), (3)
B	130' x 400'	(1), (2), (3)

- (1) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.
- (2) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or Clem Road shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:



**Exhibit 'D':**  
*Density and Development Standards*

- (a) Number of Stories
  - (b) Permitted Encroachment Type and Layout
  - (c) Roof Type and Layout
  - (d) Articulation of the Front Façade
- (3) Permitted encroachment (*i.e. porches*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.
- (4) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

Figure 2: Properties line up on the opposite side of the street. Where **RED** is the subject property.



Figure 3: Properties do not line up on opposite side of the street. Where **RED** is the subject property.



6. **Fencing Standards.** All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:

- (a) **Wrought Iron/Tubular Steel.** All Lots shall utilize fencing materials that shall be open in nature and not to exceed six (6) feet in height. Fences that extend beyond the

**Exhibit 'D':**  
*Density and Development Standards*

- front building line of any structure shall be required to be pipe-rail or similar. No chain link or wooden fencing shall be allowed.
- (b) *Wrought Iron/Tubular Steel*. Lots located along the perimeter of the subdivision, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences shall not exceed six (6) feet in height. All perimeter fencing of the development shall incorporate masonry columns at 45-feet off center spacing.

**7. Landscape and Hardscape Standards.**

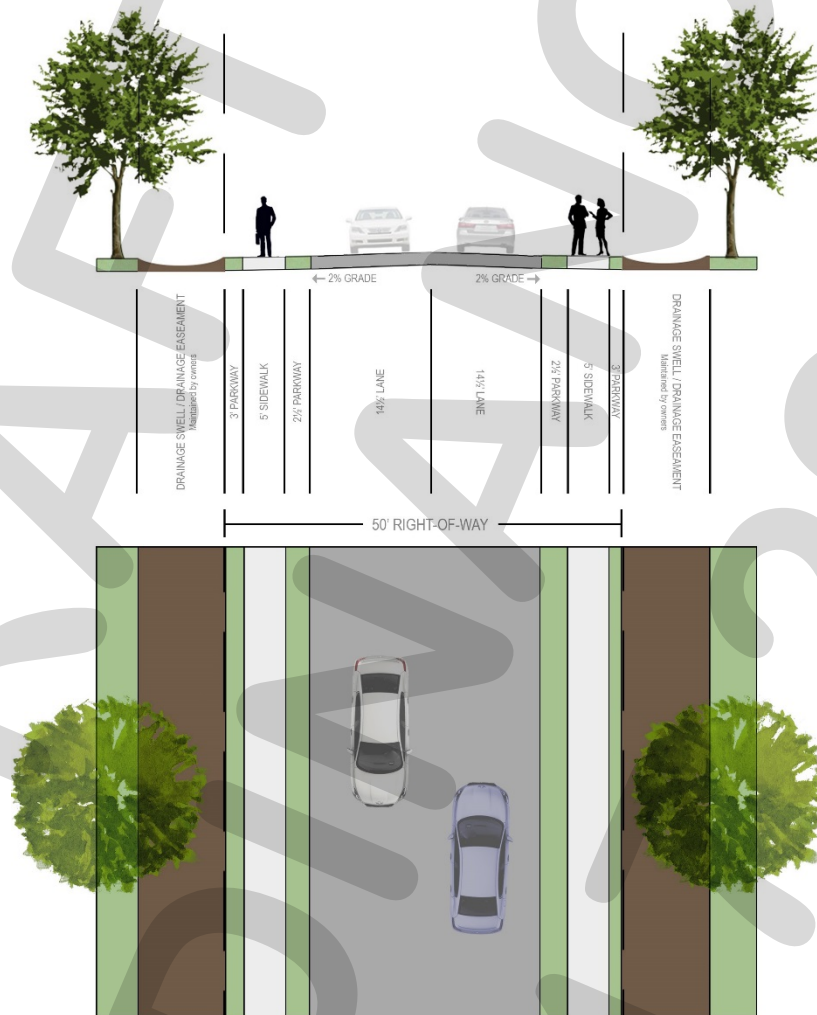
- (1) *Landscape*. Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height.
- (2) *Landscape Buffers*. All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).
- (a) *Landscape Buffer and Sidewalks (FM-3549)*. A minimum of a 30-foot landscape buffer shall be provided along FM-3549 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a five (5) foot sidewalk situated within the 30-foot landscape buffer adjacent to FM-3549.
- (b) *Landscape Buffer and Sidewalks (Clem Road)*. A minimum 20-foot landscape buffer shall be provided
- (3) *Street Trees*. Prior to issuance of a Certificate of Occupancy (CO), all residential single-family lots situated within the proposed subdivision shall be landscaped with canopy trees from the list stipulated by Section 7.1 of this ordinance in the following sizes and proportions:
- (i) Three (3), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of the required lots
  - (ii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the rear yards of the required lots.
  - (iii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the side yards facing the street.
- (4) *Irrigation Requirements*. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association (HOA).

**Exhibit 'D':**  
*Density and Development Standards*

(5) *Hardscape*. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.

8. *Streets*. All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to the City's street standards as shown below in *Figure 3*.

**Figure 3:** Rural-Local Roadway Cross-section



9. *Lighting*. Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.

10. *Sidewalks*. All sidewalks adjacent to a street shall be a maximum of three (3) feet inside the right-of-way line and be five (5) feet in overall width.

