PLANNING AND ZONING CASE CHECKLIST

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

P&Z CASE # Z2021-036 **P&Z DATE** 09/14/2021 **CC DATE** 09/20/2021 **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:_____

_____

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_____

_____

_____

ZONING MAP UPDATED_____

DEVELOPMENT APPLICATION

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

STAFF USE ONLY
PLANNING & ZONING CASE NO. Z2021-036

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 [SELECT ONLY ONE BOX]:

PLATTING APPLICATION FEES:
- ☐ MASTER PLAT ($100.00 + $15.00 ACRE) [1]
- ☐ PRELIMINARY PLAT ($200.00 + $15.00 ACRE) [1]
- ☐ FINAL PLAT ($300.00 + $20.00 ACRE) [1]
- ☐ REPLAT ($300.00 + $20.00 ACRE) [1]
- ☐ AMENDING OR MINOR PLAT ($150.00)
- ☐ PLAT REINSTATEMENT REQUEST ($100.00)

SITE PLAN APPLICATION FEES:
- ☐ SITE PLAN ($250.00 + $20.00 ACRE) [1]
- ☐ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN ($100.00)

ZONING APPLICATION FEES:
- ☐ ZONING CHANGE ($200.00 + $15.00 ACRE) [1]
- ☐ SPECIFIC USE PERMIT ($200.00 + $15.00 ACRE) [1]
- ☒ PD DEVELOPMENT PLANS ($200.00 + $15.00 ACRE) [1]

OTHER APPLICATION FEES:
- ☐ TREE REMOVAL ($75.00)
- ☐ VARIANCE REQUEST ($100.00)

NOTES:
1: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS	505 Clem Road, Rockwall, TX 75087		
SUBDIVISION	William Dalton Survey Abstract No. 72	LOT	BLOCK
GENERAL LOCATION	Clem Road off of 1147		

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING	Agricultural District (AG)		CURRENT USE	AG	
PROPOSED ZONING	Amendment to PD-91		PROPOSED USE	PD (SF-16)	
ACREAGE	+/- 20 Additional, +/-78 Total	LOTS [CURRENT]	98 (PD - 91)	LOTS [PROPOSED]	132 (with Amendment)

☐ ***SITE PLANS AND PLATS:*** *BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.*

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☐ OWNER	Gordon C. Fogg	☒ APPLICANT	Skorburg Company
CONTACT PERSON	Gordon C. Fogg	CONTACT PERSON	Adam Shiffer
ADDRESS	505 Clem Road	ADDRESS	8214 Westchester Dr. Ste. 900
CITY, STATE & ZIP	Rockwall, TX 75087	CITY, STATE & ZIP	Dallas, TX 75225
PHONE	(972) 931-0345 ext. 116	PHONE	(214) 888-8845
E-MAIL	gfogg@monarchair.com	E-MAIL	ashiffer@skorburgcompany.com

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Gordon C. Fogg [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM 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 _____ DAY OF _____, 20___. 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 18 *DAY OF* August, 2021.

OWNER'S SIGNATURE Gordon C. Fogg

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Debra Barnes

MY COMMISSION EXPIRES 02-28-2023

DEBRA BARNES
Notary Public, State of Texas
Comm. Expires 02-28-2023
Notary ID 131911662

Skorburg Company
8214 Westchester Dr., Ste. 900
Dallas, TX 75225
Phone: 214/522-4945
Fax: 214/522-7244

August 20, 2021

City of Rockwall
Attn: Henry Lee
385 S Goliad St
Rockwall, TX 75087

Dear Mr. Lee,

Skorburg Company is requesting that our Amendment to the Winding Creek PD-91 be taken to the September 14th, 2021 Planning and Zoning Meeting. This Amendment is for the development of an additional ± 20 acres directly adjacent to the existing Winding Creek eastern boundary in the William Dalton Survey, City of Rockwall, Rockwall County, at the southeast corner of F.M. 1141 and Clem Road.

The property is currently zoned AG. We are proposing to include this tract as part of PD-91 for the development of an additional 34 Single-Family residential homes on 16,000 square foot lots. This community will feature high quality homes on large lots and add to the beautiful aesthetics of other high quality Skorburg communities like Stone Creek Estates, Breezy Hill Estates, and Gideon Grove.

We look forward to working with the City once again to maximize the quality and value of our Winding Creek development.

Cordially Yours,

Adam Shiffer
Land Acquisition Associate

LOCATION MAP
N.T.S.

N

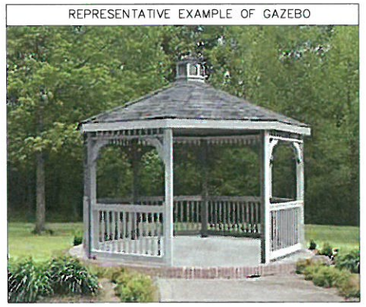
100 50 0 100 200
SCALE: 1" = 100'

LEGEND

132 LOTS TOTAL
Min. Width = 90'
Min. Depth = 100'
Min. Square Feet = 16,000

HOA MAINTAINED OPEN SPACE

REPRESENTATIVE EXAMPLE OF GAZEBO



HOA OPEN SPACE AREA TABLE		
HOA LOT	SF	AC
A	370696	8.51
B	244807	5.62
C	51836	1.19
D	22651	0.52
TOTAL		15.84

NOTE:
THE MAXIMUM NUMBER OF RESIDENTIAL LOTS SHALL NOT EXCEED 132 LOTS.

ALL OPEN SPACE LOTS TO BE MAINTAINED BY THE PROPERTY OWNER/HOA.

TOTAL ACRES: 78.41

TOTAL OPEN SPACE: 15.84 (20.20%)

TOTAL RESIDENTIAL LOTS: 132

RESIDENTIAL DENSITY: 1.69

Z2021-036

CONCEPT PLAN
OF
WINDING CREEK
SITUATED IN THE
WILLIAM DALTON SURVEY,
ABSTRACT NO. 72
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

PREPARED BY
MACATEE ENGINEERING, LLC
12655 N. CENTRAL EXPRESSWAY, SUITE 420
DALLAS, TEXAS 75243
214-373-1180
OWNER
FALCON PLACE SF, Ltd.
OWNER
GORDON C. FOGG

AUGUST 2021
SCALE: 1"=100'
CASE NO. Z

CITY OF ROCKWALL

ORDINANCE NO. 21-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 91 (PD-91) FOR SINGLE-FAMILY 16 (SF-16) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 58.842-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17 & 17-01 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 Kevin Harrell of the Skorburg Co. on behalf of ~~Mark Taylor, Alex Freeman and Allen and Lisa Stevenson~~ Falcon Place SF, Ltd. and Gordon Fogg for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single-Family 16 (SF-16) District land uses, on a ~~58.84~~278.412-acre tract of land identified as Tract 17~~, & ~~17-01, 22, 22-04 and 22-05 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. 20-02*] 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. 20-02*] 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 *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 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 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.* A *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 ____ DAY OF _____, 2021.

_____
Kevin Fowler, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *[_____]*

2nd Reading: *[_____]*

Exhibit 'A':
Legal Description

Tract 1 (±26.012-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas. Being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a 60D nail found for corner at the intersection near the center of Clem Road and the recognized southeast line of FM-1141, said point being the northwest corner of herein described tract;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, within said Clem Road and the recognized north line of said *Walker Tract*, a distance of 533.77-feet to a point for corner, said point being the northeast corner of herein described tract and the northwest corner of a tract of land described in deed to Mark G. and Jessica K. Taylor, recorded in *Volume 7106, Page 191*, Official Public Records, Rockwall County, Texas;

THENCE South 01 Degrees 23 Minutes 21 Seconds West, along the west line of said *Taylor Tract*, passing a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for witness at a distance of 17.18-feet and continuing for a total distance of 283.63-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 06 Minutes 43 Seconds West, along the west line of said *Taylor Tract*, a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 35 Minutes 13 Seconds West, along the west line of said *Taylor Tract*, a distance of 597.75-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner, said point being an inner ell corner of herein described tract and the southwest corner of said *Taylor Tract*;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, along the south line of said *Taylor Tract*, a distance of 574.09-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner in the west line of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, said point being the southeast corner of said *Taylor Tract* and the most southerly northeast corner of herein described tract;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the recognized east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 334.12-feet to a 3/8-inch iron rod found for corner, the apparent northeast corner of Lot 5 of Meadowview Ranch Estates, recorded in *Cabinet A, Slide 247*, Plat Records, Rockwall county, Texas, said point being the recognized southeast corner of said *Walker Tract* and the apparent southwest corner of said *Stevenson Tract*;

THENCE South 89 Degrees 13 Minutes 16 Seconds West, along the recognized south line of said *Walker Tract*, a distance 510.41-feet to a 3/8-inch iron rod found for angle point;

THENCE North 89 Degrees 58 Minutes 55 Seconds West, along the recognized south line of said *Walker Tract*, a distance of 778.67-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner in the recognized east line of said FM-1141, said point being the southwest corner of herein described tract;

THENCE North, along the recognized east line of said highway, passing a 60D nail found on a wood highway monument for witness at a distance of 734.11-feet and continuing for a total distance of 810.94-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the beginning of a curve to right having a central angle of 39 Degrees 09 Minutes 01 Seconds, a radius of 533.14-feet and a chord bearing and distance of North 19 Degrees 34 Minutes 34 Seconds East - 357.25-feet;

THENCE along the recognized southeast line of said highway and said curve to the right an arc length of 364.29-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the end of said curve;

THENCE North 39 Degrees 09 Minutes 00 Seconds East along the recognized southeast line of said highway, a distance of 215.67-feet to the place of beginning and containing 1,133,124.22 square-feet or 26.012-acres of land.

Tract 2 (±12.0-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point for corner near the center of Clem Road, said point being the northeast corner of said *Walker Tract* and the northwest corner of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, from which a ½-inch iron rod found for witness bears South 00 Degrees 06 Minutes 20 Seconds East - 17.25-feet;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 990.13-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE South 89 Degrees 06 Minutes 09 Seconds West a distance 574.09-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE North 05 Degrees 35 Minutes 13 Seconds East a distance of 597.75-feet to a 4-inch metal fence corner for angle point;

THENCE North 05 Degrees 06 Minutes 43 Seconds East a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE North 01 Degrees 23 Minutes 21 Seconds East a distance of 283.63-feet to a point for corner in the north line of said *Walker Tract*, said point being near the center of Clem Road from which a ½-inch iron set with yellow cap stamped *BG&A RPLS 5569* for witness bears South 01 Degrees 23 Minutes 21 Seconds West - 17.18-feet;

THENCE North 89 Degrees 06 Minutes 09 Seconds East along the north line of said *Walker Tract* and within said Clem Road a distance of 497.09-feet to the *PLACE OF BEGINNING* and containing 522,720.00 square-feet or 12.000-acres of land.

Exhibit 'A':
Legal Description

Tract 3 (±20.83-Acres)

BEING a tract or parcel of Land situated in the William Dalton Survey, Abst. #72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams by T.H. Adams, by deed recorded in Volume 11, Page 475, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod in a County Road and at the Northwest corner of the above-mentioned 80 acre tract;

THENCE North 89 deg. 50 min. 30 sec. East, a distance of 684.33 feet along said Country Road to an iron rod for a corner, said iron rod bears South 89 deg. 50 min. 30 sec. West, a distance of 661.40 feet from the Northeast Corner of said 80 acre tract;

THENCE South 0 deg. 16 min. 03 sec. East, a distance of 1319.86 feet traversing said 80 acre tract to an iron rod for a corner;

THENCE South 89 deg. 22 min. 53 sec. West, a distance of 687.71 feet to an iron rod for a corner on the West line of said 80 acre tract and at the Northeast corner of Meadowview Ranch Estates, an addition to the County of Rockwall;

THENCE North 0 deg. 07 min. 17 sec. West, a distance of 1325.38 feet along the West line of said 80 acre tract to the Point of Beginning and containing 20.83 acres of land.

Tract 4 (±19.57-Acres)

Being a tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams to T. H. Adams and wife, S.E. Adams by Deed recorded in Volume 11, Page 475, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

Beginning at an iron rod set for a corner on the Northeast corner of said 80 acre tract in a County Road;

THENCE South 0 degrees 16 minutes 03 seconds East with a fence and the East line of said 80 acre tract a distance of 1314.55 feet to an iron rod found for corner;

THENCE South 39 degrees 22 minutes 33 seconds West with a fence a distance of 461.41 feet to an iron rod set for corner;

THENCE North 0 degrees 16 minutes 03 seconds West a distance of 1319.86 feet to an iron rod set for corner in a County Road;

THENCE North 89 degrees 50 minutes 30 seconds East with said County Road a distance of 461.40 feet to the POINTOF BEGINNING and Containing 19.57 acres of land more or less.

Exhibit 'B':
Location Map

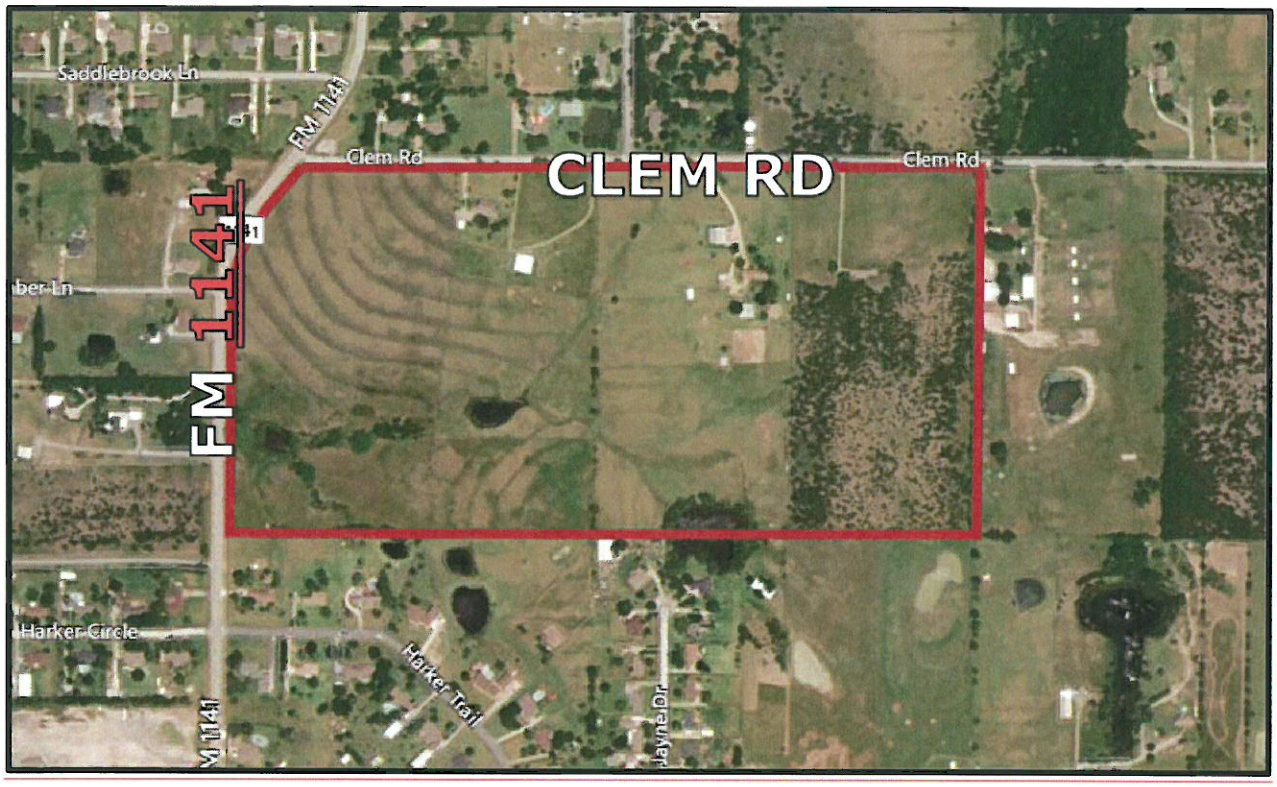


Exhibit 'C':
Concept Plan

Density and Development Standards.

(1) *Permitted Uses*. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 16 (SF-16) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *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'* of this ordinance.

(3) *Density and Dimensional Requirements*. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 16 (SF-16) District, as specified by Article 05, *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 *1.6~~87~~* dwelling units per gross acre of land; however, in no case should the proposed development exceed ~~*98*~~ *132* units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

Minimum Lot Width [1]	90'
Minimum Lot Depth	100'
Minimum Lot Area	16,000 SF
Minimum Front Yard Setback [2] & [5]	25'
Minimum Side Yard Setback	8'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'
Minimum Length of Driveway Pavement	25'
Maximum Height [3]	36'
Minimum Rear Yard Setback [4]	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space] [6]	3,000 SF
Maximum Lot Coverage	60%

General Notes:

[1]: 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 Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.

[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 (*whichever is greater*) of the single-family home.

[4]: The location of the *Rear Yard Building Setback* as measured from the rear property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. 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.

[6]: A maximum of ten (10) percent of the lots may have a minimum area/dwelling unit of 2,800 SF [*Air-Conditioned Space*].

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

(a) *Masonry Requirement*. The minimum masonry requirement for the total exterior façade area of all buildings shall be 90% (*excluding dormers and walls over roof areas*); however, no individual façade shall be less than 85% masonry. 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; however, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted through a Specific Use Permit (SUP) only. Excluding dormers and walls over roof areas, siding products (*e.g. HardiBoard or Hardy Plank*) shall not be visible on homes abutting any major thoroughfare (*i.e. FM-1141 as shown on Exhibit 'C' of this ordinance*).

(b) *Roof Pitch*. A minimum of an *8:12* roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a *4:12* roof pitch.

(c) *Garage Orientation and Garage Doors*. Garages shall be oriented in a *traditional swing* (or *j-swing*) (*i.e. where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration*). On *traditional swing* (*or j-swing*) garage configurations, a second single or double garage door facing the street is permitted if it is located behind the width of the double garage door. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).

All garage doors shall be required to have decorative wood doors or wood overlays on insulated metal doors. The design between the garage door and home shall use the same or complementary colors and materials. All garages shall include carriage style hardware. An example of carriage style hardware is depicted in *Figure 1*.

Figure 1. Examples of Enhanced Garage Door

(5) *Anti-Monotony Restrictions*. The development shall adhere to the following *Anti-Monotony* standards:

(a) 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.

(b) 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, FM-1141, 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:

(1) Number of Stories
(2) Permitted Encroachment Type and Layout
(3) Roof Type and Layout
(4) Articulation of the Front Façade

(c) Permitted encroachment (*i.e. porches and sunroom*) 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.

(d) 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 3: Properties line up on the opposite side of the street. Where RED is the subject property.

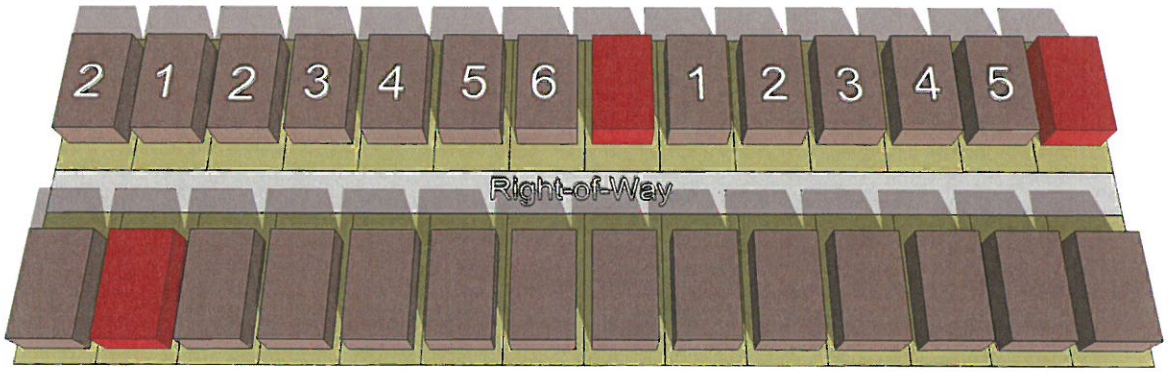
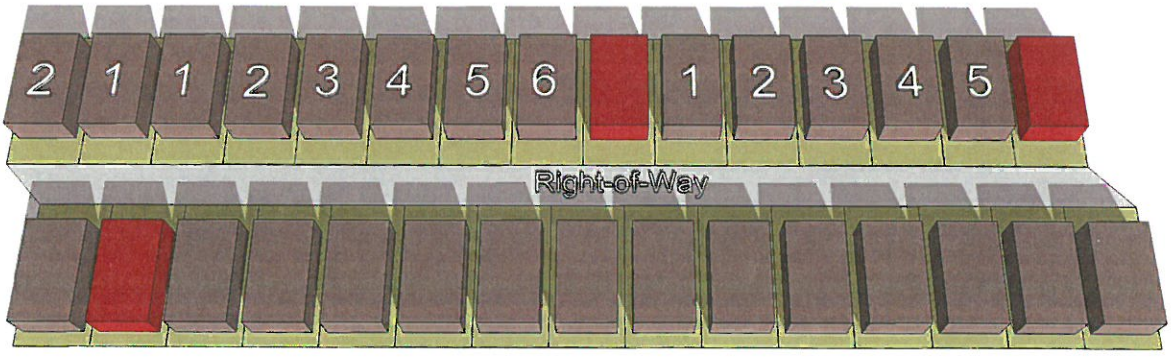


Figure 4: Properties do not line up on opposite side of the street. Where RED is the subject property.



(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) *Front Yard Fences*. Front yard fences shall be prohibited.

(b) *Wood Fences*. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.

(c) *Wrought Iron/Tubular Steel*. Lots located along the perimeter of roadways (*i.e. FM-1141 and Clem 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.

(d) *Corner Lots*. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(e) *Solid Fences (including Wood Fences)*. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

(7) *Landscape and Hardscape Standards*.

(a) *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. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall also be required to plant a row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).

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

(1) *Landscape Buffer and Sidewalks (FM-1141)*. A minimum of a 30-foot landscape buffer shall be provided along FM-1141 (*outside of and beyond any*

required right-of-way dedication), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering six (6) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(2) *Landscape Buffers (Clem Road)*. A minimum of a 30-foot landscape buffer shall be provided along Clem Drive (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(3) *Landscape Buffers (Southern Property Line)*. A minimum of a 10-foot landscape buffer shall be incorporated at the rear of the residential lots that back to the southern property line of the subject property. This landscape buffer shall incorporate a solid living screen utilizing evergreen trees -- *either Eastern Red Cedar or Leland Cypress unless approved otherwise approved by the Director of Planning and Zoning* --, a minimum of four (4) caliper inches in size, that will be planted on 20-foot centers.

(c) *Street Trees*. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-feet vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.

(d) *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).

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

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

(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 two (2) 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 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) *Open Space*. The development shall consist of a minimum of *20%* open space (*or a minimum of ~~11.77~~16.01 -acres -- as calculated by the formula stipulated in the Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. All open space areas (*including landscape buffers*) shall be maintained by the Homeowner's Association (HOA).

(13) *Fishing Dock*. Subject to engineering design providing sufficient perpetual water depth of the pond in HOA open space area 'B', a fishing dock shall be installed by the developer and maintained by the HOA as depicted in '*Exhibit C*' of this ordinance.

(14) *Gazebo*. A gazebo shall be installed by the developer and maintained by the HOA in HOA open space area 'C' as depicted in '*Exhibit C*' of this ordinance.

~~(12)~~

~~(13)~~(15) *Trails*. A concrete trail system shall be constructed in generally the same areas and of the same sizes as what is depicted in *Exhibit 'C'* of this ordinance.

~~(14)~~(16) *Neighborhood Signage and Enhancements*. Permanent subdivision 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*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.

~~(15)~~(17) *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*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development.

~~(16)~~(18) *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.

CITY OF ROCKWALL

ORDINANCE NO. 21-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 91 (PD-91) FOR SINGLE-FAMILY 16 (SF-16) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 78.412-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17 & 17-01 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 Kevin Harrell of the Skorburg Co. on behalf of Falcon Place SF, Ltd. and Gordon Fogg for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single-Family 16 (SF-16) District land uses, on a 78.412-acre tract of land identified as Tract 17, 17-01, 22, 22-04 and 22-05 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. 20-02*] 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. 20-02*] 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 *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 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 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.* A *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 ____ DAY OF _____, 2021.

_____
Kevin Fowler, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *[_____]*

2nd Reading: *[_____]*

Exhibit 'A':
Legal Description

Tract 1 (±26.012-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas. Being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a 60D nail found for corner at the intersection near the center of Clem Road and the recognized southeast line of FM-1141, said point being the northwest corner of herein described tract;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, within said Clem Road and the recognized north line of said *Walker Tract*, a distance of 533.77-feet to a point for corner, said point being the northeast corner of herein described tract and the northwest corner of a tract of land described in deed to Mark G. and Jessica K. Taylor, recorded in *Volume 7106, Page 191*, Official Public Records, Rockwall County, Texas;

THENCE South 01 Degrees 23 Minutes 21 Seconds West, along the west line of said *Taylor Tract*, passing a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for witness at a distance of 17.18-feet and continuing for a total distance of 283.63-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 06 Minutes 43 Seconds West, along the west line of said *Taylor Tract*, a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 35 Minutes 13 Seconds West, along the west line of said *Taylor Tract*, a distance of 597.75-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner, said point being an inner ell corner of herein described tract and the southwest corner of said *Taylor Tract*;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, along the south line of said *Taylor Tract*, a distance of 574.09-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner in the west line of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, said point being the southeast corner of said *Taylor Tract* and the most southerly northeast corner of herein described tract;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the recognized east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 334.12-feet to a 3/8-inch iron rod found for corner, the apparent northeast corner of Lot 5 of Meadowview Ranch Estates, recorded in *Cabinet A, Slide 247*, Plat Records, Rockwall county, Texas, said point being the recognized southeast corner of said *Walker Tract* and the apparent southwest corner of said *Stevenson Tract*;

THENCE South 89 Degrees 13 Minutes 16 Seconds West, along the recognized south line of said *Walker Tract*, a distance 510.41-feet to a 3/8-inch iron rod found for angle point;

THENCE North 89 Degrees 58 Minutes 55 Seconds West, along the recognized south line of said *Walker Tract*, a distance of 778.67-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner in the recognized east line of said FM-1141, said point being the southwest corner of herein described tract;

THENCE North, along the recognized east line of said highway, passing a 60D nail found on a wood highway monument for witness at a distance of 734.11-feet and continuing for a total distance of 810.94-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the beginning of a curve to right having a central angle of 39 Degrees 09 Minutes 01 Seconds, a radius of 533.14-feet and a chord bearing and distance of North 19 Degrees 34 Minutes 34 Seconds East - 357.25-feet;

THENCE along the recognized southeast line of said highway and said curve to the right an arc length of 364.29-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the end of said curve;

THENCE North 39 Degrees 09 Minutes 00 Seconds East along the recognized southeast line of said highway, a distance of 215.67-feet to the place of beginning and containing 1,133,124.22 square-feet or 26.012-acres of land.

Tract 2 (±12.0-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point for corner near the center of Clem Road, said point being the northeast corner of said *Walker Tract* and the northwest corner of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, from which a ½-inch iron rod found for witness bears South 00 Degrees 06 Minutes 20 Seconds East - 17.25-feet;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 990.13-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE South 89 Degrees 06 Minutes 09 Seconds West a distance 574.09-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE North 05 Degrees 35 Minutes 13 Seconds East a distance of 597.75-feet to a 4-inch metal fence corner for angle point;

THENCE North 05 Degrees 06 Minutes 43 Seconds East a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE North 01 Degrees 23 Minutes 21 Seconds East a distance of 283.63-feet to a point for corner in the north line of said *Walker Tract*, said point being near the center of Clem Road from which a ½-inch iron set with yellow cap stamped *BG&A RPLS 5569* for witness bears South 01 Degrees 23 Minutes 21 Seconds West - 17.18-feet;

THENCE North 89 Degrees 06 Minutes 09 Seconds East along the north line of said *Walker Tract* and within said Clem Road a distance of 497.09-feet to the *PLACE OF BEGINNING* and containing 522,720.00 square-feet or 12.000-acres of land.

Tract 3 (±20.83-Acres)

BEING a tract or parcel of Land situated in the William Dalton Survey, Abst. #72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams by T.H. Adams, by deed recorded in Volume 11, Page 475, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod in a County Road and at the Northwest corner of the above-mentioned 80 acre tract;

THENCE North 89 deg. 50 min. 30 sec. East, a distance of 684.33 feet along said Country Road to an iron rod for a corner, said iron rod bears South 89 deg. 50 min. 30 sec. West, a distance of 661.40 feet from the Northeast Corner of said 80 acre tract;

THENCE South 0 deg. 16 min. 03 sec. East, a distance of 1319.86 feet traversing said 80 acre tract to an iron rod for a corner;

THENCE South 89 deg. 22 min. 53 sec. West, a distance of 687.71 feet to an iron rod for a corner on the West line of said 80 acre tract and at the Northeast corner of Meadowview Ranch Estates, an addition to the County of Rockwall;

THENCE North 0 deg. 07 min. 17 sec. West, a distance of 1325.38 feet along the West line of said 80 acre tract to the Point of Beginning and containing 20.83 acres of land.

Tract 4 (±19.57-Acres)

BEING a tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams to T. H. Adams and wife, S.E. Adams by Deed recorded in Volume 11, Page 475, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod set for a corner on the Northeast corner of said 80 acre tract in a County Road;

THENCE South 0 degrees 16 minutes 03 seconds East with a fence and the East line of said 80 acre tract a distance of 1314.55 feet to an iron rod found for corner;

THENCE South 39 degrees 22 minutes 33 seconds West with a fence a distance of 461.41 feet to an iron rod set for corner;

THENCE North 0 degrees 16 minutes 03 seconds West a distance of 1319.86 feet to an iron rod set for corner in a County Road;

THENCE North 89 degrees 50 minutes 30 seconds East with said County Road a distance of 461.40 feet to the POINTOF BEGINNING and Containing 19.57 acres of land more or less.

Exhibit 'B':
Location Map

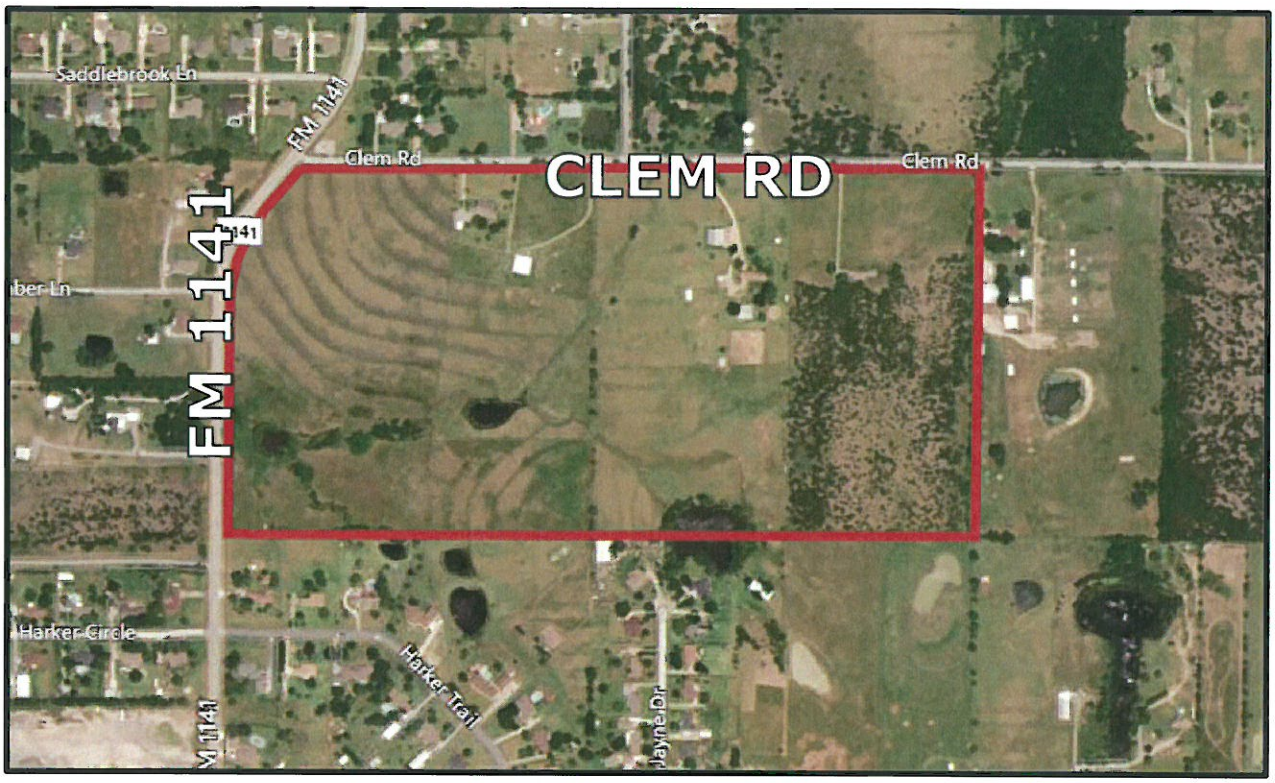


Exhibit 'C':
Concept Plan

Density and Development Standards.

(1) *Permitted Uses*. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 16 (SF-16) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *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'* of this ordinance.

(3) *Density and Dimensional Requirements*. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 16 (SF-16) District, as specified by Article 05, *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 *1.68* dwelling units per gross acre of land; however, in no case should the proposed development exceed 132 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

Minimum Lot Width [1]	90'
Minimum Lot Depth	100'
Minimum Lot Area	16,000 SF
Minimum Front Yard Setback [2] & [5]	25'
Minimum Side Yard Setback	8'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'
Minimum Length of Driveway Pavement	25'
Maximum Height [3]	36'
Minimum Rear Yard Setback [4]	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space] [6]	3,000 SF
Maximum Lot Coverage	60%

General Notes:

[1]: 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 Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.

[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 (*whichever is greater*) of the single-family home.

[4]: The location of the *Rear Yard Building Setback* as measured from the rear property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. 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.

[6]: A maximum of ten (10) percent of the lots may have a minimum area/dwelling unit of 2,800 SF [*Air-Conditioned Space*].

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

(a) *Masonry Requirement*. The minimum masonry requirement for the total exterior façade area of all buildings shall be 90% (*excluding dormers and walls over roof areas*); however, no individual façade shall be less than 85% masonry. 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; however, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted through a Specific Use Permit (SUP) only. Excluding dormers and walls over roof areas, siding products (*e.g. HardiBoard or Hardy Plank*) shall not be visible on homes abutting any major thoroughfare (*i.e. FM-1141 as shown on Exhibit 'C' of this ordinance*).

(b) *Roof Pitch*. A minimum of an *8:12* roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a *4:12* roof pitch.

(c) *Garage Orientation and Garage Doors*. Garages shall be oriented in a *traditional swing* (or *j-swing*) (*i.e. where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration*). On *traditional swing* (*or j-swing*) garage configurations, a second single or double garage door facing the street is permitted if it is located behind the width of the double garage door. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).

All garage doors shall be required to have decorative wood doors or wood overlays on insulated metal doors. The design between the garage door and home shall use the same or complementary colors and materials. All garages shall include carriage style hardware. An example of carriage style hardware is depicted in *Figure 1*.

Figure 1. Examples of Enhanced Garage Door

(5) *Anti-Monotony Restrictions*. The development shall adhere to the following *Anti-Monotony* standards:

(a) 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.

(b) 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, FM-1141, 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:

(1) Number of Stories
(2) Permitted Encroachment Type and Layout
(3) Roof Type and Layout
(4) Articulation of the Front Façade

(c) Permitted encroachment (*i.e. porches and sunroom*) 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.

(d) 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 3: Properties line up on the opposite side of the street. Where RED is the subject property.

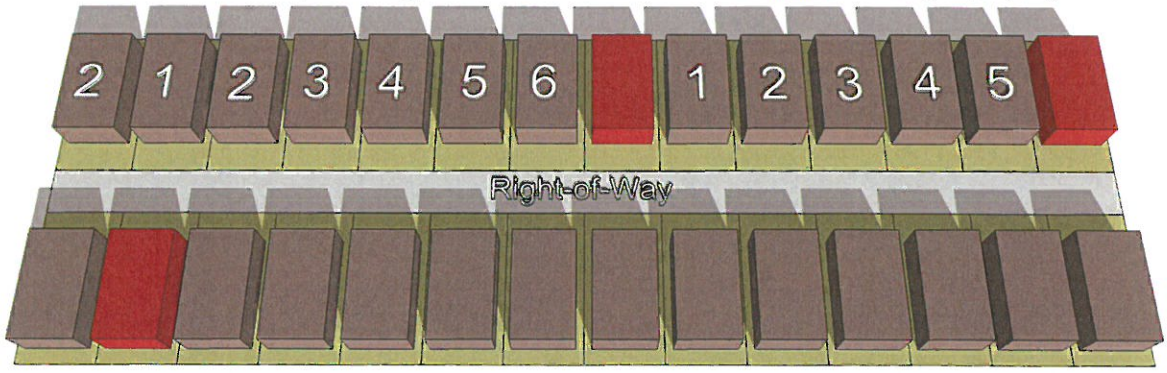
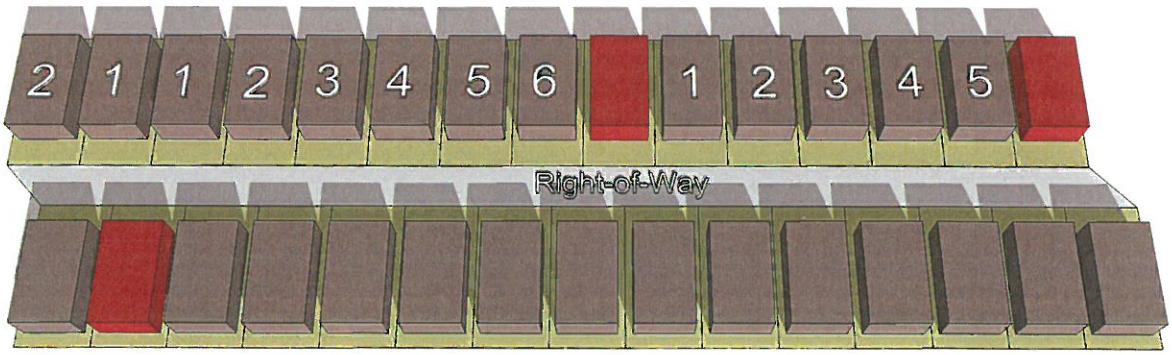


Figure 4: Properties do not line up on opposite side of the street. Where RED is the subject property.



(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) *Front Yard Fences*. Front yard fences shall be prohibited.

(b) *Wood Fences*. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.

(c) *Wrought Iron/Tubular Steel*. Lots located along the perimeter of roadways (*i.e. FM-1141 and Clem 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.

(d) *Corner Lots*. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(e) *Solid Fences (including Wood Fences)*. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

(7) *Landscape and Hardscape Standards*.

(a) *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. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall also be required to plant a row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).

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

(1) *Landscape Buffer and Sidewalks (FM-1141)*. A minimum of a 30-foot landscape buffer shall be provided along FM-1141 (*outside of and beyond any required*

right-of-way dedication), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering six (6) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(2) *Landscape Buffers (Clem Road)*. A minimum of a 30-foot landscape buffer shall be provided along Clem Drive (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(3) *Landscape Buffers (Southern Property Line)*. A minimum of a 10-foot landscape buffer shall be incorporated at the rear of the residential lots that back to the southern property line of the subject property. This landscape buffer shall incorporate a solid living screen utilizing evergreen trees -- *either Eastern Red Cedar or Leland Cypress unless approved otherwise approved by the Director of Planning and Zoning* --, a minimum of four (4) caliper inches in size, that will be planted on 20-foot centers.

(c) *Street Trees*. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-feet vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.

(d) *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).

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

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

(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 two (2) 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 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) *Open Space*. The development shall consist of a minimum of *20%* open space (*or a minimum of 16.01 -acres -- as calculated by the formula stipulated in the Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. All open space areas (*including landscape buffers*) shall be maintained by the Homeowner's Association (HOA).

(13) *Fishing Dock*. Subject to engineering design providing sufficient perpetual water depth of the pond in HOA open space area 'B', a fishing dock shall be installed by the developer and maintained by the HOA as depicted in '*Exhibit C'* of this ordinance.

(14) *Gazebo.* A gazebo shall be installed by the developer and maintained by the HOA in HOA open space area 'C' as depicted in '*Exhibit C'* of this ordinance.

(15) *Trails*. A concrete trail system shall be constructed in generally the same areas and of the same sizes as what is depicted in *Exhibit 'C'* of this ordinance.

(16) *Neighborhood Signage and Enhancements*. Permanent subdivision 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*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.

(17) *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*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development.

(18) *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.

DEVELOPMENT APPLICATION

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

STAFF USE ONLY
PLANNING & ZONING CASE NO. Z2021-036

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 [SELECT ONLY ONE BOX]:

PLATTING APPLICATION FEES:
- ☐ MASTER PLAT ($100.00 + $15.00 ACRE) [1]
- ☐ PRELIMINARY PLAT ($200.00 + $15.00 ACRE) [1]
- ☐ FINAL PLAT ($300.00 + $20.00 ACRE) [1]
- ☐ REPLAT ($300.00 + $20.00 ACRE) [1]
- ☐ AMENDING OR MINOR PLAT ($150.00)
- ☐ PLAT REINSTATEMENT REQUEST ($100.00)

SITE PLAN APPLICATION FEES:
- ☐ SITE PLAN ($250.00 + $20.00 ACRE) [1]
- ☐ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN ($100.00)

ZONING APPLICATION FEES:
- ☐ ZONING CHANGE ($200.00 + $15.00 ACRE) [1]
- ☐ SPECIFIC USE PERMIT ($200.00 + $15.00 ACRE) [1]
- ☒ PD DEVELOPMENT PLANS ($200.00 + $15.00 ACRE) [1]

OTHER APPLICATION FEES:
- ☐ TREE REMOVAL ($75.00)
- ☐ VARIANCE REQUEST ($100.00)

NOTES:
1: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS	505 Clem Road, Rockwall, TX 75087		
SUBDIVISION	William Dalton Survey Abstract No. 72	LOT	BLOCK
GENERAL LOCATION	Clem Road off of 1147		

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING	Agricultural District (AG)		CURRENT USE	AG	
PROPOSED ZONING	Amendment to PD-91		PROPOSED USE	PD (SF-16)	
ACREAGE	+/- 20 Additional, +/-78 Total	LOTS [CURRENT]	98 (PD - 91)	LOTS [PROPOSED]	132 (with Amendment)

☐ ***SITE PLANS AND PLATS:*** *BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.*

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☐ OWNER	Gordon C. Fogg	☒ APPLICANT	Skorburg Company
CONTACT PERSON	Gordon C. Fogg	CONTACT PERSON	Adam Shiffer
ADDRESS	505 Clem Road	ADDRESS	8214 Westchester Dr. Ste. 900
CITY, STATE & ZIP	Rockwall, TX 75087	CITY, STATE & ZIP	Dallas, TX 75225
PHONE	(972) 931-0345 ext. 116	PHONE	(214) 888-8845
E-MAIL	gfogg@monarchair.com	E-MAIL	ashiffer@skorburgcompany.com

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Gordon C. Fogg [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM 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 _____ DAY OF _____, 20___. 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."

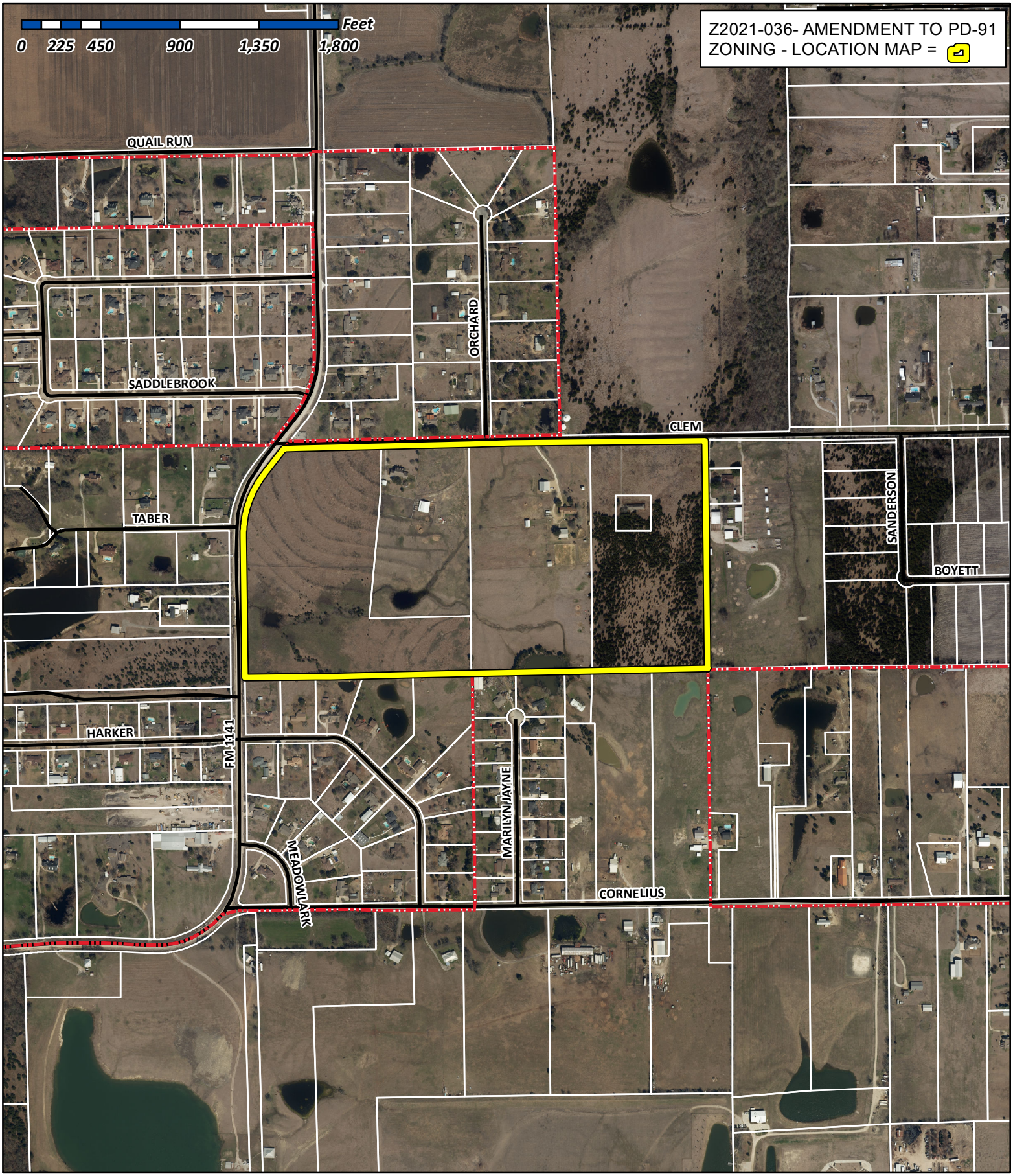
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 18 *DAY OF* August, 2021.

