

CITY OF ROCKWALL

ORDINANCE NO. 16-42

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 81 (PD-81) FOR SINGLE FAMILY 10 (SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 29.541-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF LOT 1 AND ALL OF LOT 2, BLOCK A, ROCKWALL LAKESIDE CHURCH OF CHRIST ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Noah Flabiano of the Skorburg Company on behalf of the owner of the property, Lakeside Church of Christ of Rockwall, for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 29.541-acre tract of land identified as a portion of Lot 1 and all of Lot 2, Block A, Rockwall Lakeside Church of Christ Addition, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* 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*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, 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 *Development Standards*, described 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 4.** 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 5(b) through 5(g) 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 an *Open Space Master Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.
  - (1) Open Space Master Plan
  - (2) Master Plat
  - (3) PD Site Plan
  - (4) Preliminary Plat
  - (5) Final Plat
- (c) *Open Space Master Plan*. An *Open Space Master Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan*, (*Open Space Master Plan*) 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* 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 *Open Space Master Plan* for the development.
- (e) *PD Site Plan*. A *PD Site Plan* covering all of the *Subject Property* 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 *Preliminary Plat* application for the development.
- (f) *Preliminary Plat*. A *Preliminary Plat* covering all of the *Subject Property* shall be submitted and shall include a *Treescape Plan*. A *Preliminary Plat* application may be processed by the City concurrently with a *PD Site Plan* application for the development.
- (g) *Final Plat*. Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, for all of the *Subject Property* shall be submitted for approval.

**Section 5.** 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 6.** 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 7.** 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 8.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

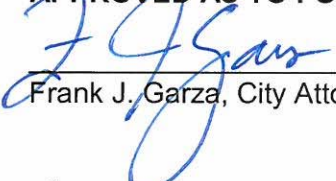
**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 6<sup>TH</sup> DAY OF JUNE, 2016.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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



1<sup>st</sup> Reading: May 16, 2016

2<sup>nd</sup> Reading: June 6, 2016

**Exhibit 'A':**  
*Legal Description/Survey*

*SITUATED* in the State of Texas, County of Rockwall, and City of Rockwall, being part of the E.M. Elliott Survey, Abstract No. 77, and being part of Lot 1, Block A and the remainder of Lot 2, Block A of Rockwall Lakeside Church of Christ Addition, an addition to the City of Rockwall as recorded in Cabinet F, Slide 72 of the Plat Records of Rockwall County, Texas with said premises being more particularly described as follows:

*BEGINNING* at a ½-inch iron rod found marking the northwest corner of Lot 2, the northwest corner of said premises, and the northeast corner of Greenlee Addition, an addition to the City of Rockwall as recorded in Cabinet A, Slide 151 of the Plat Records of Rockwall County, Texas;

*THENCE* with partway the north line of Lot 2, partway with the north line of Lot 1, and with the north line of said premises, South 89°18'40" East, passing the northeast corner of Lot 2 and the northwest corner of Lot 1 at 894.47 feet and continuing for a total distance of 954.47 feet to a point for corner marking the northeast corner of said premises;

*THENCE* with the east line of said premises, partway with the west line of the remainder of a called 10.733 acre tract as recorded in Volume 1967, Page 79 of the Deed Records of Rockwall County, Texas, partway with the west line of a called 4.95 acre tract as recorded under Document No. 20150000014429 of the Deed Records of Rockwall County, Texas, and partway with the west line of a called 1.00 acre tract as recorded in Volume 4768, Page 282 of the Deed Records of Rockwall County, Texas, South 01°09'28" West, passing an interior ell-corner of Lot 1 at 560.09 feet and continuing along the east line of Lot 1 for a total distance of 1,328.97 feet to a Glas capped iron rod set in the north right-of-way line of Airport Road marking the southeast corner of said premises;

*THENCE* with the north right-of-way line of Airport Road and the south line of said premises as follows:

*North 87°46'13" West, 482.31 feet to a Glas capped iron rod set marking the beginning of a curve to the left;*