11. *Buried Utilities*. New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be

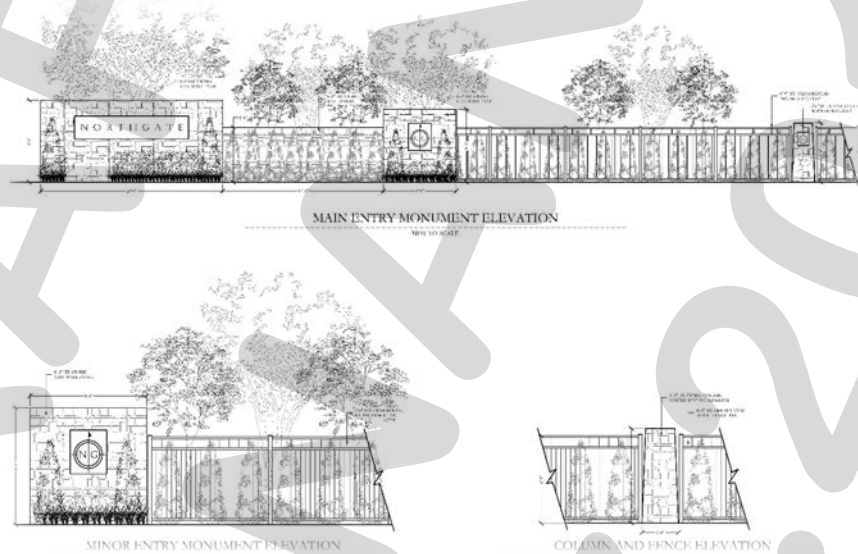


**Exhibit 'D':**  
**Density and Development Standards**

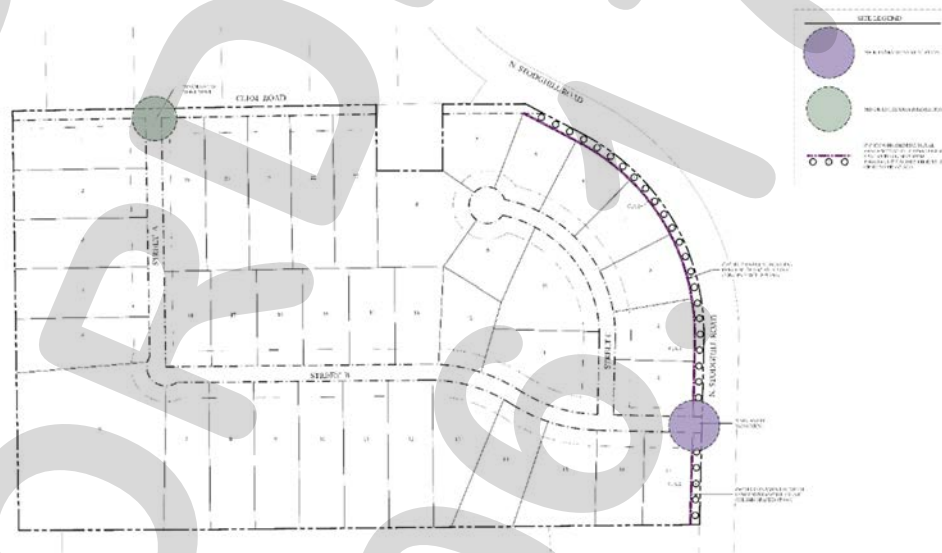
considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

12. **Neighborhood Signage and Enhancements.** Permanent subdivision identification signage shall be permitted at all major and minor entry points for the proposed subdivision (shown in Figure 5 below). Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*. The developer shall provide enhanced landscaping areas within the Subject Property as generally depicted in Figure 4. The final design of these areas shall be provided on the PD Site Plan.

**Figure 4: Neighborhood Signage**



**Figure 5: Neighborhood Signage/Enhanced Landscaping Areas**



**Exhibit 'D':**  
*Density and Development Standards*

13. *Homeowner's Association (HOA)*. A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all private neighborhood parks, trails, open space and common areas (*including drainage facilities*), irrigation, landscaping, screening fences and neighborhood signage associated with this development.
14. *On-Site Sewage Facilities. Septic Systems* are permitted on all lots within this subdivision pending conformance to the following standards:
- (a) All *Septic Systems* shall be designed by a licensed *On-Site Sewage Facility (OSSF)* professional (e.g. *licensed engineer, sanitarian, and etcetera*).
  - (b) A stamped and signed copy of the *Septic System* plans indicating the full limits of the septic field shall be submitted to the city at the time of building permit on a *lot-by-lot* basis.
  - (c) All *Septic Systems* shall be inspected and approved by the City's chosen inspector.
15. *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

**CITY OF ROCKWALL**

**ORDINANCE NO. 19-26**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT (PD-88) FOR SINGLE FAMILY 1 (SF-1) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 62.45-ACRE TRACT OF LAND IDENTIFIED AS TRACT 4 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72, 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.**

**WHEREAS**, the City has received a request by Ryan Joyce of Michael Joyce Properties on behalf of Jen-Liang Wu of Unison Investment for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 1 (SF-1) District land uses, on a 62.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

**SECTION 1.** That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

**SECTION 2.** That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, depicted in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