OWNER'S SIGNATURE Gordon C. Fogg

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Debra Barnes

MY COMMISSION EXPIRES 02-28-2023

DEBRA BARNES
Notary Public, State of Texas
Comm. Expires 02-28-2023
Notary ID 131911662



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): 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.

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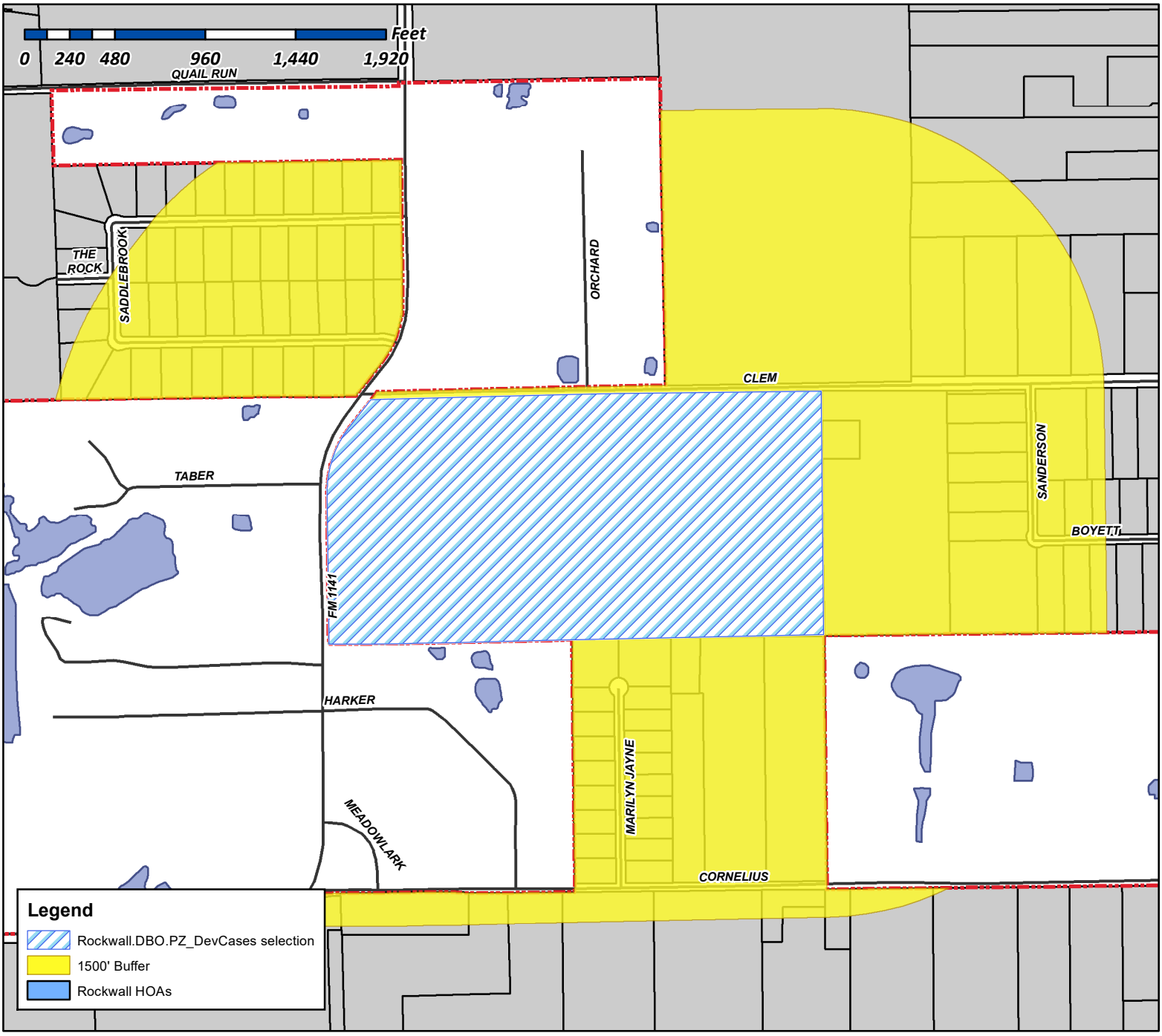
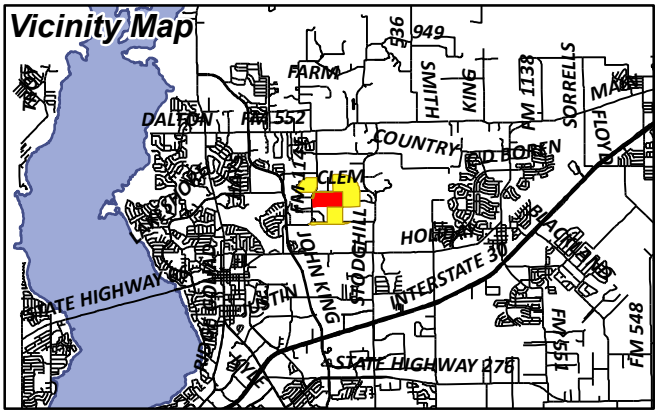


Case Number: Z2021-036
Case Name: Amendment to PD-91
Case Type: Zoning
Zoning: Planned Development District 91 (PD-91)
Case Address: Clem Road Off of FM 1147

Date Created: ***9/9/2021***

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



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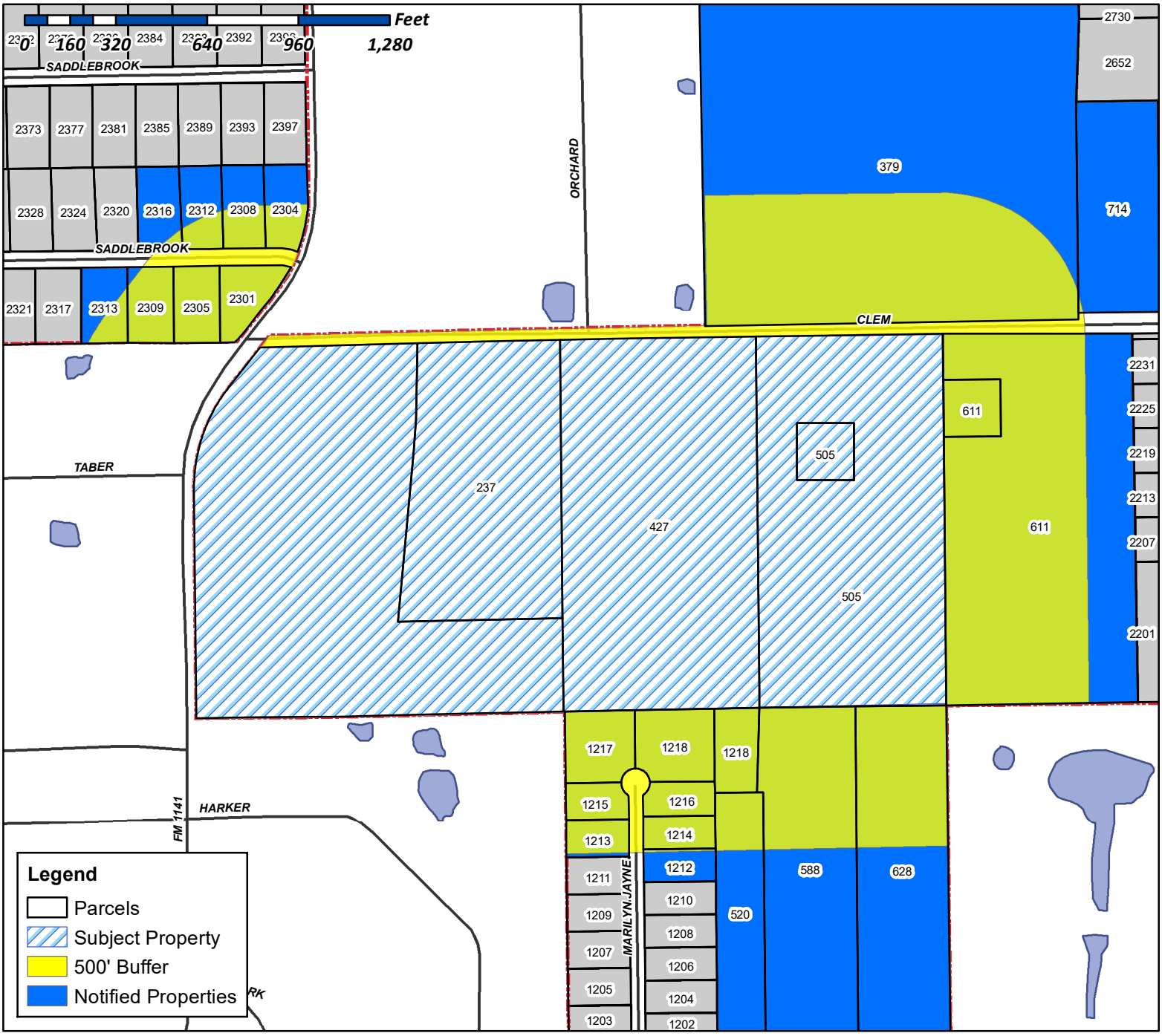

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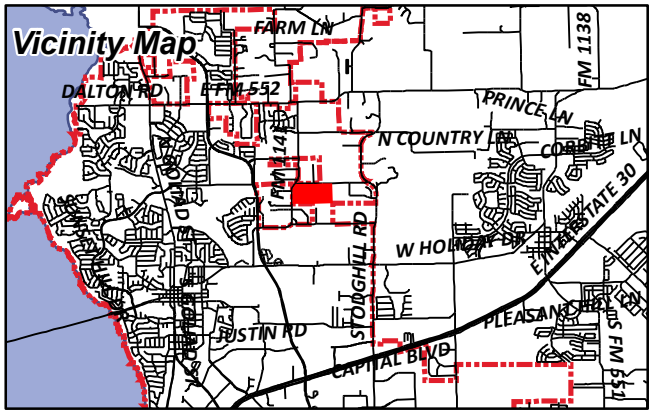


PEOPLES DONNIE B
1212 MARILYN JAYNELN
ROCKWALL, TX 75087

BERGERHOUSE PHILLIP & KERRI
1213 MARILYN JAYNE DR
ROCKWALL, TX 75087

SOUTHALL MARK P & KATHY L
1214 MARILYN JAYNE LN
ROCKWALL, TX 75087

CONFIDENTIAL
1215 MARILYN JAYNE DRIVE
ROCKWALL, TX 75087

COUCH MITCHELL E AND PATRICIA M
1216 MARILYN JAYNE DR
ROCKWALL, TX 75087

KELLY JAMES B & DEA S
1217 MARILYN JAYNE DR
ROCKWALL, TX 75087

MENDOZA ROBERT E AND SANDRA J WILKINS
1218 MARILYN JAYNE DR
ROCKWALL, TX 75087

MCCALLUM CRAIG WILLIAM
1983 N STODGHILL RD
ROCKWALL, TX 75087

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

CULP TERRI L
2301 SADDLEBROOK LN
ROCKWALL, TX 75087

MURPHEY HARVEY W & BETTY J
2304 SADDLEBROOK LN
ROCKWALL, TX 75087

OSBORNE AARON & BARBARA
2305 SADDLEBROOK LANE
ROCKWALL, TX 75087

CONFIDENTIAL
2308 SADDLEBROOK LN
ROCKWALL, TX 75087

JONES JAMES E
2309 SADDLEBROOK LN
ROCKWALL, TX 75087

SMITH WILLIAM CLEVE JR &
EDITH LILLIAN
2312 SADDLEBROOK LN
ROCKWALL, TX 75087

ROMERO MARGARET ALLEN-
2313 SADDLEBROOK LANE
ROCKWALL, TX 75087

LLOYD DANIEL AND REBECCA R
2316 SADDLEBROOK LANE
ROCKWALL, TX 75087

M G & J K TAYLOR LIVING TRUST
MARK G TAYLOR AND JESSICA K TAYLOR-
TRUSTEES
237 CLEM ROAD
ROCKWALL, TX 75087

ROCKWALL RV PARK AND TINY HOME VILLAGE
3094 COUNTY ROAD 1024
FARMERSVILLE, TX 75442

ERWIN KARL DANIEL EXECUTOR
KARL W ERWIN ESTATE
379 N COUNTRY LN
ROCKWALL, TX 75087

GRAVES BRYAN J AND LAUREN C
406 MUNSON ST
ROCKWALL, TX 75087

STEVENSON ALLEN G ET UX
427 CLEM RD
ROCKWALL, TX 75087

FOGG GORDON C
505 CLEM RD
ROCKWALL, TX 75087

GRAVES BRYAN J AND LAUREN C
520 CORNELIUS RD
ROCKWALL, TX 75087

ROCKWALL RV PARK AND TINY HOME VILLAGE
588 CORNELIUS RD
ROCKWALL, TX 75087

PEOPLES DONNIE B
589 CORNELIUS RD
ROCKWALL, TX 75087

MCCALLUM CRAIG WILLIAM
611 CLEM RD
ROCKWALL, TX 75087

LEE JAMES H AND BARBARA
628 CORNELIUS RD
ROCKWALL, TX 75087

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

SOUTHALL MARK P & KATHY L
P. O. BOX 2214
ROCKWALL, TX 75087

FOGG GORDON C
PO BOX 842
ROCKWALL, TX 75087

Skorburg Company
8214 Westchester Dr., Ste. 900
Dallas, TX 75225
Phone: 214/522-4945
Fax: 214/522-7244

August 20, 2021

City of Rockwall
Attn: Henry Lee
385 S Goliad St
Rockwall, TX 75087

Dear Mr. Lee,

Skorburg Company is requesting that our Amendment to the Winding Creek PD-91 be taken to the September 14th, 2021 Planning and Zoning Meeting. This Amendment is for the development of an additional ± 20 acres directly adjacent to the existing Winding Creek eastern boundary in the William Dalton Survey, City of Rockwall, Rockwall County, at the southeast corner of F.M. 1141 and Clem Road.

The property is currently zoned AG. We are proposing to include this tract as part of PD-91 for the development of an additional 34 Single-Family residential homes on 16,000 square foot lots. This community will feature high quality homes on large lots and add to the beautiful aesthetics of other high quality Skorburg communities like Stone Creek Estates, Breezy Hill Estates, and Gideon Grove.

We look forward to working with the City once again to maximize the quality and value of our Winding Creek development.

Cordially Yours,

Adam Shiffer
Land Acquisition Associate

LOCATION MAP
N.T.S.

N

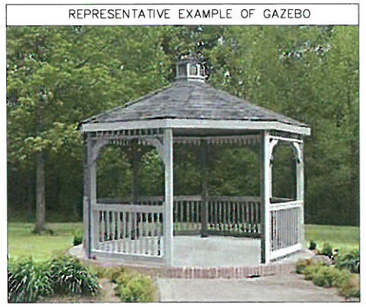
100 50 0 100 200
SCALE: 1" = 100'

LEGEND

132 LOTS TOTAL
Min. Width = 90'
Min. Depth = 100'
Min. Square Feet = 16,000

HOA MAINTAINED OPEN SPACE

REPRESENTATIVE EXAMPLE OF GAZEBO



HOA OPEN SPACE AREA TABLE		
HOA LOT	SF	AC
A	370696	8.51
B	244807	5.62
C	51836	1.19
D	22651	0.52
TOTAL		15.84

NOTE:
THE MAXIMUM NUMBER OF RESIDENTIAL LOTS SHALL NOT EXCEED 132 LOTS.

ALL OPEN SPACE LOTS TO BE MAINTAINED BY THE PROPERTY OWNER/HOA.

TOTAL ACRES: 78.41

TOTAL OPEN SPACE: 15.84 (20.20%)

TOTAL RESIDENTIAL LOTS: 132

RESIDENTIAL DENSITY: 1.69

Z2021-036

CONCEPT PLAN
OF
WINDING CREEK
SITUATED IN THE
WILLIAM DALTON SURVEY,
ABSTRACT NO. 72
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

PREPARED BY
MACATEE ENGINEERING, LLC
12655 N. CENTRAL EXPRESSWAY, SUITE 420
DALLAS, TEXAS 75243
214-373-1180
OWNER
FALCON PLACE SF, Ltd.
OWNER
GORDON C. FOGG

AUGUST 2021
SCALE: 1"=100'
CASE NO. Z

CITY OF ROCKWALL

ORDINANCE NO. 21-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 91 (PD-91) FOR SINGLE-FAMILY 16 (SF-16) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 58.842-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17 & 17-01 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 Kevin Harrell of the Skorburg Co. on behalf of ~~Mark Taylor, Alex Freeman and Allen and Lisa Stevenson~~ Falcon Place SF, Ltd. and Gordon Fogg for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single-Family 16 (SF-16) District land uses, on a ~~58.84~~278.412-acre tract of land identified as Tract 17~~, & ~~17-01, 22, 22-04 and 22-05 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. 20-02*] 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. 20-02*] 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 *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 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 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.* A *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 ____ DAY OF _____, 2021.

_____
Kevin Fowler, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *[_____]*

2nd Reading: *[_____]*

Exhibit 'A':
Legal Description

Tract 1 (±26.012-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas. Being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a 60D nail found for corner at the intersection near the center of Clem Road and the recognized southeast line of FM-1141, said point being the northwest corner of herein described tract;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, within said Clem Road and the recognized north line of said *Walker Tract*, a distance of 533.77-feet to a point for corner, said point being the northeast corner of herein described tract and the northwest corner of a tract of land described in deed to Mark G. and Jessica K. Taylor, recorded in *Volume 7106, Page 191*, Official Public Records, Rockwall County, Texas;

THENCE South 01 Degrees 23 Minutes 21 Seconds West, along the west line of said *Taylor Tract*, passing a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for witness at a distance of 17.18-feet and continuing for a total distance of 283.63-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 06 Minutes 43 Seconds West, along the west line of said *Taylor Tract*, a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 35 Minutes 13 Seconds West, along the west line of said *Taylor Tract*, a distance of 597.75-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner, said point being an inner ell corner of herein described tract and the southwest corner of said *Taylor Tract*;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, along the south line of said *Taylor Tract*, a distance of 574.09-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner in the west line of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, said point being the southeast corner of said *Taylor Tract* and the most southerly northeast corner of herein described tract;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the recognized east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 334.12-feet to a 3/8-inch iron rod found for corner, the apparent northeast corner of Lot 5 of Meadowview Ranch Estates, recorded in *Cabinet A, Slide 247*, Plat Records, Rockwall county, Texas, said point being the recognized southeast corner of said *Walker Tract* and the apparent southwest corner of said *Stevenson Tract*;

THENCE South 89 Degrees 13 Minutes 16 Seconds West, along the recognized south line of said *Walker Tract*, a distance 510.41-feet to a 3/8-inch iron rod found for angle point;

THENCE North 89 Degrees 58 Minutes 55 Seconds West, along the recognized south line of said *Walker Tract*, a distance of 778.67-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner in the recognized east line of said FM-1141, said point being the southwest corner of herein described tract;

THENCE North, along the recognized east line of said highway, passing a 60D nail found on a wood highway monument for witness at a distance of 734.11-feet and continuing for a total distance of 810.94-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the beginning of a curve to right having a central angle of 39 Degrees 09 Minutes 01 Seconds, a radius of 533.14-feet and a chord bearing and distance of North 19 Degrees 34 Minutes 34 Seconds East - 357.25-feet;

THENCE along the recognized southeast line of said highway and said curve to the right an arc length of 364.29-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the end of said curve;

THENCE North 39 Degrees 09 Minutes 00 Seconds East along the recognized southeast line of said highway, a distance of 215.67-feet to the place of beginning and containing 1,133,124.22 square-feet or 26.012-acres of land.

Tract 2 (±12.0-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point for corner near the center of Clem Road, said point being the northeast corner of said *Walker Tract* and the northwest corner of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, from which a ½-inch iron rod found for witness bears South 00 Degrees 06 Minutes 20 Seconds East - 17.25-feet;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 990.13-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE South 89 Degrees 06 Minutes 09 Seconds West a distance 574.09-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE North 05 Degrees 35 Minutes 13 Seconds East a distance of 597.75-feet to a 4-inch metal fence corner for angle point;

THENCE North 05 Degrees 06 Minutes 43 Seconds East a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE North 01 Degrees 23 Minutes 21 Seconds East a distance of 283.63-feet to a point for corner in the north line of said *Walker Tract*, said point being near the center of Clem Road from which a ½-inch iron set with yellow cap stamped *BG&A RPLS 5569* for witness bears South 01 Degrees 23 Minutes 21 Seconds West - 17.18-feet;

THENCE North 89 Degrees 06 Minutes 09 Seconds East along the north line of said *Walker Tract* and within said Clem Road a distance of 497.09-feet to the *PLACE OF BEGINNING* and containing 522,720.00 square-feet or 12.000-acres of land.

Exhibit 'A':
Legal Description

Tract 3 (±20.83-Acres)

BEING a tract or parcel of Land situated in the William Dalton Survey, Abst. #72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams by T.H. Adams, by deed recorded in Volume 11, Page 475, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod in a County Road and at the Northwest corner of the above-mentioned 80 acre tract;

THENCE North 89 deg. 50 min. 30 sec. East, a distance of 684.33 feet along said Country Road to an iron rod for a corner, said iron rod bears South 89 deg. 50 min. 30 sec. West, a distance of 661.40 feet from the Northeast Corner of said 80 acre tract;

THENCE South 0 deg. 16 min. 03 sec. East, a distance of 1319.86 feet traversing said 80 acre tract to an iron rod for a corner;

THENCE South 89 deg. 22 min. 53 sec. West, a distance of 687.71 feet to an iron rod for a corner on the West line of said 80 acre tract and at the Northeast corner of Meadowview Ranch Estates, an addition to the County of Rockwall;

THENCE North 0 deg. 07 min. 17 sec. West, a distance of 1325.38 feet along the West line of said 80 acre tract to the Point of Beginning and containing 20.83 acres of land.

Tract 4 (±19.57-Acres)

Being a tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams to T. H. Adams and wife, S.E. Adams by Deed recorded in Volume 11, Page 475, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

Beginning at an iron rod set for a corner on the Northeast corner of said 80 acre tract in a County Road;

THENCE South 0 degrees 16 minutes 03 seconds East with a fence and the East line of said 80 acre tract a distance of 1314.55 feet to an iron rod found for corner;

THENCE South 39 degrees 22 minutes 33 seconds West with a fence a distance of 461.41 feet to an iron rod set for corner;

THENCE North 0 degrees 16 minutes 03 seconds West a distance of 1319.86 feet to an iron rod set for corner in a County Road;

THENCE North 89 degrees 50 minutes 30 seconds East with said County Road a distance of 461.40 feet to the POINTOF BEGINNING and Containing 19.57 acres of land more or less.

Exhibit 'B':
Location Map

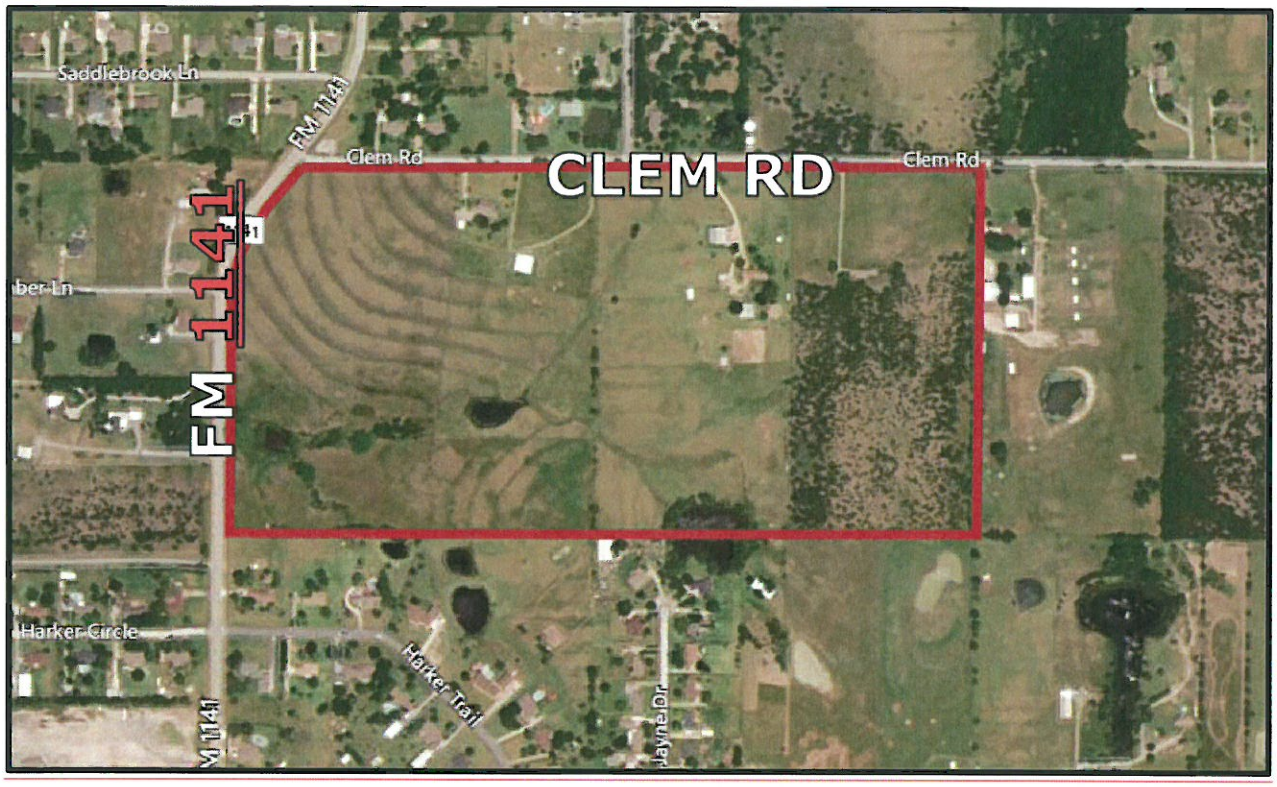


Exhibit 'C':
Concept Plan

Density and Development Standards.

(1) *Permitted Uses*. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 16 (SF-16) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *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'* of this ordinance.

(3) *Density and Dimensional Requirements*. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 16 (SF-16) District, as specified by Article 05, *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 *1.6~~87~~* dwelling units per gross acre of land; however, in no case should the proposed development exceed ~~*98*~~ *132* units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

Minimum Lot Width [1]	90'
Minimum Lot Depth	100'
Minimum Lot Area	16,000 SF
Minimum Front Yard Setback [2] & [5]	25'
Minimum Side Yard Setback	8'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'
Minimum Length of Driveway Pavement	25'
Maximum Height [3]	36'
Minimum Rear Yard Setback [4]	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space] [6]	3,000 SF
Maximum Lot Coverage	60%

General Notes:

[1]: 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 Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.

[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 (*whichever is greater*) of the single-family home.

[4]: The location of the *Rear Yard Building Setback* as measured from the rear property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. 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.

[6]: A maximum of ten (10) percent of the lots may have a minimum area/dwelling unit of 2,800 SF [*Air-Conditioned Space*].

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

(a) *Masonry Requirement*. The minimum masonry requirement for the total exterior façade area of all buildings shall be 90% (*excluding dormers and walls over roof areas*); however, no individual façade shall be less than 85% masonry. 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; however, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted through a Specific Use Permit (SUP) only. Excluding dormers and walls over roof areas, siding products (*e.g. HardiBoard or Hardy Plank*) shall not be visible on homes abutting any major thoroughfare (*i.e. FM-1141 as shown on Exhibit 'C' of this ordinance*).

(b) *Roof Pitch*. A minimum of an *8:12* roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a *4:12* roof pitch.

(c) *Garage Orientation and Garage Doors*. Garages shall be oriented in a *traditional swing* (or *j-swing*) (*i.e. where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration*). On *traditional swing* (*or j-swing*) garage configurations, a second single or double garage door facing the street is permitted if it is located behind the width of the double garage door. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).

All garage doors shall be required to have decorative wood doors or wood overlays on insulated metal doors. The design between the garage door and home shall use the same or complementary colors and materials. All garages shall include carriage style hardware. An example of carriage style hardware is depicted in *Figure 1*.

Figure 1. Examples of Enhanced Garage Door

(5) *Anti-Monotony Restrictions*. The development shall adhere to the following *Anti-Monotony* standards:

(a) 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.

(b) 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, FM-1141, 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:

(1) Number of Stories
(2) Permitted Encroachment Type and Layout
(3) Roof Type and Layout
(4) Articulation of the Front Façade

(c) Permitted encroachment (*i.e. porches and sunroom*) 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.

(d) 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 3: Properties line up on the opposite side of the street. Where RED is the subject property.

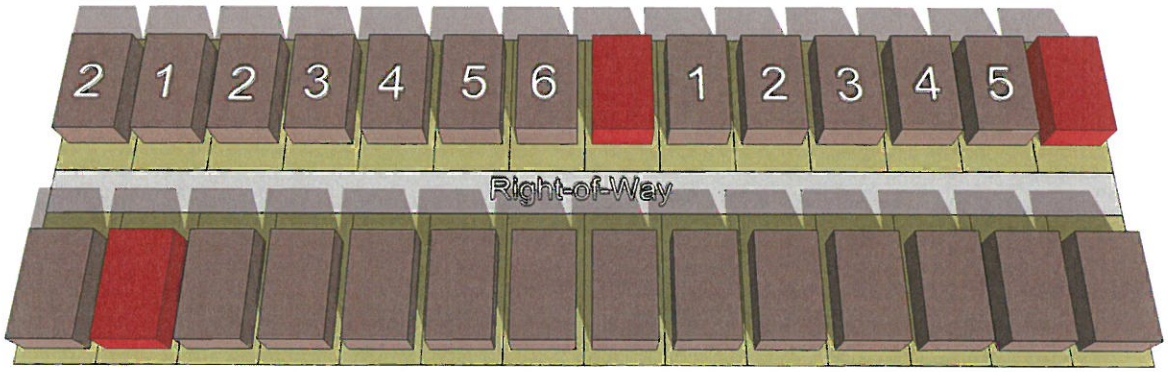
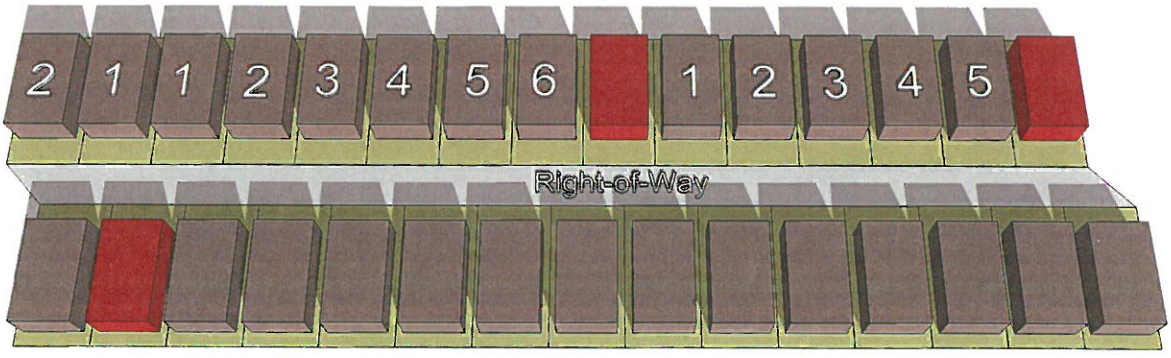


Figure 4: Properties do not line up on opposite side of the street. Where RED is the subject property.



(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) *Front Yard Fences*. Front yard fences shall be prohibited.

(b) *Wood Fences*. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.

(c) *Wrought Iron/Tubular Steel*. Lots located along the perimeter of roadways (*i.e. FM-1141 and Clem 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.

(d) *Corner Lots*. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(e) *Solid Fences (including Wood Fences)*. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

(7) *Landscape and Hardscape Standards*.

(a) *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. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall also be required to plant a row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).

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

(1) *Landscape Buffer and Sidewalks (FM-1141)*. A minimum of a 30-foot landscape buffer shall be provided along FM-1141 (*outside of and beyond any*

required right-of-way dedication), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering six (6) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(2) *Landscape Buffers (Clem Road)*. A minimum of a 30-foot landscape buffer shall be provided along Clem Drive (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(3) *Landscape Buffers (Southern Property Line)*. A minimum of a 10-foot landscape buffer shall be incorporated at the rear of the residential lots that back to the southern property line of the subject property. This landscape buffer shall incorporate a solid living screen utilizing evergreen trees -- *either Eastern Red Cedar or Leland Cypress unless approved otherwise approved by the Director of Planning and Zoning* --, a minimum of four (4) caliper inches in size, that will be planted on 20-foot centers.

(c) *Street Trees*. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-feet vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.

(d) *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).

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

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

(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 two (2) 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 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) *Open Space*. The development shall consist of a minimum of *20%* open space (*or a minimum of ~~11.77~~16.01 -acres -- as calculated by the formula stipulated in the Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. All open space areas (*including landscape buffers*) shall be maintained by the Homeowner's Association (HOA).

(13) *Fishing Dock*. Subject to engineering design providing sufficient perpetual water depth of the pond in HOA open space area 'B', a fishing dock shall be installed by the developer and maintained by the HOA as depicted in '*Exhibit C*' of this ordinance.

(14) *Gazebo*. A gazebo shall be installed by the developer and maintained by the HOA in HOA open space area 'C' as depicted in '*Exhibit C*' of this ordinance.

~~(12)~~

~~(13)~~(15) *Trails*. A concrete trail system shall be constructed in generally the same areas and of the same sizes as what is depicted in *Exhibit 'C'* of this ordinance.

~~(14)~~(16) *Neighborhood Signage and Enhancements*. Permanent subdivision 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*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.

~~(15)~~(17) *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*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development.

~~(16)~~(18) *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.

CITY OF ROCKWALL

ORDINANCE NO. 21-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 91 (PD-91) FOR SINGLE-FAMILY 16 (SF-16) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 78.412-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17 & 17-01 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 Kevin Harrell of the Skorburg Co. on behalf of Falcon Place SF, Ltd. and Gordon Fogg for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single-Family 16 (SF-16) District land uses, on a 78.412-acre tract of land identified as Tract 17, 17-01, 22, 22-04 and 22-05 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. 20-02*] 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. 20-02*] 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 *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 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 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.* A *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 ____ DAY OF _____, 2021.

_____
Kevin Fowler, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *[_____]*

2nd Reading: *[_____]*

Exhibit 'A':
Legal Description

Tract 1 (±26.012-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas. Being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a 60D nail found for corner at the intersection near the center of Clem Road and the recognized southeast line of FM-1141, said point being the northwest corner of herein described tract;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, within said Clem Road and the recognized north line of said *Walker Tract*, a distance of 533.77-feet to a point for corner, said point being the northeast corner of herein described tract and the northwest corner of a tract of land described in deed to Mark G. and Jessica K. Taylor, recorded in *Volume 7106, Page 191*, Official Public Records, Rockwall County, Texas;

THENCE South 01 Degrees 23 Minutes 21 Seconds West, along the west line of said *Taylor Tract*, passing a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for witness at a distance of 17.18-feet and continuing for a total distance of 283.63-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 06 Minutes 43 Seconds West, along the west line of said *Taylor Tract*, a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 35 Minutes 13 Seconds West, along the west line of said *Taylor Tract*, a distance of 597.75-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner, said point being an inner ell corner of herein described tract and the southwest corner of said *Taylor Tract*;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, along the south line of said *Taylor Tract*, a distance of 574.09-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner in the west line of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, said point being the southeast corner of said *Taylor Tract* and the most southerly northeast corner of herein described tract;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the recognized east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 334.12-feet to a 3/8-inch iron rod found for corner, the apparent northeast corner of Lot 5 of Meadowview Ranch Estates, recorded in *Cabinet A, Slide 247*, Plat Records, Rockwall county, Texas, said point being the recognized southeast corner of said *Walker Tract* and the apparent southwest corner of said *Stevenson Tract*;

THENCE South 89 Degrees 13 Minutes 16 Seconds West, along the recognized south line of said *Walker Tract*, a distance 510.41-feet to a 3/8-inch iron rod found for angle point;

THENCE North 89 Degrees 58 Minutes 55 Seconds West, along the recognized south line of said *Walker Tract*, a distance of 778.67-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner in the recognized east line of said FM-1141, said point being the southwest corner of herein described tract;

THENCE North, along the recognized east line of said highway, passing a 60D nail found on a wood highway monument for witness at a distance of 734.11-feet and continuing for a total distance of 810.94-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the beginning of a curve to right having a central angle of 39 Degrees 09 Minutes 01 Seconds, a radius of 533.14-feet and a chord bearing and distance of North 19 Degrees 34 Minutes 34 Seconds East - 357.25-feet;

THENCE along the recognized southeast line of said highway and said curve to the right an arc length of 364.29-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the end of said curve;

THENCE North 39 Degrees 09 Minutes 00 Seconds East along the recognized southeast line of said highway, a distance of 215.67-feet to the place of beginning and containing 1,133,124.22 square-feet or 26.012-acres of land.

Tract 2 (±12.0-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point for corner near the center of Clem Road, said point being the northeast corner of said *Walker Tract* and the northwest corner of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, from which a ½-inch iron rod found for witness bears South 00 Degrees 06 Minutes 20 Seconds East - 17.25-feet;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 990.13-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE South 89 Degrees 06 Minutes 09 Seconds West a distance 574.09-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE North 05 Degrees 35 Minutes 13 Seconds East a distance of 597.75-feet to a 4-inch metal fence corner for angle point;

THENCE North 05 Degrees 06 Minutes 43 Seconds East a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE North 01 Degrees 23 Minutes 21 Seconds East a distance of 283.63-feet to a point for corner in the north line of said *Walker Tract*, said point being near the center of Clem Road from which a ½-inch iron set with yellow cap stamped *BG&A RPLS 5569* for witness bears South 01 Degrees 23 Minutes 21 Seconds West - 17.18-feet;

THENCE North 89 Degrees 06 Minutes 09 Seconds East along the north line of said *Walker Tract* and within said Clem Road a distance of 497.09-feet to the *PLACE OF BEGINNING* and containing 522,720.00 square-feet or 12.000-acres of land.

Tract 3 (±20.83-Acres)

BEING a tract or parcel of Land situated in the William Dalton Survey, Abst. #72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams by T.H. Adams, by deed recorded in Volume 11, Page 475, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod in a County Road and at the Northwest corner of the above-mentioned 80 acre tract;

THENCE North 89 deg. 50 min. 30 sec. East, a distance of 684.33 feet along said Country Road to an iron rod for a corner, said iron rod bears South 89 deg. 50 min. 30 sec. West, a distance of 661.40 feet from the Northeast Corner of said 80 acre tract;

THENCE South 0 deg. 16 min. 03 sec. East, a distance of 1319.86 feet traversing said 80 acre tract to an iron rod for a corner;

THENCE South 89 deg. 22 min. 53 sec. West, a distance of 687.71 feet to an iron rod for a corner on the West line of said 80 acre tract and at the Northeast corner of Meadowview Ranch Estates, an addition to the County of Rockwall;

THENCE North 0 deg. 07 min. 17 sec. West, a distance of 1325.38 feet along the West line of said 80 acre tract to the Point of Beginning and containing 20.83 acres of land.

Tract 4 (±19.57-Acres)

BEING a tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams to T. H. Adams and wife, S.E. Adams by Deed recorded in Volume 11, Page 475, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod set for a corner on the Northeast corner of said 80 acre tract in a County Road;

THENCE South 0 degrees 16 minutes 03 seconds East with a fence and the East line of said 80 acre tract a distance of 1314.55 feet to an iron rod found for corner;

THENCE South 39 degrees 22 minutes 33 seconds West with a fence a distance of 461.41 feet to an iron rod set for corner;

THENCE North 0 degrees 16 minutes 03 seconds West a distance of 1319.86 feet to an iron rod set for corner in a County Road;

THENCE North 89 degrees 50 minutes 30 seconds East with said County Road a distance of 461.40 feet to the POINTOF BEGINNING and Containing 19.57 acres of land more or less.

Exhibit 'B':
Location Map

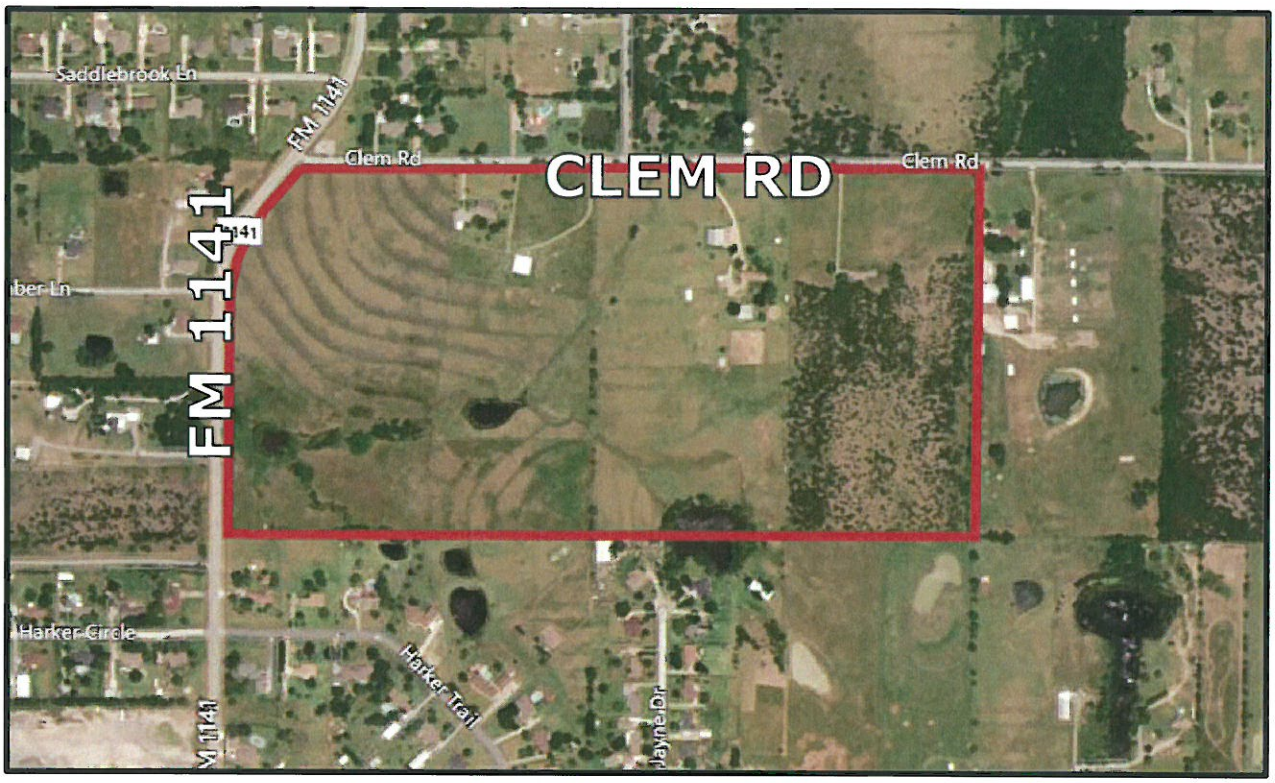


Exhibit 'C':
Concept Plan

Density and Development Standards.

(1) *Permitted Uses*. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 16 (SF-16) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *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'* of this ordinance.

(3) *Density and Dimensional Requirements*. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 16 (SF-16) District, as specified by Article 05, *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 *1.68* dwelling units per gross acre of land; however, in no case should the proposed development exceed 132 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

Minimum Lot Width [1]	90'
Minimum Lot Depth	100'
Minimum Lot Area	16,000 SF
Minimum Front Yard Setback [2] & [5]	25'
Minimum Side Yard Setback	8'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'
Minimum Length of Driveway Pavement	25'
Maximum Height [3]	36'
Minimum Rear Yard Setback [4]	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space] [6]	3,000 SF
Maximum Lot Coverage	60%

General Notes:

[1]: 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 Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.

[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 (*whichever is greater*) of the single-family home.

[4]: The location of the *Rear Yard Building Setback* as measured from the rear property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. 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.

[6]: A maximum of ten (10) percent of the lots may have a minimum area/dwelling unit of 2,800 SF [*Air-Conditioned Space*].

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

(a) *Masonry Requirement*. The minimum masonry requirement for the total exterior façade area of all buildings shall be 90% (*excluding dormers and walls over roof areas*); however, no individual façade shall be less than 85% masonry. 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; however, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted through a Specific Use Permit (SUP) only. Excluding dormers and walls over roof areas, siding products (*e.g. HardiBoard or Hardy Plank*) shall not be visible on homes abutting any major thoroughfare (*i.e. FM-1141 as shown on Exhibit 'C' of this ordinance*).

(b) *Roof Pitch*. A minimum of an *8:12* roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a *4:12* roof pitch.

(c) *Garage Orientation and Garage Doors*. Garages shall be oriented in a *traditional swing* (or *j-swing*) (*i.e. where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration*). On *traditional swing* (*or j-swing*) garage configurations, a second single or double garage door facing the street is permitted if it is located behind the width of the double garage door. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).

All garage doors shall be required to have decorative wood doors or wood overlays on insulated metal doors. The design between the garage door and home shall use the same or complementary colors and materials. All garages shall include carriage style hardware. An example of carriage style hardware is depicted in *Figure 1*.

Figure 1. Examples of Enhanced Garage Door

(5) *Anti-Monotony Restrictions*. The development shall adhere to the following *Anti-Monotony* standards:

(a) 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.

(b) 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, FM-1141, 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:

(1) Number of Stories
(2) Permitted Encroachment Type and Layout
(3) Roof Type and Layout
(4) Articulation of the Front Façade

(c) Permitted encroachment (*i.e. porches and sunroom*) 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.

(d) 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 3: Properties line up on the opposite side of the street. Where RED is the subject property.

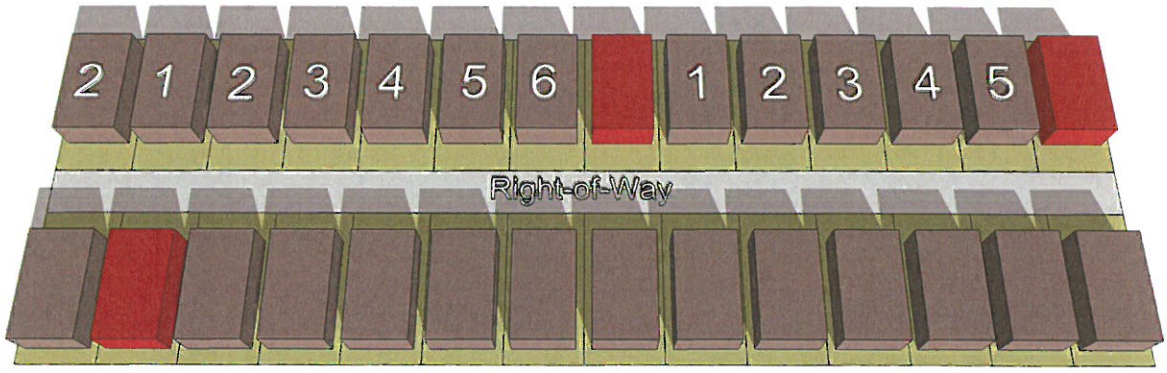
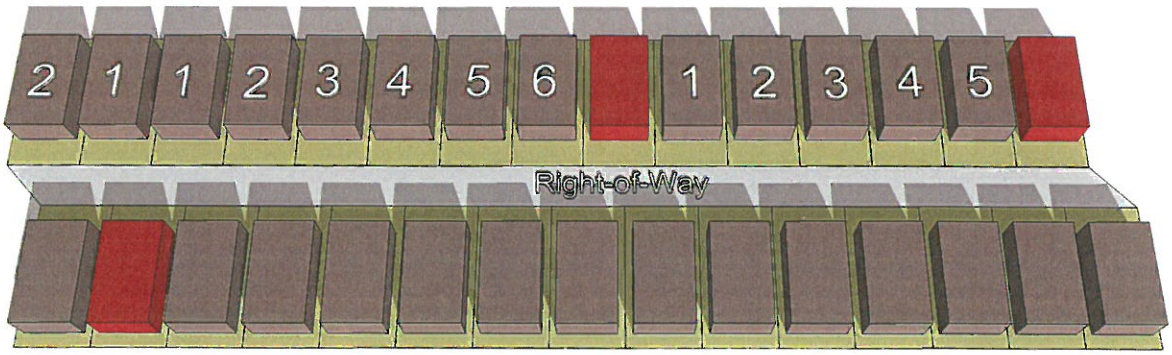


Figure 4: Properties do not line up on opposite side of the street. Where RED is the subject property.