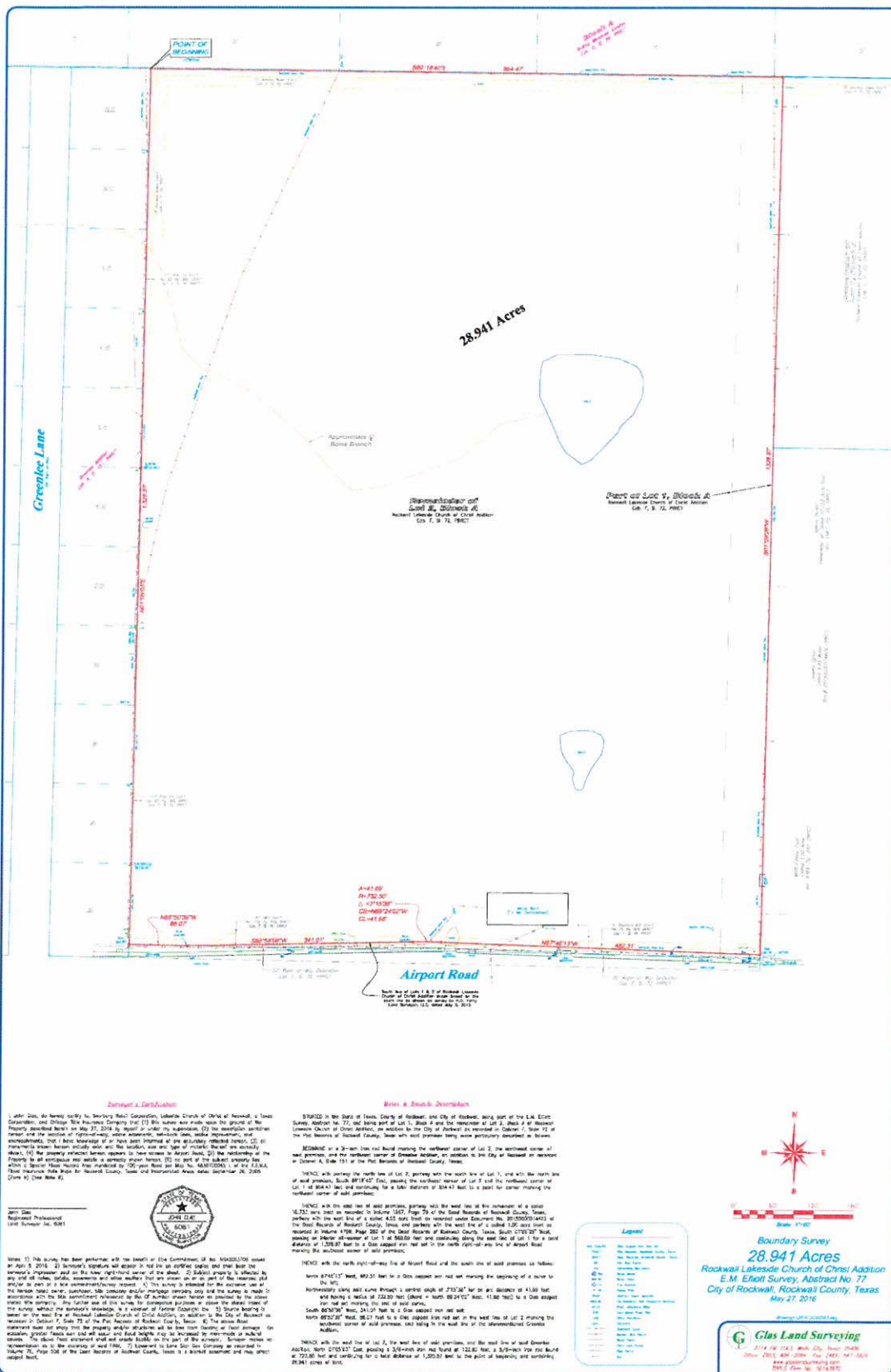
*Northwesterly along said curve through a central angle of 3°15'38" for an arc distance of 41.69 feet and having a radius of 732.50 feet (chord = North 89°24'02" West, 41.68 feet) to a Glas capped iron rod set marking the end of said curve;*

*South 88°58'08" West, 341.01 feet to a Glas capped iron rod set;*

*North 88°50'39" West, 88.07 feet to a Glas capped iron rod set in the west line of Lot 2 marking the southwest corner of said premises, and being in the east line of the aforementioned Greenlee Addition;*

*THENCE* with the west line of Lot 2, the west line of said premises, and the east line of said Greenlee Addition, North 01°05'03" East, passing a 3/8-inch iron rod found at 122.60 feet, a 5/8-inch iron rod found at 722.60 feet and continuing for a total distance of 1,325.57 feet to the point of beginning and containing 28.941 acres of land.