**SECTION 3.** That development of the *Subject Property* shall generally be in accordance with the *Density and Development Standards*, outlined in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of



approval of the amended zoning classification for the *Subject Property*;

**SECTION 4.** That a *Master Parks and Open Space Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan* described in *Exhibit 'C'* of this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

**SECTION 5.** That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

- (a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 6(b) through 6(f) below*), shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.
- (b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for a *Master Parks and Open Space Plan* in accordance with the time period specified in Section 212.009 of the *Texas Local Government Code*.
  - (1) Master Parks and Open Space Plan
  - (2) Master Plat
  - (3) Preliminary Plat
  - (4) PD Site Plan
  - (5) Final Plat
- (c) *Master Parks and Open Space Plan.* An *Master Parks and Open Space Plan* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, prepared in accordance with this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.
- (d) *Master Plat.* A *Master Plat* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify the proposed timing of each phase of the proposed development. A *Master Plat* application may be processed by the City concurrently with a *Master Parks and Open Space Plan* application for the development.
- (e) *Preliminary Plat.* A *Preliminary Plat* for each phase of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted in accordance with the phasing plan established by the *Master Plat* and shall include a *Treescape Plan* for the phase being *Preliminary Platted*. A *Preliminary Plat* application may be processed by the City concurrently with a *Master Plat* and a *Master Parks and Open Space Plan* application for the development.
- (f) *PD Site Plan.* A *PD Site Plan* for each phase of the development of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Final Plat* application for the development.
- (g) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, shall be submitted for approval.

**SECTION 6.** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (\$2,000.00) for each offense and

each and every day such offense shall continue shall be deemed to constitute a separate offense;

**SECTION 7.** That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

**SECTION 8.** The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

**SECTION 9.** That this ordinance shall take effect immediately from and after its passage;

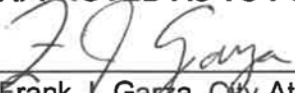
**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 1<sup>ST</sup> DAY OF JULY, 2019.**

**ATTEST:**

  
\_\_\_\_\_  
Kristy Cole, City Secretary

  
\_\_\_\_\_  
Jim Pruitt, Mayor

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Frank J. Garza, City Attorney



1<sup>st</sup> Reading: June 17, 2019

2<sup>nd</sup> Reading: July 1, 2019

**Exhibit 'A':**  
*Legal Description*

**BEING** 62.517 acres of land located in the WILLIAM DALTON SURVEY, ABSTRACT NUMBER 72, Ellis County, Texas, being all of that certain called 61.455 acre tract as described to Unison Investment by deed recorded in volume 489, page 23, Deed Records, Rockwall County, Texas (D.R.R.C.T.) and being more particularly described by metes and bounds as follows:

**BEGINNING** at a fence corner found in the west line of Farm-to-Market Road 3549 (100' right-of-way) at the southeast corner of the above-mentioned 61.455 acre tract;

**THENCE** South 89 degrees 25 minutes 31 seconds West, at a distance of 484.49 feet pass 3.62 feet right of a 5/8" iron pipe found and continuing for a total distance of 1353.00 feet with the south line of said 61.455 acre tract to a 1/2" iron pipe found at the northwest corner of the William Kyle Allen et ux 12.888 acre tract as described in Volume 153, Page 629, (D.R.R.C.T.) and the northeast corner of the Robert Peoples and Megan Peoples 10.00 acre tract as described in Instrument Number 2013000483387, (D.R.R.C.T.);

**THENCE** South 89 degrees 24 minutes 55 seconds West, a distance of 329.15 feet with the south line of said 61.455 acre tract to a 1/2" iron rod with red cap stamped "ONEAL 6570" set at the northwest corner of the above-mentioned 10.00 acre tract and the northeast corner of the Billy Conrad Hagen 4.030 acre tract as described in Volume 103, Page 775, (D.R.R.C.T.);

**THENCE** South 89 degrees 55 minutes 41 seconds West, a distance of 328.28 feet with the south line of said 61.455 acre tract, same being the common north line of the above-mentioned 4.030 acre tract and the Lorin Preston Larman and Jeanne Larman 4.962 acre tract as described in Volume 3679, Page 25, (D.R.R.C.T.) to a 5/8" iron rod found at the northwest corner of the just mentioned 4.962 acre tract;

**THENCE** South 89 degrees 37 minutes 12 seconds West, a distance of 136.07 feet to the southwest corner of said 61.455 acre tract, same being the common southeast corner of the Craig William McCallum 20.057 acre tract as described in Instrument Number 20150000001423, (D.R.R.C.T.), from which a 1/2" iron rod with cap stamped "DC&A" bears South 60 degrees 38 minutes 16 seconds East, a distance of 1.05 feet and a fence corner bears North 89 degrees 37 minutes 12 seconds East, a distance of 0.71 feet;

**THENCE** North 00 degrees 53 minutes 26 seconds West, a distance of 1320.98 feet to a mag nail with washer stamped "ONEAL 6570" set in the approximate centerline of Clem Road (no record found by surveyor) at the northwest corner of said 61.455 acre tract and the northeast corner of the above-mentioned 20.057 acre tract;

**THENCE** North 88 degrees 59 minutes 46 seconds East, a distance of 1146.71 feet with the approximate centerline of Clem Road and the north line of said 61.455 acre tract to a 1/2" iron rod found;