(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) *Front Yard Fences*. Front yard fences shall be prohibited.

(b) *Wood Fences*. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.

(c) *Wrought Iron/Tubular Steel*. Lots located along the perimeter of roadways (*i.e. FM-1141 and Clem 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.

(d) *Corner Lots*. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(e) *Solid Fences (including Wood Fences)*. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

(7) *Landscape and Hardscape Standards*.

(a) *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. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall also be required to plant a row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).

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

(1) *Landscape Buffer and Sidewalks (FM-1141)*. A minimum of a 30-foot landscape buffer shall be provided along FM-1141 (*outside of and beyond any required*

right-of-way dedication), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering six (6) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(2) *Landscape Buffers (Clem Road)*. A minimum of a 30-foot landscape buffer shall be provided along Clem Drive (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(3) *Landscape Buffers (Southern Property Line)*. A minimum of a 10-foot landscape buffer shall be incorporated at the rear of the residential lots that back to the southern property line of the subject property. This landscape buffer shall incorporate a solid living screen utilizing evergreen trees -- *either Eastern Red Cedar or Leland Cypress unless approved otherwise approved by the Director of Planning and Zoning* --, a minimum of four (4) caliper inches in size, that will be planted on 20-foot centers.

(c) *Street Trees*. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-feet vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.

(d) *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).

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

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

(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 two (2) 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 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) *Open Space*. The development shall consist of a minimum of *20%* open space (*or a minimum of 16.01 -acres -- as calculated by the formula stipulated in the Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. All open space areas (*including landscape buffers*) shall be maintained by the Homeowner's Association (HOA).

(13) *Fishing Dock*. Subject to engineering design providing sufficient perpetual water depth of the pond in HOA open space area 'B', a fishing dock shall be installed by the developer and maintained by the HOA as depicted in '*Exhibit C'* of this ordinance.

(14) *Gazebo.* A gazebo shall be installed by the developer and maintained by the HOA in HOA open space area 'C' as depicted in '*Exhibit C'* of this ordinance.

(15) *Trails*. A concrete trail system shall be constructed in generally the same areas and of the same sizes as what is depicted in *Exhibit 'C'* of this ordinance.

(16) *Neighborhood Signage and Enhancements*. Permanent subdivision 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*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.

(17) *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*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development.

(18) *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.

PROJECT COMMENTS

CITY OF ROCKWALL
385 S. GOLIAD STREET
ROCKWALL, TEXAS 75087
PHONE: (972) 771-7700

DATE: 8/26/2021

PROJECT NUMBER:	Z2021-036	CASE MANAGER:	Henry Lee
PROJECT NAME:	Amendment to Planned Development District 91	CASE MANAGER PHONE:	972.772.6434
SITE ADDRESS/LOCATIONS:		CASE MANAGER EMAIL:	hlee@rockwall.com

CASE CAPTION: Hold a public hearing to discuss and consider a request by Adam Shiffer of the Skorburg Company on behalf of Gordon C. Fogg for the approval of a Zoning Change to amend Planned Development District 91 (PD-91) [Ordinance No. 21-36] to incorporate a 20.00-acre tract of land identified as Tracts 22-04 & 22-05 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 505 Clem Road, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
	Henry Lee	08/26/2021	Approved w/ Comments

08/26/2021: Z2021-032; Specific Use Permit for a Restaurant – Lot 1, Block A, Sky Ridge Addition

Please address the following comments (M= Mandatory Comments; I = Informational Comments)

I.1 This is a request for the approval of a Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant (i.e. Dutch Bros. Coffee) on a 0.57-acre portion of a larger 8.583-acre parcel of land identified as Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within Scenic Overlay (SOV) District, generally located southeast of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane.

I.2 For questions or comments concerning this case please contact Henry Lee in the Planning Department at (972) 772-6434 or email hlee@rockwall.com.

I.3 This project is subject to all requirements stipulated by the Unified Development Code (UDC), the standards established by the Specific Use Permit, the Commercial (C) District, the Scenic Overlay (SOV) District, and the Development Standards of Article 05 that are applicable to the subject property.

M.4 Please review and provide red-lined mark-ups of any changes to the Specific Use Permit (SUP) [i.e. Draft Ordinance] you feel may be necessary for your proposed project and return to staff no later than September 7, 2021 for review and consideration.

M.5 Review the following conditions pertaining to the operation of a Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In on the Subject Property and conformance to these conditions is required for continued operation. Correct all Non-Conforming requirements.

(9) Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In (Subsection 02.03 (F)(9), Article 04).

1) Drive-through lanes shall not have access to a local residential street. CONFORMING

2) Additional landscape screening shall be installed adjacent to drive-through lanes to impair the visibility and impact of head-lights from motor vehicles in the drive-through lane on adjacent properties, rights-of-way, parks and open space. NON-CONFORMING

3) Unless otherwise approved by the Planning and Zoning Commission, stacking lanes for a drive-through service window shall accommodate a minimum of six (6) standard sized motor vehicles per lane. CONFORMING

M.6 Indicate on the concept plan the headlight screening being utilized to eliminate glare onto adjacent properties and roadways (i.e. Great Faith Church and Ridge Road). I would review the approved landscape buffer in front of the property from Case No. MIS2021-001; utilize this along with any additional screening to meet the headlight screening requirement.

M.7 Indicate the point of order (i.e. any menu boards/speakers) on the conceptual site plan.

I.8 Consider moving the drive-through lane to the west side of the building to reduce the amount of headlight screening required for Ridge Road. This will also allow the front of the building to be more visible as opposed to locating the drive-through window adjacent to Ridge Road.

I.9 Based on the provided elevations the below variances have been identified. Based on these variances, the proposed building elevations will not be incorporated into the

Specific Use Permit (SUP) ordinance and will be addressed at site plan. Please note that the Unified Development Code (UDC) requires two (2) off-setting compensatory measures for each requested variance.

(1) Minimum 20% stone on all facades
(2) Greater than 50% stucco on south and west elevations
(3) Proposed flat roof instead on a pitched roof

I.10 Please note the scheduled meetings for this case:

(1) Planning & Zoning work session meeting will be held on August 31, 2021.
(2) Planning & Zoning Public Hearing will be held on September 14, 2021.
(3) City Council Public Hearing will be held on September 20, 2021. (1st Reading of Ordinance)
(4) City Council regular meeting will be held on October 4, 2021. (2nd Reading of Ordinance)

I.11 All meetings will be held in person in the City's Council Chambers and are scheduled to begin at 6:00 PM. The City requires that a representative(s) be present for all scheduled meetings.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Sarah Johnston	08/26/2021	Needs Review

08/26/2021: M - No parking is allowed to back out onto a public street.
M - Install 12-inch WL per Master Plan north to south on the property. (see markup)

The following items are informational for the engineering design process.
General Items:
M - Must meet City Standards of Design and Construction
I - 4% Engineering Inspection Fees
I - Impact Fees (Water, Wastewater & Roadway)
I - Minimum easement width is 20' for new easements. No structures allowed in easements.
I - Retaining walls 3' and over must be engineered.
I - All retaining walls must be rock or stone face. No smooth concrete walls.
I - Must include a 10' utility easement along all street frontage.
I - Must show and label proposed and existing utilities on pre-plat

Drainage Items:
I - Detention is required. Manning's C-value is by zoning.
I - Detention for 20 or more acres must be calculated using the unit hydrograph method and perform a detention/flood study. Review fees apply. (Must meet design requirements for Squabble Creek Basin)
I - No lot-to-lot drainage is allowed.
I - Must have a wetlands/WOTUS determination for all lakes/ponds and streams/creeks on site.
I - No vertical walls are allowed in detention easements.
I - Must delineate the 100-yr fully developed localized floodplain for all creek, stream and low ares (including pond and creek on the south property line) Detention must be above the 100-year Water Surface Elevation.
I - Must established drainage easements per erosion hazard setback and floodplain requirements.
I - Floodplain and erosion hazard setback to be in its own separate lot to be owned and maintained by the HOA. lot/property line will vary based on this.
Water and Wastewater Items:
I - Must loop 8" min. water line on site. Only one use allowed off a dead end line.
I - Must install a 12" water line through the site per the Master Plans.
I - You can pursue opting out of the Mt. Zion water district.
I - Will need a letter from Mt. Zion stating that they can serve domestic and fire protection to meet City requirements if not opting out of Mt. Zion WD.
I - Will need to connect the subdivision's sewer to the ex. sewer system that is located the west (approx. 3000ft). You may need additional easements.

Roadway Paving Items:

I - Required 10' utility easement required along all street frontage.
I - All streets to be concrete. Min. 50' ROW, 29' back-to-back paving. Streets must be curb and gutter style. No asphalt or rock streets.
I - Alleys to be 20' ROW, 12' wide paving.
I - No dead-end streets allowed. Must have a cul-de-sac or turnaround per City Standards.
I - Must meet driveway spacing requirements.
I - TXDOT permit required for driveway on FM 1141 This will require TIA to be submitted.
I - Dedicate ROW for FM 1141. 85' ROW for an M4D four lane divided roadway. Must dedicate 42.5' from the centerline if not existing. Reserve 17.5' for future FM 1141 right-of-way for TXDOT

Landscaping:
I - No trees to be with 10' of any public water, sewer or storm line that is 10" in diameter or larger.
I - No trees to be with 5' of any public water, sewer, or storm line that is less than 10".
I - "Open spaces to be maintained by the property owner/HOA" add note to preliminary plat.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Rusty McDowell	08/23/2021	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	08/23/2021	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	08/23/2021	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	Henry Lee	08/26/2021	N/A

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Travis Sales	08/23/2021	Approved

08/23/2021: Eventually will need the following as process proceeds
1. landscape plans for common areas and detention
2. tree mitigation plans
3. Park District 8
132 lots
Cash in lieu of land 132lots x $609.00 = $80,388.00
Pro Rata Equipment Fees 132 lots x $577.00 = $76,164.00
Total 132 lots x $1,186.00 = $156,552.00

DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. Z2021-036

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 [SELECT ONLY ONE BOX]:

PLATTING APPLICATION FEES:
- ☐ MASTER PLAT ($100.00 + $15.00 ACRE) [1]
- ☐ PRELIMINARY PLAT ($200.00 + $15.00 ACRE) [1]
- ☐ FINAL PLAT ($300.00 + $20.00 ACRE) [1]
- ☐ REPLAT ($300.00 + $20.00 ACRE) [1]
- ☐ AMENDING OR MINOR PLAT ($150.00)
- ☐ PLAT REINSTATEMENT REQUEST ($100.00)

SITE PLAN APPLICATION FEES:
- ☐ SITE PLAN ($250.00 + $20.00 ACRE) [1]
- ☐ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN ($100.00)

ZONING APPLICATION FEES:
- ☐ ZONING CHANGE ($200.00 + $15.00 ACRE) [1]
- ☐ SPECIFIC USE PERMIT ($200.00 + $15.00 ACRE) [1]
- ☒ PD DEVELOPMENT PLANS ($200.00 + $15.00 ACRE) [1]

OTHER APPLICATION FEES:
- ☐ TREE REMOVAL ($75.00)
- ☐ VARIANCE REQUEST ($100.00)

NOTES:
[1]: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS	505 Clem Road, Rockwall, TX 75087		
SUBDIVISION	William Dalton Survey Abstract No. 72	LOT	BLOCK
GENERAL LOCATION	Clem Road off of 1147		

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING	Agricultural District (AG)		CURRENT USE	AG	
PROPOSED ZONING	Amendment to PD-91		PROPOSED USE	PD (SF-16)	
ACREAGE	+/- 20 Additional, +/-78 Total	LOTS [CURRENT]	98 (PD - 91)	LOTS [PROPOSED]	132 (with Amendment)

☐ ***SITE PLANS AND PLATS:*** *BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.*

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☐ OWNER	Gordon C. Fogg	☒ APPLICANT	Skorburg Company
CONTACT PERSON	Gordon C. Fogg	CONTACT PERSON	Adam Shiffer
ADDRESS	505 Clem Road	ADDRESS	8214 Westchester Dr. Ste. 900
CITY, STATE & ZIP	Rockwall, TX 75087	CITY, STATE & ZIP	Dallas, TX 75225
PHONE	(972) 931-0345 ext. 116	PHONE	(214) 888-8845
E-MAIL	gfogg@monarchair.com	E-MAIL	ashiffer@skorburgcompany.com

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED GORDON C. FOGG [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM 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 _____ DAY OF _____, 20___. 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."

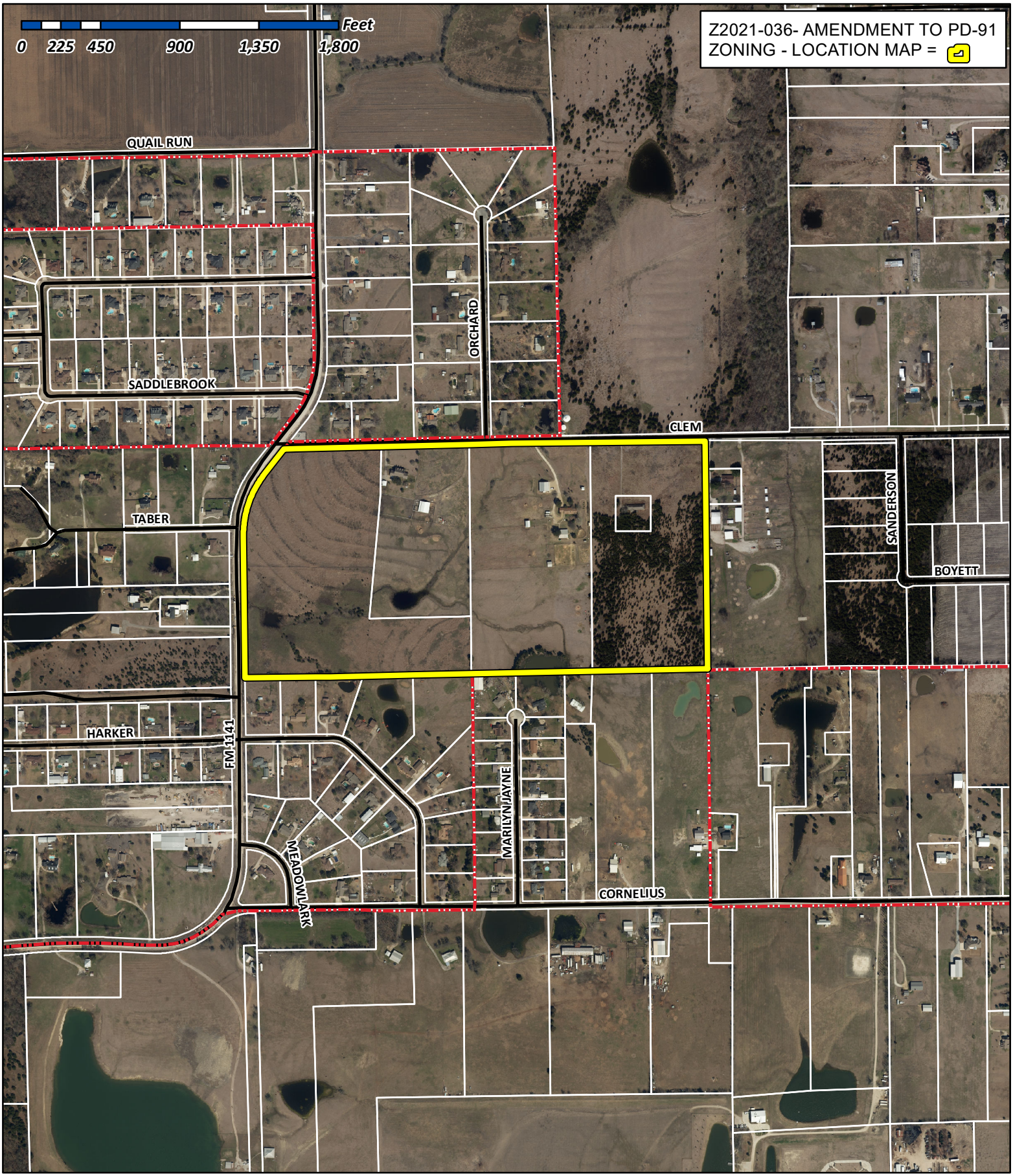
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 18 *DAY OF* August, 2021.

OWNER'S SIGNATURE Gordon C. Fogg

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Debra Barnes

MY COMMISSION EXPIRES 02-28-2023

DEBRA BARNES
Notary Public, State of Texas
Comm. Expires 02-28-2023
Notary ID 131911662



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): 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.

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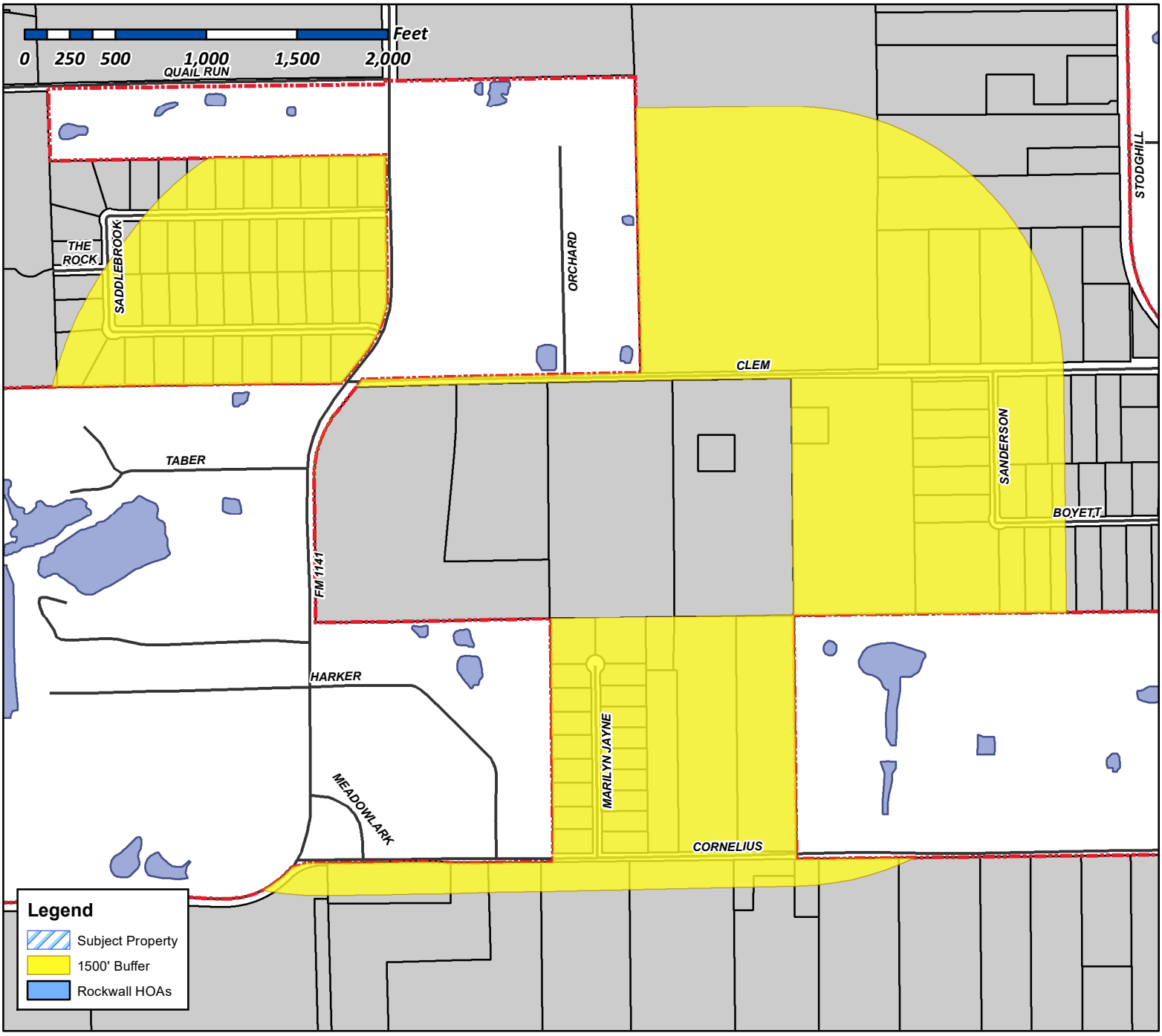
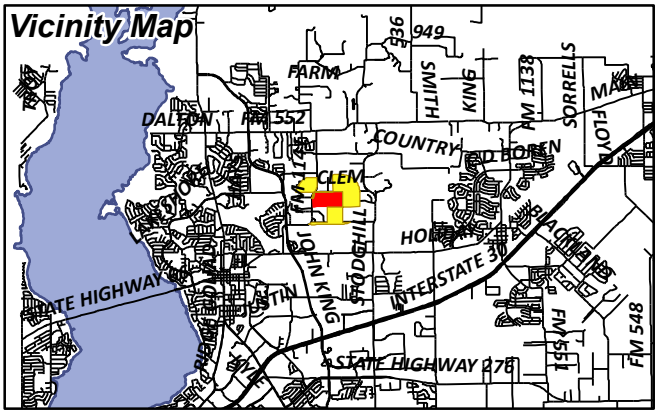


Case Number: Z2021-036
Case Name: Amendment to PD-91
Case Type: Zoning
Zoning: Planned Development District 91 (PD-91)
Case Address: Clem Road Off of FM 1147

Date Created: *9/9/2021*

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
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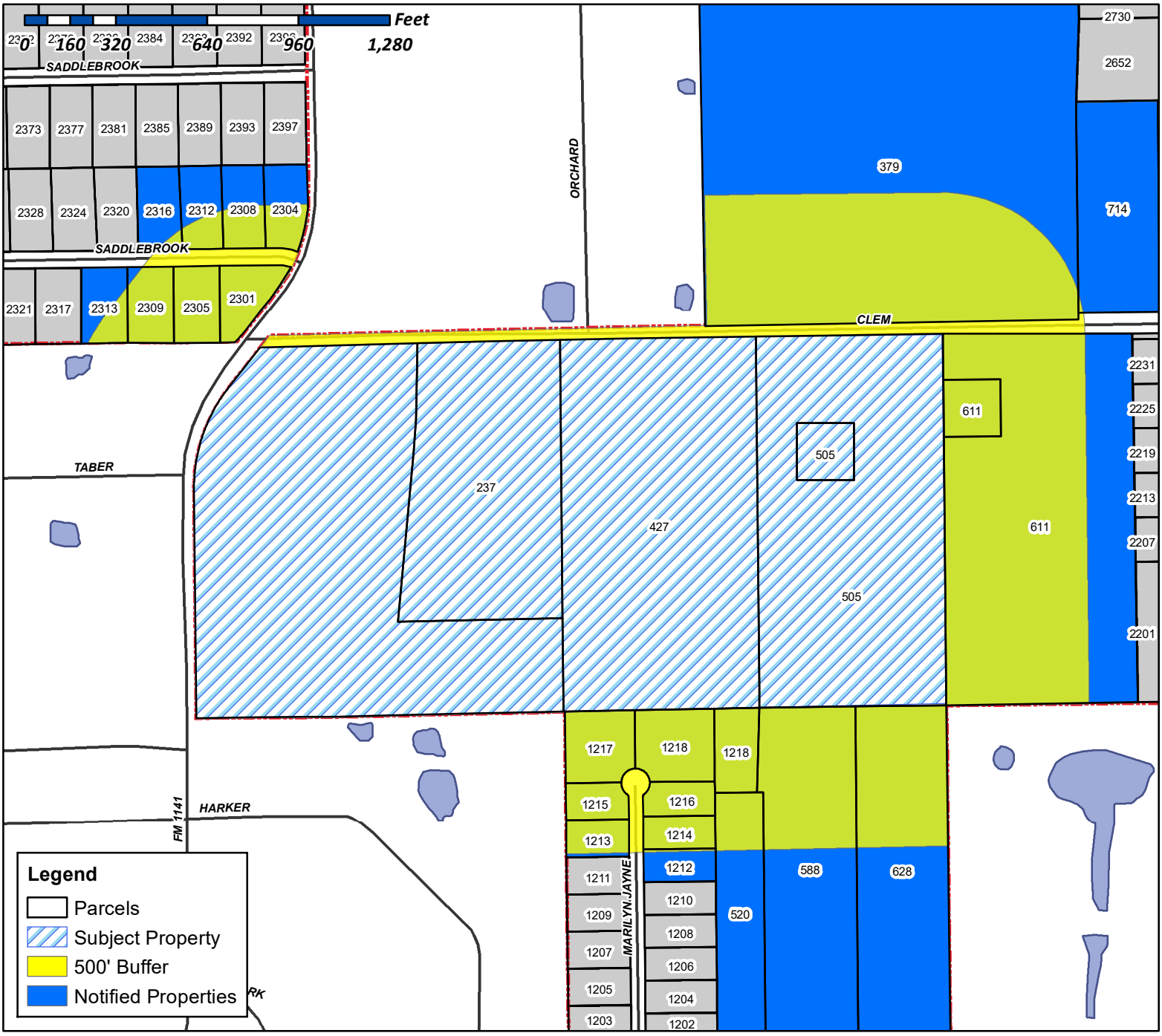

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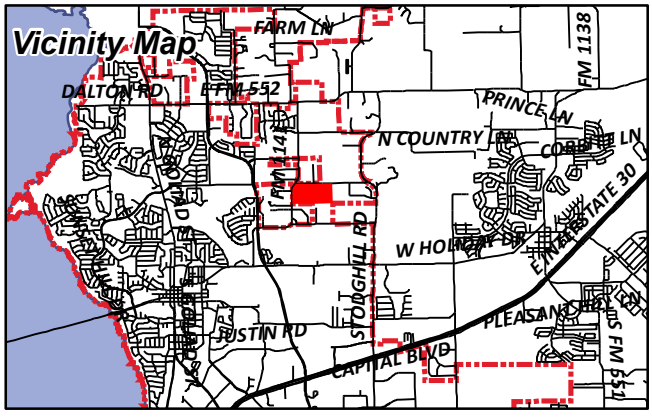


PEOPLES DONNIE B
1212 MARILYN JAYNELN
ROCKWALL, TX 75087

BERGERHOUSE PHILLIP & KERRI
1213 MARILYN JAYNE DR
ROCKWALL, TX 75087

SOUTHALL MARK P & KATHY L
1214 MARILYN JAYNE LN
ROCKWALL, TX 75087

CONFIDENTIAL
1215 MARILYN JAYNE DRIVE
ROCKWALL, TX 75087

COUCH MITCHELL E AND PATRICIA M
1216 MARILYN JAYNE DR
ROCKWALL, TX 75087

KELLY JAMES B & DEA S
1217 MARILYN JAYNE DR
ROCKWALL, TX 75087

MENDOZA ROBERT E AND SANDRA J WILKINS
1218 MARILYN JAYNE DR
ROCKWALL, TX 75087

MCCALLUM CRAIG WILLIAM
1983 N STODGHILL RD
ROCKWALL, TX 75087

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

CULP TERRI L
2301 SADDLEBROOK LN
ROCKWALL, TX 75087

MURPHEY HARVEY W & BETTY J
2304 SADDLEBROOK LN
ROCKWALL, TX 75087

OSBORNE AARON & BARBARA
2305 SADDLEBROOK LANE
ROCKWALL, TX 75087

CONFIDENTIAL
2308 SADDLEBROOK LN
ROCKWALL, TX 75087

JONES JAMES E
2309 SADDLEBROOK LN
ROCKWALL, TX 75087

SMITH WILLIAM CLEVE JR &
EDITH LILLIAN
2312 SADDLEBROOK LN
ROCKWALL, TX 75087

ROMERO MARGARET ALLEN-
2313 SADDLEBROOK LANE
ROCKWALL, TX 75087

LLOYD DANIEL AND REBECCA R
2316 SADDLEBROOK LANE
ROCKWALL, TX 75087

M G & J K TAYLOR LIVING TRUST
MARK G TAYLOR AND JESSICA K TAYLOR-
TRUSTEES
237 CLEM ROAD
ROCKWALL, TX 75087

ROCKWALL RV PARK AND TINY HOME VILLAGE
3094 COUNTY ROAD 1024
FARMERSVILLE, TX 75442

ERWIN KARL DANIEL EXECUTOR
KARL W ERWIN ESTATE
379 N COUNTRY LN
ROCKWALL, TX 75087

GRAVES BRYAN J AND LAUREN C
406 MUNSON ST
ROCKWALL, TX 75087

STEVENSON ALLEN G ET UX
427 CLEM RD
ROCKWALL, TX 75087

FOGG GORDON C
505 CLEM RD
ROCKWALL, TX 75087

GRAVES BRYAN J AND LAUREN C
520 CORNELIUS RD
ROCKWALL, TX 75087

ROCKWALL RV PARK AND TINY HOME VILLAGE
588 CORNELIUS RD
ROCKWALL, TX 75087

PEOPLES DONNIE B
589 CORNELIUS RD
ROCKWALL, TX 75087

MCCALLUM CRAIG WILLIAM
611 CLEM RD
ROCKWALL, TX 75087

LEE JAMES H AND BARBARA
628 CORNELIUS RD
ROCKWALL, TX 75087

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

SOUTHALL MARK P & KATHY L
P. O. BOX 2214
ROCKWALL, TX 75087

FOGG GORDON C
PO BOX 842
ROCKWALL, TX 75087

PUBLIC NOTICE

CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

CORRECTED NOTICE

Property Owner and/or Resident of the City of Rockwall:

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

Case No. Z2021-036: Amendment to PD-91 (Winding Creek)

Hold a public hearing to discuss and consider a request by Adam Shiffer of the Skorburg Company on behalf of Gordon C. Fogg for the approval of a Zoning Change to amend Planned Development District 91 (PD-91) [Ordinance No. 21-36] to incorporate a 20.00-acre tract of land identified as Tracts 22-04 & 22-05 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 505 Clem 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, September 28, 2021 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, October 4, 2021 at 6:00 PM*. 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:

Henry Lee
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. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by *Monday, October 4, 2021 at 4:00 PM* to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND AT: https://sites.google.com/site/rockwallplanning/development/development-cases

PLEASE RETURN THE BELOW FORM

Case No. Z2021-036: Amendment to PD-91 (Winding Creek)

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:

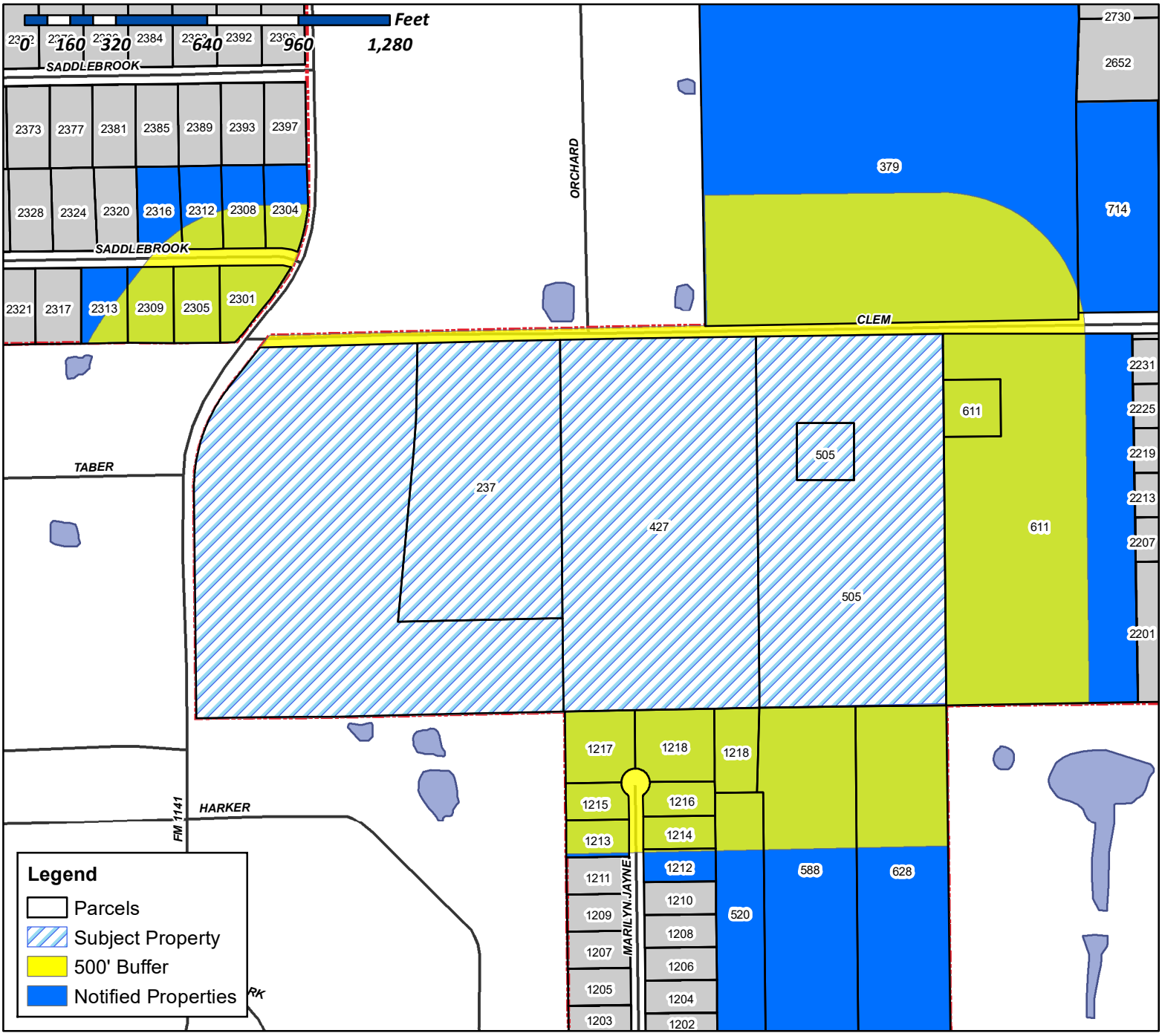
Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written 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

City of Rockwall

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

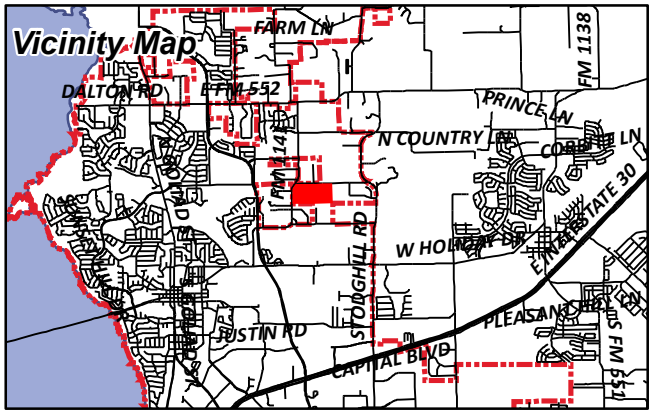
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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



Case Number: Z2021-036
Case Name: Amendment to PD-91
Case Type: Zoning
Zoning: Planned Development District 91 (PD-91)
Case Address: Clem Road off of FM 1147

Date Created: *9/9/2021*

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



Skorburg Company
8214 Westchester Dr., Ste. 900
Dallas, TX 75225
Phone: 214/522-4945
Fax: 214/522-7244

August 20, 2021

City of Rockwall
Attn: Henry Lee
385 S Goliad St
Rockwall, TX 75087

Dear Mr. Lee,

Skorburg Company is requesting that our Amendment to the Winding Creek PD-91 be taken to the September 14th, 2021 Planning and Zoning Meeting. This Amendment is for the development of an additional ± 20 acres directly adjacent to the existing Winding Creek eastern boundary in the William Dalton Survey, City of Rockwall, Rockwall County, at the southeast corner of F.M. 1141 and Clem Road.

The property is currently zoned AG. We are proposing to include this tract as part of PD-91 for the development of an additional 34 Single-Family residential homes on 16,000 square foot lots. This community will feature high quality homes on large lots and add to the beautiful aesthetics of other high quality Skorburg communities like Stone Creek Estates, Breezy Hill Estates, and Gideon Grove.

We look forward to working with the City once again to maximize the quality and value of our Winding Creek development.

Cordially Yours,

Adam Shiffer
Land Acquisition Associate

LOCATION MAP
N.T.S.

N

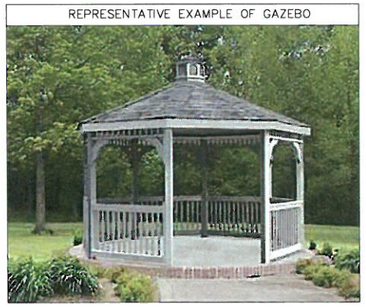
100 50 0 100 200
SCALE: 1" = 100'

LEGEND

132 LOTS TOTAL
Min. Width = 90'
Min. Depth = 100'
Min. Square Feet = 16,000

HOA MAINTAINED OPEN SPACE

REPRESENTATIVE EXAMPLE OF GAZEBO



HOA OPEN SPACE AREA TABLE		
HOA LOT	SF	AC
A	370696	8.51
B	244807	5.62
C	51836	1.19
D	22651	0.52
TOTAL		15.84

NOTE:
THE MAXIMUM NUMBER OF RESIDENTIAL LOTS SHALL NOT EXCEED 132 LOTS.

ALL OPEN SPACE LOTS TO BE MAINTAINED BY THE PROPERTY OWNER/HOA.

TOTAL ACRES: 78.41

TOTAL OPEN SPACE: 15.84 (20.20%)

TOTAL RESIDENTIAL LOTS: 132

RESIDENTIAL DENSITY: 1.69

Z2021-036

CONCEPT PLAN
OF
WINDING CREEK
SITUATED IN THE
WILLIAM DALTON SURVEY,
ABSTRACT NO. 72
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

PREPARED BY
MACATEE ENGINEERING, LLC
12655 N. CENTRAL EXPRESSWAY, SUITE 420
DALLAS, TEXAS 75243
214-373-1180
OWNER
FALCON PLACE SF, Ltd.
OWNER
GORDON C. FOGG

AUGUST 2021
SCALE: 1"=100'
CASE NO. Z

CITY OF ROCKWALL

ORDINANCE NO. 21-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 91 (PD-91) FOR SINGLE-FAMILY 16 (SF-16) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 58.842-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17 & 17-01 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 Kevin Harrell of the Skorburg Co. on behalf of ~~Mark Taylor, Alex Freeman and Allen and Lisa Stevenson~~ Falcon Place SF, Ltd. and Gordon Fogg for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single-Family 16 (SF-16) District land uses, on a ~~58.84~~278.412-acre tract of land identified as Tract 17~~, & ~~17-01, 22, 22-04 and 22-05 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. 20-02*] 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. 20-02*] 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 *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 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 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.* A *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 ____ DAY OF _____, 2021.

_____
Kevin Fowler, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *[_____]*

2nd Reading: *[_____]*

Exhibit 'A':
Legal Description

Tract 1 (±26.012-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas. Being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a 60D nail found for corner at the intersection near the center of Clem Road and the recognized southeast line of FM-1141, said point being the northwest corner of herein described tract;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, within said Clem Road and the recognized north line of said *Walker Tract*, a distance of 533.77-feet to a point for corner, said point being the northeast corner of herein described tract and the northwest corner of a tract of land described in deed to Mark G. and Jessica K. Taylor, recorded in *Volume 7106, Page 191*, Official Public Records, Rockwall County, Texas;

THENCE South 01 Degrees 23 Minutes 21 Seconds West, along the west line of said *Taylor Tract*, passing a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for witness at a distance of 17.18-feet and continuing for a total distance of 283.63-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 06 Minutes 43 Seconds West, along the west line of said *Taylor Tract*, a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 35 Minutes 13 Seconds West, along the west line of said *Taylor Tract*, a distance of 597.75-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner, said point being an inner ell corner of herein described tract and the southwest corner of said *Taylor Tract*;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, along the south line of said *Taylor Tract*, a distance of 574.09-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner in the west line of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, said point being the southeast corner of said *Taylor Tract* and the most southerly northeast corner of herein described tract;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the recognized east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 334.12-feet to a 3/8-inch iron rod found for corner, the apparent northeast corner of Lot 5 of Meadowview Ranch Estates, recorded in *Cabinet A, Slide 247*, Plat Records, Rockwall county, Texas, said point being the recognized southeast corner of said *Walker Tract* and the apparent southwest corner of said *Stevenson Tract*;

THENCE South 89 Degrees 13 Minutes 16 Seconds West, along the recognized south line of said *Walker Tract*, a distance 510.41-feet to a 3/8-inch iron rod found for angle point;

THENCE North 89 Degrees 58 Minutes 55 Seconds West, along the recognized south line of said *Walker Tract*, a distance of 778.67-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner in the recognized east line of said FM-1141, said point being the southwest corner of herein described tract;

THENCE North, along the recognized east line of said highway, passing a 60D nail found on a wood highway monument for witness at a distance of 734.11-feet and continuing for a total distance of 810.94-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the beginning of a curve to right having a central angle of 39 Degrees 09 Minutes 01 Seconds, a radius of 533.14-feet and a chord bearing and distance of North 19 Degrees 34 Minutes 34 Seconds East - 357.25-feet;

THENCE along the recognized southeast line of said highway and said curve to the right an arc length of 364.29-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the end of said curve;

THENCE North 39 Degrees 09 Minutes 00 Seconds East along the recognized southeast line of said highway, a distance of 215.67-feet to the place of beginning and containing 1,133,124.22 square-feet or 26.012-acres of land.

Tract 2 (±12.0-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point for corner near the center of Clem Road, said point being the northeast corner of said *Walker Tract* and the northwest corner of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, from which a ½-inch iron rod found for witness bears South 00 Degrees 06 Minutes 20 Seconds East - 17.25-feet;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 990.13-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE South 89 Degrees 06 Minutes 09 Seconds West a distance 574.09-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE North 05 Degrees 35 Minutes 13 Seconds East a distance of 597.75-feet to a 4-inch metal fence corner for angle point;

THENCE North 05 Degrees 06 Minutes 43 Seconds East a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE North 01 Degrees 23 Minutes 21 Seconds East a distance of 283.63-feet to a point for corner in the north line of said *Walker Tract*, said point being near the center of Clem Road from which a ½-inch iron set with yellow cap stamped *BG&A RPLS 5569* for witness bears South 01 Degrees 23 Minutes 21 Seconds West - 17.18-feet;

THENCE North 89 Degrees 06 Minutes 09 Seconds East along the north line of said *Walker Tract* and within said Clem Road a distance of 497.09-feet to the *PLACE OF BEGINNING* and containing 522,720.00 square-feet or 12.000-acres of land.

Exhibit 'A':
Legal Description

Tract 3 (±20.83-Acres)

BEING a tract or parcel of Land situated in the William Dalton Survey, Abst. #72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams by T.H. Adams, by deed recorded in Volume 11, Page 475, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod in a County Road and at the Northwest corner of the above-mentioned 80 acre tract;

THENCE North 89 deg. 50 min. 30 sec. East, a distance of 684.33 feet along said Country Road to an iron rod for a corner, said iron rod bears South 89 deg. 50 min. 30 sec. West, a distance of 661.40 feet from the Northeast Corner of said 80 acre tract;

THENCE South 0 deg. 16 min. 03 sec. East, a distance of 1319.86 feet traversing said 80 acre tract to an iron rod for a corner;

THENCE South 89 deg. 22 min. 53 sec. West, a distance of 687.71 feet to an iron rod for a corner on the West line of said 80 acre tract and at the Northeast corner of Meadowview Ranch Estates, an addition to the County of Rockwall;

THENCE North 0 deg. 07 min. 17 sec. West, a distance of 1325.38 feet along the West line of said 80 acre tract to the Point of Beginning and containing 20.83 acres of land.

Tract 4 (±19.57-Acres)

Being a tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams to T. H. Adams and wife, S.E. Adams by Deed recorded in Volume 11, Page 475, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

Beginning at an iron rod set for a corner on the Northeast corner of said 80 acre tract in a County Road;

THENCE South 0 degrees 16 minutes 03 seconds East with a fence and the East line of said 80 acre tract a distance of 1314.55 feet to an iron rod found for corner;

THENCE South 39 degrees 22 minutes 33 seconds West with a fence a distance of 461.41 feet to an iron rod set for corner;

THENCE North 0 degrees 16 minutes 03 seconds West a distance of 1319.86 feet to an iron rod set for corner in a County Road;

THENCE North 89 degrees 50 minutes 30 seconds East with said County Road a distance of 461.40 feet to the POINTOF BEGINNING and Containing 19.57 acres of land more or less.