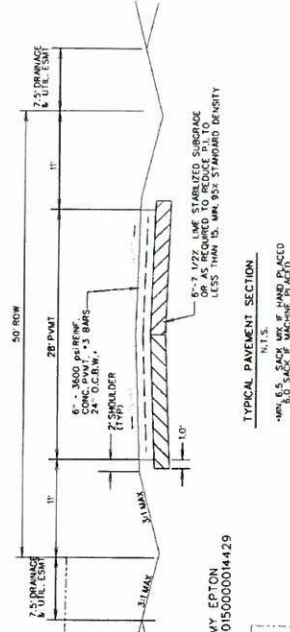
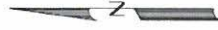


**Exhibit 'B':**  
*Concept Plan*



Block A	Block B		Block C		Block D
	1st	2nd	1st	2nd	
1	23800	237	31320	19466	1
2	36000	24	34208	2	102075
3	36000	26	34208	2	34200
4	36000	30	34208	4	34203
5	36000	27	34200	5	34203
6	36000	27	34200	5	34202
7	36000	27	34200	5	34202
8	36000	27	34200	5	34202
9	36000	27	34200	5	34202
10	36000	27	34200	5	34202
11	36000	27	34200	5	34202
12	36000	27	34200	5	34202
13	36000	27	34200	5	34202
14	36000	27	34200	5	34202
15	36000	27	34200	5	34202
16	36000	27	34200	5	34202
17	36000	27	34200	5	34202
18	36000	27	34200	5	34202
19	36000	27	34200	5	34202
20	36000	27	34200	5	34202
21	36000	27	34200	5	34202
22	36000	27	34200	5	34202
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39	36000	27	34200	5	34202
40	36000	27	34200	5	34202
41	36000	27	34200	5	34202
42	36000	27	34200	5	34202
43	36000	27	34200	5	34202
44	36000	27	34200	5	34202
45	36000	27	34200	5	34202
46	36000	27	34200	5	34202
47	36000	27	34200	5	34202
48	36000	27	34200	5	34202
49	36000	27	34200	5	34202
50	36000	27	34200	5	34202

LOT A BLOCK A  
ROCKWALL LAKESIDE  
CHURCH OF CHRIST ADDITION  
CAB. F. PG. 72



RIDGECREST

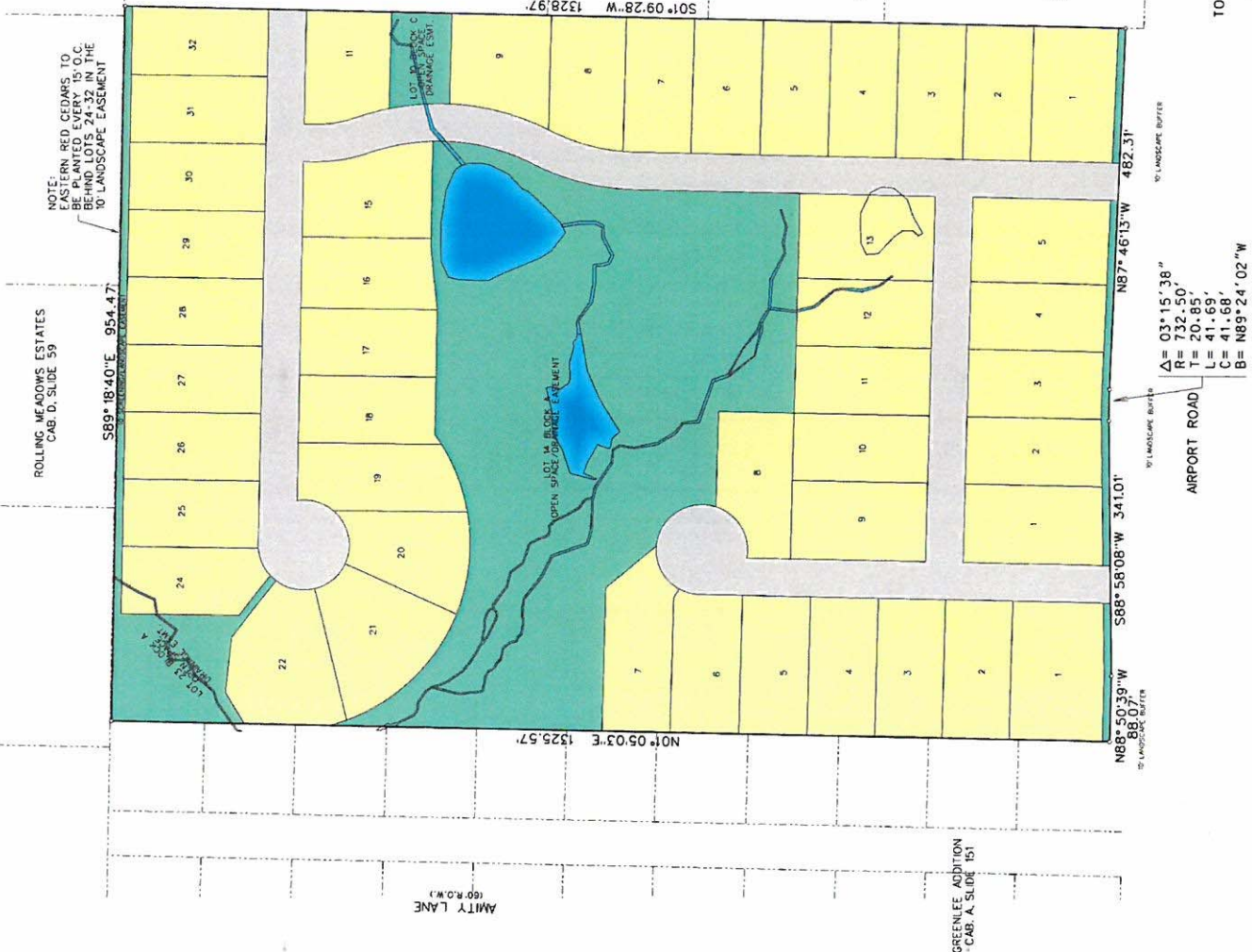
SITUATED IN THE  
E.M. ELLIOTT SURVEY, ABSTRACT NO. 77