**THENCE** South 00 degrees 08 minutes 11 seconds East, a distance of 208.75 feet leaving Clem Road to a 1/2" iron rod with red cap stamped "ONEAL 6570" set at an interior corner of said 61.455 acre tract;

**THENCE** North 89 degrees 52 minutes 31 seconds East, a distance of 208.75 feet to a 1/2" iron rod with red cap stamped "ONEAL 6570" set for an interior corner of said 61.455 acre tract;

**THENCE** North 00 degrees 05 minutes 04 seconds West, a distance of 209.15 feet to a mag nail with washer stamped "ONEAL 6570" set in the approximate centerline of Clem Road and an



**Exhibit 'A':**  
*Legal Description*

exterior corner of said 61.455 acre tract;

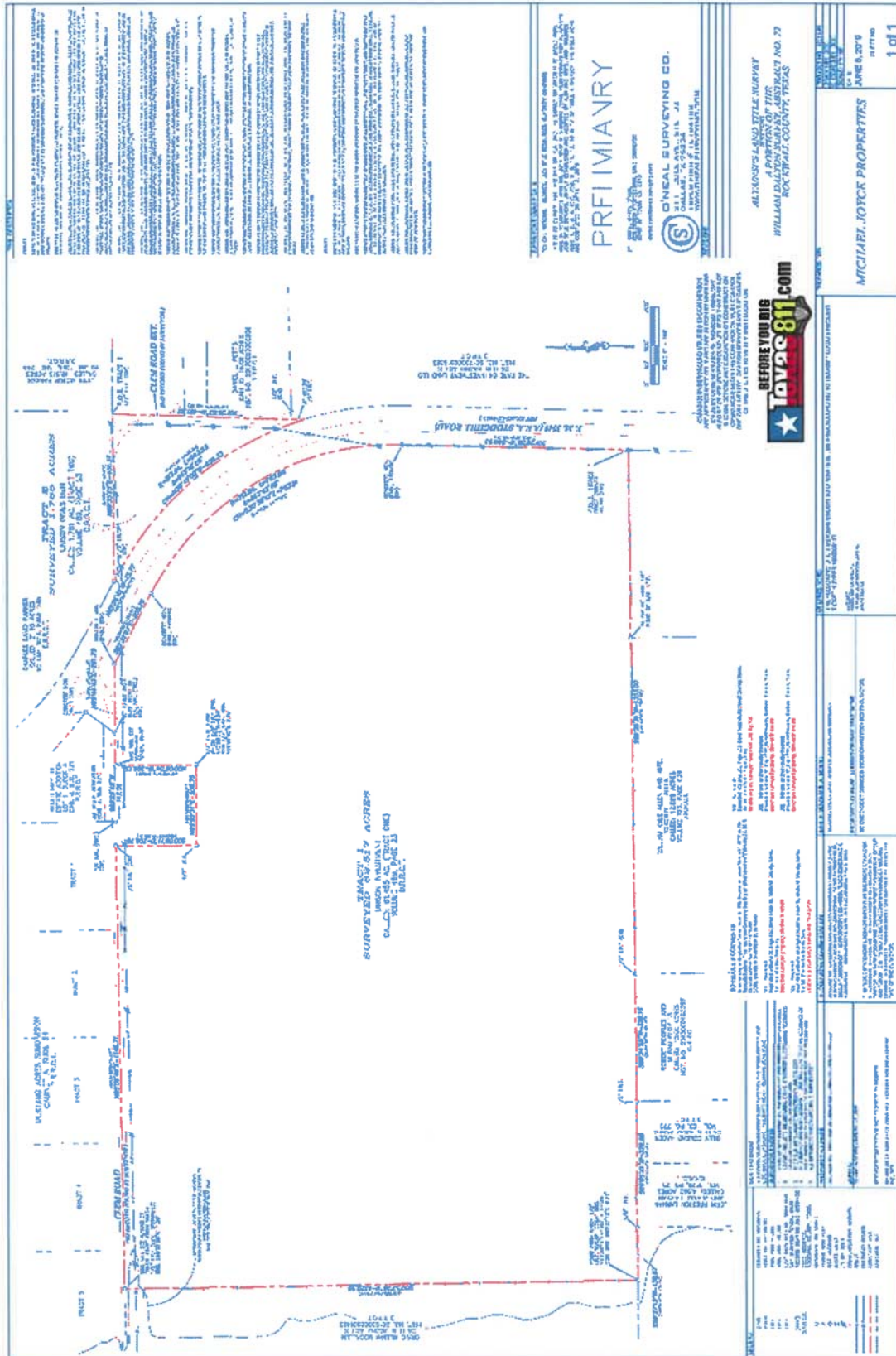
**THENCE** North 89 degrees 44 minutes 43 seconds East, a distance of 261.79 feet with the north line of said 61.455 acre tract to a concrete monument found in the southwest line of Farm-To-Market Road 3549;

**THENCE** South 62 degrees 32 minutes 57 seconds East, a distance of 205.29 feet with the southwest line of Farm-To-Market Road 3549 and the common northeast line of said 61.455 acre tract, to a broken concrete monument found at the beginning of a curve to the right having a delta angle of 063 degrees 42 minutes 40 seconds, a radius of 713.94 feet and a long chord that bears South 30 degrees 30 minutes 10 seconds East for a distance of 753.61 feet;