Exhibit 'B':
Location Map

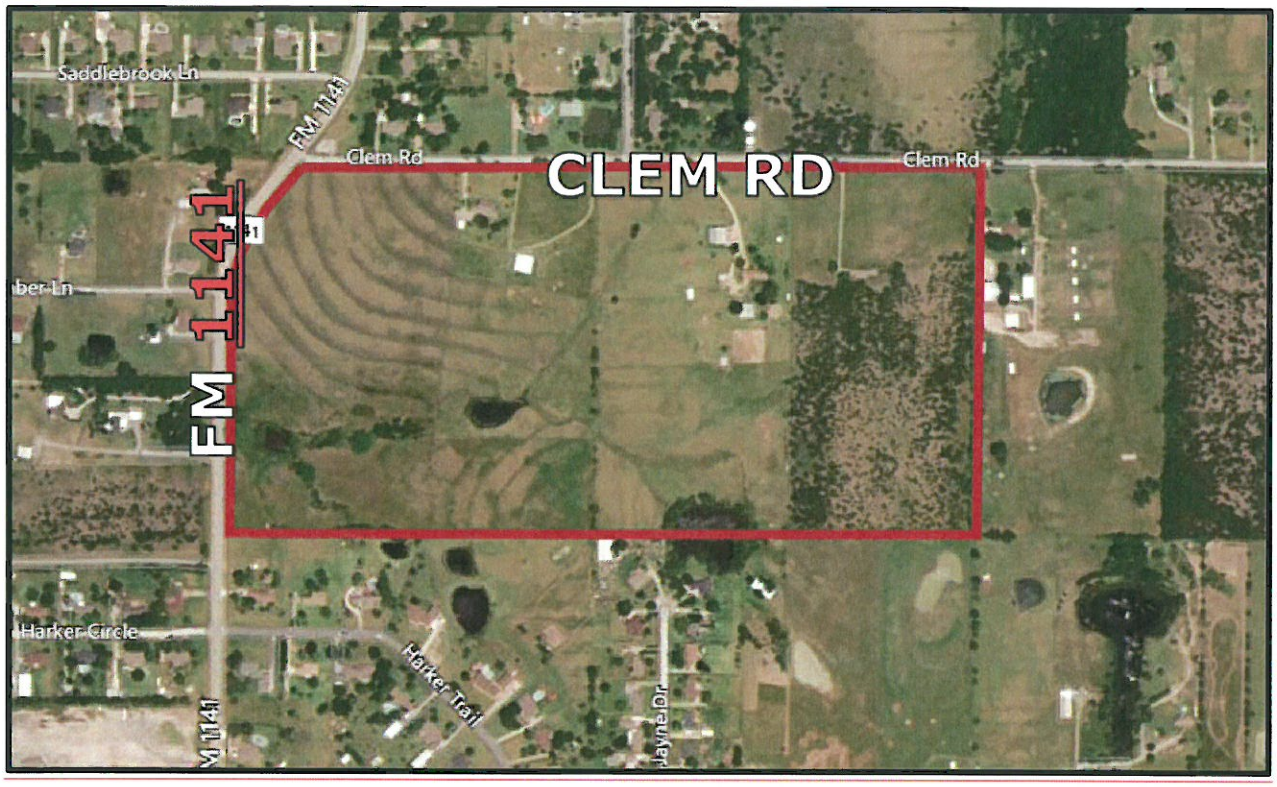


Exhibit 'C':
Concept Plan

Density and Development Standards.

(1) *Permitted Uses*. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 16 (SF-16) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *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'* of this ordinance.

(3) *Density and Dimensional Requirements*. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 16 (SF-16) District, as specified by Article 05, *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 *1.6~~87~~* dwelling units per gross acre of land; however, in no case should the proposed development exceed ~~*98*~~ *132* units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

Minimum Lot Width [1]	90'
Minimum Lot Depth	100'
Minimum Lot Area	16,000 SF
Minimum Front Yard Setback [2] & [5]	25'
Minimum Side Yard Setback	8'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'
Minimum Length of Driveway Pavement	25'
Maximum Height [3]	36'
Minimum Rear Yard Setback [4]	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space] [6]	3,000 SF
Maximum Lot Coverage	60%

General Notes:

[1]: 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 Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.

[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 (*whichever is greater*) of the single-family home.

[4]: The location of the *Rear Yard Building Setback* as measured from the rear property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. 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.

[6]: A maximum of ten (10) percent of the lots may have a minimum area/dwelling unit of 2,800 SF [*Air-Conditioned Space*].

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

(a) *Masonry Requirement*. The minimum masonry requirement for the total exterior façade area of all buildings shall be 90% (*excluding dormers and walls over roof areas*); however, no individual façade shall be less than 85% masonry. 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; however, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted through a Specific Use Permit (SUP) only. Excluding dormers and walls over roof areas, siding products (*e.g. HardiBoard or Hardy Plank*) shall not be visible on homes abutting any major thoroughfare (*i.e. FM-1141 as shown on Exhibit 'C' of this ordinance*).

(b) *Roof Pitch*. A minimum of an *8:12* roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a *4:12* roof pitch.

(c) *Garage Orientation and Garage Doors*. Garages shall be oriented in a *traditional swing* (or *j-swing*) (*i.e. where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration*). On *traditional swing* (*or j-swing*) garage configurations, a second single or double garage door facing the street is permitted if it is located behind the width of the double garage door. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).

All garage doors shall be required to have decorative wood doors or wood overlays on insulated metal doors. The design between the garage door and home shall use the same or complementary colors and materials. All garages shall include carriage style hardware. An example of carriage style hardware is depicted in *Figure 1*.

Figure 1. Examples of Enhanced Garage Door

(5) *Anti-Monotony Restrictions*. The development shall adhere to the following *Anti-Monotony* standards:

(a) 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.

(b) 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, FM-1141, 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:

(1) Number of Stories
(2) Permitted Encroachment Type and Layout
(3) Roof Type and Layout
(4) Articulation of the Front Façade

(c) Permitted encroachment (*i.e. porches and sunroom*) 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.

(d) 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 3: Properties line up on the opposite side of the street. Where RED is the subject property.

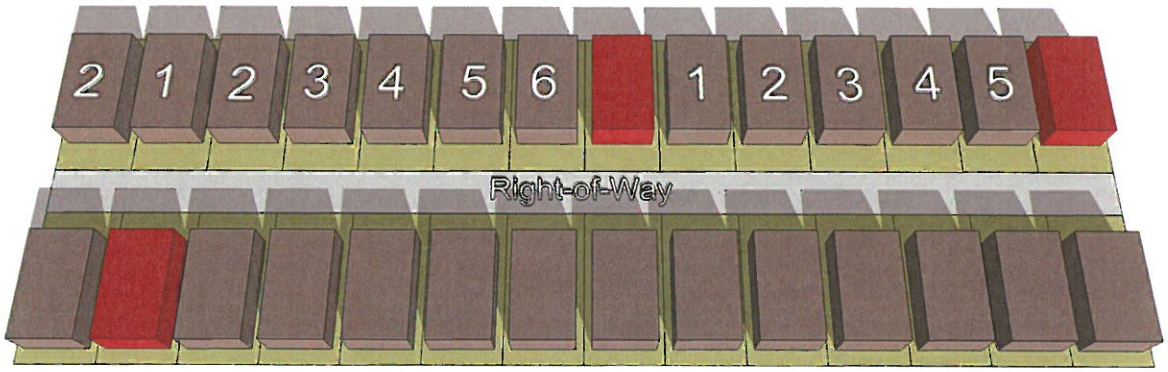
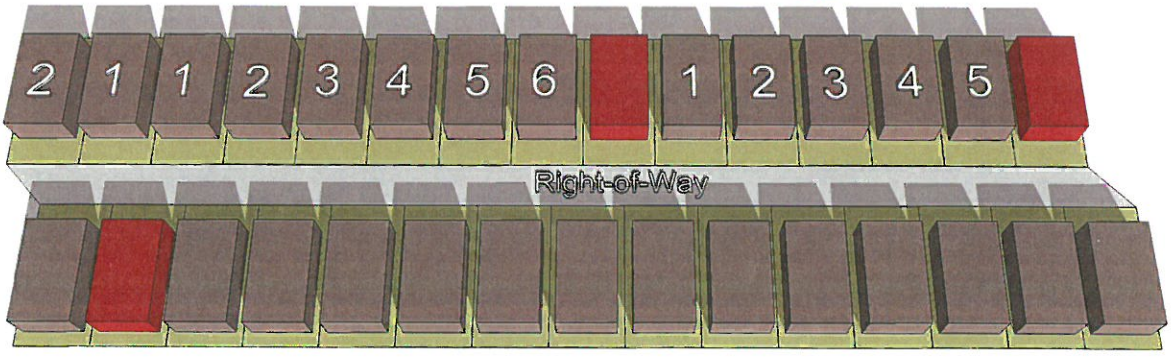


Figure 4: Properties do not line up on opposite side of the street. Where RED is the subject property.



(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) *Front Yard Fences*. Front yard fences shall be prohibited.

(b) *Wood Fences*. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.

(c) *Wrought Iron/Tubular Steel*. Lots located along the perimeter of roadways (*i.e. FM-1141 and Clem 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.

(d) *Corner Lots*. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(e) *Solid Fences (including Wood Fences)*. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

(7) *Landscape and Hardscape Standards*.

(a) *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. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall also be required to plant a row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).

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

(1) *Landscape Buffer and Sidewalks (FM-1141)*. A minimum of a 30-foot landscape buffer shall be provided along FM-1141 (*outside of and beyond any*

required right-of-way dedication), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering six (6) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(2) *Landscape Buffers (Clem Road)*. A minimum of a 30-foot landscape buffer shall be provided along Clem Drive (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(3) *Landscape Buffers (Southern Property Line)*. A minimum of a 10-foot landscape buffer shall be incorporated at the rear of the residential lots that back to the southern property line of the subject property. This landscape buffer shall incorporate a solid living screen utilizing evergreen trees -- *either Eastern Red Cedar or Leland Cypress unless approved otherwise approved by the Director of Planning and Zoning* --, a minimum of four (4) caliper inches in size, that will be planted on 20-foot centers.

(c) *Street Trees*. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-feet vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.

(d) *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).

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

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

(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 two (2) 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 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) *Open Space*. The development shall consist of a minimum of *20%* open space (*or a minimum of ~~11.77~~16.01 -acres -- as calculated by the formula stipulated in the Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. All open space areas (*including landscape buffers*) shall be maintained by the Homeowner's Association (HOA).

(13) *Fishing Dock*. Subject to engineering design providing sufficient perpetual water depth of the pond in HOA open space area 'B', a fishing dock shall be installed by the developer and maintained by the HOA as depicted in '*Exhibit C*' of this ordinance.

(14) *Gazebo*. A gazebo shall be installed by the developer and maintained by the HOA in HOA open space area 'C' as depicted in '*Exhibit C*' of this ordinance.

~~(12)~~

~~(13)~~(15) *Trails*. A concrete trail system shall be constructed in generally the same areas and of the same sizes as what is depicted in *Exhibit 'C'* of this ordinance.

~~(14)~~(16) *Neighborhood Signage and Enhancements*. Permanent subdivision 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*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.

~~(15)~~(17) *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*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development.

~~(16)~~(18) *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.

CITY OF ROCKWALL

ORDINANCE NO. 21-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 91 (PD-91) FOR SINGLE-FAMILY 16 (SF-16) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 78.412-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17 & 17-01 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 Kevin Harrell of the Skorburg Co. on behalf of Falcon Place SF, Ltd. and Gordon Fogg for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single-Family 16 (SF-16) District land uses, on a 78.412-acre tract of land identified as Tract 17, 17-01, 22, 22-04 and 22-05 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. 20-02*] 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. 20-02*] 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 *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 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 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.* A *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 ____ DAY OF _____, 2021.

_____
Kevin Fowler, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *[_____]*

2nd Reading: *[_____]*

Exhibit 'A':
Legal Description

Tract 1 (±26.012-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas. Being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a 60D nail found for corner at the intersection near the center of Clem Road and the recognized southeast line of FM-1141, said point being the northwest corner of herein described tract;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, within said Clem Road and the recognized north line of said *Walker Tract*, a distance of 533.77-feet to a point for corner, said point being the northeast corner of herein described tract and the northwest corner of a tract of land described in deed to Mark G. and Jessica K. Taylor, recorded in *Volume 7106, Page 191*, Official Public Records, Rockwall County, Texas;

THENCE South 01 Degrees 23 Minutes 21 Seconds West, along the west line of said *Taylor Tract*, passing a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for witness at a distance of 17.18-feet and continuing for a total distance of 283.63-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 06 Minutes 43 Seconds West, along the west line of said *Taylor Tract*, a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 35 Minutes 13 Seconds West, along the west line of said *Taylor Tract*, a distance of 597.75-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner, said point being an inner ell corner of herein described tract and the southwest corner of said *Taylor Tract*;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, along the south line of said *Taylor Tract*, a distance of 574.09-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner in the west line of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, said point being the southeast corner of said *Taylor Tract* and the most southerly northeast corner of herein described tract;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the recognized east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 334.12-feet to a 3/8-inch iron rod found for corner, the apparent northeast corner of Lot 5 of Meadowview Ranch Estates, recorded in *Cabinet A, Slide 247*, Plat Records, Rockwall county, Texas, said point being the recognized southeast corner of said *Walker Tract* and the apparent southwest corner of said *Stevenson Tract*;

THENCE South 89 Degrees 13 Minutes 16 Seconds West, along the recognized south line of said *Walker Tract*, a distance 510.41-feet to a 3/8-inch iron rod found for angle point;

THENCE North 89 Degrees 58 Minutes 55 Seconds West, along the recognized south line of said *Walker Tract*, a distance of 778.67-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner in the recognized east line of said FM-1141, said point being the southwest corner of herein described tract;

THENCE North, along the recognized east line of said highway, passing a 60D nail found on a wood highway monument for witness at a distance of 734.11-feet and continuing for a total distance of 810.94-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the beginning of a curve to right having a central angle of 39 Degrees 09 Minutes 01 Seconds, a radius of 533.14-feet and a chord bearing and distance of North 19 Degrees 34 Minutes 34 Seconds East - 357.25-feet;

THENCE along the recognized southeast line of said highway and said curve to the right an arc length of 364.29-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the end of said curve;

THENCE North 39 Degrees 09 Minutes 00 Seconds East along the recognized southeast line of said highway, a distance of 215.67-feet to the place of beginning and containing 1,133,124.22 square-feet or 26.012-acres of land.

Tract 2 (±12.0-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point for corner near the center of Clem Road, said point being the northeast corner of said *Walker Tract* and the northwest corner of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, from which a ½-inch iron rod found for witness bears South 00 Degrees 06 Minutes 20 Seconds East - 17.25-feet;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 990.13-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE South 89 Degrees 06 Minutes 09 Seconds West a distance 574.09-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE North 05 Degrees 35 Minutes 13 Seconds East a distance of 597.75-feet to a 4-inch metal fence corner for angle point;

THENCE North 05 Degrees 06 Minutes 43 Seconds East a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE North 01 Degrees 23 Minutes 21 Seconds East a distance of 283.63-feet to a point for corner in the north line of said *Walker Tract*, said point being near the center of Clem Road from which a ½-inch iron set with yellow cap stamped *BG&A RPLS 5569* for witness bears South 01 Degrees 23 Minutes 21 Seconds West - 17.18-feet;

THENCE North 89 Degrees 06 Minutes 09 Seconds East along the north line of said *Walker Tract* and within said Clem Road a distance of 497.09-feet to the *PLACE OF BEGINNING* and containing 522,720.00 square-feet or 12.000-acres of land.

Tract 3 (±20.83-Acres)

BEING a tract or parcel of Land situated in the William Dalton Survey, Abst. #72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams by T.H. Adams, by deed recorded in Volume 11, Page 475, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod in a County Road and at the Northwest corner of the above-mentioned 80 acre tract;

THENCE North 89 deg. 50 min. 30 sec. East, a distance of 684.33 feet along said Country Road to an iron rod for a corner, said iron rod bears South 89 deg. 50 min. 30 sec. West, a distance of 661.40 feet from the Northeast Corner of said 80 acre tract;

THENCE South 0 deg. 16 min. 03 sec. East, a distance of 1319.86 feet traversing said 80 acre tract to an iron rod for a corner;

THENCE South 89 deg. 22 min. 53 sec. West, a distance of 687.71 feet to an iron rod for a corner on the West line of said 80 acre tract and at the Northeast corner of Meadowview Ranch Estates, an addition to the County of Rockwall;

THENCE North 0 deg. 07 min. 17 sec. West, a distance of 1325.38 feet along the West line of said 80 acre tract to the Point of Beginning and containing 20.83 acres of land.

Tract 4 (±19.57-Acres)

BEING a tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams to T. H. Adams and wife, S.E. Adams by Deed recorded in Volume 11, Page 475, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod set for a corner on the Northeast corner of said 80 acre tract in a County Road;

THENCE South 0 degrees 16 minutes 03 seconds East with a fence and the East line of said 80 acre tract a distance of 1314.55 feet to an iron rod found for corner;

THENCE South 39 degrees 22 minutes 33 seconds West with a fence a distance of 461.41 feet to an iron rod set for corner;

THENCE North 0 degrees 16 minutes 03 seconds West a distance of 1319.86 feet to an iron rod set for corner in a County Road;

THENCE North 89 degrees 50 minutes 30 seconds East with said County Road a distance of 461.40 feet to the POINTOF BEGINNING and Containing 19.57 acres of land more or less.

Exhibit 'B':
Location Map

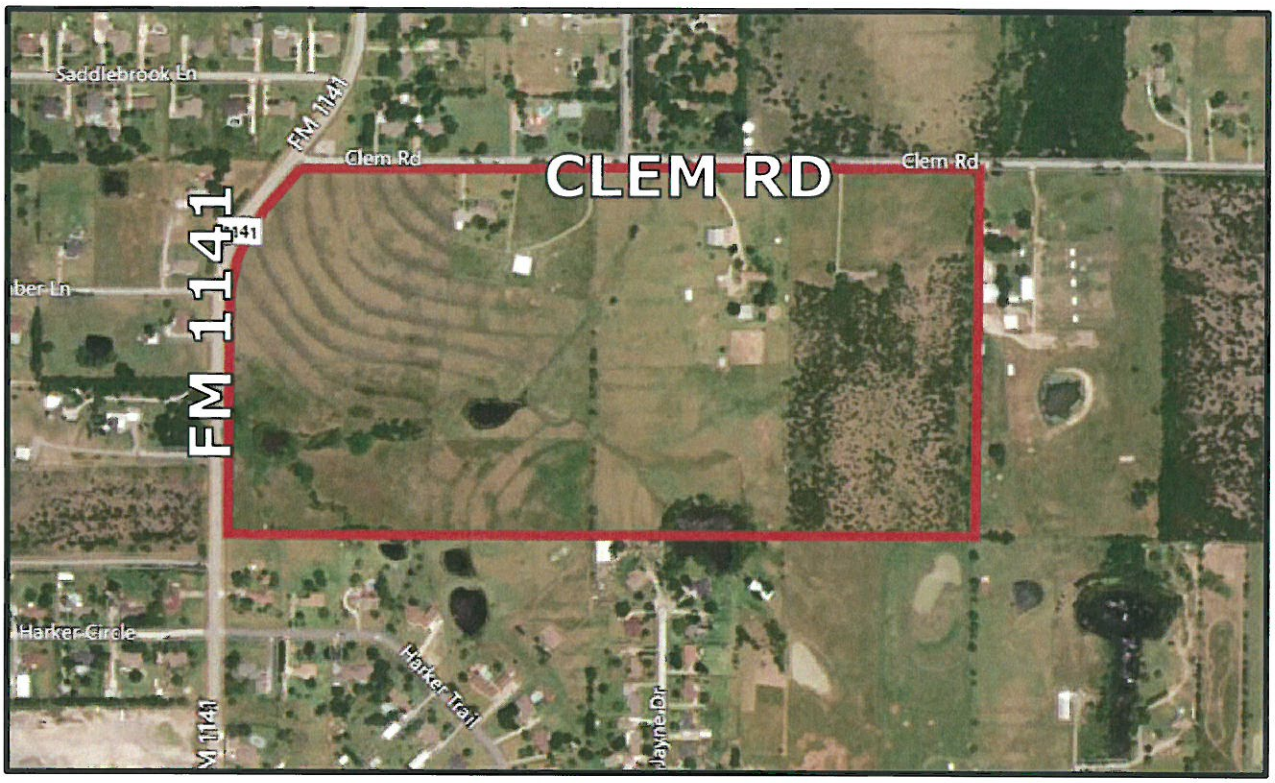


Exhibit 'C':
Concept Plan

Density and Development Standards.

(1) *Permitted Uses*. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 16 (SF-16) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *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'* of this ordinance.

(3) *Density and Dimensional Requirements*. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 16 (SF-16) District, as specified by Article 05, *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 *1.68* dwelling units per gross acre of land; however, in no case should the proposed development exceed 132 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

Minimum Lot Width [1]	90'
Minimum Lot Depth	100'
Minimum Lot Area	16,000 SF
Minimum Front Yard Setback [2] & [5]	25'
Minimum Side Yard Setback	8'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'
Minimum Length of Driveway Pavement	25'
Maximum Height [3]	36'
Minimum Rear Yard Setback [4]	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space] [6]	3,000 SF
Maximum Lot Coverage	60%

General Notes:

[1]: 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 Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.

[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 (*whichever is greater*) of the single-family home.

[4]: The location of the *Rear Yard Building Setback* as measured from the rear property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. 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.

[6]: A maximum of ten (10) percent of the lots may have a minimum area/dwelling unit of 2,800 SF [*Air-Conditioned Space*].

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

(a) *Masonry Requirement*. The minimum masonry requirement for the total exterior façade area of all buildings shall be 90% (*excluding dormers and walls over roof areas*); however, no individual façade shall be less than 85% masonry. 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; however, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted through a Specific Use Permit (SUP) only. Excluding dormers and walls over roof areas, siding products (*e.g. HardiBoard or Hardy Plank*) shall not be visible on homes abutting any major thoroughfare (*i.e. FM-1141 as shown on Exhibit 'C' of this ordinance*).

(b) *Roof Pitch*. A minimum of an *8:12* roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a *4:12* roof pitch.

(c) *Garage Orientation and Garage Doors*. Garages shall be oriented in a *traditional swing* (or *j-swing*) (*i.e. where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration*). On *traditional swing* (*or j-swing*) garage configurations, a second single or double garage door facing the street is permitted if it is located behind the width of the double garage door. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).

All garage doors shall be required to have decorative wood doors or wood overlays on insulated metal doors. The design between the garage door and home shall use the same or complementary colors and materials. All garages shall include carriage style hardware. An example of carriage style hardware is depicted in *Figure 1*.

Figure 1. Examples of Enhanced Garage Door

(5) *Anti-Monotony Restrictions*. The development shall adhere to the following *Anti-Monotony* standards:

(a) 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.

(b) 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, FM-1141, 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:

(1) Number of Stories
(2) Permitted Encroachment Type and Layout
(3) Roof Type and Layout
(4) Articulation of the Front Façade

(c) Permitted encroachment (*i.e. porches and sunroom*) 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.

(d) 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 3: Properties line up on the opposite side of the street. Where RED is the subject property.

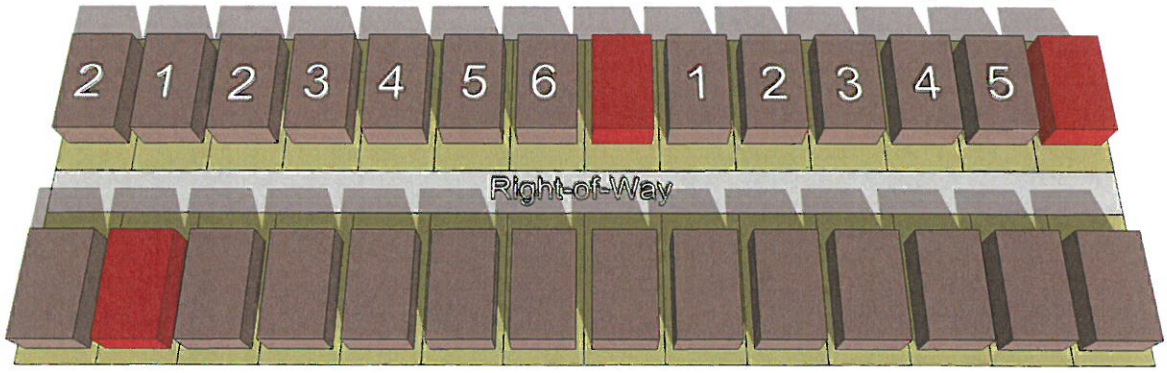
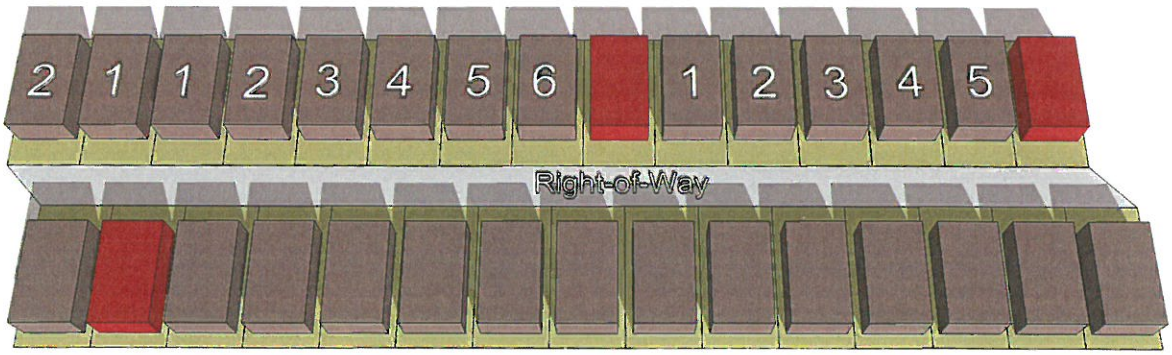


Figure 4: Properties do not line up on opposite side of the street. Where RED is the subject property.



(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) *Front Yard Fences*. Front yard fences shall be prohibited.

(b) *Wood Fences*. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.

(c) *Wrought Iron/Tubular Steel*. Lots located along the perimeter of roadways (*i.e. FM-1141 and Clem 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.

(d) *Corner Lots*. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(e) *Solid Fences (including Wood Fences)*. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

(7) *Landscape and Hardscape Standards*.

(a) *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. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall also be required to plant a row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).

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

(1) *Landscape Buffer and Sidewalks (FM-1141)*. A minimum of a 30-foot landscape buffer shall be provided along FM-1141 (*outside of and beyond any required*

right-of-way dedication), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering six (6) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(2) *Landscape Buffers (Clem Road)*. A minimum of a 30-foot landscape buffer shall be provided along Clem Drive (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(3) *Landscape Buffers (Southern Property Line)*. A minimum of a 10-foot landscape buffer shall be incorporated at the rear of the residential lots that back to the southern property line of the subject property. This landscape buffer shall incorporate a solid living screen utilizing evergreen trees -- *either Eastern Red Cedar or Leland Cypress unless approved otherwise approved by the Director of Planning and Zoning* --, a minimum of four (4) caliper inches in size, that will be planted on 20-foot centers.

(c) *Street Trees*. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-feet vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.

(d) *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).

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

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

(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 two (2) 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 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) *Open Space*. The development shall consist of a minimum of *20%* open space (*or a minimum of 16.01 -acres -- as calculated by the formula stipulated in the Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. All open space areas (*including landscape buffers*) shall be maintained by the Homeowner's Association (HOA).

(13) *Fishing Dock*. Subject to engineering design providing sufficient perpetual water depth of the pond in HOA open space area 'B', a fishing dock shall be installed by the developer and maintained by the HOA as depicted in '*Exhibit C'* of this ordinance.

(14) *Gazebo.* A gazebo shall be installed by the developer and maintained by the HOA in HOA open space area 'C' as depicted in '*Exhibit C'* of this ordinance.

(15) *Trails*. A concrete trail system shall be constructed in generally the same areas and of the same sizes as what is depicted in *Exhibit 'C'* of this ordinance.

(16) *Neighborhood Signage and Enhancements*. Permanent subdivision 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*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.

(17) *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*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development.

(18) *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.

CITY OF ROCKWALL

ORDINANCE NO. 21-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE PLANNED DEVELOPMENT DISTRICT 91 AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO AMEND THE PLANNED DEVELOPMENT CONCEPT PLAN AND DEVELOPMENT STANDARDS APPROVED WITH *ORDINANCE NO. 21-17*, BEING A 78.412-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17, 17-01, 22, 22-04, & 22-05 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 Kevin Harrell of the Skorburg Co. on behalf of Falcon Place SF, Ltd and Gordon Fogg for the approval of an amendment to the *Planned Development Concept Plan and Development Standards* contained within Planned Development District 91, on a 78.412-acre tract of land identified as Tract 17, 17-01, 22, 22-04, & 22-05 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 Planned Development District 91 (PD-91) and the Unified Development Code [*Ordinance No. 20-02*] 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. 20-02*] 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 *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

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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 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 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.* A *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.

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(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 4TH DAY OF OCTOBER, 2021.

_____
Kevin Fowler, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *September 20, 2021*

2nd Reading: *October 4, 2021*

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Exhibit 'A':
Legal Description

Tract 1 (±26.012-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas. Being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a 60D nail found for corner at the intersection near the center of Clem Road and the recognized southeast line of FM-1141, said point being the northwest corner of herein described tract;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, within said Clem Road and the recognized north line of said *Walker Tract*, a distance of 533.77-feet to a point for corner, said point being the northeast corner of herein described tract and the northwest corner of a tract of land described in deed to Mark G. and Jessica K. Taylor, recorded in *Volume 7106, Page 191*, Official Public Records, Rockwall County, Texas;

THENCE South 01 Degrees 23 Minutes 21 Seconds West, along the west line of said *Taylor Tract*, passing a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for witness at a distance of 17.18-feet and continuing for a total distance of 283.63-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 06 Minutes 43 Seconds West, along the west line of said *Taylor Tract*, a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 35 Minutes 13 Seconds West, along the west line of said *Taylor Tract*, a distance of 597.75-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner, said point being an inner ell corner of herein described tract and the southwest corner of said *Taylor Tract*;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, along the south line of said *Taylor Tract*, a distance of 574.09-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner in the west line of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, said point being the southeast corner of said *Taylor Tract* and the most southerly northeast corner of herein described tract;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the recognized east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 334.12-feet to a 3/8-inch iron rod found for corner, the apparent northeast corner of Lot 5 of Meadowview Ranch Estates, recorded in *Cabinet A, Slide 247*, Plat Records, Rockwall county, Texas, said point being the recognized southeast corner of said *Walker Tract* and the apparent southwest corner of said *Stevenson Tract*;

THENCE South 89 Degrees 13 Minutes 16 Seconds West, along the recognized south line of said *Walker Tract*, a distance 510.41-feet to a 3/8-inch iron rod found for angle point;

THENCE North 89 Degrees 58 Minutes 55 Seconds West, along the recognized south line of said *Walker Tract*, a distance of 778.67-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner in the recognized east line of said FM-1141, said point being the southwest corner of herein described tract;

THENCE North, along the recognized east line of said highway, passing a 60D nail found on a wood highway monument for witness at a distance of 734.11-feet and continuing for a total distance of 810.94-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the beginning of a curve to right having a central angle of 39 Degrees 09 Minutes 01 Seconds, a radius of 533.14-feet and a chord bearing and distance of North 19 Degrees 34 Minutes 34 Seconds East - 357.25-feet;

THENCE along the recognized southeast line of said highway and said curve to the right an arc length of 364.29-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the end of said curve;

THENCE North 39 Degrees 09 Minutes 00 Seconds East along the recognized southeast line of said highway, a distance of 215.67-feet to the place of beginning and containing 1,133,124.22 square-feet or 26.012-acres of land.

Tract 2 (±12.0-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point for corner near the center of Clem Road, said point being the northeast corner of said *Walker Tract* and the northwest corner of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, from which a ½-inch iron rod found for witness bears South 00 Degrees 06 Minutes 20 Seconds East - 17.25-feet;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 990.13-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE South 89 Degrees 06 Minutes 09 Seconds West a distance 574.09-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE North 05 Degrees 35 Minutes 13 Seconds East a distance of 597.75-feet to a 4-inch metal fence corner for angle point;

THENCE North 05 Degrees 06 Minutes 43 Seconds East a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE North 01 Degrees 23 Minutes 21 Seconds East a distance of 283.63-feet to a point for corner in the north line of said *Walker Tract*, said point being near the center of Clem Road from which a ½-inch iron set with yellow cap stamped *BG&A RPLS 5569* for witness bears South 01 Degrees 23 Minutes 21 Seconds West - 17.18-feet;

THENCE North 89 Degrees 06 Minutes 09 Seconds East along the north line of said *Walker Tract* and within said Clem Road a distance of 497.09-feet to the *PLACE OF BEGINNING* and containing 522,720.00 square-feet or 12.000-acres of land.

Tract 3 (+20.83-Acres)

BEING a tract or parcel of Land situated in the William Dalton Survey, Abstract No. #72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams by T.H. Adams, by deed recorded in Volume 11, Page 475, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod in a County Road and at the Northwest corner of the above-mentioned 80 acre tract;

THENCE North 89 deg. 50 min. 30 sec. East, a distance of 684.33 feet along said Country Road to an iron rod for a corner, said iron rod bears South 89 deg. 50 min. 30 sec. West, a distance of 661 .40 feet from the Northeast Corner of said 80 acre tract;

THENCE South 0 deg. 16 min. 03 sec. East, a distance of 1319.86 feet traversing said 80 acre tract to an

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iron rod for a corner;

THENCE South 89 deg. 22 min. 53 sec. West, a distance of 687.71 feet to an iron rod for a corner on the West line of said 80 acre tract and at the Northeast corner of Meadowview Ranch Estates, an addition to the County of Rockwall;

THENCE North 0 deg. 07 min. 17 sec. West, a distance of 1325.38 feet along the West line of said 80 acre tract to the Point of Beginning and containing 20.83 acres of land.

Tract 4 (+19.57-Acres)

Being a tract or parcel of land situated in the William Dalton Survey, Abstract No. 72. Rockwall County. Texas. and being part of an 80 acre tract conveyed to E.L Adams to T. H Adams and wife. SE Adams by Deed recorded in Volume 11. Page 475, Deed Records. Rockwall County. Texas. and being more particularly described as follows:

BEGINING at an iron rod set for a corner on the Northeast corner of said 80 acre tract in a County Road;

THENCE South 0 degrees 16 minutes 03 seconds East with a fence and the East line of said 80 acre tract a distance of 1314.55 feet to an iron rod found for corner:

THENCE South 39 degrees 22 minutes 33 seconds West with a fence a distance of 461.41 feet to an iron rod set for corner;

THENCE North 0 degrees 16 minutes 03 seconds West a distance of 1319.86 feet to an iron rod set for corner in a County Road;

*THENC*E North 89 degrees 50 minutes 30 seconds East with said County Road a distance of 461 .40 feet to the POINT OF BEGINNING and Containing 19.57 acres of land more or less

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Exhibit 'B':
Location Map

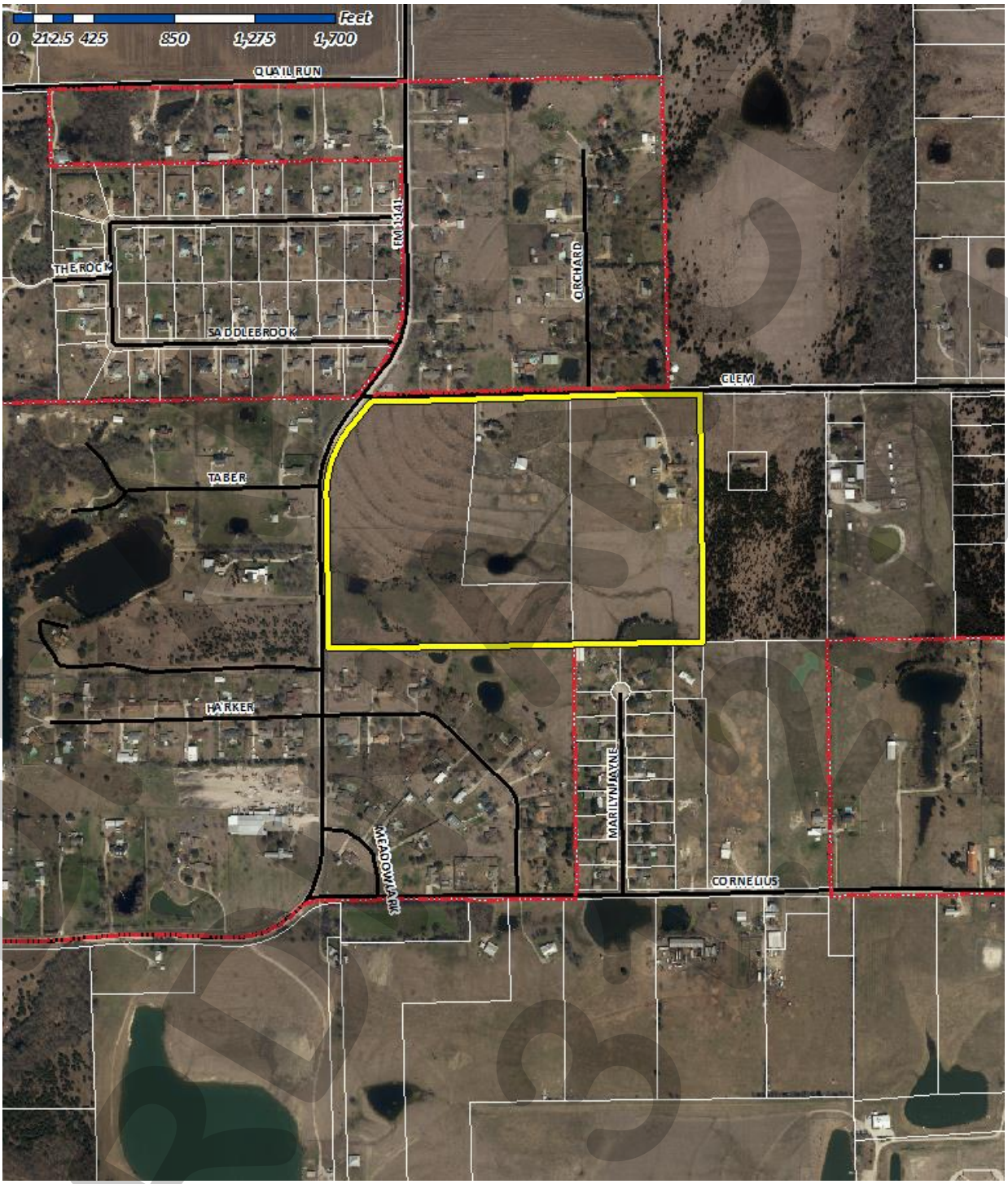

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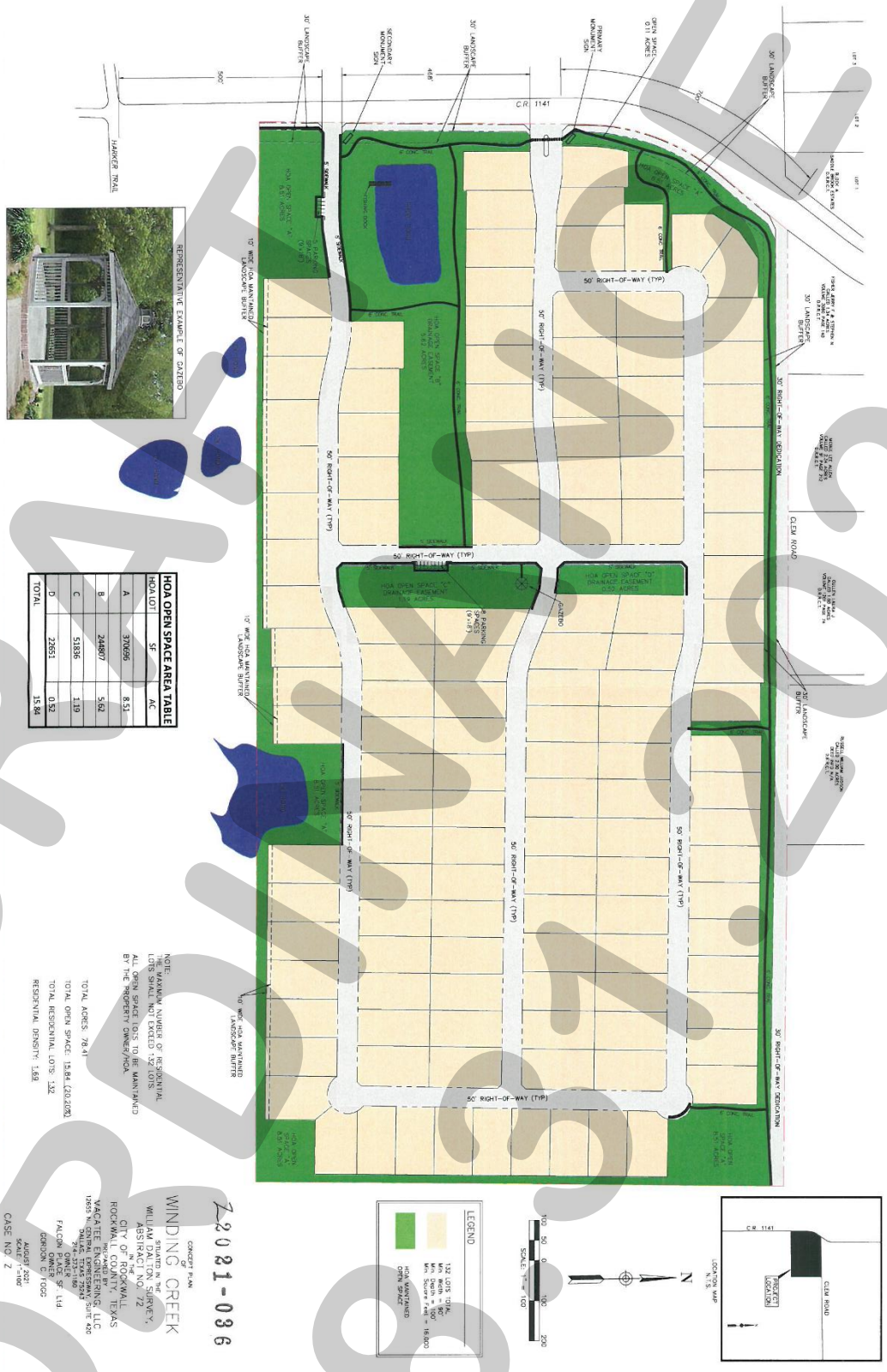
Exhibit 'C':
Concept Plan



HOA OPEN SPACE AREA TABLE		
HOA LOT	SF	AC
A	370696	8.51
B	24807	5.62
C	51836	1.19
D	22651	0.52
TOTAL		15.84

NOTE:
THE MAXIMUM NUMBER OF RESIDENTIAL LOTS SHALL NOT EXCEED 132 LOTS.
ALL OPEN SPACE LOTS TO BE MAINTAINED BY THE PROPERTY OWNER/HOA.

TOTAL ACRES: 78.41
TOTAL OPEN SPACE: 15.84 (20.20%)
TOTAL RESIDENTIAL LOTS: 132
RESIDENTIAL DENSITY: 1.69

CONCEPT PLAN
OF
WINDING CREEK
SITUATED IN THE
WILLIAM DALTON SURVEY,
ABSTRACT NO. 72
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

PREPARED BY:
VACATEE ENGINEERING, LLC
12655 N. CENTRAL EXPRESSWAY, SUITE 420
DALLAS, TEXAS 75243
214-373-1180

OWNER:
FALCON SF Ltd
GORDON C. TOGG

AUGUST 2021
SCALE: 1"=100'
CASE NO. Z

Z2021-036

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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 16 (SF-16) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *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'* of this ordinance.

(3) *Density and Dimensional Requirements*. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 16 (SF-16) District, as specified by Article 05, *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 *1.69* dwelling units per gross acre of land; however, in no case should the proposed development exceed *132* units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

Minimum Lot Width [1]	90'
Minimum Lot Depth	100'
Minimum Lot Area	16,000 SF
Minimum Front Yard Setback [2] & [5]	25'
Minimum Side Yard Setback	8'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'
Minimum Length of Driveway Pavement	25'
Maximum Height [3]	36'
Minimum Rear Yard Setback [4]	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space] [6]	3,000 SF
Maximum Lot Coverage	60%

General Notes:

[1]: 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 Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.

[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 (*whichever is greater*) of the single-family home.

[4]: The location of the *Rear Yard Building Setback* as measured from the rear property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. 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.

[6]: A maximum of ten (10) percent of the lots may have a minimum area/dwelling unit of 2,800 SF [*Air-Conditioned Space*].

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

(a) *Masonry Requirement*. The minimum masonry requirement for the total exterior façade area of all buildings shall be 90% (*excluding dormers and walls over roof areas*); however, no individual façade shall be less than 85% masonry. For the

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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; however, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted through a Specific Use Permit (SUP) only. Excluding dormers and walls over roof areas, siding products (*e.g. HardiBoard or Hardy Plank*) shall not be visible on homes abutting any major thoroughfare (*i.e. FM-1141 as shown on Exhibit 'C' of this ordinance*).

(b) *Roof Pitch.* A minimum of an *8:12* roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a *4:12* roof pitch.

(c) *Garage Orientation and Garage Doors.* Garages shall be oriented in a *traditional swing* (or *j-swing*) (*i.e. where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration*). On *traditional swing* (*or j-swing*) garage configurations, a second single or double garage door facing the street is permitted if it is located behind the width of the double garage door. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).

All garage doors shall be required to have decorative wood doors or wood overlays on insulated metal doors. The design between the garage door and home shall use the same or complementary colors and materials. All garages shall include carriage style hardware. An example of carriage style hardware is depicted in *Figure 1*.

Figure 1. Examples of Enhanced Garage Door

(5) *Anti-Monotony Restrictions.* The development shall adhere to the following *Anti-Monotony* standards:

(a) 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

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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.

(b) 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, FM-1141, 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:

(1) Number of Stories
(2) Permitted Encroachment Type and Layout
(3) Roof Type and Layout
(4) Articulation of the Front Façade

(c) Permitted encroachment (*i.e. porches and sunroom*) 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.

(d) 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 3: Properties line up on the opposite side of the street. Where RED is the subject property.

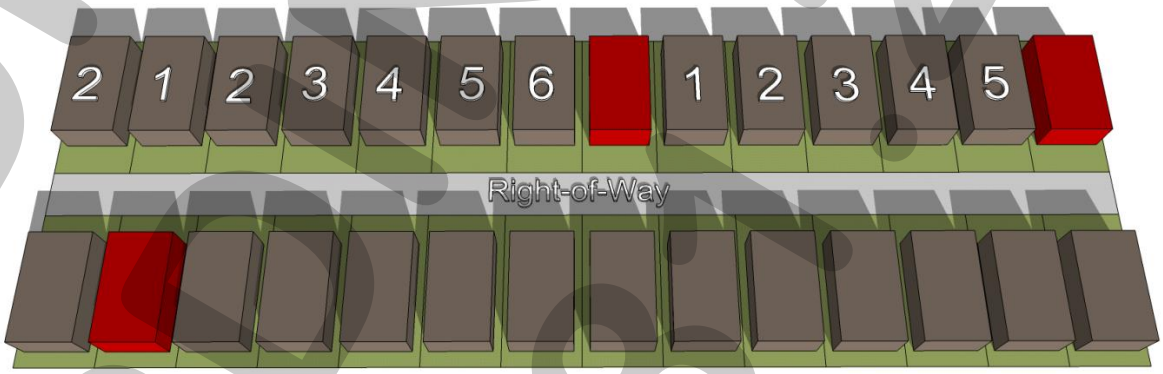
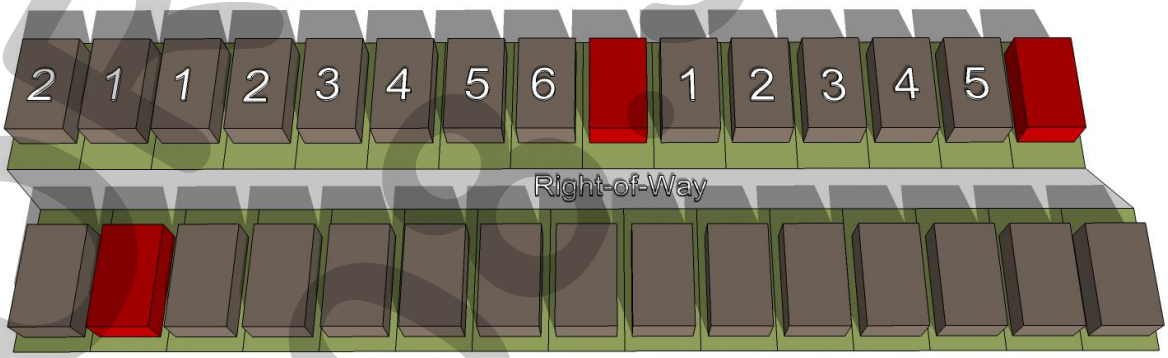


Figure 4: Properties do not line up on opposite side of the street. Where RED is the subject property.