CITY OF ROCKWALL  
ROCKWALL COUNTY, TEXAS  
PREPARED BY  
CORWIN ENGINEERING, INC.

APPLICANT  
SKORBURG COMPANY  
4 WESTCHESTER DRIVE, SUITE 710  
DALLAS, TEXAS 75225

MAY 2015 SCALE 1" =

CASE • Z2016-000



**Exhibit 'C':**  
*PD Development Standards*

**A. GENERAL REQUIREMENTS**

***Development Standards.***

1. *Permitted Uses.* Unless specifically provided by this *Planned Development Ordinance*, only those uses permitted within the Single Family 10 (SF-10) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are permitted on the *Subject Property*.
2. *Lot Composition and Layout.* The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* 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	80' x 100'	15,000 SF	45	100.00%
Average Lot Size:		15,000 SF		
		Maximum Permitted Units:	45	100.00%

3. *Density and Dimensional Requirements.* Unless specifically provided by this *Planned Development Ordinance*, the development standards stipulated by the Single Family 10 (SF-10) District, 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 1.52 dwelling units per gross acre of land; however, in no case should the proposed development exceed 45 units. All lots shall conform to the standards depicted in *Table 2*, which is as follows:

Table 2: Lot Dimensional Requirements

Minimum Lot Width/Frontage <sup>(1)</sup>	80'
Minimum Lot Depth	100'
Minimum Lot Area	15,000 SF
Minimum Front Yard Setback <sup>(2)</sup>	40'
Minimum Side Yard Setback	5'
Minimum Side Yard Setback (Adjacent to a Street)	10'
Minimum Length of Driveway Pavement	20'
Maximum Height	36'
Minimum Rear Yard Setback	10'
Minimum Area/Dwelling Unit (SF)	1,800 SF
Maximum Lot Coverage	65%

General Notes:

- <sup>1</sup>: Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may have the front lot width reduced by 20% as measured at the front property line provided that the lot width will be met at the front building line. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to 10%, but shall meet the minimum lot size for each lot type as referenced within *Table 1*.
- <sup>2</sup>: The Director of Planning or his designee may grant a reduction in the required 40-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 40-foot front yard building setback would create an undue hardship on the property.

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, cast stone, cementaceous fiberboard horizontal lap-siding (e.g. *HardiBoard* or *Hardy Plank*), and stucco (i.e. *three [3] part*

**Exhibit 'C':**  
*PD Development Standards*

*stucco or a comparable -- to be determined by staff*). Cementaceous fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and/or stucco shall be permitted to be used to meet up to 50% of the masonry requirement.