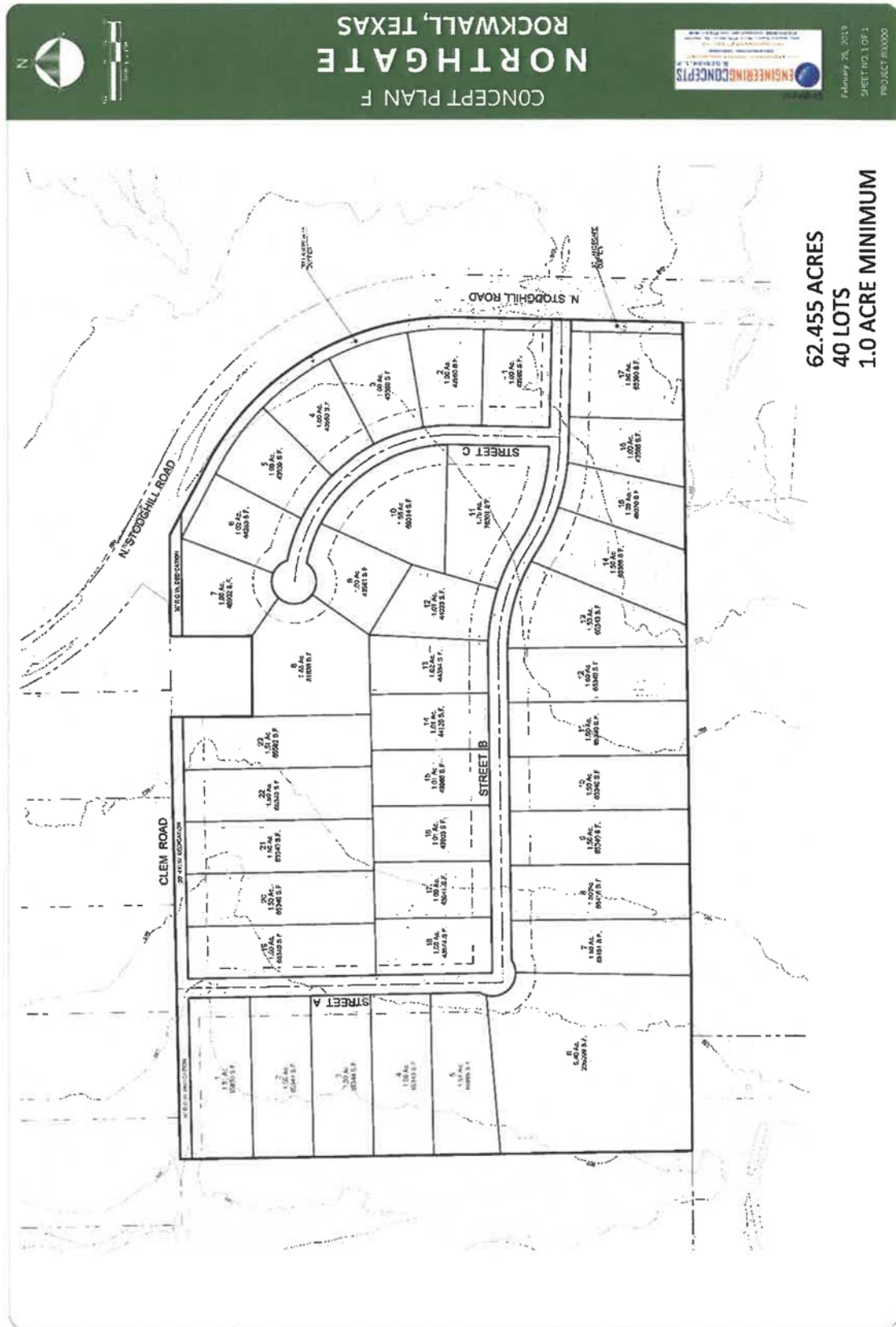
**THENCE** southeasterly with said curve to the right and the southwest line of Farm-To-Market Road 3549 and the common northeast line of said 61.455 acre tract, an arc length of 793.88 feet to a broken concrete monument found;

**THENCE** south 01 degrees 28 minutes 55 seconds west, with the west line of Farm-To-Market Road 3549 and the common east line of said 61.455 acre tract, a distance of 580.93 feet to the **POINT OF BEGINNING** and containing 62.517 acres of land, more or less.

Exhibit 'B':  
Survey



**Exhibit 'C':**  
**Concept Development Plan**





**Exhibit 'D':**  
**Density and Development Standards**

**Density and Development Standards.**

1. **Permitted Uses.** Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 1 (SF-1) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.
2. **Lot Composition and Layout.** The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'C'* and stated in *Table 1*, which is as follows:

Table 1: Lot Composition

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	120' x 200'	43,560 SF	17	42%
B	130' x 400'	65,340 SF	23	58%
Maximum Permitted Units:			40	100.00%