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(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) *Front Yard Fences*. Front yard fences shall be prohibited.

(b) *Wood Fences*. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.

(c) *Wrought Iron/Tubular Steel*. Lots located along the perimeter of roadways (*i.e. FM-1141 and Clem 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.

(d) *Corner Lots*. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(e) *Solid Fences (including Wood Fences)*. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

(7) *Landscape and Hardscape Standards.*

(a) *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. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall also be required to plant a row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).

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

(1) *Landscape Buffer and Sidewalks (FM-1141)*. A minimum of a 30-foot landscape buffer shall be provided along FM-1141 (*outside of and beyond any*

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required right-of-way dedication), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering six (6) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(2) *Landscape Buffers (Clem Road).* A minimum of a 30-foot landscape buffer shall be provided along Clem Drive (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(3) *Landscape Buffers (Southern Property Line).* A minimum of a 10-foot landscape buffer shall be incorporated at the rear of the residential lots that back to the southern property line of the subject property. This landscape buffer shall incorporate a solid living screen utilizing evergreen trees -- *either Eastern Red Cedar or Leland Cypress unless approved otherwise approved by the Director of Planning and Zoning* --, a minimum of four (4) caliper inches in size, that will be planted on 20-foot centers.

(c) *Street Trees.* The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-feet vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.

(d) *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).

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

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

(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 two (2) 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

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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 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) *Open Space.* The development shall consist of a minimum of *20%* open space (*or a minimum of 15.682-acres -- as calculated by the formula stipulated in the Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. All open space areas (*including landscape buffers*) shall be maintained by the Homeowner's Association (HOA).

(13) *Fishing Dock*. Subject to the requirements of the Engineering *Standards of Design and Construction Manual* and approval from the Engineering Department, a fishing dock may be constructed generally in conformance with the location depicted in the Concept Plan in *Exhibit 'C'* of this ordinance. The fishing dock shall be constructed using composite materials (*e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic materials*) to prevent rot or decay, and shall be maintained in a good/usable condition by the Homeowner's Association (HOA).

(14) *Gazebo*. A commercial grade gazebo shall be constructed generally in the same location and in the same manner as the image depicted in the *Concept Plan* in *Exhibit 'C'* of this ordinance. The gazebo shall be maintained in a good/usable condition by the Homeowner's Association (HOA).

(15) *Trails*. A concrete trail system shall be constructed in generally the same areas and of the same sizes as what is depicted in *Exhibit 'C'* of this ordinance.

(16) *Neighborhood Signage and Enhancements.* Permanent subdivision 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*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.

(17) *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*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development.

(18) *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.

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CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Planning and Zoning Commission
FROM:	Henry Lee, *Planner*
DATE:	September 14, 2021
SUBJECT:	Z2021-036; *Amendment to Planned Development District 91 (PD-91)*

On September 8, 2021, staff identified an error in the public notice for *Case No. Z2021-036*. Specifically, the location map utilized to create the public notice did not include the 20.00-acre tract of land (*i.e. identified as Tracts 22-04 & 22-05 of the W. M. Dalton Survey, Abstract No. 72*) the applicant is proposing to incorporate into Planned Development District 91 (PD-91). Due to this error, three (3) property owners were *not* notified. According to Subsection 02.03 (A), *Notice of Public Hearing*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(w)ritten notice of all public hearings for zoning changes and Specific Use Permits (SUP's) shall be sent to all property owners … within a distance of at least 500-feet from the boundaries of the subject property at least ten (10) days prior to the public hearing date." In order to be in compliance with the notification requirements of the Unified Development Code (UDC), staff is requesting to postpone the public hearing for *Case No. Z2021-036* until September 28, 2021. Staff has informed the applicant, *Adam Buczek of Skorburg* Company, of the situation and they are prepared to be present on the new meeting dates (*see attached correspondence*). These dates are as follows:

Planning and Zoning Commission Public Hearing: September 28, 2021
City Council Public Hearing/1st Reading: October 4, 2021
City Council 2nd Reading: October 28, 2021

Staff should note that a new notice was mailed on September 9, 2021 and the new notice will satisfy the notification requirements of the Unified Development Code (UDC). Should the Planning and Zoning Commission have any questions staff will be available at the *September 28, 2021* Planning and Zoning Commission meeting.

Miller, Ryan

From: Adam Buczek <abuczek@skorburgcompany.com>
Sent: Wednesday, September 8, 2021 5:58 PM
To: Miller, Ryan
Cc: Lee, Henry; Gamez, Angelica
Subject: RE: Case No. Z2021-036 Notice Issue

Received. Thank you, Ryan. We agree with your process and revised dates ahead. Thanks.

Best Regards,

Adam J. Buczek
Development Partner
Skorburg Company
8214 Westchester Drive, Suite 900
Dallas, Texas 75225
Ph: (214) 888-8843
Cell: (817) 657-5548
Fax: (214) 888-8861

From: Miller, Ryan
Sent: Wednesday, September 8, 2021 5:39 PM
To: Adam Buczek
Cc: Lee, Henry ; Gamez, Angelica
Subject: Case No. Z2021-036 Notice Issue

Adam … Per our conversation this afternoon, we have had an issue with the notice requirements for your zoning case. The notice we sent out to the property owners did not have the correct boundary and as a result two (2) property owners were omitted from original notice. We could send out an updated notice tomorrow and still be in compliance with the State notice requirements; however, according to the Unified Development Code (UDC), "(w)ritten notice of all public hearings for zoning changes and Specific Use Permits (SUP's) shall be sent to all property owners … *within a distance of at least 500-feet from the boundaries of the subject property at least ten (10) days prior to the public hearing date*." Since the code does not state which public hearing date (*i.e. Planning and Zoning Commission and City Council*), we would like to play it safe and renotify this case. We will also ask the Planning and Zoning Commission to announce this at the September 14, 2021 meeting and take action to postpone the case. This means the updated schedule for your case would be as follows:

Planning and Zoning Commission Public Hearing: September 28, 2021
City Council Public Hearing/1st Reading: October 4, 2021
City Council 2nd Reading: October 18, 2021

Again, I apologize for this inconvenience; however, we want to make sure that we are following all of the requirements with your case so that there are no procedural questions moving forward. If you have any questions concerning this please feel free to give me a call. Thanks.

Ryan C. Miller, AICP
DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE

RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

helpful links | City of Rockwall Website | Planning & Zoning Division Website | Municipal Code Website
GIS Division Website | City of Rockwall Interactive Maps | UNIFIED DEVELOPMENT CODE

NOTES
1) *APPOINTED AND ELECTED OFFICIALS*: BY *REPLYING ALL* TO THIS EMAIL YOU MAY BE IN VIOLATION OF THE TEXAS OPEN MEETINGS ACT. PLEASE REPLY ONLY TO THE SENDER.
2) PLEASE NOTE THAT ANY CORRESPONDENCE SENT TO CITY STAFF MAY BECOME PUBLIC RECORD

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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

TO:	Planning and Zoning Commission
DATE:	September 28, 2021
APPLICANT:	Adam Shiffer; *Skorburg Company*
CASE NUMBER:	Z2021-036; *Amendment to Planned Development District 91 (PD-91)*

SUMMARY

Hold a public hearing to discuss and consider a request by Adam Shiffer of the Skorburg Company on behalf of Gordon C. Fogg for the approval of a Zoning Change to amend Planned Development District 91 (PD-91) [Ordinance No. 21-36] to incorporate a 20.00-acre tract of land identified as Tracts 22-04 & 22-05 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 505 Clem Road, and take any action necessary.

BACKGROUND

The subject property consists of four (4) existing tracts of land. The 26.012-acre tract of land (*i.e. Tract 17-01 of the W. M. Dalton Survey, Abstract No. 72*) -- *identified as a 25.844-acre tract of land by the Rockwall Central Appraisal District (RCAD) and is heretofore referenced as Tract 1* -- is currently undeveloped and is considered to be raw land. The 12.00-acre tract of land (*i.e. Tract 17-01 of the W. M. Dalton Survey, Abstract No. 72*) -- *which is currently located directly east of the Tract 1 and is heretofore referenced as Tract 2* -- is currently occupied with a single-family home. According to the Rockwall Central Appraisal District (RCAD), the single-family home situated on *Tract 2* is 4,456 SF and was constructed in 1992. Also situated on this tract of land is a 2,100 SF accessory building that was constructed in 1995. A 500 SF carport was added to the home in 2005. On January 18, 2011, the City Council annexed *Tracts 1 & 2* by adopting *Ordinance No. 11-03* [*Case No. A2010-002*]. At the time of annexation, these tracts were zoned Agricultural (AG) District. On April 12, 2021, the City Council approved a zoning case [*Case No. Z2021-005*] rezoning *Tracts 1 & 2* from an Agricultural (AG) District to Planned Development District 91 (PD-91) [*Ordinance No. 21-17*] for Single Family 16 (SF-16) District land uses. This Planned Development District allowed a 56-lot single-family subdivision consisting of a minimum lot size of 16,000 SF.

The 20.83-acre tract of land (*i.e. Tract 22 of the W. M. Dalton Survey, Abstract No. 72*) -- *which is currently located directly east of the Tract 2 and is heretofore referenced as Tract 3* -- currently has a 1,934 SF single-family home constructed in 1985, a 2,000 SF barn constructed in 1995, and multiple accessory buildings constructed in 1988, 2006, 2013, and 2015 according to the Rockwall Central Appraisal District (RCAD). On August 2, 2021, the City Council annexed the subject property and incorporated it into Planned Development District 91 (PD-91) by adopting *Ordinance No.'s 21-34 & 21-36* [*Case No.'s A2010-004 and Z2021-027*]. This was done in accordance with a 212 Development Agreement that was entered into by the then property owners (*i.e. Allen and Lisa Stevenson*), the developer (*i.e. Adam Buzcek of the Skorburg Co.*), and the City in June 2021. This zoning change increased the number of 16,000 SF lots permitted within Planned Development District 91 (PD-91) from 56-lots to 98-lots.

PURPOSE

On August 20, 2021, the applicant -- *Adam Shiffer of the Skorburg Company* -- submitted an application requesting to amend Planned Development District 91 (PD-91) [*Ordinance No. 21-36*] to incorporate an adjacent 20.00-acre tract of land (*i.e. Tracts 22-04 & 22-05 of the W. M. Dalton Survey, Abstract No. 72*] that is currently zoned Agricultural (AG) District. The proposed amendment will increase the number of 16,000 SF lots permitted for this subdivision from 98-lots to 132-lots.

ADJACENT LAND USES AND ACCESS

The subject property is located at southeast corner of the intersection of 505 Clem 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 contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are the City's corporate limits followed by multiple residential properties located within the City's Extraterritorial Jurisdiction (ETJ). Also, north of the subject property -- *and located within the City's corporate limits* -- is the Saddle Brook Estates Subdivision, which consists of 45 single-family residential lots on 51.47-acres of land. These homes were constructed in 2002, and are zoned Single-Family 16 (SF-16) District.

South: Directly south of the subject property is the City's corporate limits followed by the Meadowview Ranch Estates Subdivision, which is situated within the City's Extraterritorial Jurisdiction (ETJ). The Meadowview Ranch Estates Subdivision consists of 24 single-family residential lots on 38.97-acres of land. These homes were constructed in 1977.

East: Directly east of the subject property is a 20.06-acre tract of land (*i.e. Tract 24 of the W. M. Dalton Survey, Abstract No. 72*), developed with residential and agricultural structures, and is zoned Agricultural (AG) District. Beyond this is the Northgate Subdivision, which consists of 40 residential lots, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses. Beyond this is the City's corporate limits.

West: Directly west of the subject property are the City's corporate limits followed FM-1141. FM-1141 is identified as a M4D (*i.e. major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this thoroughfare are multiple residential properties situated within the City's Extraterritorial Jurisdiction (ETJ).

CHARACTERISTICS OF THE REQUEST

The applicant has submitted a concept plan and development standards for the proposed residential subdivision. The concept plan shows that the 78.41-acre tract of land will be subdivided to create 132 single-family residential lots. All of the proposed lots will be a minimum of 16,000 SF, and have a minimum lot width of 90-feet and a minimum lot depth of 100-feet. The overall density of the proposed subdivision will be *1.69* dwelling units per acre. The minimum dwelling unit size (*i.e. air-conditioned space*) will be 3,000 SF; however, the Planned Development District ordinance does allow this to be reduced to 2,800 SF for ten (10) percent of the lots (*i.e. five [5] lots*). According to the applicant, the proposed housing product will be of the same quality as the Breezy Hill and Stone Creek Subdivisions, but will incorporate updated floor plans. Staff has incorporated anti-monotony and masonry standards into the proposed Planned Development District ordinance. Specifically, the ordinance will require a minimum of 90% masonry (*with a minimum of 85% on each façade*), and be subject to the City's upgraded anti-monotony standards. The proposed subdivision will be subject to the land uses and density and dimensional requirements stipulated for properties within a Single-Family 16 (SF-16) District. These density and dimensional requirements are summarized as follows:

TABLE 1: LOT DIMENSIONAL REQUIREMENTS

Minimum Lot Width (1)	90'
Minimum Lot Depth	100'
Minimum Lot Area	16,000 SF
Minimum Front Yard Setback (2) & (5)	25'
Minimum Side Yard Setback	8'
Minimum Side Yard Setback (Adjacent to a Street) (2) & (5)	10'
Minimum Length of Driveway Pavement	25'
Maximum Height (3)	36'
Minimum Rear Yard Setback (4)	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space] (6)	3,000 SF
Maximum Lot Coverage	60%

General Notes:

1: 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 Yard Building Setback*. Additionally, the lot depth on

lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.

[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 (*whichever is greater*) of the single-family home.

[4]: The location of the *Rear Yard Building Setback* as measured from the rear property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. 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.

[6]: A maximum of ten (10) percent of the lots may have a minimum area/dwelling unit of 2,800 SF [*Air-Conditioned Space*].

The proposed concept plan shows approximately 15.84-acres of open space (*or 20.2%*) will be provided, and that a six (6) foot trail system will traverse the site. In addition, a six (6) foot meandering trail will be provided along FM-1141, and a six (6) foot sidewalk will be constructed along Clem Road. Along the lots on the southside of the subject property, the applicant has indicated that a ten (10) foot wide landscape buffer with evergreen trees planted on 20-foot centers will be provided.

INFRASTRUCTURE

Based on the applicant's concept plan and the proposed density, the following infrastructure is required to be constructed to provide adequate public services for the proposed development:

(1) *Roadways*. The applicant shall verify the right-of-way width of FM-1141 to ensure there is 85-feet of right-of-way, and dedicate any of the subject property that is within 42.50-feet of the centerline of the roadway. The applicant will also need to verify the current right-of-way width of Clem Road, and dedicate any area within 30-feet of the centerline of the roadway.

(2) *Water*. The applicant shall be required to provide a letter from Mt. Zion Water Supply -- *the holder of the Certificate of Convenience and Necessity (CCN) for the subject property* -- stating that they can serve domestic and fire protection meeting the City's minimum standards. As an alternative, the applicant can pursue opting out of the Mt. Zion's CCN. Any water system utilized to provide water to the site will be required to be looped through the property.

(3) *Wastewater*. The applicant will need to connect the subdivision to the City's existing sewer system. Plans for this will be required at the time of civil engineering.

(4) *Drainage*. The applicant shall be required to perform a flood study to delineate the fully developed 100-year localized floodplain for all ponds, creeks or streams, and draws on the subject property. Detention will be required and sized per the required detention study. The applicant will also be required to perform a Wetlands and Waters of the United States (WOTUS) study for the existing pond.

CONFORMANCE TO THE CITY'S CODES

The proposed Planned Development District conforms to all of the requirements of the Unified Development Code (UDC) and the Engineering Department's *Standards of Design and Construction Manual*.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the *Land Use Plan* contained in the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the *Northeast Residential District* and is designated for *Low Density Residential* land uses on the Future Land Use Plan. According to the Comprehensive Plan, *Low Density Residential* land uses are defined as "… residential subdivisions that are two (2) units per gross acre or less; however, a density of up to two and one-half (2½) units per gross acre may be permitted for developments that incorporate increased amenity and a mix of land uses …" In this case, the applicant is proposing an overall density of *1.69* dwelling units per acre, which is in conformance with the Future Land Use Plan. In addition, the applicant's proposed changes do not change the conformance of the proposed concept plan to the policies, goals or district strategies of the OURHometown Vision 2040 Comprehensive Plan.

NOTIFICATIONS

On August 26, 2021, staff mailed 28 notices to property owners and occupants within 500-feet of the subject property. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). There were no Homeowner's Associations (HOAs) or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. At the time this report was drafted staff had received the following:

1) One (1) email from a property owner outside of the notification area opposed to the applicant's request
2) One (1) returned notice from a property owner within the notification area opposed to the applicant's request.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request to rezone the subject property from an Agricultural (AG) District to a Planned Development District 91 (PD-91) for Single-Family 16 (SF-16) 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 in the Planned Development District ordinance; and,

(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.

DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. Z2021-036

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 [SELECT ONLY ONE BOX]:

PLATTING APPLICATION FEES:
- ☐ MASTER PLAT ($100.00 + $15.00 ACRE) [1]
- ☐ PRELIMINARY PLAT ($200.00 + $15.00 ACRE) [1]
- ☐ FINAL PLAT ($300.00 + $20.00 ACRE) [1]
- ☐ REPLAT ($300.00 + $20.00 ACRE) [1]
- ☐ AMENDING OR MINOR PLAT ($150.00)
- ☐ PLAT REINSTATEMENT REQUEST ($100.00)

SITE PLAN APPLICATION FEES:
- ☐ SITE PLAN ($250.00 + $20.00 ACRE) [1]
- ☐ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN ($100.00)

ZONING APPLICATION FEES:
- ☐ ZONING CHANGE ($200.00 + $15.00 ACRE) [1]
- ☐ SPECIFIC USE PERMIT ($200.00 + $15.00 ACRE) [1]
- ☒ PD DEVELOPMENT PLANS ($200.00 + $15.00 ACRE) [1]

OTHER APPLICATION FEES:
- ☐ TREE REMOVAL ($75.00)
- ☐ VARIANCE REQUEST ($100.00)

NOTES:
[1]: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS	505 Clem Road, Rockwall, TX 75087		
SUBDIVISION	William Dalton Survey Abstract No. 72	LOT	BLOCK
GENERAL LOCATION	Clem Road off of 1147		

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING	Agricultural District (AG)		CURRENT USE	AG	
PROPOSED ZONING	Amendment to PD-91		PROPOSED USE	PD (SF-16)	
ACREAGE	+/- 20 Additional, +/-78 Total	LOTS [CURRENT]	98 (PD - 91)	LOTS [PROPOSED]	132 (with Amendment)

☐ ***SITE PLANS AND PLATS:*** *BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.*

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☐ OWNER	Gordon C. Fogg	☒ APPLICANT	Skorburg Company
CONTACT PERSON	Gordon C. Fogg	CONTACT PERSON	Adam Shiffer
ADDRESS	505 Clem Road	ADDRESS	8214 Westchester Dr. Ste. 900
CITY, STATE & ZIP	Rockwall, TX 75087	CITY, STATE & ZIP	Dallas, TX 75225
PHONE	(972) 931-0345 ext. 116	PHONE	(214) 888-8845
E-MAIL	gfogg@monarchair.com	E-MAIL	ashiffer@skorburgcompany.com

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED GORDON C. FOGG [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM 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 _____ DAY OF _____, 20___. 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."

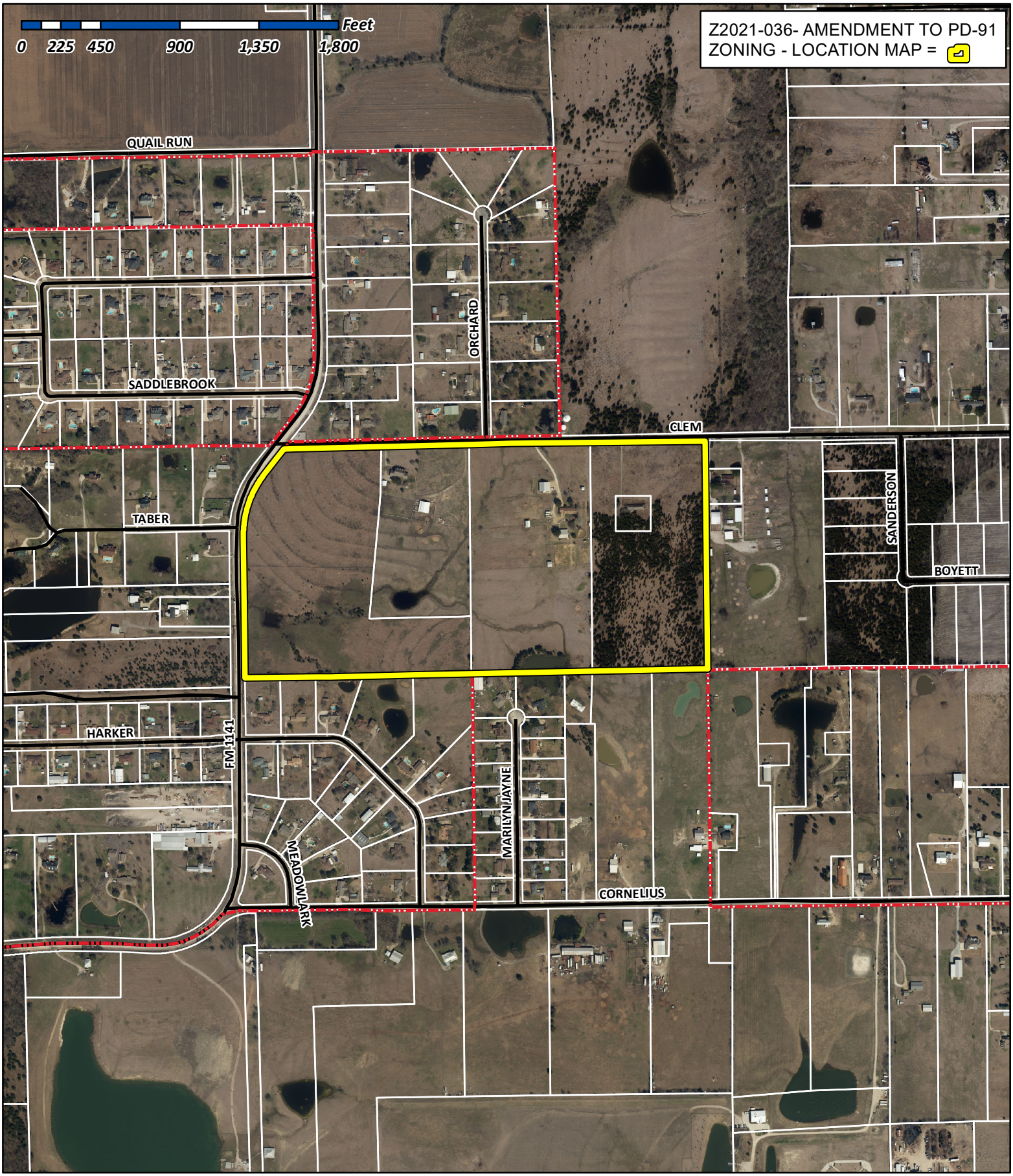
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 18 *DAY OF* August, 2021.

OWNER'S SIGNATURE Gordon C. Fogg

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Debra Barnes

MY COMMISSION EXPIRES 02-28-2023

DEBRA BARNES
Notary Public, State of Texas
Comm. Expires 02-28-2023
Notary ID 131911662



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): 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.

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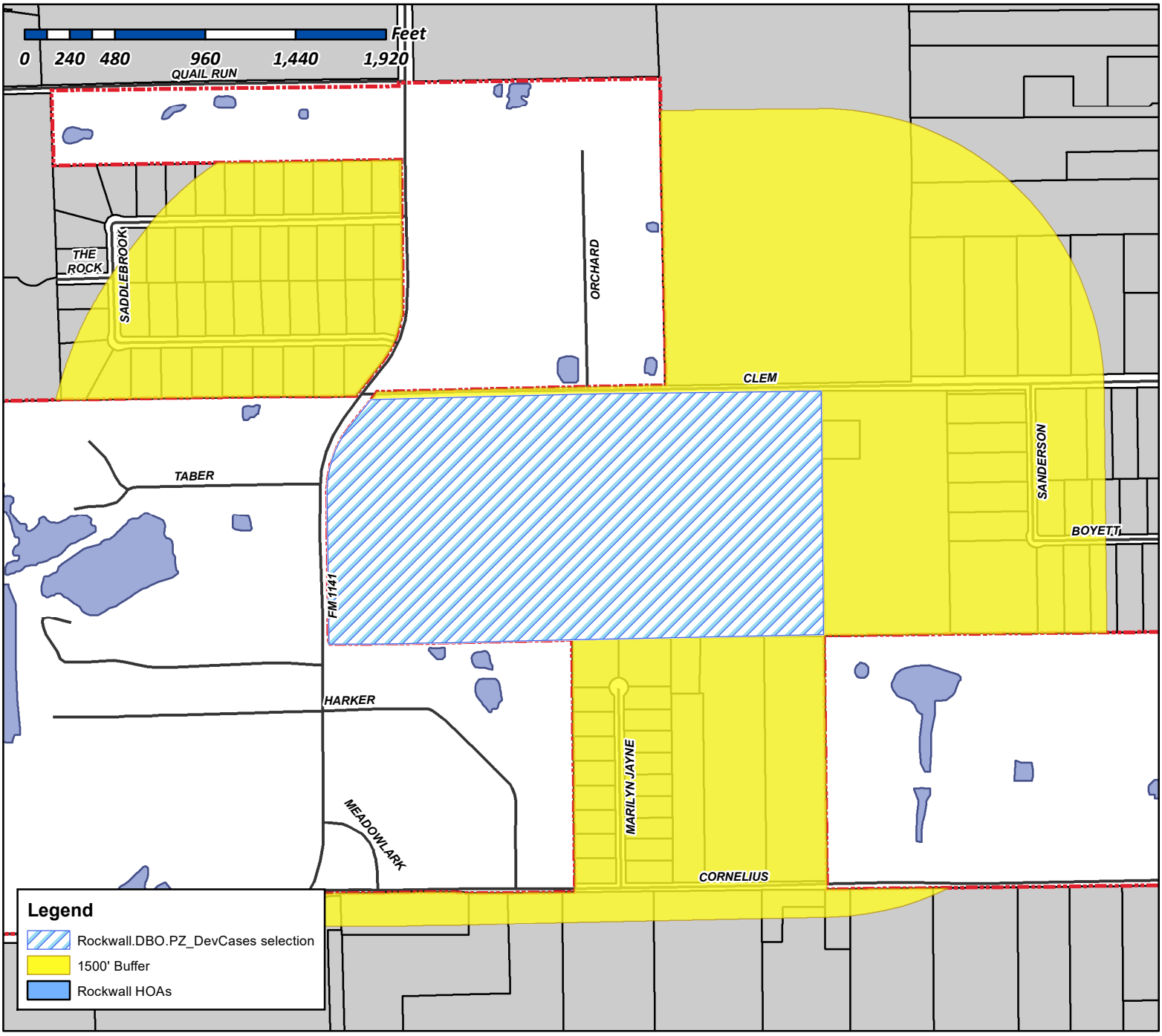
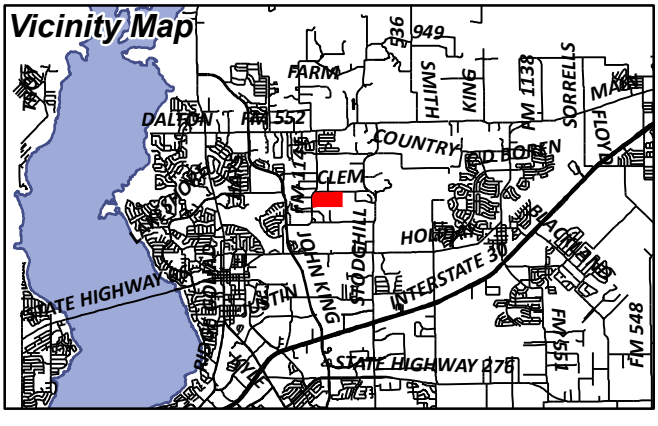


Case Number: Z2021-036
Case Name: Amendment to PD-91
Case Type: Zoning
Zoning: Planned Development District 91 (PD-91)
Case Address: Clem Road Off of FM 1147

Date Created: *9/29/2021*
For Questions on this Case Call (972) 771-7745



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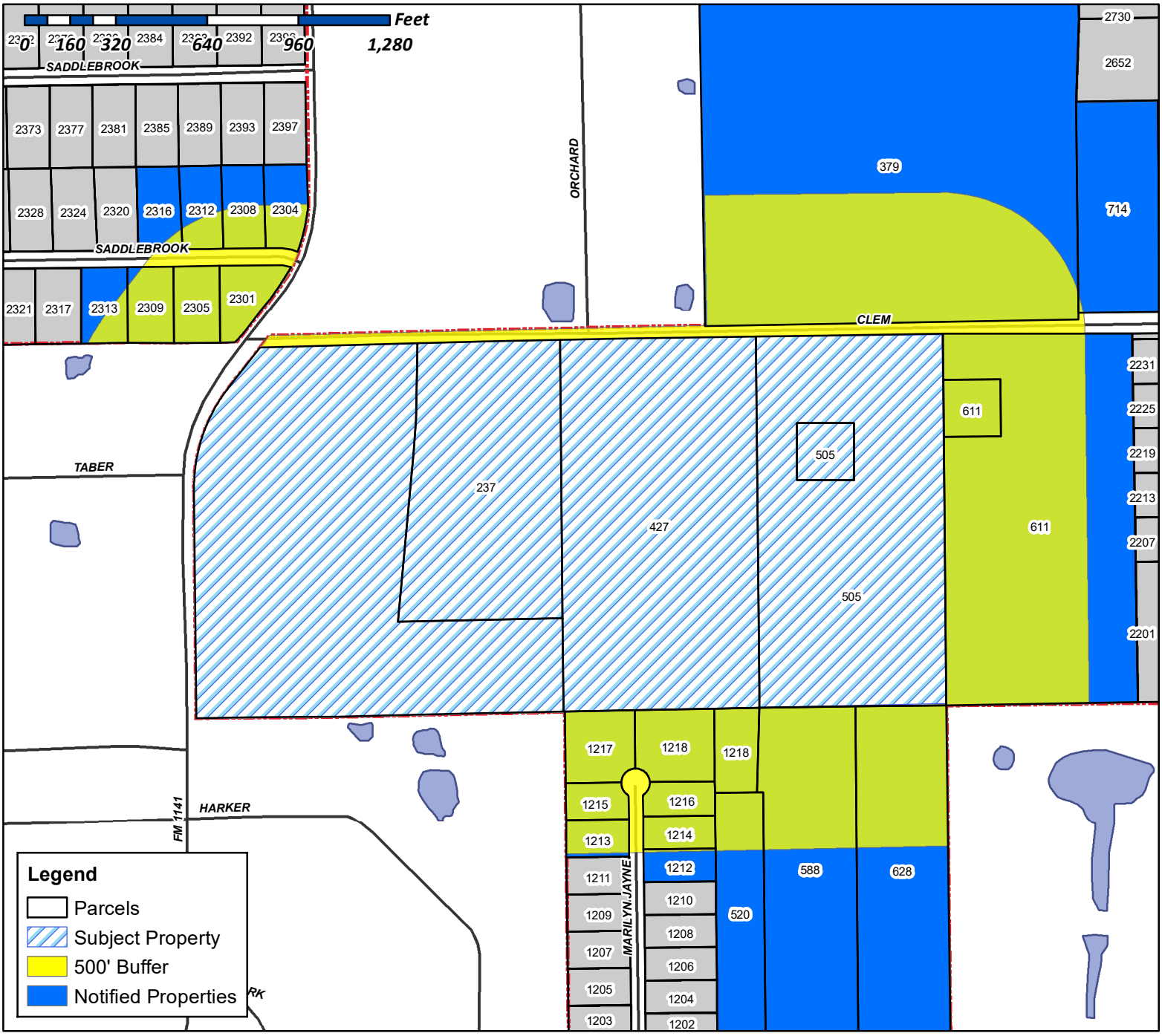
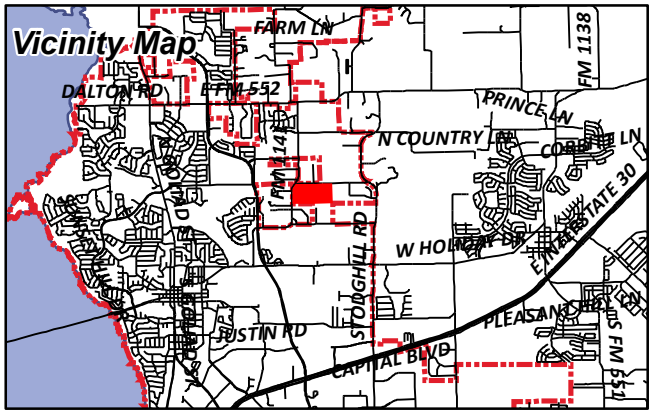


Case Number: Z2021-036
Case Name: Amendment to PD-91
Case Type: Zoning
Zoning: Planned Development District 91 (PD-91)
Case Address: Clem Road off of FM 1147

Date Created: *9/9/2021*

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



PEOPLES DONNIE B
1212 MARILYN JAYNELN
ROCKWALL, TX 75087

BERGERHOUSE PHILLIP & KERRI
1213 MARILYN JAYNE DR
ROCKWALL, TX 75087

SOUTHALL MARK P & KATHY L
1214 MARILYN JAYNE LN
ROCKWALL, TX 75087

CONFIDENTIAL
1215 MARILYN JAYNE DRIVE
ROCKWALL, TX 75087

COUCH MITCHELL E AND PATRICIA M
1216 MARILYN JAYNE DR
ROCKWALL, TX 75087

KELLY JAMES B & DEA S
1217 MARILYN JAYNE DR
ROCKWALL, TX 75087

MENDOZA ROBERT E AND SANDRA J WILKINS
1218 MARILYN JAYNE DR
ROCKWALL, TX 75087

MCCALLUM CRAIG WILLIAM
1983 N STODGHILL RD
ROCKWALL, TX 75087

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

CULP TERRI L
2301 SADDLEBROOK LN
ROCKWALL, TX 75087

MURPHEY HARVEY W & BETTY J
2304 SADDLEBROOK LN
ROCKWALL, TX 75087

OSBORNE AARON & BARBARA
2305 SADDLEBROOK LANE
ROCKWALL, TX 75087

CONFIDENTIAL
2308 SADDLEBROOK LN
ROCKWALL, TX 75087

JONES JAMES E
2309 SADDLEBROOK LN
ROCKWALL, TX 75087

SMITH WILLIAM CLEVE JR &
EDITH LILLIAN
2312 SADDLEBROOK LN
ROCKWALL, TX 75087

ROMERO MARGARET ALLEN-
2313 SADDLEBROOK LANE
ROCKWALL, TX 75087

LLOYD DANIEL AND REBECCA R
2316 SADDLEBROOK LANE
ROCKWALL, TX 75087

M G & J K TAYLOR LIVING TRUST
MARK G TAYLOR AND JESSICA K TAYLOR-
TRUSTEES
237 CLEM ROAD
ROCKWALL, TX 75087

ROCKWALL RV PARK AND TINY HOME VILLAGE
3094 COUNTY ROAD 1024
FARMERSVILLE, TX 75442

ERWIN KARL DANIEL EXECUTOR
KARL W ERWIN ESTATE
379 N COUNTRY LN
ROCKWALL, TX 75087

GRAVES BRYAN J AND LAUREN C
406 MUNSON ST
ROCKWALL, TX 75087

STEVENSON ALLEN G ET UX
427 CLEM RD
ROCKWALL, TX 75087

FOGG GORDON C
505 CLEM RD
ROCKWALL, TX 75087

GRAVES BRYAN J AND LAUREN C
520 CORNELIUS RD
ROCKWALL, TX 75087

ROCKWALL RV PARK AND TINY HOME VILLAGE
588 CORNELIUS RD
ROCKWALL, TX 75087

PEOPLES DONNIE B
589 CORNELIUS RD
ROCKWALL, TX 75087

MCCALLUM CRAIG WILLIAM
611 CLEM RD
ROCKWALL, TX 75087

LEE JAMES H AND BARBARA
628 CORNELIUS RD
ROCKWALL, TX 75087

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

SOUTHALL MARK P & KATHY L
P. O. BOX 2214
ROCKWALL, TX 75087

FOGG GORDON C
PO BOX 842
ROCKWALL, TX 75087

PUBLIC NOTICE

CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

CORRECTED NOTICE

Property Owner and/or Resident of the City of Rockwall:

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

Case No. Z2021-036: Amendment to PD-91 (Winding Creek)

Hold a public hearing to discuss and consider a request by Adam Shiffer of the Skorburg Company on behalf of Gordon C. Fogg for the approval of a Zoning Change to amend Planned Development District 91 (PD-91) [Ordinance No. 21-36] to incorporate a 20.00-acre tract of land identified as Tracts 22-04 & 22-05 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 505 Clem 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, September 28, 2021 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, October 4, 2021 at 6:00 PM*. 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:

Henry Lee
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. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by *Monday, October 4, 2021 at 4:00 PM* to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND AT: https://sites.google.com/site/rockwallplanning/development/development-cases

PLEASE RETURN THE BELOW FORM

Case No. Z2021-036: Amendment to PD-91 (Winding Creek)

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

City of Rockwall

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

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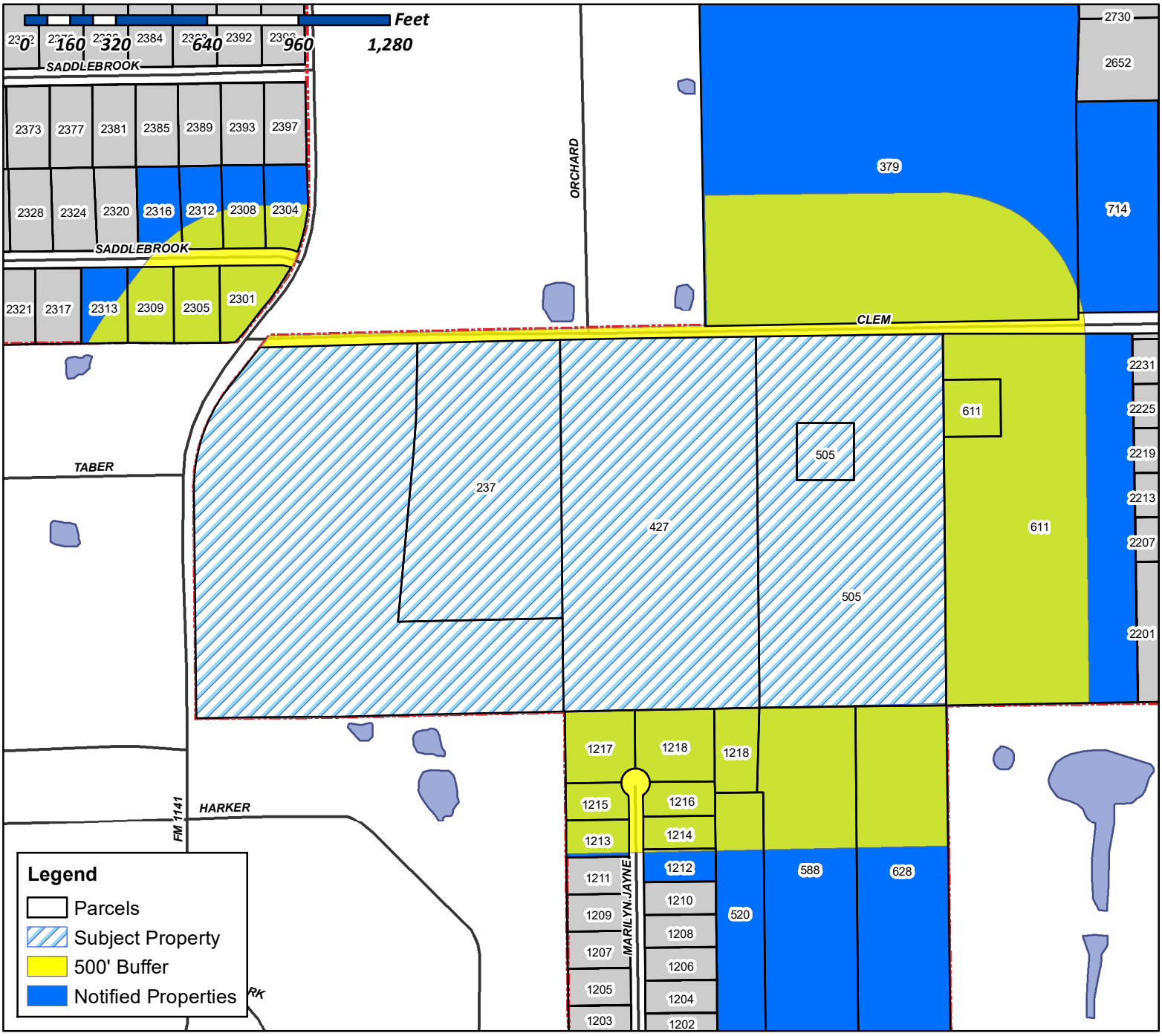

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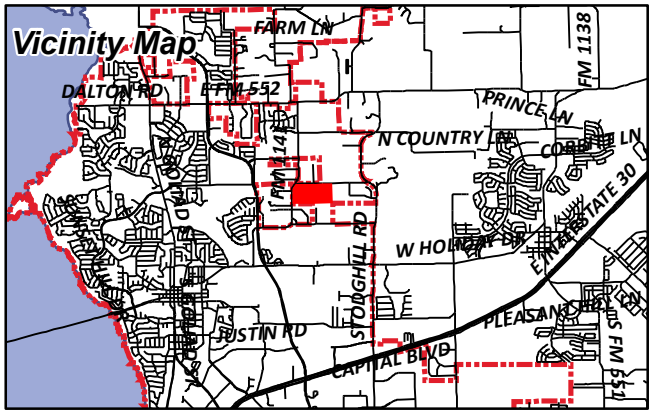

Lee, Henry

From: Ruth Josey <ruthjs2k@yahoo.com>
Sent: Sunday, August 29, 2021 8:10 AM
To: Planning
Subject: Fw: Case No. Z2021-036 Zoning Change AG to PD (Winding Creek)

I'm sorry. Perhaps this should have been addressed to Mr. Lee.

----- Forwarded Message -----
From: Ruth Josey
To: planning@rockwall.com
Sent: Sunday, August 29, 2021, 08:07:56 AM CDT
Subject: Fw: Case No. Z2021-036 Zoning Change AG to PD (Winding Creek)

Hello Mr. Miller,

While I would prefer that our idyllic rural areas remain just that, I realize that we'll lose most of our AG land to developers. Not a problem. I'm sure they're now able to create all manner of delicious food out of synthetic materials. The complaint I'd like to register is the size of the proposed lots. The houses would all be on 1/3-acre lots. I feel that larger lots (more than 3/4 acre) are more in line with the community. I'm not looking forward to the traffic and noise that this will bring to the area and I hope you'll count me in as opposed to the builders' request.

That being said, I'm a bit confused by the paperwork with the development application. The first page involves Gordon Fogg at 505 Clem Road. However, in all of the rest of the paperwork, it shows this as a "buffer zone" and not part of the planned development. Are they also going to try to cram as many houses as they legally can onto the property at 505 Clem? Why is Rockwall even allowing 1/3 acre lots in rural areas of Rockwall? At least the developers at the other end of Clem Road have the decency to have large lot sizes. Are the developers of this new proposed development even going to widen Clem Road? If not, I truly hope that there will be no access into or egress from the development onto Clem Road.

Oh, and all of your paperwork after the second page lists the case address as "Clem Road and FM 1147". That's not the correct location. As far as I know, there's no Clem Road in Royse City, but that's where 1147 is.

Thank you for taking the time to read this.

Best regards,

Ruth Josey
50 Orchard Ln.
Rockwall, TX 75087

This email was scanned by Bitdefender

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PUBLIC NOTICE

CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

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

Case No. Z2021-036: Amendment to PD-91

Hold a public hearing to discuss and consider a request by Adam Shiffer of the Skorburg Company on behalf of Gordon C. Fogg for the approval of a Zoning Change to amend Planned Development District 91 (PD-91) [Ordinance No. 21-36] to incorporate a 20.00-acre tract of land identified as Tracts 22-04 & 22-05 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 505 Clem 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, September 14, 2021 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, September 20, 2021 at 6:00 PM*. 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:

Henry Lee
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. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by *Monday, September 20, 2021 at 4:00 PM* to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2021-036: Amendment to PD-91

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.

It will change the character of the neighborhood, create much more traffic that cannot be supported by infrastructure, noise pollution safety issues and reduction in property values.

Name: Laura Cullen

Address: 246 Clem Rd Rockwall TX 75087

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

Skorburg Company
8214 Westchester Dr., Ste. 900
Dallas, TX 75225
Phone: 214/522-4945
Fax: 214/522-7244

August 20, 2021

City of Rockwall
Attn: Henry Lee
385 S Goliad St
Rockwall, TX 75087

Dear Mr. Lee,

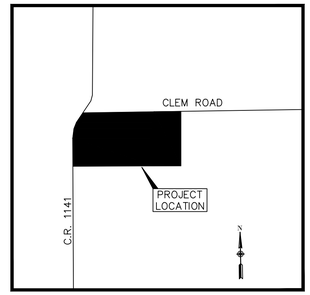
Skorburg Company is requesting that our Amendment to the Winding Creek PD-91 be taken to the September 14th, 2021 Planning and Zoning Meeting. This Amendment is for the development of an additional ± 20 acres directly adjacent to the existing Winding Creek eastern boundary in the William Dalton Survey, City of Rockwall, Rockwall County, at the southeast corner of F.M. 1141 and Clem Road.

The property is currently zoned AG. We are proposing to include this tract as part of PD-91 for the development of an additional 34 Single-Family residential homes on 16,000 square foot lots. This community will feature high quality homes on large lots and add to the beautiful aesthetics of other high quality Skorburg communities like Stone Creek Estates, Breezy Hill Estates, and Gideon Grove.

We look forward to working with the City once again to maximize the quality and value of our Winding Creek development.

Cordially Yours,

Adam Shiffer
Land Acquisition Associate



LOCATION MAP
N.T.S.

N

100 50 0 100 200

SCALE: 1" = 100'

LEGEND

132 LOTS TOTAL
Min. Width = 90'
Min. Depth = 100'
Min. Square Feet = 16,000

HOA MAINTAINED OPEN SPACE

REPRESENTATIVE EXAMPLE OF PAVILION

HOA OPEN SPACE AREA TABLE

HOA LOT	SF	AC
A	370696	8.51
B	244807	5.62
C	51836	1.19
D	22651	0.52
TOTAL		15.84

NOTE:
THE MAXIMUM NUMBER OF RESIDENTIAL LOTS SHALL NOT EXCEED 132 LOTS.