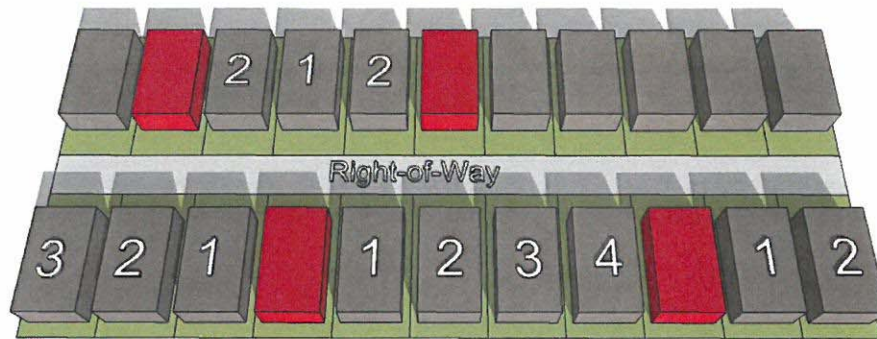
- (b) *Roof Pitch*. A minimum of an 8:12 roof pitch is required on all structures with the exception of sunrooms and porches, which shall have a minimum of a 4:12 roof pitch. Roofs in the front and rear of the house may have a minimum of 5:12 roof pitch.
  - (c) *Garage Orientation*. Garages shall be oriented in a *traditional swing* (or *j-swing*) or in a front entry configuration. If a front entry garage configuration is utilized that garage shall be located at least 20-feet behind the front building façade. On *traditional swing* (or *j-swing*) garages a second single garage door facing the street is permitted if it is located behind the width of the double garage door.
5. *Anti-Monotony Restrictions*. The development shall adhere to the following anti-monotony standards:
- (1) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least four (4) intervening homes of differing materials on the same side of the street beginning with the adjacent property and two (2) 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 four (4) intervening homes of differing appearance on the same side of the street and two (2) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or Airport Road shall not repeat without at least four (4) 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
    - (b) Permitted Encroachment Type and Layout
    - (c) Roof Type and Layout
    - (d) Articulation of the Front Façade
  - (3) 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*).

*See the Illustrations on the following page.*

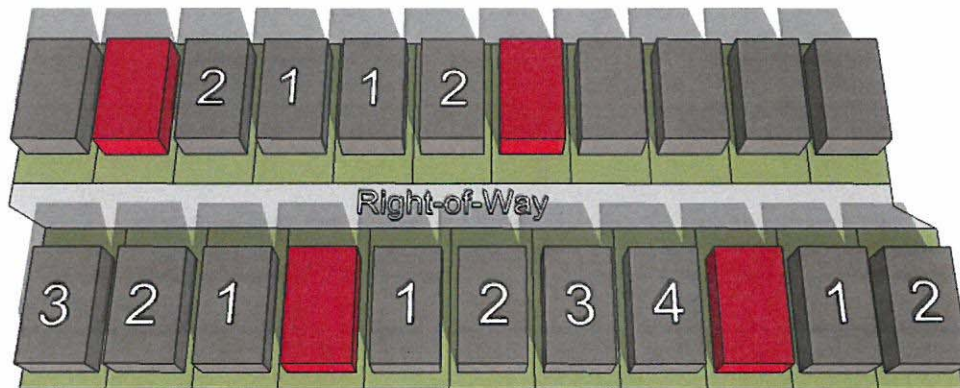


**Exhibit 'C':**  
*PD Development Standards*

*Illustration 1: Properties line up on the opposite side of the street. Where RED are the same.*



*Illustration 2: Properties do not line up on opposite side of the street. Where RED are the same.*



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) **Wood Fences.** All wood fences shall be constructed of a standard fencing material (minimum of ½" thickness or better; spruce fencing will not be allowed), and use fasteners that are hot dipped galvanized or stainless steel. Wood fences facing onto a street shall be painted and/or stained and sealed with all pickets being placed on the public side facing the street. All wood fences shall be smooth-finished, free of burs and splinters, and be a maximum of six (6) feet in height.
- (b) **Wrought Iron/Tubular Steel.** Lots located along the perimeter of roadways (i.e. Airport Road), abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height.