3. **Density and Dimensional Requirements.** Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 1 (SF-1) District, as specified by Article V, *District Development Standards*, of the Unified Development Code (UDC) are applicable to all development on the *Subject Property*. The maximum permissible density for the *Subject Property* shall not exceed 0.65 dwelling units per gross acre of land; however, in no case should the proposed development exceed 40 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ►	A	B
Minimum Lot Width <sup>(1)</sup>	120'	130'
Minimum Lot Depth	200'	400'
Minimum Lot Area	43,560 SF	65,340 SF
Minimum Front Yard Setback <sup>(2) &amp; (5)</sup>	70'	70'
Minimum Side Yard Setback	25'	25'
Minimum Side Yard Setback (Adjacent to a Street) <sup>(2) &amp; (5)</sup>	30'	30'
Minimum Length of Driveway Pavement	70'	70'
Maximum Height <sup>(3)</sup>	38'	38'
Minimum Rear Yard Setback <sup>(4)</sup>	50'	50'
Minimum Area/Dwelling Unit (SF) [Air Conditioned Space]	2,500 SF	2,500 SF
Maximum Lot Coverage	20%	20%
Permitted Encroachment in Required Setbacks <sup>(5)</sup>	Allowed	Allowed

General Notes:

- <sup>1.</sup> The minimum lot width shall be measured at the *Front Yard Building Setback*.
- <sup>2.</sup> The location of the *Front Yard Building Setback* as measured from the front property line.
- <sup>3.</sup> The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- <sup>4.</sup> As measured from the rear yard property line.
- <sup>5.</sup> Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimney, eaves, and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for a property; however, the encroachment shall not exceed five (5) feet on side yard setbacks (adjacent to a street) and shall not encroach into public right-of-way. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.

**Exhibit 'D':**  
*Density and Development Standards*

4. **Building Standards.** All development shall adhere to the following building standards:

- (a) **Masonry Requirement.** The minimum masonry requirement for the exterior façades of all buildings shall be 80%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (e.g. *HardiBoard* or *Hardy Plank*) and stucco (i.e. *three [3] part stucco* or a comparable -- to be determined by staff) may be used for up to 50% of the masonry requirement.
- (b) **Roof Pitch.** A minimum of an 8:12 roof pitch is required on all structures with the exception of porches, which shall have a minimum of a 4:12 roof pitch.
- (c) **Garage Orientation.** Garages shall be oriented in a *traditional swing* (or *j-swing*), side entry, or in a flat-front entry configuration (i.e. *even with the front façade of the primary structure*). Garages utilizing a *traditional swing* (or *j-swing*) are permitted to have a single garage door facing the street that is behind the width of the double car garage that is accessed from a *traditional swing* configuration. All garage doors shall be required to have upgraded finishes (e.g. *divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be approved by staff*) [examples of acceptable garage configurations are depicted in Figure 1].

**Figure 1:** Example Garage Doors



5. **Anti-Monotony Restrictions.** The development shall adhere to the *Anti-Monotony Matrix* depicted in Table 3 below (for spacing requirements see Figures 2 & 3 below).

**Table 3 : Anti-Monotony Matrix**

<i>Lot Type</i>	<i>Minimum Lot Size</i>	<i>Elevation Features</i>
A	120' x 200'	(1), (2), (3)
B	130' x 400'	(1), (2), (3)

- (1) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.
- (2) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or Clem Road shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

- (a) Number of Stories



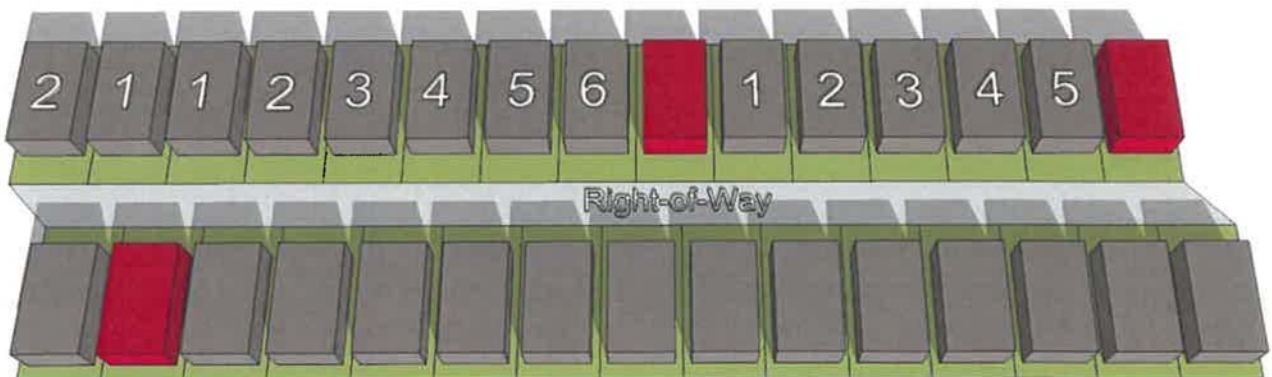
**Exhibit 'D':**  
*Density and Development Standards*

- (b) Permitted Encroachment Type and Layout
  - (c) Roof Type and Layout
  - (d) Articulation of the Front Façade
- (3) Permitted encroachment (*i.e. porches*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.
- (4) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

Figure 2: Properties line up on the opposite side of the street. Where **RED** is the subject property.



Figure 3: Properties do not line up on opposite side of the street. Where **RED** is the subject property.