ALL OPEN SPACE LOTS TO BE MAINTAINED BY THE PROPERTY OWNER/HOA.

TOTAL ACRES: 78.41

TOTAL OPEN SPACE: 15.84 (20.20%)

TOTAL RESIDENTIAL LOTS: 132

RESIDENTIAL DENSITY: 1.69

CONCEPT PLAN
OF
WINDING CREEK
SITUATED IN THE
WILLIAM DALTON SURVEY,
ABSTRACT NO. 72
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

PREPARED BY
MACATEE ENGINEERING, LLC
12655 N. CENTRAL EXPRESSWAY, SUITE 420
DALLAS, TEXAS 75243
214-373-1180
OWNER
FALCON PLACE SF. Ltd.
OWNER
GORDON C. FOGG

AUGUST 2021
SCALE: 1"=100'

CASE NO. Z

CITY OF ROCKWALL

ORDINANCE NO. 21-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 91 (PD-91) FOR SINGLE-FAMILY 16 (SF-16) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 58.842-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17 & 17-01 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 Kevin Harrell of the Skorburg Co. on behalf of ~~Mark Taylor, Alex Freeman and Allen and Lisa Stevenson~~ Falcon Place SF, Ltd. and Gordon Fogg for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single-Family 16 (SF-16) District land uses, on a ~~58.84~~278.412-acre tract of land identified as Tract 17~~, & ~~17-01, 22, 22-04 and 22-05 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. 20-02*] 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. 20-02*] 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 *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 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 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.* A *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 ____ DAY OF _____, 2021.

_____
Kevin Fowler, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *[_____]*

2nd Reading: *[_____]*

Exhibit 'A':
Legal Description

Tract 1 (±26.012-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas. Being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a 60D nail found for corner at the intersection near the center of Clem Road and the recognized southeast line of FM-1141, said point being the northwest corner of herein described tract;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, within said Clem Road and the recognized north line of said *Walker Tract*, a distance of 533.77-feet to a point for corner, said point being the northeast corner of herein described tract and the northwest corner of a tract of land described in deed to Mark G. and Jessica K. Taylor, recorded in *Volume 7106, Page 191*, Official Public Records, Rockwall County, Texas;

THENCE South 01 Degrees 23 Minutes 21 Seconds West, along the west line of said *Taylor Tract*, passing a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for witness at a distance of 17.18-feet and continuing for a total distance of 283.63-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 06 Minutes 43 Seconds West, along the west line of said *Taylor Tract*, a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 35 Minutes 13 Seconds West, along the west line of said *Taylor Tract*, a distance of 597.75-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner, said point being an inner ell corner of herein described tract and the southwest corner of said *Taylor Tract*;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, along the south line of said *Taylor Tract*, a distance of 574.09-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner in the west line of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, said point being the southeast corner of said *Taylor Tract* and the most southerly northeast corner of herein described tract;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the recognized east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 334.12-feet to a 3/8-inch iron rod found for corner, the apparent northeast corner of Lot 5 of Meadowview Ranch Estates, recorded in *Cabinet A, Slide 247*, Plat Records, Rockwall county, Texas, said point being the recognized southeast corner of said *Walker Tract* and the apparent southwest corner of said *Stevenson Tract*;

THENCE South 89 Degrees 13 Minutes 16 Seconds West, along the recognized south line of said *Walker Tract*, a distance 510.41-feet to a 3/8-inch iron rod found for angle point;

THENCE North 89 Degrees 58 Minutes 55 Seconds West, along the recognized south line of said *Walker Tract*, a distance of 778.67-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner in the recognized east line of said FM-1141, said point being the southwest corner of herein described tract;

THENCE North, along the recognized east line of said highway, passing a 60D nail found on a wood highway monument for witness at a distance of 734.11-feet and continuing for a total distance of 810.94-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the beginning of a curve to right having a central angle of 39 Degrees 09 Minutes 01 Seconds, a radius of 533.14-feet and a chord bearing and distance of North 19 Degrees 34 Minutes 34 Seconds East - 357.25-feet;

THENCE along the recognized southeast line of said highway and said curve to the right an arc length of 364.29-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the end of said curve;

THENCE North 39 Degrees 09 Minutes 00 Seconds East along the recognized southeast line of said highway, a distance of 215.67-feet to the place of beginning and containing 1,133,124.22 square-feet or 26.012-acres of land.

Tract 2 (±12.0-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point for corner near the center of Clem Road, said point being the northeast corner of said *Walker Tract* and the northwest corner of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, from which a ½-inch iron rod found for witness bears South 00 Degrees 06 Minutes 20 Seconds East - 17.25-feet;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 990.13-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE South 89 Degrees 06 Minutes 09 Seconds West a distance 574.09-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE North 05 Degrees 35 Minutes 13 Seconds East a distance of 597.75-feet to a 4-inch metal fence corner for angle point;

THENCE North 05 Degrees 06 Minutes 43 Seconds East a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE North 01 Degrees 23 Minutes 21 Seconds East a distance of 283.63-feet to a point for corner in the north line of said *Walker Tract*, said point being near the center of Clem Road from which a ½-inch iron set with yellow cap stamped *BG&A RPLS 5569* for witness bears South 01 Degrees 23 Minutes 21 Seconds West - 17.18-feet;

THENCE North 89 Degrees 06 Minutes 09 Seconds East along the north line of said *Walker Tract* and within said Clem Road a distance of 497.09-feet to the *PLACE OF BEGINNING* and containing 522,720.00 square-feet or 12.000-acres of land.

Exhibit 'A':
Legal Description

Tract 3 (±20.83-Acres)

BEING a tract or parcel of Land situated in the William Dalton Survey, Abst. #72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams by T.H. Adams, by deed recorded in Volume 11, Page 475, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod in a County Road and at the Northwest corner of the above-mentioned 80 acre tract;

THENCE North 89 deg. 50 min. 30 sec. East, a distance of 684.33 feet along said Country Road to an iron rod for a corner, said iron rod bears South 89 deg. 50 min. 30 sec. West, a distance of 661.40 feet from the Northeast Corner of said 80 acre tract;

THENCE South 0 deg. 16 min. 03 sec. East, a distance of 1319.86 feet traversing said 80 acre tract to an iron rod for a corner;

THENCE South 89 deg. 22 min. 53 sec. West, a distance of 687.71 feet to an iron rod for a corner on the West line of said 80 acre tract and at the Northeast corner of Meadowview Ranch Estates, an addition to the County of Rockwall;

THENCE North 0 deg. 07 min. 17 sec. West, a distance of 1325.38 feet along the West line of said 80 acre tract to the Point of Beginning and containing 20.83 acres of land.

Tract 4 (±19.57-Acres)

Being a tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams to T. H. Adams and wife, S.E. Adams by Deed recorded in Volume 11, Page 475, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

Beginning at an iron rod set for a corner on the Northeast corner of said 80 acre tract in a County Road;

THENCE South 0 degrees 16 minutes 03 seconds East with a fence and the East line of said 80 acre tract a distance of 1314.55 feet to an iron rod found for corner;

THENCE South 39 degrees 22 minutes 33 seconds West with a fence a distance of 461.41 feet to an iron rod set for corner;

THENCE North 0 degrees 16 minutes 03 seconds West a distance of 1319.86 feet to an iron rod set for corner in a County Road;

THENCE North 89 degrees 50 minutes 30 seconds East with said County Road a distance of 461.40 feet to the POINTOF BEGINNING and Containing 19.57 acres of land more or less.

Exhibit 'B':
Location Map

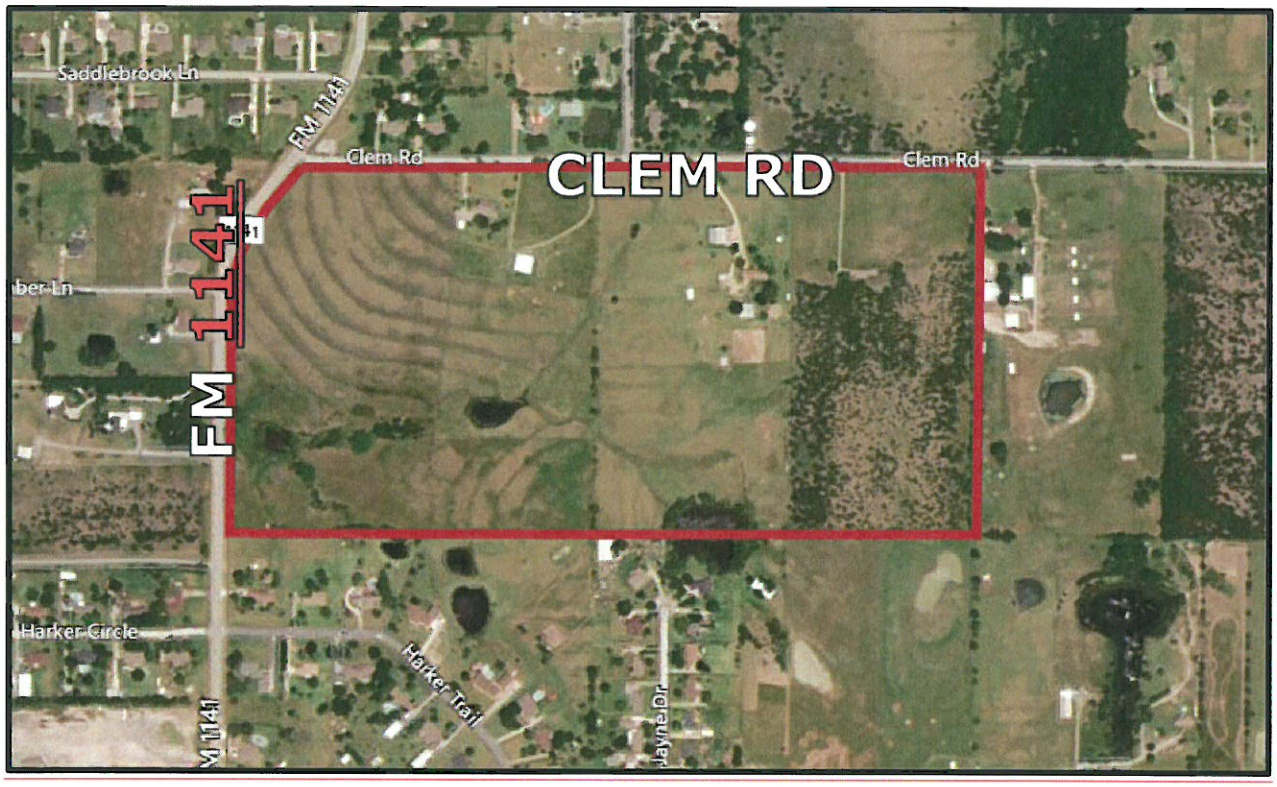


Exhibit 'C':
Concept Plan

Density and Development Standards.

(1) *Permitted Uses*. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 16 (SF-16) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *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'* of this ordinance.

(3) *Density and Dimensional Requirements*. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 16 (SF-16) District, as specified by Article 05, *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 *1.6~~87~~* dwelling units per gross acre of land; however, in no case should the proposed development exceed ~~*98*~~ *132* units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

Minimum Lot Width [1]	90'
Minimum Lot Depth	100'
Minimum Lot Area	16,000 SF
Minimum Front Yard Setback [2] & [5]	25'
Minimum Side Yard Setback	8'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'
Minimum Length of Driveway Pavement	25'
Maximum Height [3]	36'
Minimum Rear Yard Setback [4]	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space] [6]	3,000 SF
Maximum Lot Coverage	60%

General Notes:

[1]: 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 Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.

[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 (*whichever is greater*) of the single-family home.

[4]: The location of the *Rear Yard Building Setback* as measured from the rear property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. 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.

[6]: A maximum of ten (10) percent of the lots may have a minimum area/dwelling unit of 2,800 SF [*Air-Conditioned Space*].

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

(a) *Masonry Requirement*. The minimum masonry requirement for the total exterior façade area of all buildings shall be 90% (*excluding dormers and walls over roof areas*); however, no individual façade shall be less than 85% masonry. 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; however, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted through a Specific Use Permit (SUP) only. Excluding dormers and walls over roof areas, siding products (*e.g. HardiBoard or Hardy Plank*) shall not be visible on homes abutting any major thoroughfare (*i.e. FM-1141 as shown on Exhibit 'C' of this ordinance*).

(b) *Roof Pitch*. A minimum of an *8:12* roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a *4:12* roof pitch.

(c) *Garage Orientation and Garage Doors*. Garages shall be oriented in a *traditional swing* (or *j-swing*) (*i.e. where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration*). On *traditional swing* (*or j-swing*) garage configurations, a second single or double garage door facing the street is permitted if it is located behind the width of the double garage door. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).

All garage doors shall be required to have decorative wood doors or wood overlays on insulated metal doors. The design between the garage door and home shall use the same or complementary colors and materials. All garages shall include carriage style hardware. An example of carriage style hardware is depicted in *Figure 1*.

Figure 1. Examples of Enhanced Garage Door

(5) *Anti-Monotony Restrictions*. The development shall adhere to the following *Anti-Monotony* standards:

(a) 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.

(b) 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, FM-1141, 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:

(1) Number of Stories
(2) Permitted Encroachment Type and Layout
(3) Roof Type and Layout
(4) Articulation of the Front Façade

(c) Permitted encroachment (*i.e. porches and sunroom*) 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.

(d) 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 3: Properties line up on the opposite side of the street. Where RED is the subject property.

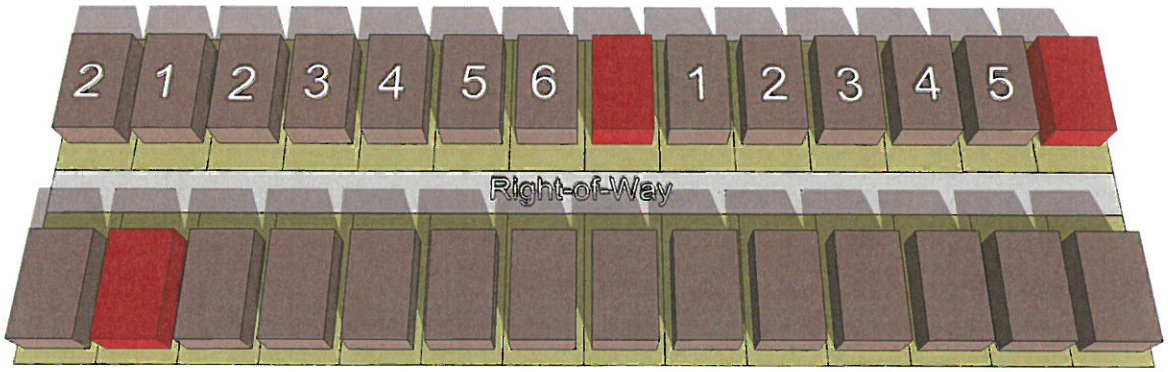
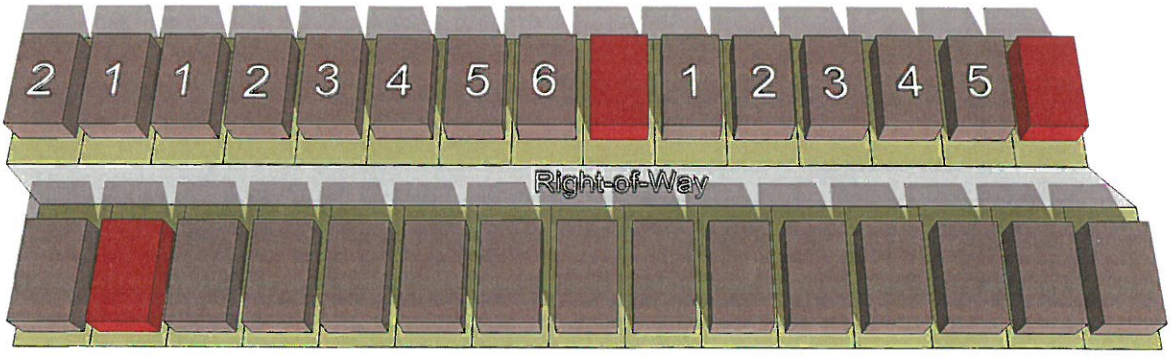


Figure 4: Properties do not line up on opposite side of the street. Where RED is the subject property.



(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) *Front Yard Fences*. Front yard fences shall be prohibited.

(b) *Wood Fences*. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.

(c) *Wrought Iron/Tubular Steel*. Lots located along the perimeter of roadways (*i.e. FM-1141 and Clem 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.

(d) *Corner Lots*. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(e) *Solid Fences (including Wood Fences)*. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

(7) *Landscape and Hardscape Standards*.

(a) *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. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall also be required to plant a row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).

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

(1) *Landscape Buffer and Sidewalks (FM-1141)*. A minimum of a 30-foot landscape buffer shall be provided along FM-1141 (*outside of and beyond any*

required right-of-way dedication), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering six (6) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(2) *Landscape Buffers (Clem Road)*. A minimum of a 30-foot landscape buffer shall be provided along Clem Drive (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(3) *Landscape Buffers (Southern Property Line)*. A minimum of a 10-foot landscape buffer shall be incorporated at the rear of the residential lots that back to the southern property line of the subject property. This landscape buffer shall incorporate a solid living screen utilizing evergreen trees -- *either Eastern Red Cedar or Leland Cypress unless approved otherwise approved by the Director of Planning and Zoning* --, a minimum of four (4) caliper inches in size, that will be planted on 20-foot centers.

(c) *Street Trees*. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-feet vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.

(d) *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).

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

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

(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 two (2) 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 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) *Open Space*. The development shall consist of a minimum of *20%* open space (*or a minimum of ~~11.77~~16.01 -acres -- as calculated by the formula stipulated in the Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. All open space areas (*including landscape buffers*) shall be maintained by the Homeowner's Association (HOA).

(13) *Fishing Dock*. Subject to engineering design providing sufficient perpetual water depth of the pond in HOA open space area 'B', a fishing dock shall be installed by the developer and maintained by the HOA as depicted in '*Exhibit C*' of this ordinance.

(14) *Gazebo*. A gazebo shall be installed by the developer and maintained by the HOA in HOA open space area 'C' as depicted in '*Exhibit C*' of this ordinance.

~~(12)~~

~~(13)~~(15) *Trails*. A concrete trail system shall be constructed in generally the same areas and of the same sizes as what is depicted in *Exhibit 'C'* of this ordinance.

~~(14)~~(16) *Neighborhood Signage and Enhancements*. Permanent subdivision 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*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.

~~(15)~~(17) *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*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development.

~~(16)~~(18) *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.

CITY OF ROCKWALL

ORDINANCE NO. 21-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 91 (PD-91) FOR SINGLE-FAMILY 16 (SF-16) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 78.412-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17 & 17-01 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 Kevin Harrell of the Skorburg Co. on behalf of Falcon Place SF, Ltd. and Gordon Fogg for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single-Family 16 (SF-16) District land uses, on a 78.412-acre tract of land identified as Tract 17, 17-01, 22, 22-04 and 22-05 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. 20-02*] 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. 20-02*] 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 *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 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 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.* A *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 ____ DAY OF _____, 2021.

_____
Kevin Fowler, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *[_____]*

2nd Reading: *[_____]*

Exhibit 'A':
Legal Description

Tract 1 (±26.012-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas. Being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a 60D nail found for corner at the intersection near the center of Clem Road and the recognized southeast line of FM-1141, said point being the northwest corner of herein described tract;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, within said Clem Road and the recognized north line of said *Walker Tract*, a distance of 533.77-feet to a point for corner, said point being the northeast corner of herein described tract and the northwest corner of a tract of land described in deed to Mark G. and Jessica K. Taylor, recorded in *Volume 7106, Page 191*, Official Public Records, Rockwall County, Texas;

THENCE South 01 Degrees 23 Minutes 21 Seconds West, along the west line of said *Taylor Tract*, passing a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for witness at a distance of 17.18-feet and continuing for a total distance of 283.63-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 06 Minutes 43 Seconds West, along the west line of said *Taylor Tract*, a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 35 Minutes 13 Seconds West, along the west line of said *Taylor Tract*, a distance of 597.75-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner, said point being an inner ell corner of herein described tract and the southwest corner of said *Taylor Tract*;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, along the south line of said *Taylor Tract*, a distance of 574.09-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner in the west line of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, said point being the southeast corner of said *Taylor Tract* and the most southerly northeast corner of herein described tract;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the recognized east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 334.12-feet to a 3/8-inch iron rod found for corner, the apparent northeast corner of Lot 5 of Meadowview Ranch Estates, recorded in *Cabinet A, Slide 247*, Plat Records, Rockwall county, Texas, said point being the recognized southeast corner of said *Walker Tract* and the apparent southwest corner of said *Stevenson Tract*;

THENCE South 89 Degrees 13 Minutes 16 Seconds West, along the recognized south line of said *Walker Tract*, a distance 510.41-feet to a 3/8-inch iron rod found for angle point;

THENCE North 89 Degrees 58 Minutes 55 Seconds West, along the recognized south line of said *Walker Tract*, a distance of 778.67-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner in the recognized east line of said FM-1141, said point being the southwest corner of herein described tract;

THENCE North, along the recognized east line of said highway, passing a 60D nail found on a wood highway monument for witness at a distance of 734.11-feet and continuing for a total distance of 810.94-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the beginning of a curve to right having a central angle of 39 Degrees 09 Minutes 01 Seconds, a radius of 533.14-feet and a chord bearing and distance of North 19 Degrees 34 Minutes 34 Seconds East - 357.25-feet;

THENCE along the recognized southeast line of said highway and said curve to the right an arc length of 364.29-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the end of said curve;

THENCE North 39 Degrees 09 Minutes 00 Seconds East along the recognized southeast line of said highway, a distance of 215.67-feet to the place of beginning and containing 1,133,124.22 square-feet or 26.012-acres of land.

Tract 2 (±12.0-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point for corner near the center of Clem Road, said point being the northeast corner of said *Walker Tract* and the northwest corner of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, from which a ½-inch iron rod found for witness bears South 00 Degrees 06 Minutes 20 Seconds East - 17.25-feet;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 990.13-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE South 89 Degrees 06 Minutes 09 Seconds West a distance 574.09-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE North 05 Degrees 35 Minutes 13 Seconds East a distance of 597.75-feet to a 4-inch metal fence corner for angle point;

THENCE North 05 Degrees 06 Minutes 43 Seconds East a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE North 01 Degrees 23 Minutes 21 Seconds East a distance of 283.63-feet to a point for corner in the north line of said *Walker Tract*, said point being near the center of Clem Road from which a ½-inch iron set with yellow cap stamped *BG&A RPLS 5569* for witness bears South 01 Degrees 23 Minutes 21 Seconds West - 17.18-feet;

THENCE North 89 Degrees 06 Minutes 09 Seconds East along the north line of said *Walker Tract* and within said Clem Road a distance of 497.09-feet to the *PLACE OF BEGINNING* and containing 522,720.00 square-feet or 12.000-acres of land.

Tract 3 (±20.83-Acres)

BEING a tract or parcel of Land situated in the William Dalton Survey, Abst. #72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams by T.H. Adams, by deed recorded in Volume 11, Page 475, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod in a County Road and at the Northwest corner of the above-mentioned 80 acre tract;

THENCE North 89 deg. 50 min. 30 sec. East, a distance of 684.33 feet along said Country Road to an iron rod for a corner, said iron rod bears South 89 deg. 50 min. 30 sec. West, a distance of 661.40 feet from the Northeast Corner of said 80 acre tract;

THENCE South 0 deg. 16 min. 03 sec. East, a distance of 1319.86 feet traversing said 80 acre tract to an iron rod for a corner;

THENCE South 89 deg. 22 min. 53 sec. West, a distance of 687.71 feet to an iron rod for a corner on the West line of said 80 acre tract and at the Northeast corner of Meadowview Ranch Estates, an addition to the County of Rockwall;

THENCE North 0 deg. 07 min. 17 sec. West, a distance of 1325.38 feet along the West line of said 80 acre tract to the Point of Beginning and containing 20.83 acres of land.

Tract 4 (±19.57-Acres)

BEING a tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams to T. H. Adams and wife, S.E. Adams by Deed recorded in Volume 11, Page 475, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod set for a corner on the Northeast corner of said 80 acre tract in a County Road;

THENCE South 0 degrees 16 minutes 03 seconds East with a fence and the East line of said 80 acre tract a distance of 1314.55 feet to an iron rod found for corner;

THENCE South 39 degrees 22 minutes 33 seconds West with a fence a distance of 461.41 feet to an iron rod set for corner;

THENCE North 0 degrees 16 minutes 03 seconds West a distance of 1319.86 feet to an iron rod set for corner in a County Road;

THENCE North 89 degrees 50 minutes 30 seconds East with said County Road a distance of 461.40 feet to the POINTOF BEGINNING and Containing 19.57 acres of land more or less.

Exhibit 'B':
Location Map

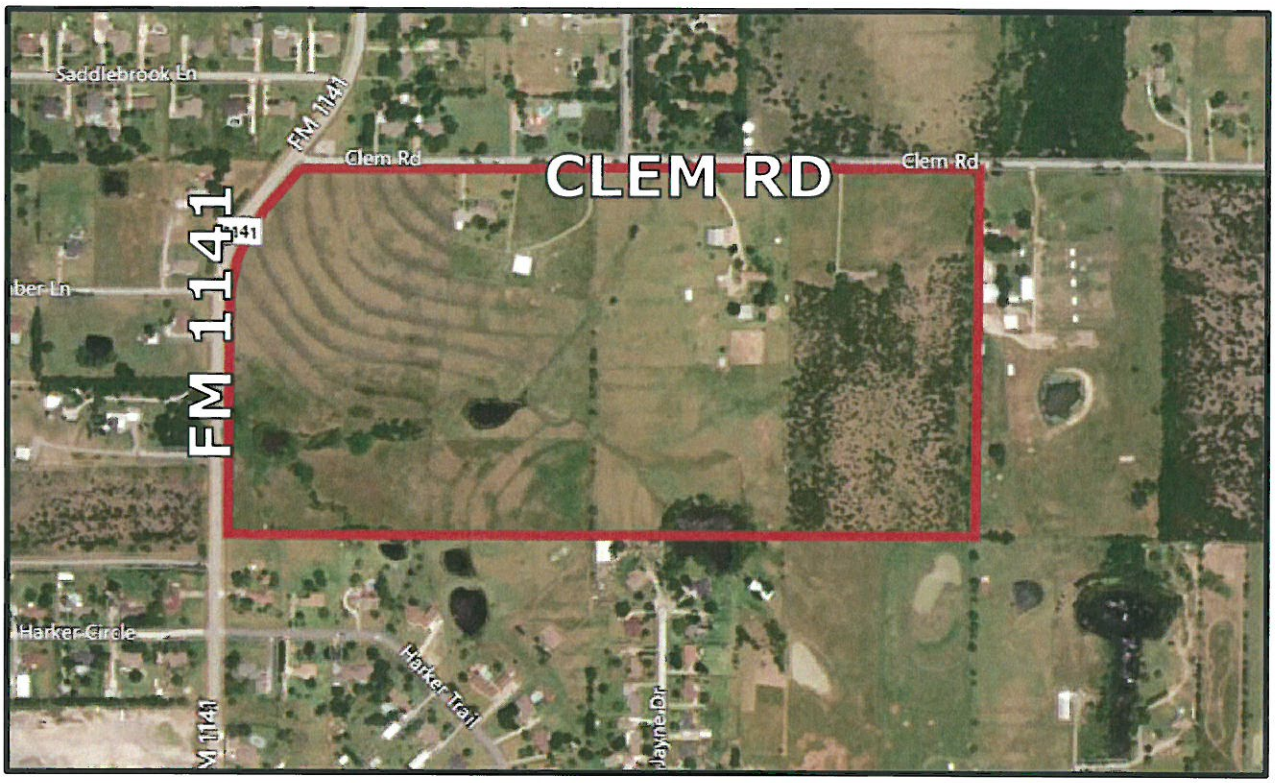


Exhibit 'C':
Concept Plan

Density and Development Standards.

(1) *Permitted Uses*. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 16 (SF-16) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *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'* of this ordinance.

(3) *Density and Dimensional Requirements*. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 16 (SF-16) District, as specified by Article 05, *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 *1.68* dwelling units per gross acre of land; however, in no case should the proposed development exceed 132 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

Minimum Lot Width [1]	90'
Minimum Lot Depth	100'
Minimum Lot Area	16,000 SF
Minimum Front Yard Setback [2] & [5]	25'
Minimum Side Yard Setback	8'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'
Minimum Length of Driveway Pavement	25'
Maximum Height [3]	36'
Minimum Rear Yard Setback [4]	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space] [6]	3,000 SF
Maximum Lot Coverage	60%

General Notes:

[1]: 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 Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.

[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 (*whichever is greater*) of the single-family home.

[4]: The location of the *Rear Yard Building Setback* as measured from the rear property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. 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.

[6]: A maximum of ten (10) percent of the lots may have a minimum area/dwelling unit of 2,800 SF [*Air-Conditioned Space*].

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

(a) *Masonry Requirement*. The minimum masonry requirement for the total exterior façade area of all buildings shall be 90% (*excluding dormers and walls over roof areas*); however, no individual façade shall be less than 85% masonry. 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; however, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted through a Specific Use Permit (SUP) only. Excluding dormers and walls over roof areas, siding products (*e.g. HardiBoard or Hardy Plank*) shall not be visible on homes abutting any major thoroughfare (*i.e. FM-1141 as shown on Exhibit 'C' of this ordinance*).

(b) *Roof Pitch*. A minimum of an *8:12* roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a *4:12* roof pitch.

(c) *Garage Orientation and Garage Doors*. Garages shall be oriented in a *traditional swing* (or *j-swing*) (*i.e. where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration*). On *traditional swing* (*or j-swing*) garage configurations, a second single or double garage door facing the street is permitted if it is located behind the width of the double garage door. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).

All garage doors shall be required to have decorative wood doors or wood overlays on insulated metal doors. The design between the garage door and home shall use the same or complementary colors and materials. All garages shall include carriage style hardware. An example of carriage style hardware is depicted in *Figure 1*.

Figure 1. Examples of Enhanced Garage Door

(5) *Anti-Monotony Restrictions*. The development shall adhere to the following *Anti-Monotony* standards:

(a) 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.

(b) 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, FM-1141, 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:

(1) Number of Stories
(2) Permitted Encroachment Type and Layout
(3) Roof Type and Layout
(4) Articulation of the Front Façade

(c) Permitted encroachment (*i.e. porches and sunroom*) 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.

(d) 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 3: Properties line up on the opposite side of the street. Where RED is the subject property.

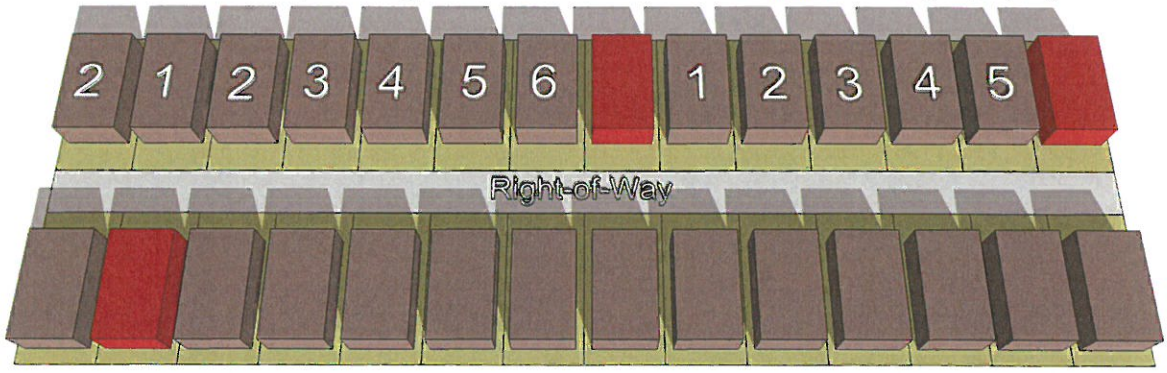
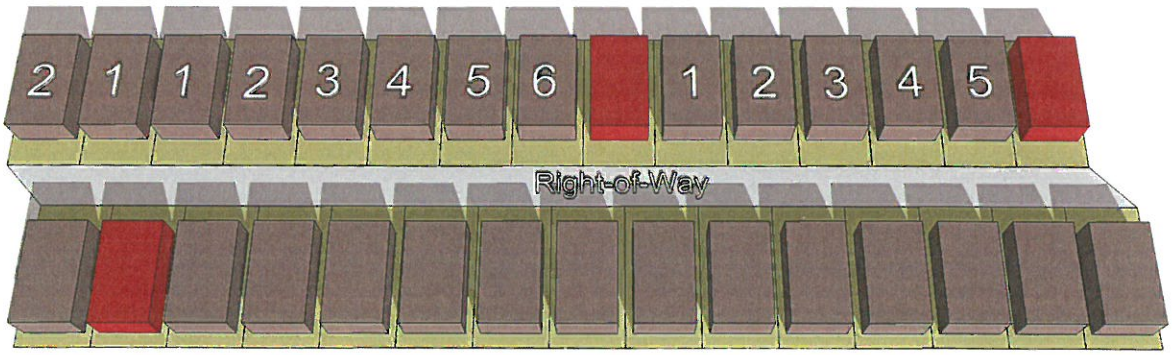


Figure 4: Properties do not line up on opposite side of the street. Where RED is the subject property.



(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) *Front Yard Fences*. Front yard fences shall be prohibited.

(b) *Wood Fences*. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.

(c) *Wrought Iron/Tubular Steel*. Lots located along the perimeter of roadways (*i.e. FM-1141 and Clem 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.

(d) *Corner Lots*. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(e) *Solid Fences (including Wood Fences)*. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

(7) *Landscape and Hardscape Standards*.

(a) *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. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall also be required to plant a row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).

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

(1) *Landscape Buffer and Sidewalks (FM-1141)*. A minimum of a 30-foot landscape buffer shall be provided along FM-1141 (*outside of and beyond any required*

right-of-way dedication), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering six (6) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(2) *Landscape Buffers (Clem Road)*. A minimum of a 30-foot landscape buffer shall be provided along Clem Drive (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(3) *Landscape Buffers (Southern Property Line)*. A minimum of a 10-foot landscape buffer shall be incorporated at the rear of the residential lots that back to the southern property line of the subject property. This landscape buffer shall incorporate a solid living screen utilizing evergreen trees -- *either Eastern Red Cedar or Leland Cypress unless approved otherwise approved by the Director of Planning and Zoning* --, a minimum of four (4) caliper inches in size, that will be planted on 20-foot centers.

(c) *Street Trees*. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-feet vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.

(d) *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).

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

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

(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 two (2) 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 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) *Open Space*. The development shall consist of a minimum of *20%* open space (*or a minimum of 16.01 -acres -- as calculated by the formula stipulated in the Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. All open space areas (*including landscape buffers*) shall be maintained by the Homeowner's Association (HOA).

(13) *Fishing Dock*. Subject to engineering design providing sufficient perpetual water depth of the pond in HOA open space area 'B', a fishing dock shall be installed by the developer and maintained by the HOA as depicted in '*Exhibit C'* of this ordinance.

(14) *Gazebo.* A gazebo shall be installed by the developer and maintained by the HOA in HOA open space area 'C' as depicted in '*Exhibit C'* of this ordinance.

(15) *Trails*. A concrete trail system shall be constructed in generally the same areas and of the same sizes as what is depicted in *Exhibit 'C'* of this ordinance.

(16) *Neighborhood Signage and Enhancements*. Permanent subdivision 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*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.

(17) *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*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development.

(18) *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.

CITY OF ROCKWALL

ORDINANCE NO. 21-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE PLANNED DEVELOPMENT DISTRICT 91 (PD-91) [*ORDINANCE NO. 21-17*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO AMEND THE PLANNED DEVELOPMENT CONCEPT PLAN AND DEVELOPMENT STANDARDS APPROVED WITH *ORDINANCE NO. 21-17*, BEING A 78.412-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17, 17-01, 22, 22-04, & 22-05 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 Kevin Harrell of the Skorburg Co. on behalf of Gordon Fogg for the approval of an amendment to the *Planned Development Concept Plan* and *Development Standards* contained within Planned Development District 91 (PD-91) [*Ordinance No. 21-17*] being a 78.412-acre tract of land identified as Tracts 17, 17-01, 22, 22-04, & 22-05 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas and being 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 Planned Development District 91 (PD-91) [*Ordinance No. 21-17*] and the Unified Development Code [*Ordinance No. 20-02*] 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. 20-02*] 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 *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

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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 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 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.* A *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.

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(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 18TH DAY OF OCTOBER, 2021.

_____
Kevin Fowler, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *October 4, 2021*

2nd Reading: *October 18, 2021*

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Exhibit 'A':
Legal Description

Tract 1 (±26.012-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas. Being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a 60D nail found for corner at the intersection near the center of Clem Road and the recognized southeast line of FM-1141, said point being the northwest corner of herein described tract;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, within said Clem Road and the recognized north line of said *Walker Tract*, a distance of 533.77-feet to a point for corner, said point being the northeast corner of herein described tract and the northwest corner of a tract of land described in deed to Mark G. and Jessica K. Taylor, recorded in *Volume 7106, Page 191*, Official Public Records, Rockwall County, Texas;

THENCE South 01 Degrees 23 Minutes 21 Seconds West, along the west line of said *Taylor Tract*, passing a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for witness at a distance of 17.18-feet and continuing for a total distance of 283.63-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 06 Minutes 43 Seconds West, along the west line of said *Taylor Tract*, a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 35 Minutes 13 Seconds West, along the west line of said *Taylor Tract*, a distance of 597.75-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner, said point being an inner ell corner of herein described tract and the southwest corner of said *Taylor Tract*;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, along the south line of said *Taylor Tract*, a distance of 574.09-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner in the west line of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, said point being the southeast corner of said *Taylor Tract* and the most southerly northeast corner of herein described tract;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the recognized east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 334.12-feet to a 3/8-inch iron rod found for corner, the apparent northeast corner of Lot 5 of Meadowview Ranch Estates, recorded in *Cabinet A, Slide 247*, Plat Records, Rockwall county, Texas, said point being the recognized southeast corner of said *Walker Tract* and the apparent southwest corner of said *Stevenson Tract*;

THENCE South 89 Degrees 13 Minutes 16 Seconds West, along the recognized south line of said *Walker Tract*, a distance 510.41-feet to a 3/8-inch iron rod found for angle point;

THENCE North 89 Degrees 58 Minutes 55 Seconds West, along the recognized south line of said *Walker Tract*, a distance of 778.67-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner in the recognized east line of said FM-1141, said point being the southwest corner of herein described tract;

THENCE North, along the recognized east line of said highway, passing a 60D nail found on a wood highway monument for witness at a distance of 734.11-feet and continuing for a total distance of 810.94-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the beginning of a curve to right having a central angle of 39 Degrees 09 Minutes 01 Seconds, a radius of 533.14-feet and a chord bearing and distance of North 19 Degrees 34 Minutes 34 Seconds East - 357.25-feet;

THENCE along the recognized southeast line of said highway and said curve to the right an arc length of 364.29-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the end of said curve;

THENCE North 39 Degrees 09 Minutes 00 Seconds East along the recognized southeast line of said highway, a distance of 215.67-feet to the place of beginning and containing 1,133,124.22 square-feet or 26.012-acres of land.

Tract 2 (±12.0-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point for corner near the center of Clem Road, said point being the northeast corner of said *Walker Tract* and the northwest corner of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, from which a ½-inch iron rod found for witness bears South 00 Degrees 06 Minutes 20 Seconds East - 17.25-feet;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 990.13-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE South 89 Degrees 06 Minutes 09 Seconds West a distance 574.09-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE North 05 Degrees 35 Minutes 13 Seconds East a distance of 597.75-feet to a 4-inch metal fence corner for angle point;

THENCE North 05 Degrees 06 Minutes 43 Seconds East a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE North 01 Degrees 23 Minutes 21 Seconds East a distance of 283.63-feet to a point for corner in the north line of said *Walker Tract*, said point being near the center of Clem Road from which a ½-inch iron set with yellow cap stamped *BG&A RPLS 5569* for witness bears South 01 Degrees 23 Minutes 21 Seconds West - 17.18-feet;

THENCE North 89 Degrees 06 Minutes 09 Seconds East along the north line of said *Walker Tract* and within said Clem Road a distance of 497.09-feet to the *PLACE OF BEGINNING* and containing 522,720.00 square-feet or 12.000-acres of land.

Tract 3 (+20.83-Acres)

BEING a tract or parcel of Land situated in the William Dalton Survey, Abstract No. #72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams by T.H. Adams, by deed recorded in Volume 11, Page 475, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod in a County Road and at the Northwest corner of the above-mentioned 80 acre tract;

THENCE North 89 deg. 50 min. 30 sec. East, a distance of 684.33 feet along said Country Road to an iron rod for a corner, said iron rod bears South 89 deg. 50 min. 30 sec. West, a distance of 661 .40 feet from the Northeast Corner of said 80 acre tract;

THENCE South 0 deg. 16 min. 03 sec. East, a distance of 1319.86 feet traversing said 80 acre tract to an

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iron rod for a corner;

THENCE South 89 deg. 22 min. 53 sec. West, a distance of 687.71 feet to an iron rod for a corner on the West line of said 80 acre tract and at the Northeast corner of Meadowview Ranch Estates, an addition to the County of Rockwall;

THENCE North 0 deg. 07 min. 17 sec. West, a distance of 1325.38 feet along the West line of said 80 acre tract to the Point of Beginning and containing 20.83 acres of land.

Tract 4 (+19.57-Acres)

Being a tract or parcel of land situated in the William Dalton Survey, Abstract No. 72. Rockwall County. Texas. and being part of an 80 acre tract conveyed to E.L Adams to T. H Adams and wife. SE Adams by Deed recorded in Volume 11. Page 475, Deed Records. Rockwall County. Texas. and being more particularly described as follows:

BEGINING at an iron rod set for a corner on the Northeast corner of said 80 acre tract in a County Road;

THENCE South 0 degrees 16 minutes 03 seconds East with a fence and the East line of said 80 acre tract a distance of 1314.55 feet to an iron rod found for corner:

THENCE South 39 degrees 22 minutes 33 seconds West with a fence a distance of 661.41 feet to an iron rod set for corner;

THENCE North 0 degrees 16 minutes 03 seconds West a distance of 1319.86 feet to an iron rod set for corner in a County Road;

*THENC*E North 89 degrees 50 minutes 30 seconds East with said County Road a distance of 661 .40 feet to the POINT OF BEGINNING and Containing 19.57 acres of land more or less.

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Exhibit 'B':
Location Map

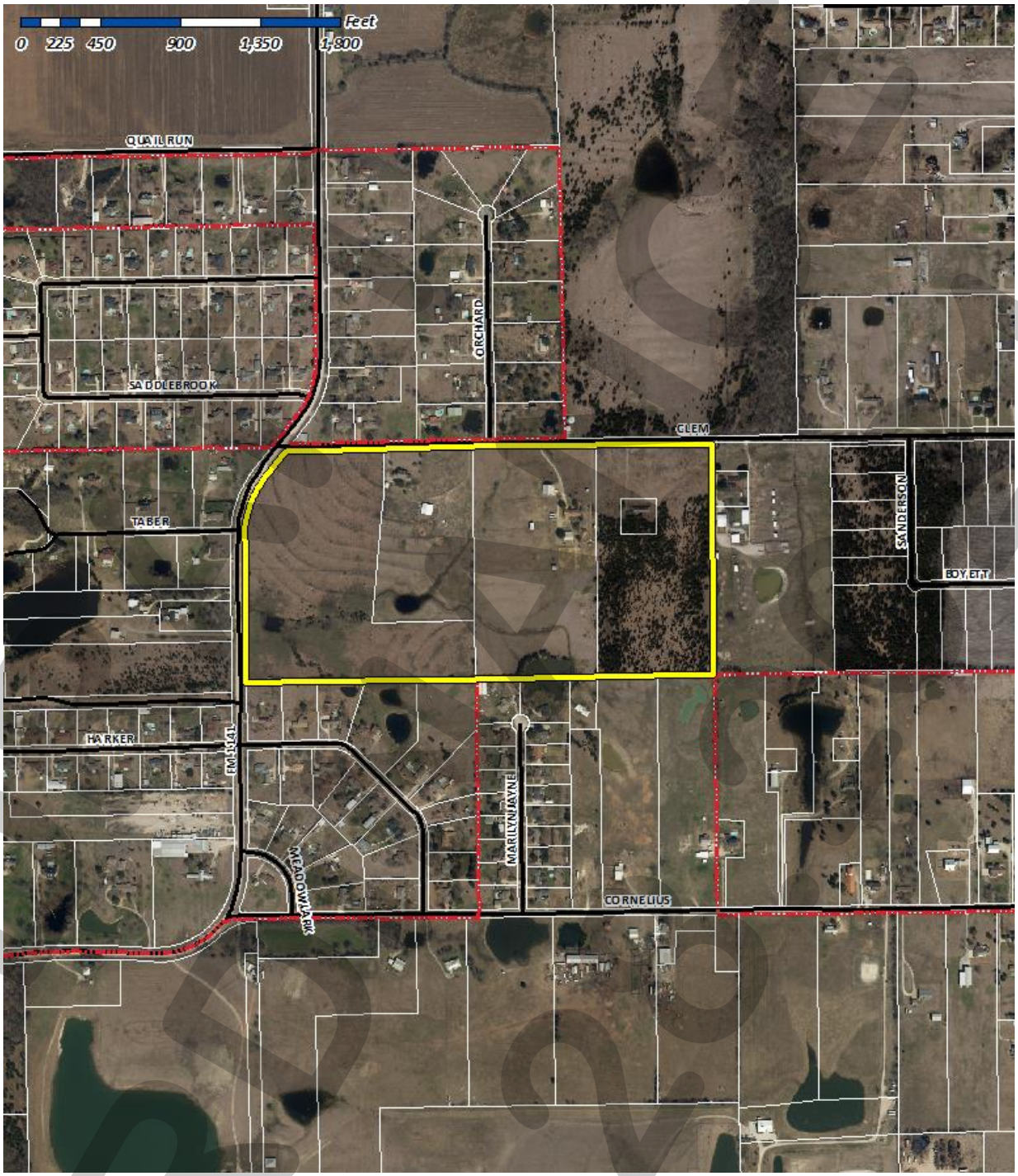

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Exhibit 'C':
Concept Plan

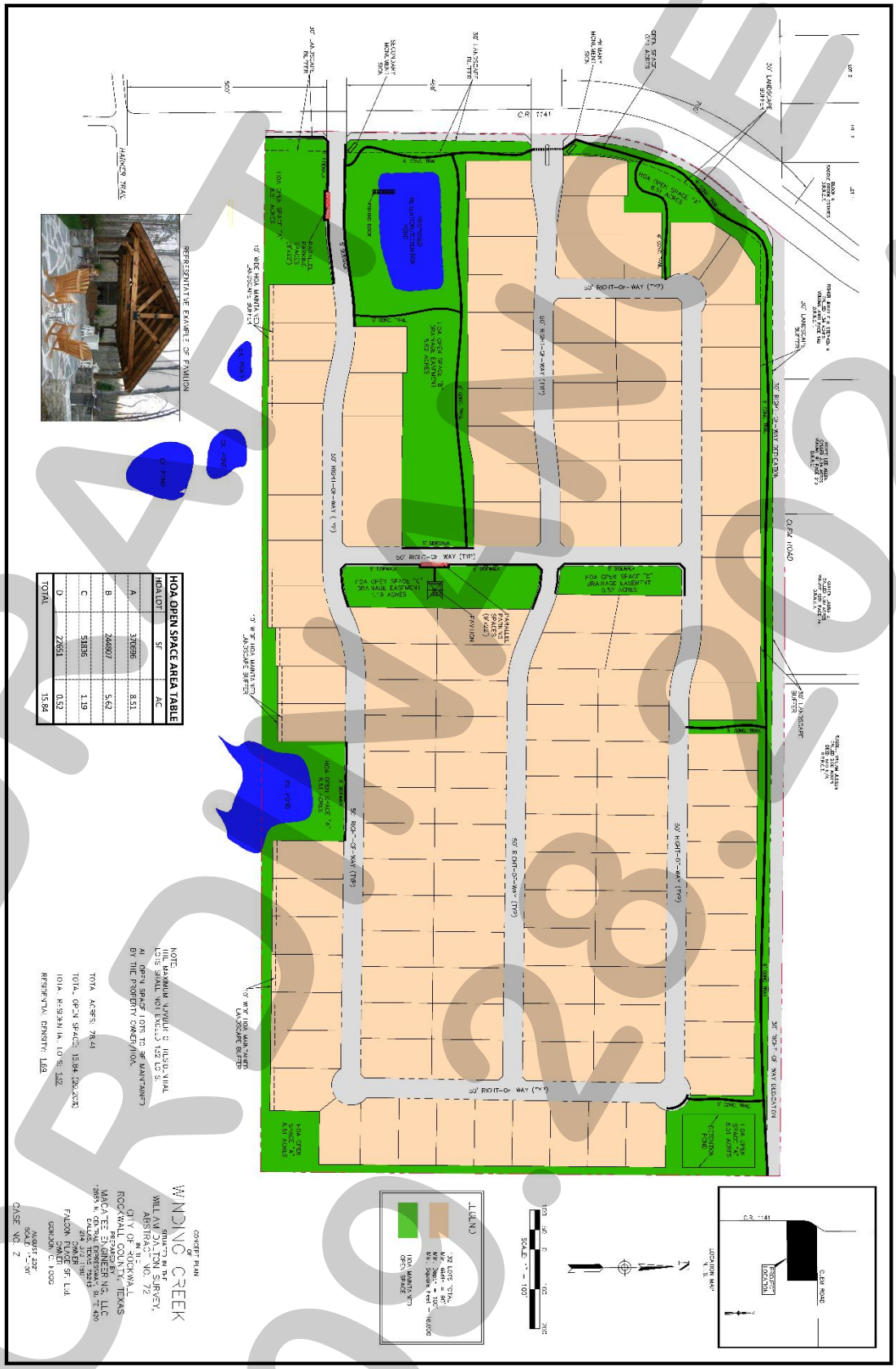

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Exhibit 'D':
Density and Development Standards

Density and Development Standards.