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, unless specifically provided by this *PD Ordinance*, shall be a minimum of three (3) 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 within this subdivision:

**Exhibit 'C':**  
*PD Development Standards*

- (a) *Canopy/Shade Trees.* Bald Cypress, Cedar Elm, Texas Red Oak, Homestead Elm, Lace Bark Elm, Alle Elm, Chinese Pistachio, Shumard Oak, Sycamore, 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 plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).
- (a) *Landscape Buffer and Sidewalks (Airport Road).* A minimum of a 10-foot landscape buffer shall be provided along the frontage of Airport Road (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover and one (1) canopy tree per 50-feet of linear frontage.
  - (b) *Landscape Buffer Adjacent to Rolling Meadows Estates.* A minimum of a ten (10) foot landscape buffer shall be provided adjacent to Rolling Meadows Estates Subdivision as depicted in *Exhibit 'B'* of this ordinance (*i.e. Lot 23, Block A*). The landscape buffer shall incorporate eight (8) foot *Eastern Red Cedar* trees (*balled and bur-lapped*) placed a minimum of 15-feet on center along the entirety of the northern property line adjacent to *Lots 24-32* as depicted in *Exhibit 'B'* of this ordinance. In addition to these trees, 11, eight (8) foot *Eastern Red Cedar* trees (*balled and bur-lapped*) shall be planted at sporadic intervals within the buffer. All landscaping within this landscape buffer shall be irrigated and maintained by the Ridgecrest Homeowner's Association (HOA). All trees shall be maintained in a healthy, growing condition at all times. Any tree that dies must be replaced with another eight (8) foot *Eastern Red Cedar* tree (*balled and bur-lapped*) at the expense of the Ridgecrest Homeowner's Association (HOA).
- (3) *Streetscape 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 7(1)* of this ordinance in the following sizes and proportions:
- (i) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.
  - (ii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two (2), three (3) inch caliper trees shall be planted in the side yard facing the street.
- Note: For the purposes of this section only [i.e. Section 7(3)], the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.*
- (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 trails shall be reviewed and approved with the *PD Site Plan*.

**Exhibit 'C':**  
*PD Development Standards*

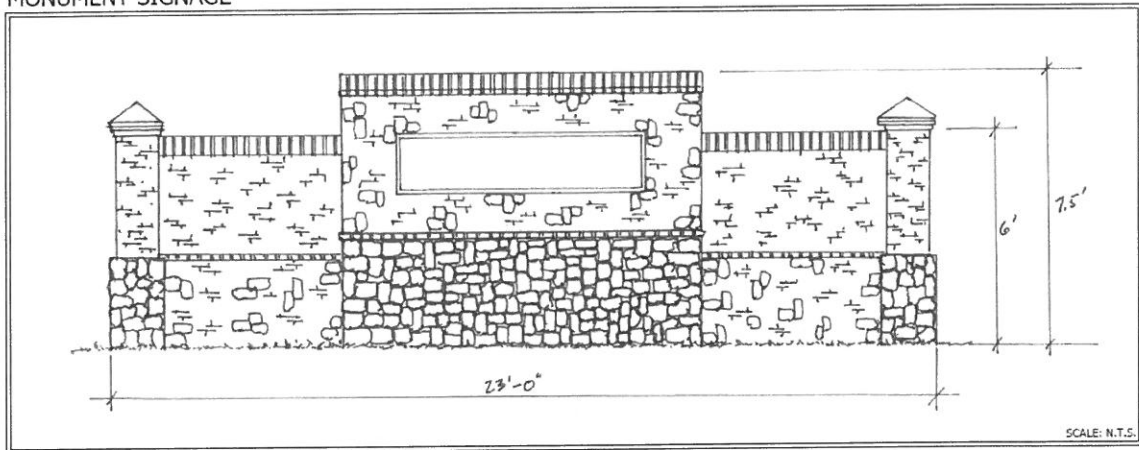
8. *Street*. All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to City street standards and conform to the street cross section contained in *Exhibit 'B'* of this ordinance.
9. *Lighting*. Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.
10. *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. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*i.e. 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 power-lines along the perimeter of the *Subject Property*. 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 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.
11. *Open Space*. The development shall consist of a minimum of 20% open space (*or 5.9082-acres*), and generally conform to the *Concept Plan* contained in *Exhibit 'B'* of this ordinance. All open space areas shall be maintained by the Homeowner's Association (HOA).
12. *Neighborhood Signage*. Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision and shall generally conform to the signage depicted in *Figure 1 (below)*. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.

*See the Illustrations on the following page.*

**Figure 1:** *Example of Subdivision Signage Design Standard*

**Exhibit 'C':**  
*PD Development Standards*

MONUMENT SIGNAGE



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 neighborhood parks, trails, open space and common areas, irrigation, landscaping, amenity centers, screening fences associated with this development.
14. *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.