6. **Fencing Standards.** All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:
- (a) **Wrought Iron/Tubular Steel.** All Lots shall utilize fencing materials that shall be open in nature and not to exceed six (6) feet in height. Fences that extend beyond the front



**Exhibit 'D':**  
*Density and Development Standards*

building line of any structure shall be required to be pipe-rail or similar. No chain link or wooden fencing shall be allowed.

- (b) *Wrought Iron/Tubular Steel.* Lots located along the perimeter of the subdivision, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences shall not exceed six (6) feet in height. All perimeter fencing of the development shall incorporate masonry columns at 45-feet off center spacing.

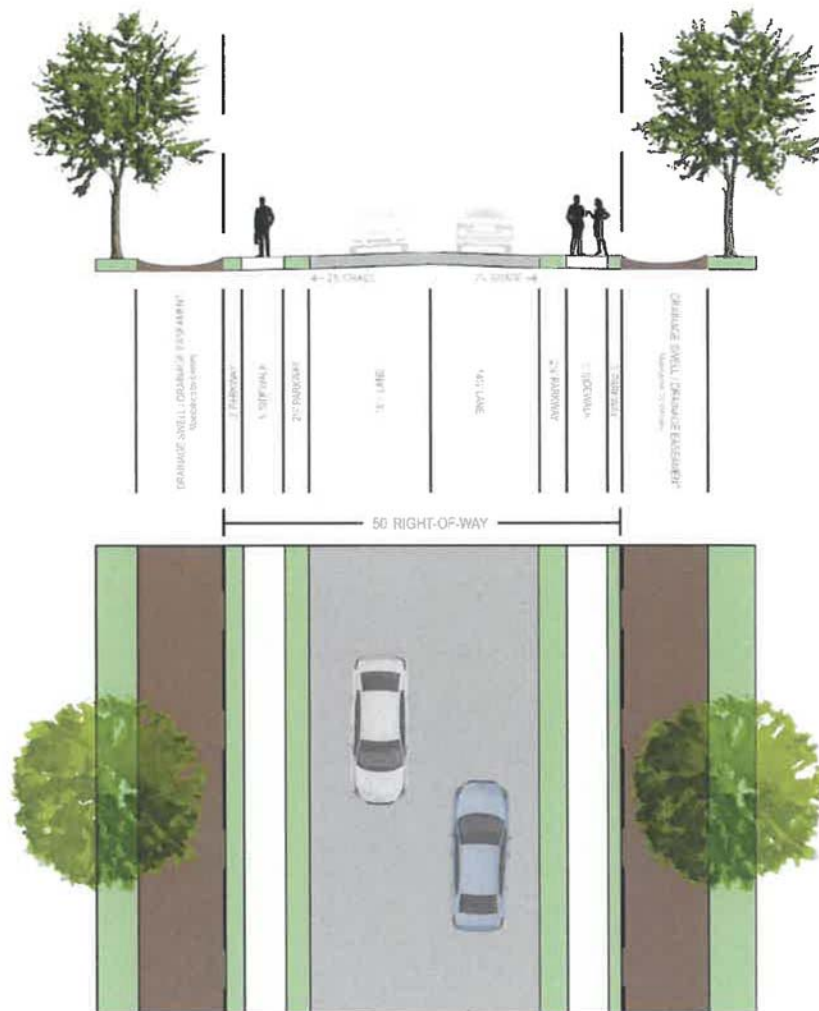
**7. Landscape and Hardscape Standards.**

- (1) *Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height.
- (2) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).
  - (a) *Landscape Buffer and Sidewalks (FM-3549).* A minimum of a 30-foot landscape buffer shall be provided along FM-3549 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a five (5) foot sidewalk situated within the 30-foot landscape buffer adjacent to FM-3549.
  - (b) *Landscape Buffer and Sidewalks (Clem Road).* A minimum 20-foot landscape buffer shall be provided
- (3) *Street Trees.* Prior to issuance of a Certificate of Occupancy (CO), all residential single-family lots situated within the proposed subdivision shall be landscaped with canopy trees from the list stipulated by Section 7.1 of this ordinance in the following sizes and proportions:
  - (i) Three (3), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of the required lots
  - (ii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the rear yards of the required lots.
  - (iii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the side yards facing the street.
- (4) *Irrigation Requirements.* Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association (HOA).

### Density and Development Standards

8. **Streets.** All streets (excluding drives, fire lanes and private parking areas) shall be built according to the City's street standards as shown below in *Figure 3*.

**Figure 3: Rural-Local Roadway Cross-section**



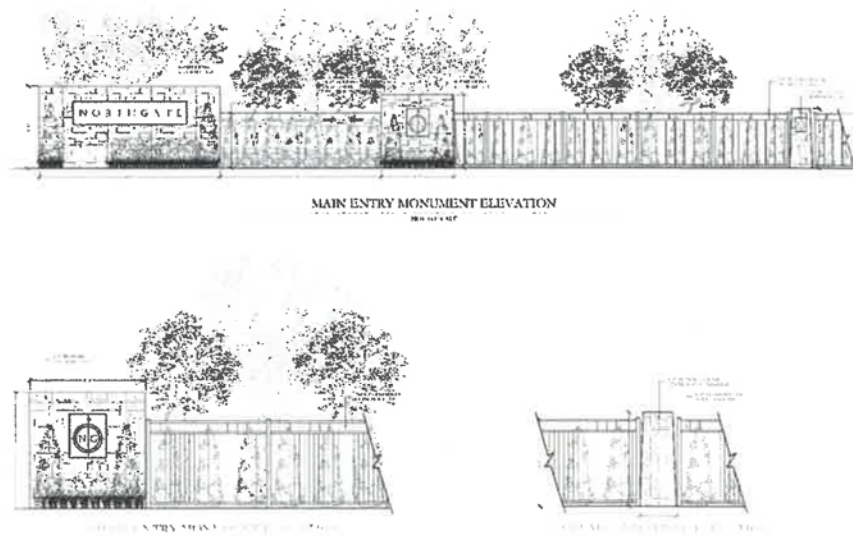
11. ***Buried Utilities.*** New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be