(1) *Permitted Uses*. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 16 (SF-16) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *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'* of this ordinance.

(3) *Density and Dimensional Requirements*. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 16 (SF-16) District, as specified by Article 05, *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 *1.69* dwelling units per gross acre of land; however, in no case should the proposed development exceed *132* units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

Minimum Lot Width [1]	90'
Minimum Lot Depth	100'
Minimum Lot Area	16,000 SF
Minimum Front Yard Setback [2] & [5]	25'
Minimum Side Yard Setback	8'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'
Minimum Length of Driveway Pavement	25'
Maximum Height [3]	36'
Minimum Rear Yard Setback [4]	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space] [6]	3,000 SF
Maximum Lot Coverage	60%

General Notes:

[1]: 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 Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.

[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 (*whichever is greater*) of the single-family home.

[4]: The location of the *Rear Yard Building Setback* as measured from the rear property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. 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.

[6]: A maximum of ten (10) percent of the lots may have a minimum area/dwelling unit of 2,800 SF [*Air-Conditioned Space*].

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

(a) *Masonry Requirement*. The minimum masonry requirement for the total exterior façade area of all buildings shall be 90% (*excluding dormers and walls over roof areas*); however, no individual façade shall be less than 85% masonry. For the

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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; however, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted through a Specific Use Permit (SUP) only. Excluding dormers and walls over roof areas, siding products (*e.g. HardiBoard or Hardy Plank*) shall not be visible on homes abutting any major thoroughfare (*i.e. FM-1141 as shown on Exhibit 'C' of this ordinance*).

(b) *Roof Pitch.* A minimum of an *8:12* roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a *4:12* roof pitch.

(c) *Garage Orientation and Garage Doors.* Garages shall be oriented in a *traditional swing* (or *j-swing*) (*i.e. where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration*). On *traditional swing* (*or j-swing*) garage configurations, a second single or double garage door facing the street is permitted if it is located behind the width of the double garage door. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).

All garage doors shall be required to have decorative wood doors or wood overlays on insulated metal doors. The design between the garage door and home shall use the same or complementary colors and materials. All garages shall include carriage style hardware. An example of carriage style hardware is depicted in *Figure 1*.

Figure 1. Examples of Enhanced Garage Door

(5) *Anti-Monotony Restrictions.* The development shall adhere to the following *Anti-Monotony* standards:

(a) 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

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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.

(b) 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, FM-1141, 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:

(1) Number of Stories
(2) Permitted Encroachment Type and Layout
(3) Roof Type and Layout
(4) Articulation of the Front Façade

(c) Permitted encroachment (*i.e. porches and sunroom*) 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.

(d) 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 3: Properties line up on the opposite side of the street. Where RED is the subject property.

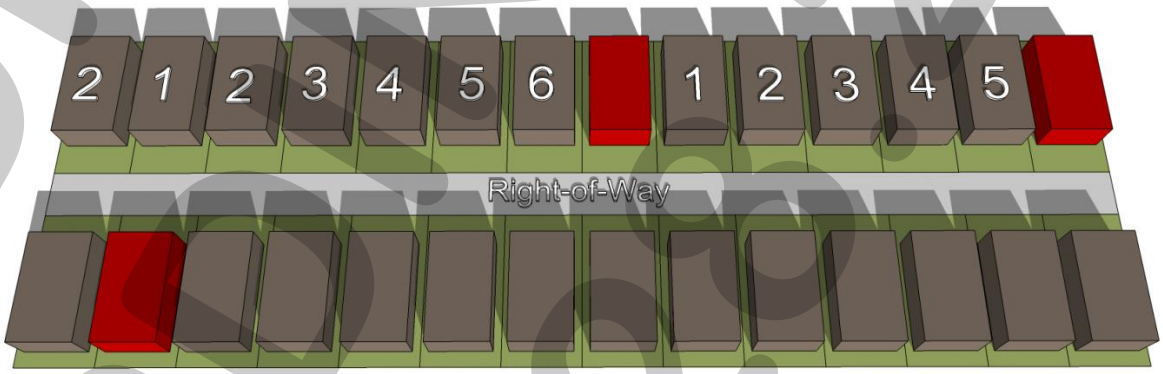
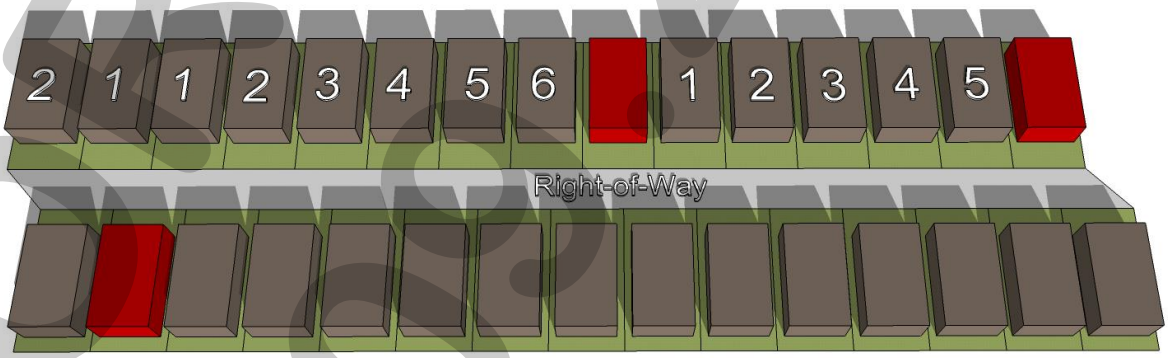


Figure 4: Properties do not line up on opposite side of the street. Where RED is the subject property.



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(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) *Front Yard Fences*. Front yard fences shall be prohibited.

(b) *Wood Fences*. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.

(c) *Wrought Iron/Tubular Steel*. Lots located along the perimeter of roadways (*i.e. FM-1141 and Clem 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.

(d) *Corner Lots*. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(e) *Solid Fences (including Wood Fences)*. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

(7) *Landscape and Hardscape Standards.*

(a) *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. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall also be required to plant a row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).

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

(1) *Landscape Buffer and Sidewalks (FM-1141)*. A minimum of a 30-foot landscape buffer shall be provided along FM-1141 (*outside of and beyond any*

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required right-of-way dedication), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering six (6) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(2) *Landscape Buffers (Clem Road).* A minimum of a 30-foot landscape buffer shall be provided along Clem Drive (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(3) *Landscape Buffers (Southern Property Line).* A minimum of a 10-foot landscape buffer shall be incorporated at the rear of the residential lots that back to the southern property line of the subject property. This landscape buffer shall incorporate a solid living screen utilizing evergreen trees -- *either Eastern Red Cedar or Leland Cypress unless approved otherwise approved by the Director of Planning and Zoning* --, a minimum of four (4) caliper inches in size, that will be planted on 20-foot centers.

(c) *Street Trees.* The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-feet vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.

(d) *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).

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

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

(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 two (2) 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

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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 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) *Open Space.* The development shall consist of a minimum of *20%* open space (*or a minimum of 15.682-acres -- as calculated by the formula stipulated in the Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. All open space areas (*including landscape buffers*) shall be maintained by the Homeowner's Association (HOA).

(13) *Fishing Dock*. Subject to the requirements of the Engineering *Standards of Design and Construction Manual* and approval from the Engineering Department, a fishing dock may be constructed generally in conformance with the location depicted in the Concept Plan in *Exhibit 'C'* of this ordinance. The fishing dock shall be constructed using composite materials (*e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic materials*) to prevent rot or decay, and shall be maintained in a good/usable condition by the Homeowner's Association (HOA).

(14) *Pavilion*. A commercial grade pavilion shall be constructed generally in the same location and in the same manner as the image depicted in the *Concept Plan* in *Exhibit 'C'* of this ordinance. The pavilion shall be maintained in a good/usable condition by the Homeowner's Association (HOA).

(15) *Trails*. A concrete trail system shall be constructed in generally the same areas and of the same sizes as what is depicted in *Exhibit 'C'* of this ordinance.

(16) *Neighborhood Signage and Enhancements.* 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 *Figures 1 & 2* (*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 at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.

See the Representative Signage on the Following Page.

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***Figure 1**: Representative Primary Entry Signage*

***Figure 2**: Representative Secondary Entry Signage*

(17) *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*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development.

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(18) *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.

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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

TO:	Mayor and City Council
DATE:	October 4, 2021
APPLICANT:	Adam Shiffer; *Skorburg Company*
CASE NUMBER:	Z2021-036; *Amendment to Planned Development District 91 (PD-91)*

SUMMARY

Hold a public hearing to discuss and consider a request by Adam Shiffer of the Skorburg Company on behalf of Gordon C. Fogg for the approval of a Zoning Change to amend Planned Development District 91 (PD-91) [Ordinance No. 21-36] to incorporate a 20.00-acre tract of land identified as Tracts 22-04 & 22-05 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 505 Clem Road, and take any action necessary.

BACKGROUND

The subject property consists of four (4) existing tracts of land. The 26.012-acre tract of land (*i.e. Tract 17-01 of the W. M. Dalton Survey, Abstract No. 72*) -- *identified as a 25.844-acre tract of land by the Rockwall Central Appraisal District (RCAD) and is heretofore referenced as Tract 1* -- is currently undeveloped and is considered to be raw land. The 12.00-acre tract of land (*i.e. Tract 17-01 of the W. M. Dalton Survey, Abstract No. 72*) -- *which is currently located directly east of the Tract 1 and is heretofore referenced as Tract 2* -- is currently occupied with a single-family home. According to the Rockwall Central Appraisal District (RCAD), the single-family home situated on *Tract 2* is 4,456 SF and was constructed in 1992. Also situated on this tract of land is a 2,100 SF accessory building that was constructed in 1995. A 500 SF carport was added to the home in 2005. On January 18, 2011, the City Council annexed *Tracts 1 & 2* by adopting *Ordinance No. 11-03* [*Case No. A2010-002*]. At the time of annexation, these tracts were zoned Agricultural (AG) District. On April 12, 2021, the City Council approved a zoning case [*Case No. Z2021-005*] rezoning *Tracts 1 & 2* from an Agricultural (AG) District to Planned Development District 91 (PD-91) [*Ordinance No. 21-17*] for Single Family 16 (SF-16) District land uses. This Planned Development District allowed a 56-lot single-family subdivision consisting of a minimum lot size of 16,000 SF.

The 20.83-acre tract of land (*i.e. Tract 22 of the W. M. Dalton Survey, Abstract No. 72*) -- *which is currently located directly east of the Tract 2 and is heretofore referenced as Tract 3* -- currently has a 1,934 SF single-family home constructed in 1985, a 2,000 SF barn constructed in 1995, and multiple accessory buildings constructed in 1988, 2006, 2013, and 2015 according to the Rockwall Central Appraisal District (RCAD). On August 2, 2021, the City Council annexed the subject property and incorporated it into Planned Development District 91 (PD-91) by adopting *Ordinance No.'s 21-34 & 21-36* [*Case No.'s A2010-004 and Z2021-027*]. This was done in accordance with a 212 Development Agreement that was entered into by the then property owners (*i.e. Allen and Lisa Stevenson*), the developer (*i.e. Adam Buzcek of the Skorburg Co.*), and the City in June 2021. This zoning change increased the number of 16,000 SF lots permitted within Planned Development District 91 (PD-91) from 56-lots to 98-lots.

PURPOSE

On August 20, 2021, the applicant -- *Adam Shiffer of the Skorburg Company* -- submitted an application requesting to amend Planned Development District 91 (PD-91) [*Ordinance No. 21-36*] to incorporate an adjacent 20.00-acre tract of land (*i.e. Tracts 22-04 & 22-05 of the W. M. Dalton Survey, Abstract No. 72*] that is currently zoned Agricultural (AG) District. The proposed amendment will increase the number of 16,000 SF lots permitted for this subdivision from 98-lots to 132-lots.

ADJACENT LAND USES AND ACCESS

The subject property is located at southeast corner of the intersection of 505 Clem 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 contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are the City's corporate limits followed by multiple residential properties located within the City's Extraterritorial Jurisdiction (ETJ). Also, north of the subject property -- *and located within the City's corporate limits* -- is the Saddle Brook Estates Subdivision, which consists of 45 single-family residential lots on 51.47-acres of land. These homes were constructed in 2002, and are zoned Single-Family 16 (SF-16) District.

South: Directly south of the subject property is the City's corporate limits followed by the Meadowview Ranch Estates Subdivision, which is situated within the City's Extraterritorial Jurisdiction (ETJ). The Meadowview Ranch Estates Subdivision consists of 24 single-family residential lots on 38.97-acres of land. These homes were constructed in 1977.

East: Directly east of the subject property is a 20.06-acre tract of land (*i.e. Tract 24 of the W. M. Dalton Survey, Abstract No. 72*), developed with residential and agricultural structures, and is zoned Agricultural (AG) District. Beyond this is the Northgate Subdivision, which consists of 40 residential lots, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses. Beyond this is the City's corporate limits.

West: Directly west of the subject property are the City's corporate limits followed FM-1141. FM-1141 is identified as a M4D (*i.e. major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this thoroughfare are multiple residential properties situated within the City's Extraterritorial Jurisdiction (ETJ).

CHARACTERISTICS OF THE REQUEST

The applicant has submitted a concept plan and development standards for the proposed residential subdivision. The concept plan shows that the 78.41-acre tract of land will be subdivided to create 132 single-family residential lots. All of the proposed lots will be a minimum of 16,000 SF, and have a minimum lot width of 90-feet and a minimum lot depth of 100-feet. The overall density of the proposed subdivision will be *1.69* dwelling units per acre. The minimum dwelling unit size (*i.e. air-conditioned space*) will be 3,000 SF; however, the Planned Development District ordinance does allow this to be reduced to 2,800 SF for ten (10) percent of the lots (*i.e. five [5] lots*). According to the applicant, the proposed housing product will be of the same quality as the Breezy Hill and Stone Creek Subdivisions, but will incorporate updated floor plans. Staff has incorporated anti-monotony and masonry standards into the proposed Planned Development District ordinance. Specifically, the ordinance will require a minimum of 90% masonry (*with a minimum of 85% on each façade*), and be subject to the City's upgraded anti-monotony standards. The proposed subdivision will be subject to the land uses and density and dimensional requirements stipulated for properties within a Single-Family 16 (SF-16) District. These density and dimensional requirements are summarized as follows:

TABLE 1: LOT DIMENSIONAL REQUIREMENTS

Minimum Lot Width (1)	90'
Minimum Lot Depth	100'
Minimum Lot Area	16,000 SF
Minimum Front Yard Setback (2) & (5)	25'
Minimum Side Yard Setback	8'
Minimum Side Yard Setback (Adjacent to a Street) (2) & (5)	10'
Minimum Length of Driveway Pavement	25'
Maximum Height (3)	36'
Minimum Rear Yard Setback (4)	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space] (6)	3,000 SF
Maximum Lot Coverage	60%

General Notes:

1: 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 Yard Building Setback*. Additionally, the lot depth on

lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.

[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 (*whichever is greater*) of the single-family home.

[4]: The location of the *Rear Yard Building Setback* as measured from the rear property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. 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.

[6]: A maximum of ten (10) percent of the lots may have a minimum area/dwelling unit of 2,800 SF [*Air-Conditioned Space*].

The proposed concept plan shows approximately 15.84-acres of open space (*or 20.2%*) will be provided, and that a six (6) foot trail system will traverse the site. In addition, a six (6) foot meandering trail will be provided along FM-1141, and a six (6) foot sidewalk will be constructed along Clem Road. Along the lots on the southside of the subject property, the applicant has indicated that a ten (10) foot wide landscape buffer with evergreen trees planted on 20-foot centers will be provided.

INFRASTRUCTURE

Based on the applicant's concept plan and the proposed density, the following infrastructure is required to be constructed to provide adequate public services for the proposed development:

(1) *Roadways*. The applicant shall verify the right-of-way width of FM-1141 to ensure there is 85-feet of right-of-way, and dedicate any of the subject property that is within 42.50-feet of the centerline of the roadway. The applicant will also need to verify the current right-of-way width of Clem Road, and dedicate any area within 30-feet of the centerline of the roadway.

(2) *Water*. The applicant shall be required to provide a letter from Mt. Zion Water Supply -- *the holder of the Certificate of Convenience and Necessity (CCN) for the subject property* -- stating that they can serve domestic and fire protection meeting the City's minimum standards. As an alternative, the applicant can pursue opting out of the Mt. Zion's CCN. Any water system utilized to provide water to the site will be required to be looped through the property.

(3) *Wastewater*. The applicant will need to connect the subdivision to the City's existing sewer system. Plans for this will be required at the time of civil engineering.

(4) *Drainage*. The applicant shall be required to perform a flood study to delineate the fully developed 100-year localized floodplain for all ponds, creeks or streams, and draws on the subject property. Detention will be required and sized per the required detention study. The applicant will also be required to perform a Wetlands and Waters of the United States (WOTUS) study for the existing pond.

CONFORMANCE TO THE CITY'S CODES

The proposed Planned Development District conforms to all of the requirements of the Unified Development Code (UDC) and the Engineering Department's *Standards of Design and Construction Manual*.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the *Land Use Plan* contained in the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the *Northeast Residential District* and is designated for *Low Density Residential* land uses on the Future Land Use Plan. According to the Comprehensive Plan, *Low Density Residential* land uses are defined as "… residential subdivisions that are two (2) units per gross acre or less; however, a density of up to two and one-half (2½) units per gross acre may be permitted for developments that incorporate increased amenity and a mix of land uses …" In this case, the applicant is proposing an overall density of *1.69* dwelling units per acre, which is in conformance with the Future Land Use Plan. In addition, the applicant's proposed changes do not change the conformance of the proposed concept plan to the policies, goals or district strategies of the OURHometown Vision 2040 Comprehensive Plan.

NOTIFICATIONS

On August 26, 2021, staff mailed 28 notices to property owners and occupants within 500-feet of the subject property. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). There were no Homeowner's Associations (HOAs) or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. At the time this report was drafted staff had received the following:

1) One (1) email from a property owner outside of the notification area opposed to the applicant's request
2) Eight (8) input forms from five (5) properties outside the notification area opposed to the applicant's request.
3) One (1) returned notice from a property owner within the notification area opposed to the applicant's request.
4) One (1) input form from a property owner outside the notification area in-favor of the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request to rezone the subject property from an Agricultural (AG) District to a Planned Development District 91 (PD-91) for Single-Family 16 (SF-16) 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 in the Planned Development District ordinance; and,

(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 September 28, 2021, the Planning and Zoning Commission approved a motion to approve the zoning change with the conditions of approval by a vote of 5-1, with Commissioner Chodun dissenting and Commissioner Deckard absent.

DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. Z2021-036

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 [SELECT ONLY ONE BOX]:

PLATTING APPLICATION FEES:
- ☐ MASTER PLAT ($100.00 + $15.00 ACRE) [1]
- ☐ PRELIMINARY PLAT ($200.00 + $15.00 ACRE) [1]
- ☐ FINAL PLAT ($300.00 + $20.00 ACRE) [1]
- ☐ REPLAT ($300.00 + $20.00 ACRE) [1]
- ☐ AMENDING OR MINOR PLAT ($150.00)
- ☐ PLAT REINSTATEMENT REQUEST ($100.00)

SITE PLAN APPLICATION FEES:
- ☐ SITE PLAN ($250.00 + $20.00 ACRE) [1]
- ☐ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN ($100.00)

ZONING APPLICATION FEES:
- ☐ ZONING CHANGE ($200.00 + $15.00 ACRE) [1]
- ☐ SPECIFIC USE PERMIT ($200.00 + $15.00 ACRE) [1]
- ☒ PD DEVELOPMENT PLANS ($200.00 + $15.00 ACRE) [1]

OTHER APPLICATION FEES:
- ☐ TREE REMOVAL ($75.00)
- ☐ VARIANCE REQUEST ($100.00)

NOTES:
[1]: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS	505 Clem Road, Rockwall, TX 75087		
SUBDIVISION	William Dalton Survey Abstract No. 72	LOT	BLOCK
GENERAL LOCATION	Clem Road off of 1147		

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING	Agricultural District (AG)		CURRENT USE	AG	
PROPOSED ZONING	Amendment to PD-91		PROPOSED USE	PD (SF-16)	
ACREAGE	+/- 20 Additional, +/-78 Total	LOTS [CURRENT]	98 (PD - 91)	LOTS [PROPOSED]	132 (with Amendment)

☐ ***SITE PLANS AND PLATS:*** *BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.*

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☐ OWNER	Gordon C. Fogg	☒ APPLICANT	Skorburg Company
CONTACT PERSON	Gordon C. Fogg	CONTACT PERSON	Adam Shiffer
ADDRESS	505 Clem Road	ADDRESS	8214 Westchester Dr. Ste. 900
CITY, STATE & ZIP	Rockwall, TX 75087	CITY, STATE & ZIP	Dallas, TX 75225
PHONE	(972) 931-0345 ext. 116	PHONE	(214) 888-8845
E-MAIL	gfogg@monarchair.com	E-MAIL	ashiffer@skorburgcompany.com

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED GORDON C. FOGG [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM 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 _____ DAY OF _____, 20___. 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."

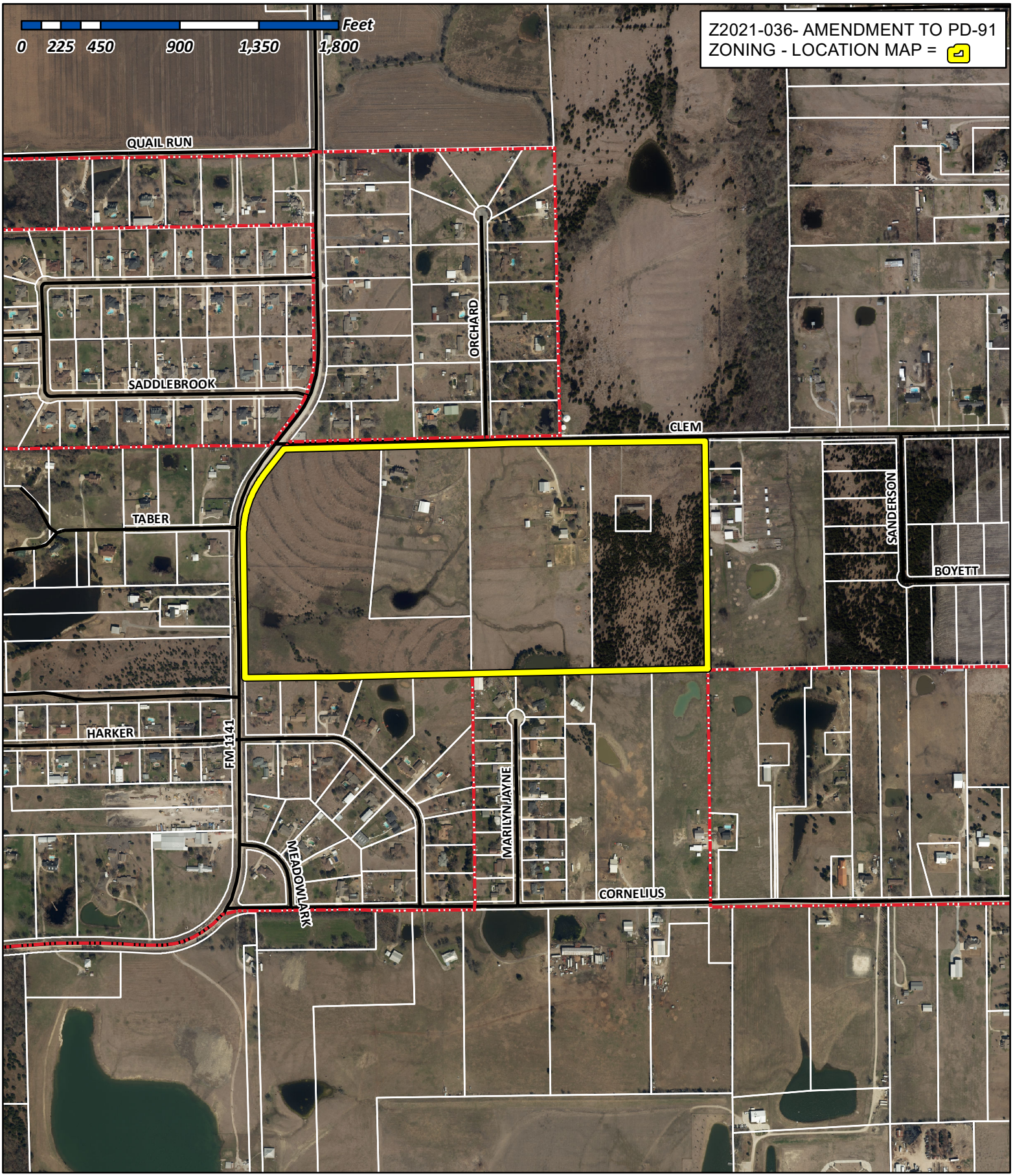
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 18 *DAY OF* August, 2021.

OWNER'S SIGNATURE Gordon C. Fogg

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Debra Barnes

MY COMMISSION EXPIRES 02-28-2023

DEBRA BARNES
Notary Public, State of Texas
Comm. Expires 02-28-2023
Notary ID 131911662



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): 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.

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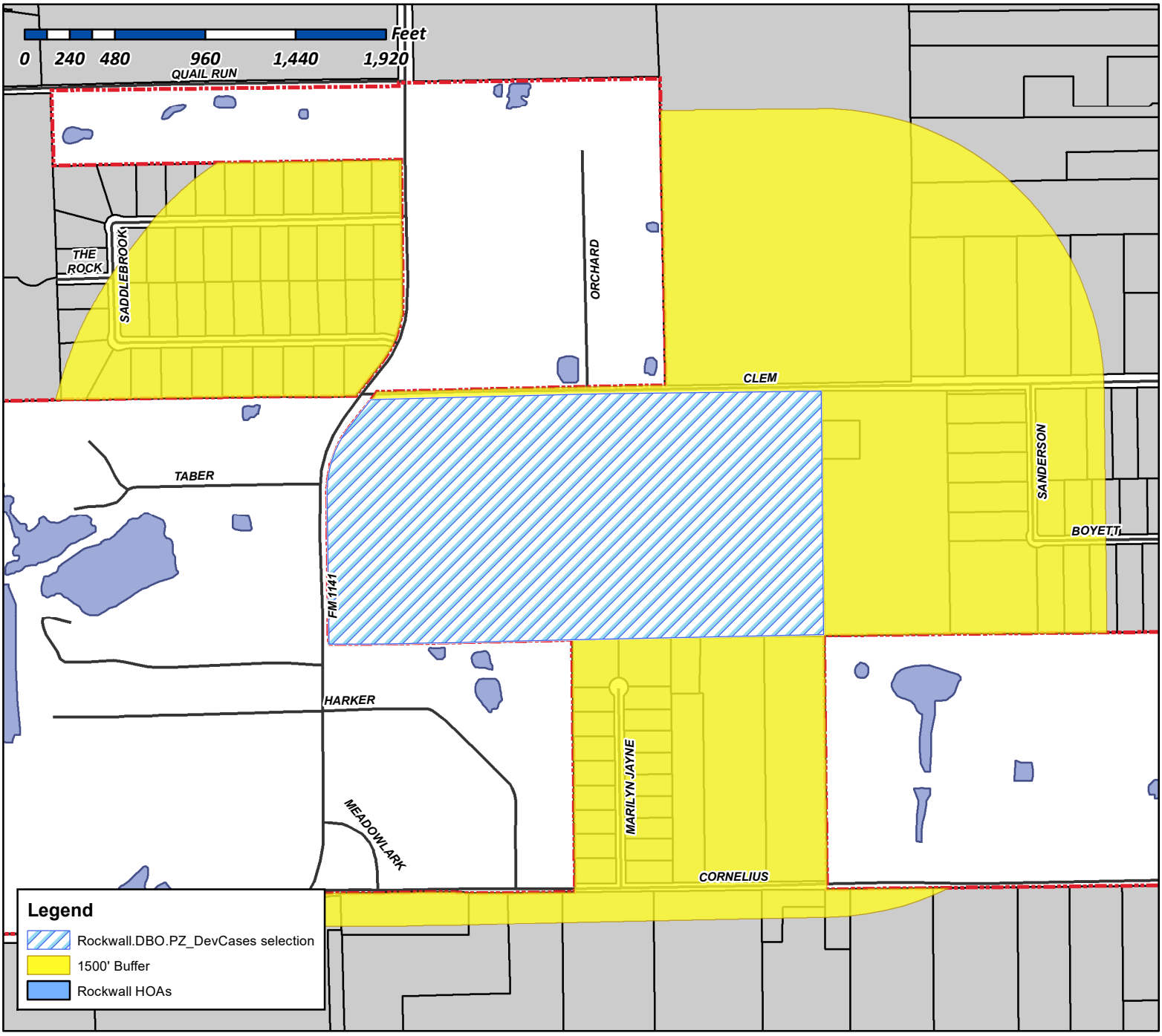
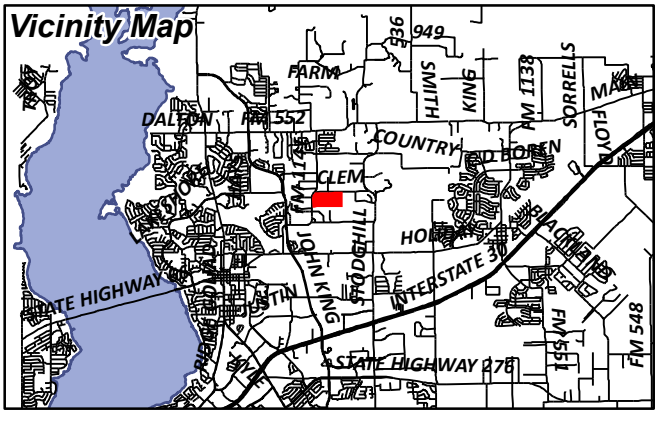


Case Number: Z2021-036
Case Name: Amendment to PD-91
Case Type: Zoning
Zoning: Planned Development District 91 (PD-91)
Case Address: Clem Road Off of FM 1147

Date Created: *9/29/2021*
For Questions on this Case Call (972) 771-7745



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(P): (972) 771-7745
(W): www.rockwall.com

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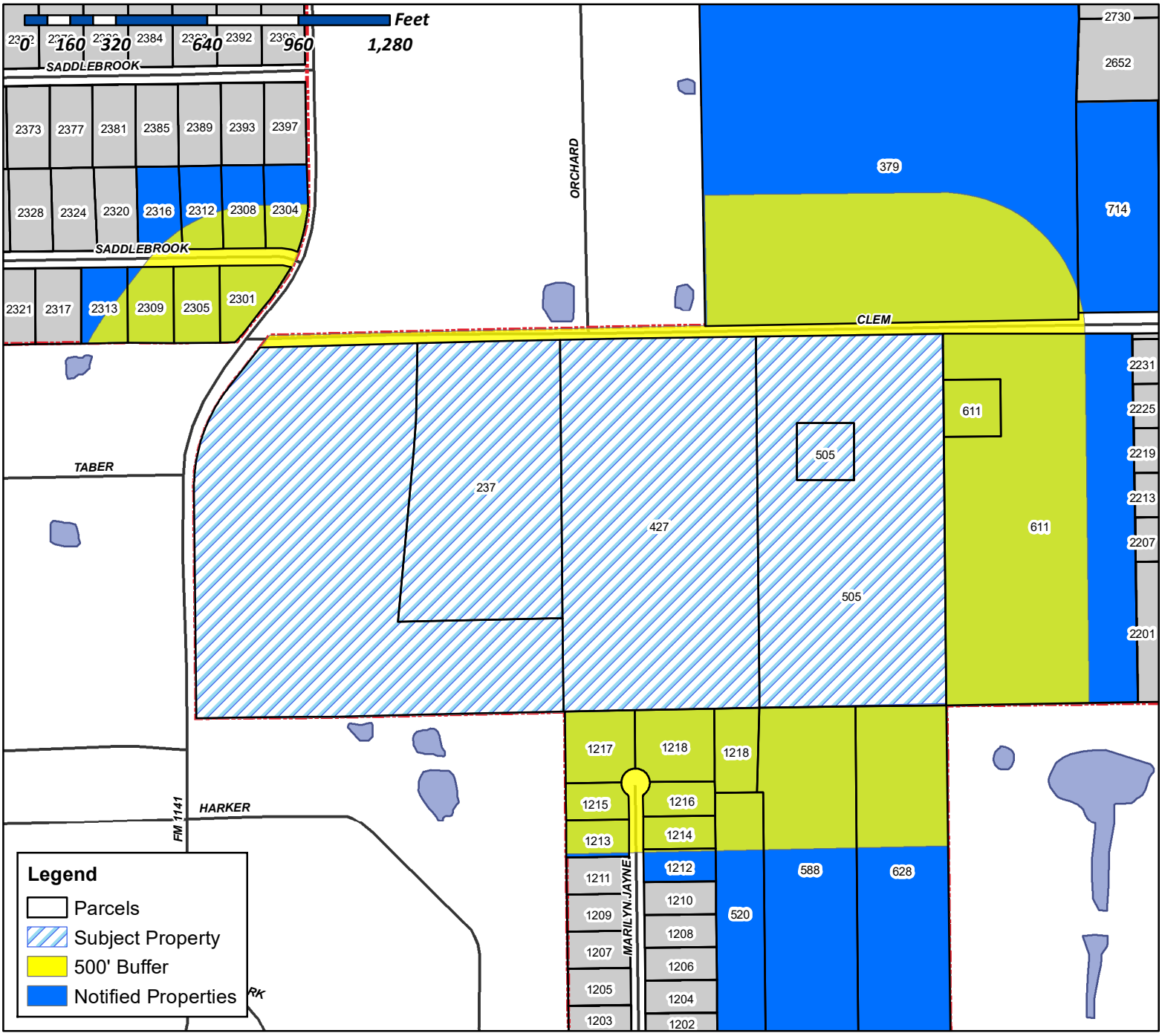
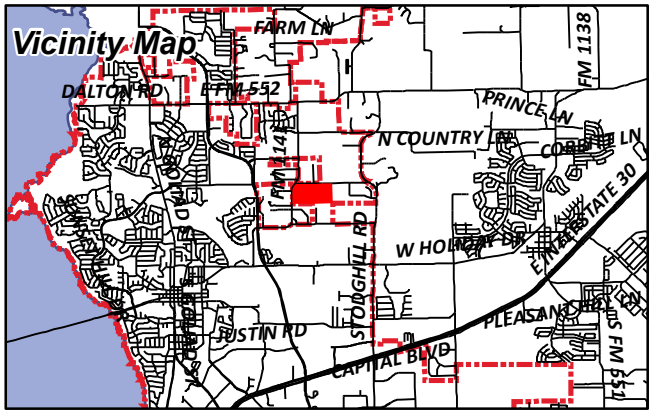


Case Number: Z2021-036
Case Name: Amendment to PD-91
Case Type: Zoning
Zoning: Planned Development District 91 (PD-91)
Case Address: Clem Road off of FM 1147

Date Created: *9/9/2021*

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



PEOPLES DONNIE B
1212 MARILYN JAYNELN
ROCKWALL, TX 75087

BERGERHOUSE PHILLIP & KERRI
1213 MARILYN JAYNE DR
ROCKWALL, TX 75087

SOUTHALL MARK P & KATHY L
1214 MARILYN JAYNE LN
ROCKWALL, TX 75087

CONFIDENTIAL
1215 MARILYN JAYNE DRIVE
ROCKWALL, TX 75087

COUCH MITCHELL E AND PATRICIA M
1216 MARILYN JAYNE DR
ROCKWALL, TX 75087

KELLY JAMES B & DEA S
1217 MARILYN JAYNE DR
ROCKWALL, TX 75087

MENDOZA ROBERT E AND SANDRA J WILKINS
1218 MARILYN JAYNE DR
ROCKWALL, TX 75087

MCCALLUM CRAIG WILLIAM
1983 N STODGHILL RD
ROCKWALL, TX 75087

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

CULP TERRI L
2301 SADDLEBROOK LN
ROCKWALL, TX 75087

MURPHEY HARVEY W & BETTY J
2304 SADDLEBROOK LN
ROCKWALL, TX 75087

OSBORNE AARON & BARBARA
2305 SADDLEBROOK LANE
ROCKWALL, TX 75087

CONFIDENTIAL
2308 SADDLEBROOK LN
ROCKWALL, TX 75087

JONES JAMES E
2309 SADDLEBROOK LN
ROCKWALL, TX 75087

SMITH WILLIAM CLEVE JR &
EDITH LILLIAN
2312 SADDLEBROOK LN
ROCKWALL, TX 75087

ROMERO MARGARET ALLEN-
2313 SADDLEBROOK LANE
ROCKWALL, TX 75087

LLOYD DANIEL AND REBECCA R
2316 SADDLEBROOK LANE
ROCKWALL, TX 75087

M G & J K TAYLOR LIVING TRUST
MARK G TAYLOR AND JESSICA K TAYLOR-
TRUSTEES
237 CLEM ROAD
ROCKWALL, TX 75087

ROCKWALL RV PARK AND TINY HOME VILLAGE
3094 COUNTY ROAD 1024
FARMERSVILLE, TX 75442

ERWIN KARL DANIEL EXECUTOR
KARL W ERWIN ESTATE
379 N COUNTRY LN
ROCKWALL, TX 75087

GRAVES BRYAN J AND LAUREN C
406 MUNSON ST
ROCKWALL, TX 75087

STEVENSON ALLEN G ET UX
427 CLEM RD
ROCKWALL, TX 75087

FOGG GORDON C
505 CLEM RD
ROCKWALL, TX 75087

GRAVES BRYAN J AND LAUREN C
520 CORNELIUS RD
ROCKWALL, TX 75087

ROCKWALL RV PARK AND TINY HOME VILLAGE
588 CORNELIUS RD
ROCKWALL, TX 75087

PEOPLES DONNIE B
589 CORNELIUS RD
ROCKWALL, TX 75087

MCCALLUM CRAIG WILLIAM
611 CLEM RD
ROCKWALL, TX 75087

LEE JAMES H AND BARBARA
628 CORNELIUS RD
ROCKWALL, TX 75087

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

SOUTHALL MARK P & KATHY L
P. O. BOX 2214
ROCKWALL, TX 75087

FOGG GORDON C
PO BOX 842
ROCKWALL, TX 75087

PUBLIC NOTICE

CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

CORRECTED NOTICE

Property Owner and/or Resident of the City of Rockwall:

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

Case No. Z2021-036: Amendment to PD-91 (Winding Creek)

Hold a public hearing to discuss and consider a request by Adam Shiffer of the Skorburg Company on behalf of Gordon C. Fogg for the approval of a Zoning Change to amend Planned Development District 91 (PD-91) [Ordinance No. 21-36] to incorporate a 20.00-acre tract of land identified as Tracts 22-04 & 22-05 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 505 Clem 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, September 28, 2021 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, October 4, 2021 at 6:00 PM*. 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:

Henry Lee
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. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by *Monday, October 4, 2021 at 4:00 PM* to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND AT: https://sites.google.com/site/rockwallplanning/development/development-cases

PLEASE RETURN THE BELOW FORM

Case No. Z2021-036: Amendment to PD-91 (Winding Creek)

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

City of Rockwall

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

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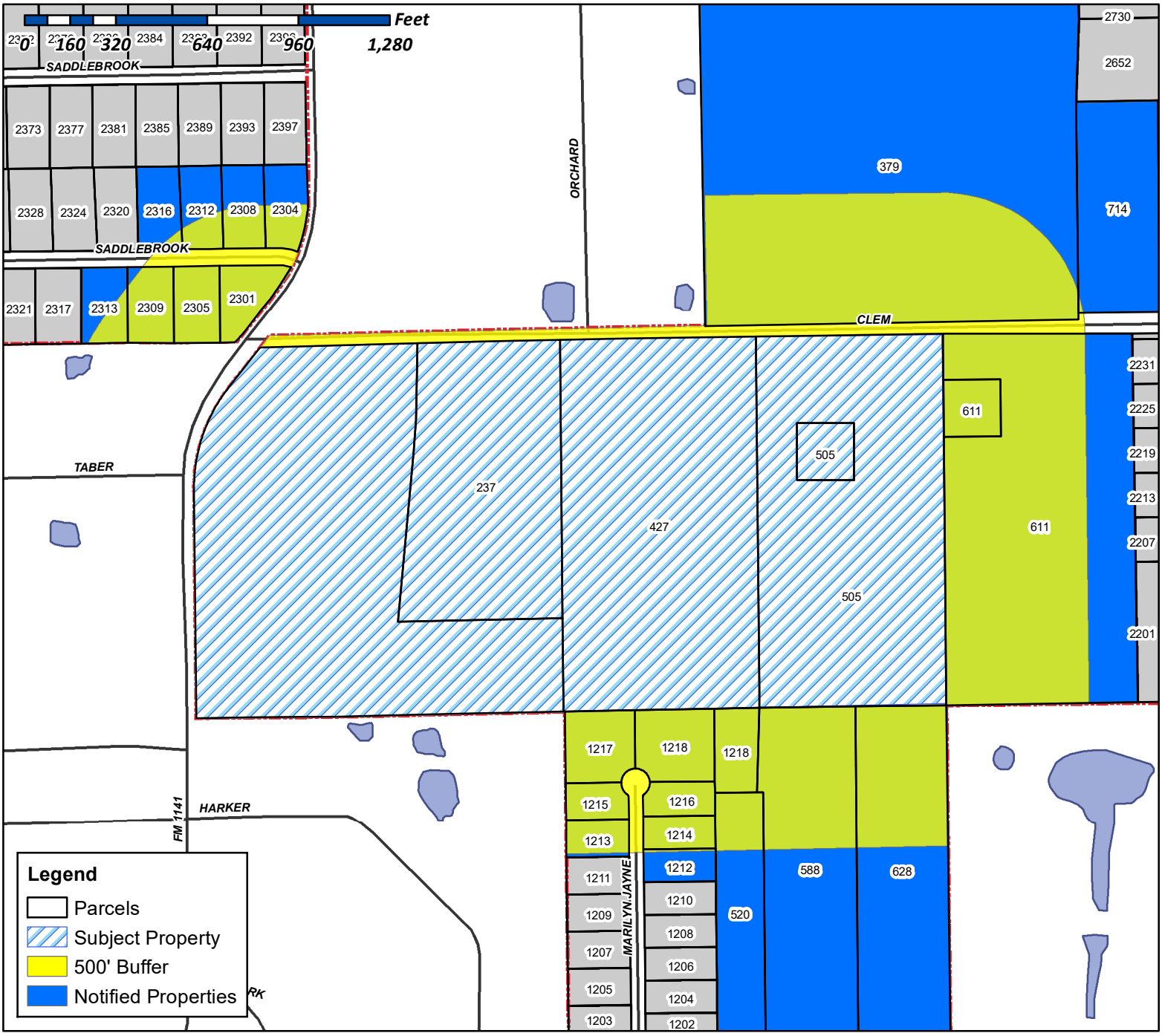
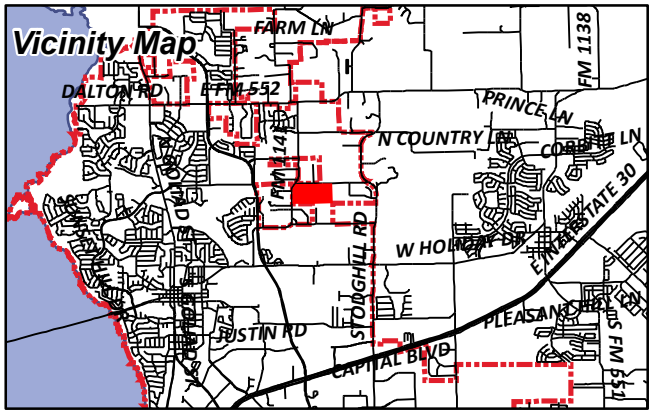


Case Number: Z2021-036
Case Name: Amendment to PD-91
Case Type: Zoning
Zoning: Planned Development District 91 (PD-91)
Case Address: Clem Road off of FM 1147

Date Created: *9/9/2021*

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



Lee, Henry

From: Ruth Josey <ruthjs2k@yahoo.com>
Sent: Sunday, August 29, 2021 8:10 AM
To: Planning
Subject: Fw: Case No. Z2021-036 Zoning Change AG to PD (Winding Creek)

I'm sorry. Perhaps this should have been addressed to Mr. Lee.