**Exhibit 'D':**  
**Density and Development Standards**

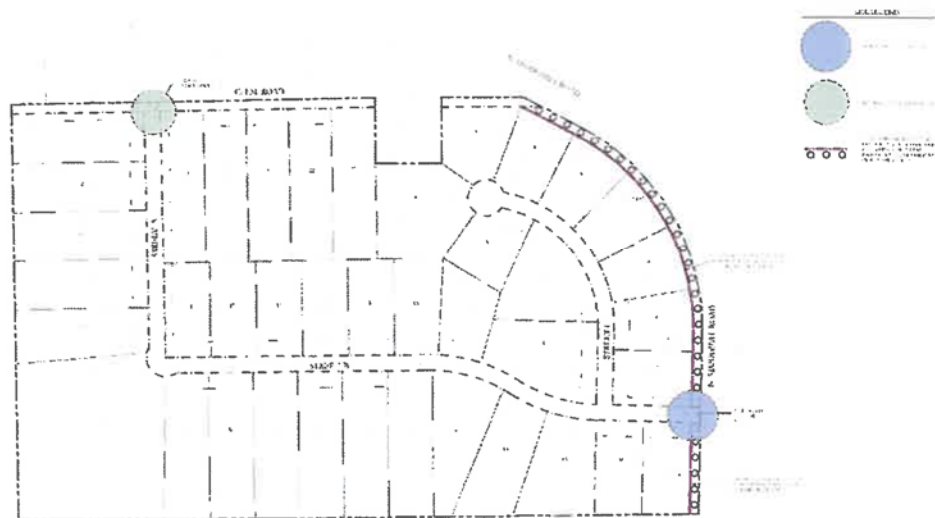
considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

12. **Neighborhood Signage and Enhancements.** Permanent subdivision identification signage shall be permitted at all major and minor entry points for the proposed subdivision (*shown in Figure 5 below*). Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*. The developer shall provide enhanced landscaping areas within the Subject Property as generally depicted in *Figure 4*. The final design of these areas shall be provided on the *PD Site Plan*.

**Figure 4: Neighborhood Signage**



**Figure 5: Neighborhood Signage/Enhanced Landscaping Areas**





**Exhibit 'D':**  
*Density and Development Standards*

13. *Homeowner's Association (HOA)*. A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all private neighborhood parks, trails, open space and common areas (*including drainage facilities*), irrigation, landscaping, screening fences and neighborhood signage associated with this development.
14. *On-Site Sewage Facilities. Septic Systems* are permitted on all lots within this subdivision pending conformance to the following standards:
- (a) All *Septic Systems* shall be designed by a licensed *On-Site Sewage Facility (OSSF)* professional (*e.g. licensed engineer, sanitarian, and etcetera*).
  - (b) A stamped and signed copy of the *Septic System* plans indicating the full limits of the septic field shall be submitted to the city at the time of building permit on a *lot-by-lot* basis.
  - (c) All *Septic Systems* shall be inspected and approved by the City's chosen inspector.
15. *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.



August 14, 2019

**ATTN: RYAN JOYCE**  
MICHAEL JOYCE PROPERTIES  
1189 WATERS EDGE DRIVE  
ROCKWALL, TX 75087

**RE: REZONE ZONING (Z2019-012), 961 Clem Road (AG to SF-1)**

Dear Applicant:

This letter serves to notify you that the above referenced case that you submitted before the City of Rockwall was approved by City Council on 06/07/2019 via Ordinance No. 19-26. The following is a record of all recommendations, voting records and conditions of approval:

**CONDITIONS OF APPROVAL**

*If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a change in zoning from an Agricultural (AG) District to a Planned Development District for Single-Family 1 (SF-1) District land uses, then staff would propose the following conditions of approval:*

- (1) The applicant shall be responsible for maintaining compliance with the conditions contained within the Planned Development District ordinance;*
- (2) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.*

**PLANNING AND ZONING COMMISSION**

*On June 11, 2019, the Planning and Zoning Commission's motion to recommend approval of the applicant's request passed by a vote of 6-0 with Chair Lyons absent.*

**CITY COUNCIL:**

*On June 17, 2019, the City Council's motion to approve the zoning change request from a Agricultural (AG) District to a Planned Development District with staff conditions passed by a vote of 5 to 0 with Council Members Hohenshelt and Trowbridge absent [1st Reading].*

Please contact the City of Rockwall Planning staff at (972) 771-7745 with any questions or concerns regarding this matter.

Sincerely,

**Korey Brooks, AICP**  
Senior Planner  
Planning & Zoning Department  
City of Rockwall, TX