----- Forwarded Message -----
From: Ruth Josey
To: planning@rockwall.com
Sent: Sunday, August 29, 2021, 08:07:56 AM CDT
Subject: Fw: Case No. Z2021-036 Zoning Change AG to PD (Winding Creek)

Hello Mr. Miller,

While I would prefer that our idyllic rural areas remain just that, I realize that we'll lose most of our AG land to developers. Not a problem. I'm sure they're now able to create all manner of delicious food out of synthetic materials. The complaint I'd like to register is the size of the proposed lots. The houses would all be on 1/3-acre lots. I feel that larger lots (more than 3/4 acre) are more in line with the community. I'm not looking forward to the traffic and noise that this will bring to the area and I hope you'll count me in as opposed to the builders' request.

That being said, I'm a bit confused by the paperwork with the development application. The first page involves Gordon Fogg at 505 Clem Road. However, in all of the rest of the paperwork, it shows this as a "buffer zone" and not part of the planned development. Are they also going to try to cram as many houses as they legally can onto the property at 505 Clem? Why is Rockwall even allowing 1/3 acre lots in rural areas of Rockwall? At least the developers at the other end of Clem Road have the decency to have large lot sizes. Are the developers of this new proposed development even going to widen Clem Road? If not, I truly hope that there will be no access into or egress from the development onto Clem Road.

Oh, and all of your paperwork after the second page lists the case address as "Clem Road and FM 1147". That's not the correct location. As far as I know, there's no Clem Road in Royse City, but that's where 1147 is.

Thank you for taking the time to read this.

Best regards,

Ruth Josey
50 Orchard Ln.
Rockwall, TX 75087

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PUBLIC NOTICE

CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

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

Case No. Z2021-036: Amendment to PD-91

Hold a public hearing to discuss and consider a request by Adam Shiffer of the Skorburg Company on behalf of Gordon C. Fogg for the approval of a Zoning Change to amend Planned Development District 91 (PD-91) [Ordinance No. 21-36] to incorporate a 20.00-acre tract of land identified as Tracts 22-04 & 22-05 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 505 Clem 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, September 14, 2021 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, September 20, 2021 at 6:00 PM*. 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:

Henry Lee
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. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by *Monday, September 20, 2021 at 4:00 PM* to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE

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PLEASE RETURN THE BELOW FORM

Case No. Z2021-036: Amendment to PD-91

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.

It will change the character of the neighborhood, create much more traffic that cannot be supported by infrastructure, noise pollution safety issues and reduction in property values.

Name: Laura Cullen

Address: 246 Clem Rd Rockwall TX 75087

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

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2021-036

Please place a check mark on the appropriate line below: *

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

Roads unable to support traffic. Against high density housing. Should be minimum 1 acre lots.

Respondent Information

Please provide your information.

First Name *

Chetsaira

Last Name *

Bunts

Address *

5 Taber Ln

City *

Rockwall

State *

Tx

Zip Code *

75087

Email Address *

chetsaira@yahoo.com

Phone Number

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- ( ) I received a property owner notification in the mail.
- ( ) I read about the request on the City's website.
- (•) I saw a zoning sign on the property.
- ( ) I read about the request in the Rockwall Herald Banner.
- ( ) My neighbors told me about the request.
- ( ) Other:

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Zoning & Specific Use Permit Input Form

Case Number *

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Z2021-036

Please place a check mark on the appropriate line below: *

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

Both bridges are already having congestion. It is only going to get worse with the construction on the bridge on 30. Also there are so many houses already being built and that traffic will be added. I propose we hold off on voting on this till at least construction on the bridge is finished or we get another bridge across.

Respondent Information

Please provide your information.

First Name *

Emily

Last Name *

Seymour

Address *

112 Clydesdale Dr.

City *

Fate

State *

Texas

Zip Code *

75087

Email Address *

bemma692@yahoo.com

Phone Number

817-992-9466

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

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Z2021-036

Please place a check mark on the appropriate line below: *

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

I don't want Fate/ Rockwall to turn into another suburb/ apartment complexes on the outskirts of DFW. A large part of the reason I moved here was because of the beauty of the county. If the county continues to add more dense housing, I will move.

Respondent Information

Please provide your information.

First Name *

Hunter

Last Name *

Seymour

Address *

112 Clydesdale Drive

City *

Fate

State *

TX

Zip Code *

75087

Email Address *

hunterseymour21@yahoo.com

Phone Number

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

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- (•) My neighbors told me about the request.
- ( ) Other: _____

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Case Z2021-036

Please place a check mark on the appropriate line below: *

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

I live on saddlebrook across from this proposal. I understand only 1 entrance/exit to development to 1141. The road curves there andnits dangerous. Also oppose due to overgrowth of our once quiet peaceful Rockwall.

Respondent Information

Please provide your information.

First Name *

Martha

Last Name *

Griffey

Address *

2325 Saddlebrook

City *

Rockwall

State *

TX

Zip Code *

75087

Email Address *

griffey4@sbcglobal.net

Phone Number

214-478-2068

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

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- ( ) I read about the request on the City's website.
- (•) I saw a zoning sign on the property.
- ( ) I read about the request in the Rockwall Herald Banner.
- ( ) My neighbors told me about the request.
- ( ) Other: _____

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Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2021-036

Please place a check mark on the appropriate line below: *

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

This area has already been given consideration and properly zoned to match other properties in the area at 1+ acre per lot. Additional high density housing detracts from those existing owners property values and increases traffic beyond what the current roads can safely handle. I am building in the Northgate community on Boyette off of Clem and Stodghill Rd and I object to additional high density housing in that area.

Respondent Information

Please provide your information.

First Name *

Richard

Last Name *

Lakin

Address *

788 Featherstone Drive

City *

Rockwall

State *

Texas

Zip Code *

75087

Email Address *

rjlakin@att.net

Phone Number

469-264-7448

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [x] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [x] Other: Building a home on a 1 acre lot on 383 Boyette

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

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- ( ) I read about the request on the City's website.
- ( ) I saw a zoning sign on the property.
- ( ) I read about the request in the Rockwall Herald Banner.
- (•) My neighbors told me about the request.
- ( ) Other:

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Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

P2021-035

Please place a check mark on the appropriate line below: *

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

How much congestion for downtown

Respondent Information

Please provide your information.

First Name *

Robert

Last Name *

Bravata

Address *

512 Ridgeview

City *

Rockwall

State *

Texas

Zip Code *

75087

Email Address *

robertbravata@yahoo.com

Phone Number

972-977-3367

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
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- [ ] Other: _____

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- ( ) Other: _____

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Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2021-36

Please place a check mark on the appropriate line below: *

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

We are too crowded already until infrastructure is enhanced.

Respondent Information

Please provide your information.

First Name *

Susan

Last Name *

Hays

Address *

555 Line Rider Ct

City *

Rockwall

State *

TX

Zip Code *

75087

Email Address *

suehays@hotmail.com

Phone Number

469-223-3021

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

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Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2021-036

Please place a check mark on the appropriate line below: *

- [ ] I am in favor of the request.
- [x] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

Property in that area needs to remain large lots like the area is currently, 1acre plus.

Respondent Information

Please provide your information.

First Name *

Susan

Last Name *

Lakin

Address *

788 Featherstone Dr

City *

Rockwall

State *

Texas

Zip Code *

75087

Email Address *

slakin@att.net

Phone Number

469-264-7448

Please check all that apply: *

- [ ] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [x] Other: Building a home off of Clem Rd.

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- (•) I saw a zoning sign on the property.
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Z2021-36

Please place a check mark on the appropriate line below: *

- [x] I am in favor of the request.
- [ ] I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

Respondent Information

Please provide your information.

First Name *

Brad

Last Name *

Compton

Address *

3047 Longhorn Lane

City *

Rockwall

State *

Texas

Zip Code *

75087

Email Address *

brad_compton@att.net

Phone Number

214-893-1599

Please check all that apply: *

- [x] I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- [ ] Other: _____

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- ( ) I received a property owner notification in the mail.
- ( ) I read about the request on the City's website.
- ( ) I saw a zoning sign on the property.
- ( ) I read about the request in the Rockwall Herald Banner.
- (•) My neighbors told me about the request.
- ( ) Other: _____

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Google Forms

Skorburg Company
8214 Westchester Dr., Ste. 900
Dallas, TX 75225
Phone: 214/522-4945
Fax: 214/522-7244

August 20, 2021

City of Rockwall
Attn: Henry Lee
385 S Goliad St
Rockwall, TX 75087

Dear Mr. Lee,

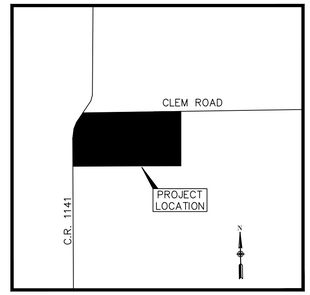
Skorburg Company is requesting that our Amendment to the Winding Creek PD-91 be taken to the September 14th, 2021 Planning and Zoning Meeting. This Amendment is for the development of an additional ± 20 acres directly adjacent to the existing Winding Creek eastern boundary in the William Dalton Survey, City of Rockwall, Rockwall County, at the southeast corner of F.M. 1141 and Clem Road.

The property is currently zoned AG. We are proposing to include this tract as part of PD-91 for the development of an additional 34 Single-Family residential homes on 16,000 square foot lots. This community will feature high quality homes on large lots and add to the beautiful aesthetics of other high quality Skorburg communities like Stone Creek Estates, Breezy Hill Estates, and Gideon Grove.

We look forward to working with the City once again to maximize the quality and value of our Winding Creek development.

Cordially Yours,

Adam Shiffer
Land Acquisition Associate



LOCATION MAP
N.T.S.

N

100 50 0 100 200

SCALE: 1" = 100'

LEGEND

132 LOTS TOTAL
Min. Width = 90'
Min. Depth = 100'
Min. Square Feet = 16,000

HOA MAINTAINED OPEN SPACE

REPRESENTATIVE EXAMPLE OF PAVILION

HOA OPEN SPACE AREA TABLE

HOA LOT	SF	AC
A	370696	8.51
B	244807	5.62
C	51836	1.19
D	22651	0.52
TOTAL		15.84

NOTE:
THE MAXIMUM NUMBER OF RESIDENTIAL LOTS SHALL NOT EXCEED 132 LOTS.

ALL OPEN SPACE LOTS TO BE MAINTAINED BY THE PROPERTY OWNER/HOA.

TOTAL ACRES: 78.41

TOTAL OPEN SPACE: 15.84 (20.20%)

TOTAL RESIDENTIAL LOTS: 132

RESIDENTIAL DENSITY: 1.69

CONCEPT PLAN
OF
WINDING CREEK
SITUATED IN THE
WILLIAM DALTON SURVEY,
ABSTRACT NO. 72
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

PREPARED BY
MACATEE ENGINEERING, LLC
12655 N. CENTRAL EXPRESSWAY, SUITE 420
DALLAS, TEXAS 75243
214-373-1180
OWNER
FALCON PLACE SF. Ltd.
OWNER
GORDON C. FOGG

AUGUST 2021
SCALE: 1"=100'

CASE NO. Z

CITY OF ROCKWALL

ORDINANCE NO. 21-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 91 (PD-91) FOR SINGLE-FAMILY 16 (SF-16) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 58.842-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17 & 17-01 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 Kevin Harrell of the Skorburg Co. on behalf of ~~Mark Taylor, Alex Freeman and Allen and Lisa Stevenson~~ Falcon Place SF, Ltd. and Gordon Fogg for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single-Family 16 (SF-16) District land uses, on a ~~58.84~~278.412-acre tract of land identified as Tract 17~~, & ~~17-01, 22, 22-04 and 22-05 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. 20-02*] 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. 20-02*] 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 *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 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 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.* A *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 ____ DAY OF _____, 2021.

_____
Kevin Fowler, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *[_____]*

2nd Reading: *[_____]*

Exhibit 'A':
Legal Description

Tract 1 (±26.012-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas. Being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a 60D nail found for corner at the intersection near the center of Clem Road and the recognized southeast line of FM-1141, said point being the northwest corner of herein described tract;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, within said Clem Road and the recognized north line of said *Walker Tract*, a distance of 533.77-feet to a point for corner, said point being the northeast corner of herein described tract and the northwest corner of a tract of land described in deed to Mark G. and Jessica K. Taylor, recorded in *Volume 7106, Page 191*, Official Public Records, Rockwall County, Texas;

THENCE South 01 Degrees 23 Minutes 21 Seconds West, along the west line of said *Taylor Tract*, passing a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for witness at a distance of 17.18-feet and continuing for a total distance of 283.63-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 06 Minutes 43 Seconds West, along the west line of said *Taylor Tract*, a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 35 Minutes 13 Seconds West, along the west line of said *Taylor Tract*, a distance of 597.75-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner, said point being an inner ell corner of herein described tract and the southwest corner of said *Taylor Tract*;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, along the south line of said *Taylor Tract*, a distance of 574.09-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner in the west line of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, said point being the southeast corner of said *Taylor Tract* and the most southerly northeast corner of herein described tract;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the recognized east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 334.12-feet to a 3/8-inch iron rod found for corner, the apparent northeast corner of Lot 5 of Meadowview Ranch Estates, recorded in *Cabinet A, Slide 247*, Plat Records, Rockwall county, Texas, said point being the recognized southeast corner of said *Walker Tract* and the apparent southwest corner of said *Stevenson Tract*;

THENCE South 89 Degrees 13 Minutes 16 Seconds West, along the recognized south line of said *Walker Tract*, a distance 510.41-feet to a 3/8-inch iron rod found for angle point;

THENCE North 89 Degrees 58 Minutes 55 Seconds West, along the recognized south line of said *Walker Tract*, a distance of 778.67-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner in the recognized east line of said FM-1141, said point being the southwest corner of herein described tract;

THENCE North, along the recognized east line of said highway, passing a 60D nail found on a wood highway monument for witness at a distance of 734.11-feet and continuing for a total distance of 810.94-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the beginning of a curve to right having a central angle of 39 Degrees 09 Minutes 01 Seconds, a radius of 533.14-feet and a chord bearing and distance of North 19 Degrees 34 Minutes 34 Seconds East - 357.25-feet;

THENCE along the recognized southeast line of said highway and said curve to the right an arc length of 364.29-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the end of said curve;

THENCE North 39 Degrees 09 Minutes 00 Seconds East along the recognized southeast line of said highway, a distance of 215.67-feet to the place of beginning and containing 1,133,124.22 square-feet or 26.012-acres of land.

Tract 2 (±12.0-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point for corner near the center of Clem Road, said point being the northeast corner of said *Walker Tract* and the northwest corner of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, from which a ½-inch iron rod found for witness bears South 00 Degrees 06 Minutes 20 Seconds East - 17.25-feet;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 990.13-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE South 89 Degrees 06 Minutes 09 Seconds West a distance 574.09-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE North 05 Degrees 35 Minutes 13 Seconds East a distance of 597.75-feet to a 4-inch metal fence corner for angle point;

THENCE North 05 Degrees 06 Minutes 43 Seconds East a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE North 01 Degrees 23 Minutes 21 Seconds East a distance of 283.63-feet to a point for corner in the north line of said *Walker Tract*, said point being near the center of Clem Road from which a ½-inch iron set with yellow cap stamped *BG&A RPLS 5569* for witness bears South 01 Degrees 23 Minutes 21 Seconds West - 17.18-feet;

THENCE North 89 Degrees 06 Minutes 09 Seconds East along the north line of said *Walker Tract* and within said Clem Road a distance of 497.09-feet to the *PLACE OF BEGINNING* and containing 522,720.00 square-feet or 12.000-acres of land.

Exhibit 'A':
Legal Description

Tract 3 (±20.83-Acres)

BEING a tract or parcel of Land situated in the William Dalton Survey, Abst. #72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams by T.H. Adams, by deed recorded in Volume 11, Page 475, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod in a County Road and at the Northwest corner of the above-mentioned 80 acre tract;

THENCE North 89 deg. 50 min. 30 sec. East, a distance of 684.33 feet along said Country Road to an iron rod for a corner, said iron rod bears South 89 deg. 50 min. 30 sec. West, a distance of 661.40 feet from the Northeast Corner of said 80 acre tract;

THENCE South 0 deg. 16 min. 03 sec. East, a distance of 1319.86 feet traversing said 80 acre tract to an iron rod for a corner;

THENCE South 89 deg. 22 min. 53 sec. West, a distance of 687.71 feet to an iron rod for a corner on the West line of said 80 acre tract and at the Northeast corner of Meadowview Ranch Estates, an addition to the County of Rockwall;

THENCE North 0 deg. 07 min. 17 sec. West, a distance of 1325.38 feet along the West line of said 80 acre tract to the Point of Beginning and containing 20.83 acres of land.

Tract 4 (±19.57-Acres)

Being a tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams to T. H. Adams and wife, S.E. Adams by Deed recorded in Volume 11, Page 475, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

Beginning at an iron rod set for a corner on the Northeast corner of said 80 acre tract in a County Road;

THENCE South 0 degrees 16 minutes 03 seconds East with a fence and the East line of said 80 acre tract a distance of 1314.55 feet to an iron rod found for corner;

THENCE South 39 degrees 22 minutes 33 seconds West with a fence a distance of 461.41 feet to an iron rod set for corner;

THENCE North 0 degrees 16 minutes 03 seconds West a distance of 1319.86 feet to an iron rod set for corner in a County Road;

THENCE North 89 degrees 50 minutes 30 seconds East with said County Road a distance of 461.40 feet to the POINTOF BEGINNING and Containing 19.57 acres of land more or less.

Exhibit 'B':
Location Map

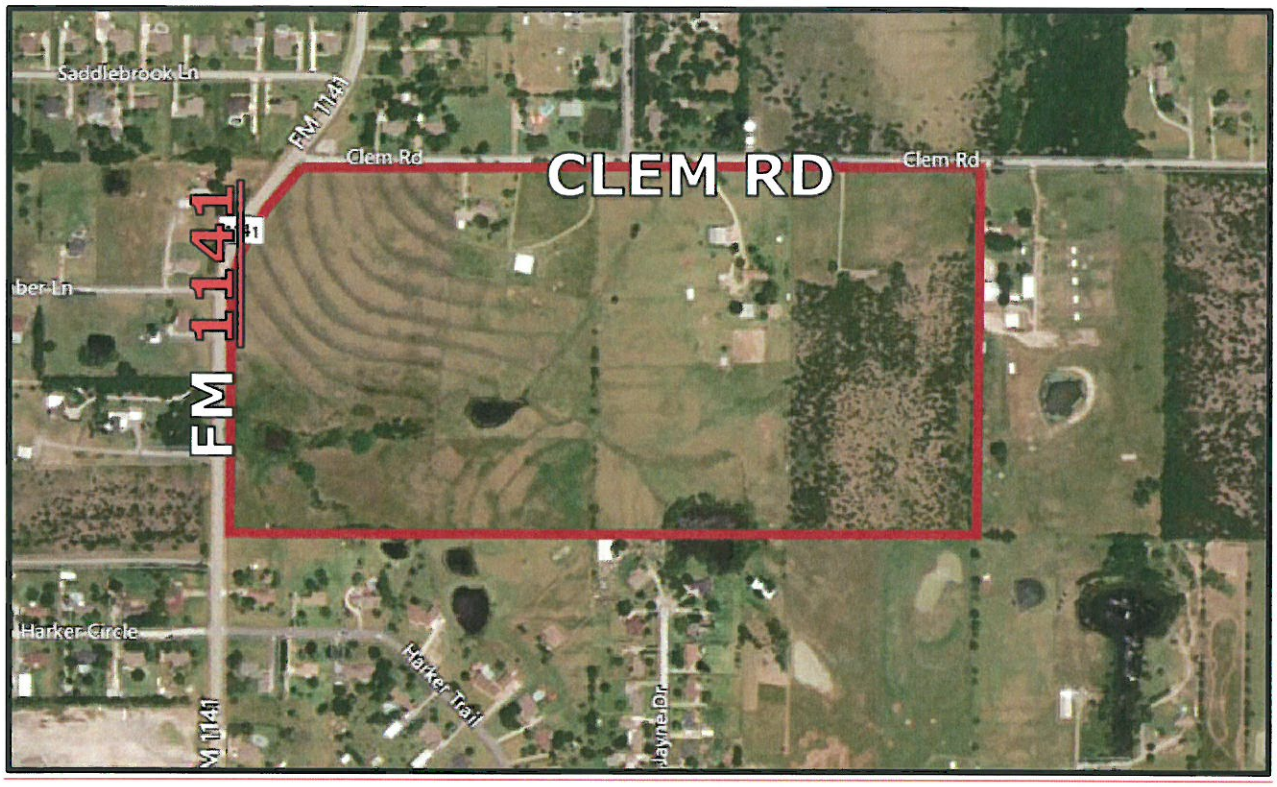


Exhibit 'C':
Concept Plan

Density and Development Standards.

(1) *Permitted Uses*. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 16 (SF-16) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *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'* of this ordinance.

(3) *Density and Dimensional Requirements*. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 16 (SF-16) District, as specified by Article 05, *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 *1.6~~87~~* dwelling units per gross acre of land; however, in no case should the proposed development exceed ~~*98*~~ *132* units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

Minimum Lot Width [1]	90'
Minimum Lot Depth	100'
Minimum Lot Area	16,000 SF
Minimum Front Yard Setback [2] & [5]	25'
Minimum Side Yard Setback	8'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'
Minimum Length of Driveway Pavement	25'
Maximum Height [3]	36'
Minimum Rear Yard Setback [4]	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space] [6]	3,000 SF
Maximum Lot Coverage	60%

General Notes:

[1]: 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 Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.

[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 (*whichever is greater*) of the single-family home.

[4]: The location of the *Rear Yard Building Setback* as measured from the rear property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. 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.

[6]: A maximum of ten (10) percent of the lots may have a minimum area/dwelling unit of 2,800 SF [*Air-Conditioned Space*].

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

(a) *Masonry Requirement*. The minimum masonry requirement for the total exterior façade area of all buildings shall be 90% (*excluding dormers and walls over roof areas*); however, no individual façade shall be less than 85% masonry. 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; however, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted through a Specific Use Permit (SUP) only. Excluding dormers and walls over roof areas, siding products (*e.g. HardiBoard or Hardy Plank*) shall not be visible on homes abutting any major thoroughfare (*i.e. FM-1141 as shown on Exhibit 'C' of this ordinance*).

(b) *Roof Pitch*. A minimum of an *8:12* roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a *4:12* roof pitch.

(c) *Garage Orientation and Garage Doors*. Garages shall be oriented in a *traditional swing* (or *j-swing*) (*i.e. where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration*). On *traditional swing* (*or j-swing*) garage configurations, a second single or double garage door facing the street is permitted if it is located behind the width of the double garage door. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).

All garage doors shall be required to have decorative wood doors or wood overlays on insulated metal doors. The design between the garage door and home shall use the same or complementary colors and materials. All garages shall include carriage style hardware. An example of carriage style hardware is depicted in *Figure 1*.

Figure 1. Examples of Enhanced Garage Door

(5) *Anti-Monotony Restrictions*. The development shall adhere to the following *Anti-Monotony* standards:

(a) 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.

(b) 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, FM-1141, 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:

(1) Number of Stories
(2) Permitted Encroachment Type and Layout
(3) Roof Type and Layout
(4) Articulation of the Front Façade

(c) Permitted encroachment (*i.e. porches and sunroom*) 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.

(d) 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 3: Properties line up on the opposite side of the street. Where RED is the subject property.

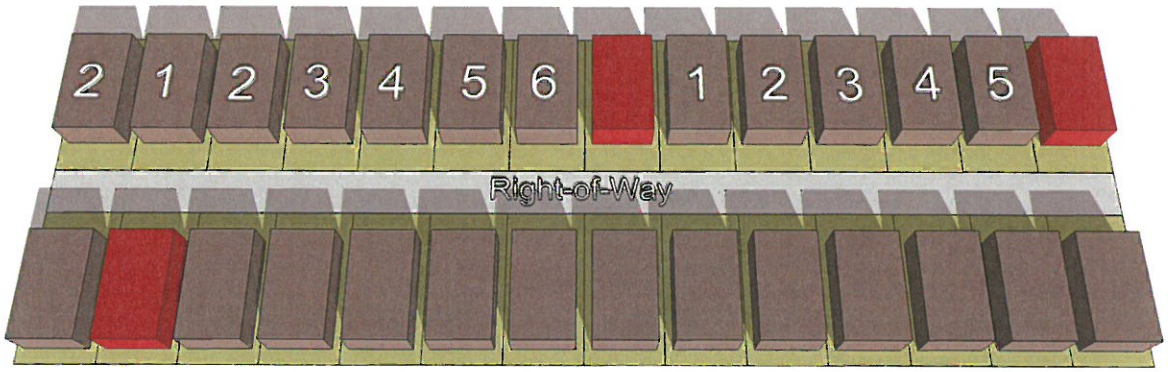
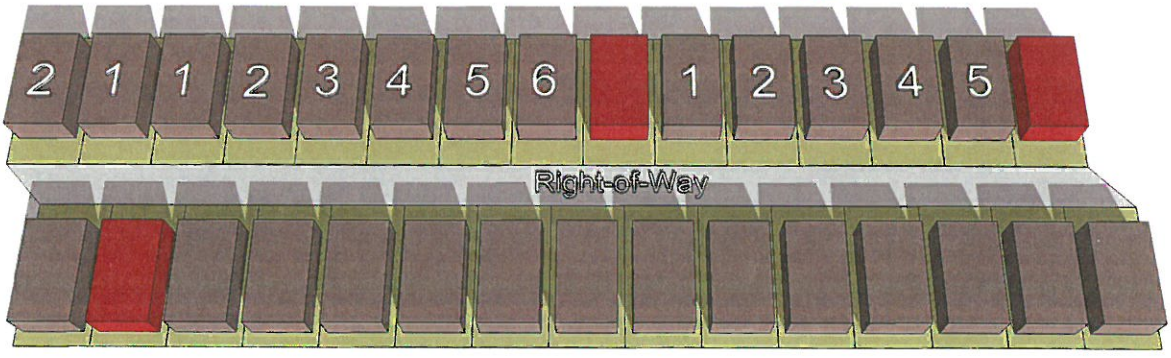


Figure 4: Properties do not line up on opposite side of the street. Where RED is the subject property.



(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) *Front Yard Fences*. Front yard fences shall be prohibited.

(b) *Wood Fences*. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.

(c) *Wrought Iron/Tubular Steel*. Lots located along the perimeter of roadways (*i.e. FM-1141 and Clem 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.

(d) *Corner Lots*. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(e) *Solid Fences (including Wood Fences)*. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

(7) *Landscape and Hardscape Standards*.

(a) *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. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall also be required to plant a row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).

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

(1) *Landscape Buffer and Sidewalks (FM-1141)*. A minimum of a 30-foot landscape buffer shall be provided along FM-1141 (*outside of and beyond any*

required right-of-way dedication), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering six (6) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(2) *Landscape Buffers (Clem Road)*. A minimum of a 30-foot landscape buffer shall be provided along Clem Drive (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(3) *Landscape Buffers (Southern Property Line)*. A minimum of a 10-foot landscape buffer shall be incorporated at the rear of the residential lots that back to the southern property line of the subject property. This landscape buffer shall incorporate a solid living screen utilizing evergreen trees -- *either Eastern Red Cedar or Leland Cypress unless approved otherwise approved by the Director of Planning and Zoning* --, a minimum of four (4) caliper inches in size, that will be planted on 20-foot centers.

(c) *Street Trees*. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-feet vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.

(d) *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).

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

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

(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 two (2) 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 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) *Open Space*. The development shall consist of a minimum of *20%* open space (*or a minimum of ~~11.77~~16.01 -acres -- as calculated by the formula stipulated in the Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. All open space areas (*including landscape buffers*) shall be maintained by the Homeowner's Association (HOA).

(13) *Fishing Dock*. Subject to engineering design providing sufficient perpetual water depth of the pond in HOA open space area 'B', a fishing dock shall be installed by the developer and maintained by the HOA as depicted in '*Exhibit C*' of this ordinance.

(14) *Gazebo*. A gazebo shall be installed by the developer and maintained by the HOA in HOA open space area 'C' as depicted in '*Exhibit C*' of this ordinance.

~~(12)~~

~~(13)~~(15) *Trails*. A concrete trail system shall be constructed in generally the same areas and of the same sizes as what is depicted in *Exhibit 'C'* of this ordinance.

~~(14)~~(16) *Neighborhood Signage and Enhancements*. Permanent subdivision 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*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.

~~(15)~~(17) *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*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development.

~~(16)~~(18) *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.

CITY OF ROCKWALL

ORDINANCE NO. 21-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 91 (PD-91) FOR SINGLE-FAMILY 16 (SF-16) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 78.412-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17 & 17-01 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 Kevin Harrell of the Skorburg Co. on behalf of Falcon Place SF, Ltd. and Gordon Fogg for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single-Family 16 (SF-16) District land uses, on a 78.412-acre tract of land identified as Tract 17, 17-01, 22, 22-04 and 22-05 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. 20-02*] 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. 20-02*] 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 *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 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 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.* A *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 ____ DAY OF _____, 2021.

_____
Kevin Fowler, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *[_____]*

2nd Reading: *[_____]*

Exhibit 'A':
Legal Description

Tract 1 (±26.012-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas. Being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a 60D nail found for corner at the intersection near the center of Clem Road and the recognized southeast line of FM-1141, said point being the northwest corner of herein described tract;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, within said Clem Road and the recognized north line of said *Walker Tract*, a distance of 533.77-feet to a point for corner, said point being the northeast corner of herein described tract and the northwest corner of a tract of land described in deed to Mark G. and Jessica K. Taylor, recorded in *Volume 7106, Page 191*, Official Public Records, Rockwall County, Texas;

THENCE South 01 Degrees 23 Minutes 21 Seconds West, along the west line of said *Taylor Tract*, passing a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for witness at a distance of 17.18-feet and continuing for a total distance of 283.63-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 06 Minutes 43 Seconds West, along the west line of said *Taylor Tract*, a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 35 Minutes 13 Seconds West, along the west line of said *Taylor Tract*, a distance of 597.75-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner, said point being an inner ell corner of herein described tract and the southwest corner of said *Taylor Tract*;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, along the south line of said *Taylor Tract*, a distance of 574.09-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner in the west line of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, said point being the southeast corner of said *Taylor Tract* and the most southerly northeast corner of herein described tract;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the recognized east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 334.12-feet to a 3/8-inch iron rod found for corner, the apparent northeast corner of Lot 5 of Meadowview Ranch Estates, recorded in *Cabinet A, Slide 247*, Plat Records, Rockwall county, Texas, said point being the recognized southeast corner of said *Walker Tract* and the apparent southwest corner of said *Stevenson Tract*;

THENCE South 89 Degrees 13 Minutes 16 Seconds West, along the recognized south line of said *Walker Tract*, a distance 510.41-feet to a 3/8-inch iron rod found for angle point;

THENCE North 89 Degrees 58 Minutes 55 Seconds West, along the recognized south line of said *Walker Tract*, a distance of 778.67-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner in the recognized east line of said FM-1141, said point being the southwest corner of herein described tract;

THENCE North, along the recognized east line of said highway, passing a 60D nail found on a wood highway monument for witness at a distance of 734.11-feet and continuing for a total distance of 810.94-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the beginning of a curve to right having a central angle of 39 Degrees 09 Minutes 01 Seconds, a radius of 533.14-feet and a chord bearing and distance of North 19 Degrees 34 Minutes 34 Seconds East - 357.25-feet;

THENCE along the recognized southeast line of said highway and said curve to the right an arc length of 364.29-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the end of said curve;

THENCE North 39 Degrees 09 Minutes 00 Seconds East along the recognized southeast line of said highway, a distance of 215.67-feet to the place of beginning and containing 1,133,124.22 square-feet or 26.012-acres of land.

Tract 2 (±12.0-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point for corner near the center of Clem Road, said point being the northeast corner of said *Walker Tract* and the northwest corner of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, from which a ½-inch iron rod found for witness bears South 00 Degrees 06 Minutes 20 Seconds East - 17.25-feet;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 990.13-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE South 89 Degrees 06 Minutes 09 Seconds West a distance 574.09-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE North 05 Degrees 35 Minutes 13 Seconds East a distance of 597.75-feet to a 4-inch metal fence corner for angle point;

THENCE North 05 Degrees 06 Minutes 43 Seconds East a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE North 01 Degrees 23 Minutes 21 Seconds East a distance of 283.63-feet to a point for corner in the north line of said *Walker Tract*, said point being near the center of Clem Road from which a ½-inch iron set with yellow cap stamped *BG&A RPLS 5569* for witness bears South 01 Degrees 23 Minutes 21 Seconds West - 17.18-feet;

THENCE North 89 Degrees 06 Minutes 09 Seconds East along the north line of said *Walker Tract* and within said Clem Road a distance of 497.09-feet to the *PLACE OF BEGINNING* and containing 522,720.00 square-feet or 12.000-acres of land.

Tract 3 (±20.83-Acres)

BEING a tract or parcel of Land situated in the William Dalton Survey, Abst. #72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams by T.H. Adams, by deed recorded in Volume 11, Page 475, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod in a County Road and at the Northwest corner of the above-mentioned 80 acre tract;

THENCE North 89 deg. 50 min. 30 sec. East, a distance of 684.33 feet along said Country Road to an iron rod for a corner, said iron rod bears South 89 deg. 50 min. 30 sec. West, a distance of 661.40 feet from the Northeast Corner of said 80 acre tract;

THENCE South 0 deg. 16 min. 03 sec. East, a distance of 1319.86 feet traversing said 80 acre tract to an iron rod for a corner;

THENCE South 89 deg. 22 min. 53 sec. West, a distance of 687.71 feet to an iron rod for a corner on the West line of said 80 acre tract and at the Northeast corner of Meadowview Ranch Estates, an addition to the County of Rockwall;

THENCE North 0 deg. 07 min. 17 sec. West, a distance of 1325.38 feet along the West line of said 80 acre tract to the Point of Beginning and containing 20.83 acres of land.

Tract 4 (±19.57-Acres)

BEING a tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams to T. H. Adams and wife, S.E. Adams by Deed recorded in Volume 11, Page 475, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod set for a corner on the Northeast corner of said 80 acre tract in a County Road;

THENCE South 0 degrees 16 minutes 03 seconds East with a fence and the East line of said 80 acre tract a distance of 1314.55 feet to an iron rod found for corner;

THENCE South 39 degrees 22 minutes 33 seconds West with a fence a distance of 461.41 feet to an iron rod set for corner;

THENCE North 0 degrees 16 minutes 03 seconds West a distance of 1319.86 feet to an iron rod set for corner in a County Road;

THENCE North 89 degrees 50 minutes 30 seconds East with said County Road a distance of 461.40 feet to the POINTOF BEGINNING and Containing 19.57 acres of land more or less.

Exhibit 'B':
Location Map

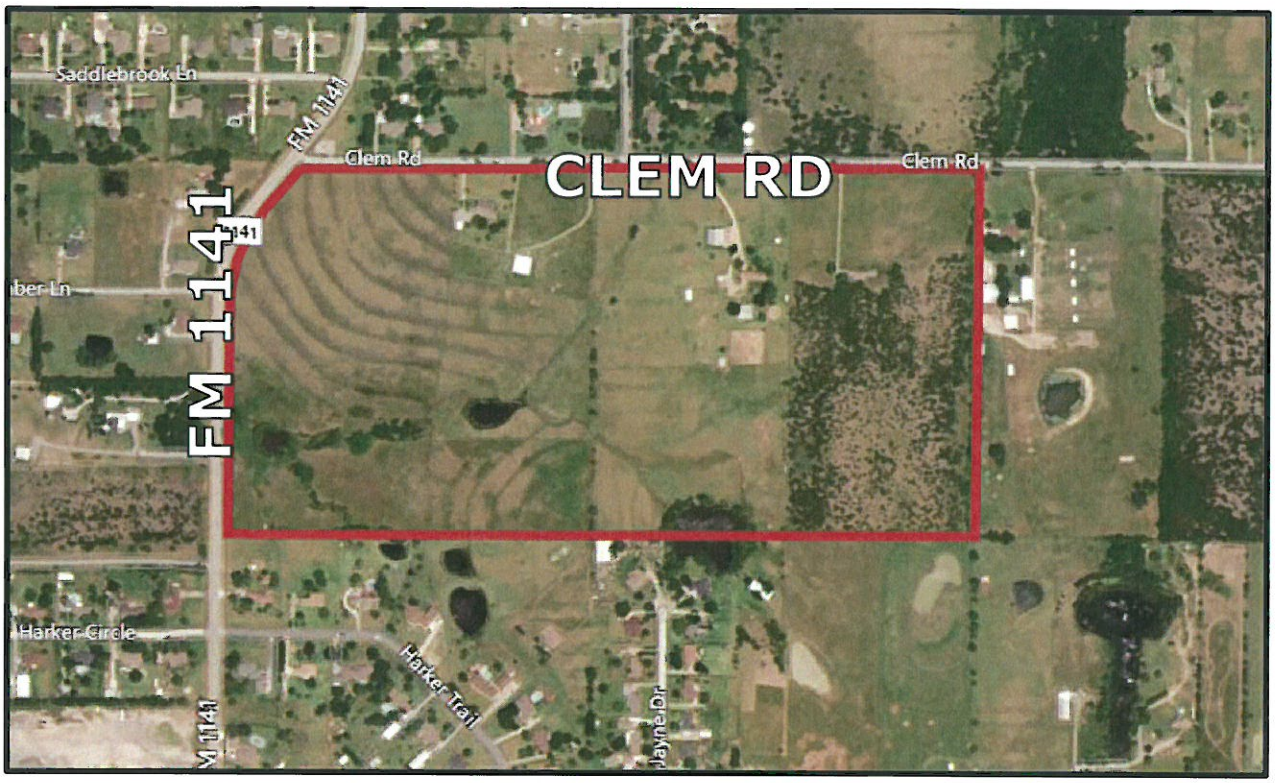


Exhibit 'C':
Concept Plan

Density and Development Standards.

(1) *Permitted Uses*. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 16 (SF-16) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *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'* of this ordinance.

(3) *Density and Dimensional Requirements*. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 16 (SF-16) District, as specified by Article 05, *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 *1.68* dwelling units per gross acre of land; however, in no case should the proposed development exceed 132 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

Minimum Lot Width [1]	90'
Minimum Lot Depth	100'
Minimum Lot Area	16,000 SF
Minimum Front Yard Setback [2] & [5]	25'
Minimum Side Yard Setback	8'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'
Minimum Length of Driveway Pavement	25'
Maximum Height [3]	36'
Minimum Rear Yard Setback [4]	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space] [6]	3,000 SF
Maximum Lot Coverage	60%

General Notes:

[1]: 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 Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.

[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 (*whichever is greater*) of the single-family home.

[4]: The location of the *Rear Yard Building Setback* as measured from the rear property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. 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.

[6]: A maximum of ten (10) percent of the lots may have a minimum area/dwelling unit of 2,800 SF [*Air-Conditioned Space*].

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

(a) *Masonry Requirement*. The minimum masonry requirement for the total exterior façade area of all buildings shall be 90% (*excluding dormers and walls over roof areas*); however, no individual façade shall be less than 85% masonry. 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; however, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted through a Specific Use Permit (SUP) only. Excluding dormers and walls over roof areas, siding products (*e.g. HardiBoard or Hardy Plank*) shall not be visible on homes abutting any major thoroughfare (*i.e. FM-1141 as shown on Exhibit 'C' of this ordinance*).

(b) *Roof Pitch*. A minimum of an *8:12* roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a *4:12* roof pitch.

(c) *Garage Orientation and Garage Doors*. Garages shall be oriented in a *traditional swing* (or *j-swing*) (*i.e. where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration*). On *traditional swing* (*or j-swing*) garage configurations, a second single or double garage door facing the street is permitted if it is located behind the width of the double garage door. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).

All garage doors shall be required to have decorative wood doors or wood overlays on insulated metal doors. The design between the garage door and home shall use the same or complementary colors and materials. All garages shall include carriage style hardware. An example of carriage style hardware is depicted in *Figure 1*.

Figure 1. Examples of Enhanced Garage Door

(5) *Anti-Monotony Restrictions*. The development shall adhere to the following *Anti-Monotony* standards:

(a) 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.

(b) 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, FM-1141, 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:

(1) Number of Stories
(2) Permitted Encroachment Type and Layout
(3) Roof Type and Layout
(4) Articulation of the Front Façade

(c) Permitted encroachment (*i.e. porches and sunroom*) 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.

(d) 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 3: Properties line up on the opposite side of the street. Where RED is the subject property.

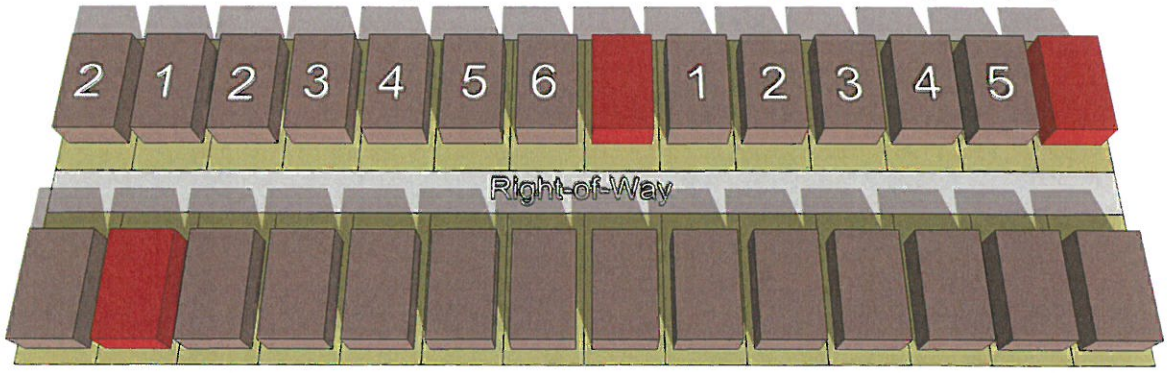
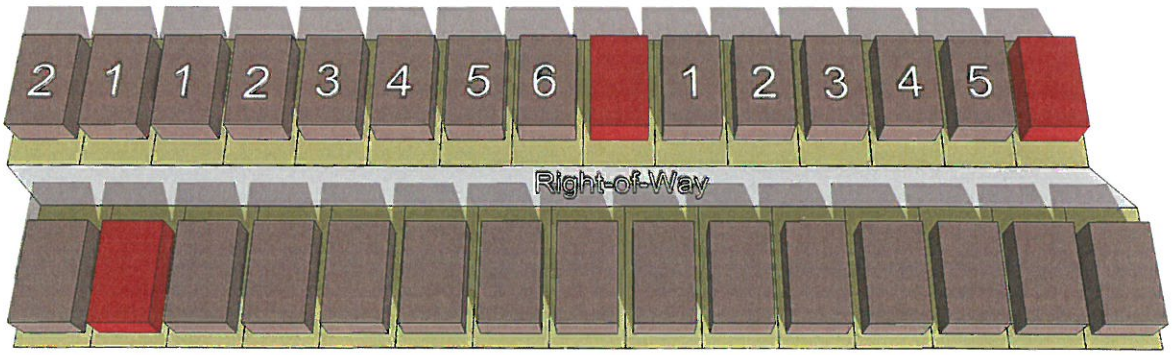


Figure 4: Properties do not line up on opposite side of the street. Where RED is the subject property.



(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) *Front Yard Fences*. Front yard fences shall be prohibited.

(b) *Wood Fences*. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.

(c) *Wrought Iron/Tubular Steel*. Lots located along the perimeter of roadways (*i.e. FM-1141 and Clem 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.

(d) *Corner Lots*. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(e) *Solid Fences (including Wood Fences)*. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

(7) *Landscape and Hardscape Standards*.

(a) *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. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall also be required to plant a row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).

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

(1) *Landscape Buffer and Sidewalks (FM-1141)*. A minimum of a 30-foot landscape buffer shall be provided along FM-1141 (*outside of and beyond any required*

right-of-way dedication), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering six (6) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(2) *Landscape Buffers (Clem Road)*. A minimum of a 30-foot landscape buffer shall be provided along Clem Drive (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(3) *Landscape Buffers (Southern Property Line)*. A minimum of a 10-foot landscape buffer shall be incorporated at the rear of the residential lots that back to the southern property line of the subject property. This landscape buffer shall incorporate a solid living screen utilizing evergreen trees -- *either Eastern Red Cedar or Leland Cypress unless approved otherwise approved by the Director of Planning and Zoning* --, a minimum of four (4) caliper inches in size, that will be planted on 20-foot centers.

(c) *Street Trees*. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-feet vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.

(d) *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).

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

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

(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 two (2) 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 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) *Open Space*. The development shall consist of a minimum of *20%* open space (*or a minimum of 16.01 -acres -- as calculated by the formula stipulated in the Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. All open space areas (*including landscape buffers*) shall be maintained by the Homeowner's Association (HOA).

(13) *Fishing Dock*. Subject to engineering design providing sufficient perpetual water depth of the pond in HOA open space area 'B', a fishing dock shall be installed by the developer and maintained by the HOA as depicted in '*Exhibit C'* of this ordinance.

(14) *Gazebo.* A gazebo shall be installed by the developer and maintained by the HOA in HOA open space area 'C' as depicted in '*Exhibit C'* of this ordinance.

(15) *Trails*. A concrete trail system shall be constructed in generally the same areas and of the same sizes as what is depicted in *Exhibit 'C'* of this ordinance.

(16) *Neighborhood Signage and Enhancements*. Permanent subdivision 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*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.

(17) *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*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development.

(18) *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.

CITY OF ROCKWALL

ORDINANCE NO. 21-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE PLANNED DEVELOPMENT DISTRICT 91 (PD-91) [*ORDINANCE NO. 21-17*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO AMEND THE PLANNED DEVELOPMENT CONCEPT PLAN AND DEVELOPMENT STANDARDS APPROVED WITH *ORDINANCE NO. 21-17*, BEING A 78.412-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17, 17-01, 22, 22-04, & 22-05 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 Kevin Harrell of the Skorburg Co. on behalf of Gordon Fogg for the approval of an amendment to the *Planned Development Concept Plan* and *Development Standards* contained within Planned Development District 91 (PD-91) [*Ordinance No. 21-17*] being a 78.412-acre tract of land identified as Tracts 17, 17-01, 22, 22-04, & 22-05 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas and being 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 Planned Development District 91 (PD-91) [*Ordinance No. 21-17*] and the Unified Development Code [*Ordinance No. 20-02*] 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. 20-02*] 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 *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

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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 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 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.* A *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.

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(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 18TH DAY OF OCTOBER, 2021.

_____
Kevin Fowler, *Mayor*

ATTEST:

_____
Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

_____
Frank J. Garza, *City Attorney*

1st Reading: *October 4, 2021*

2nd Reading: *October 18, 2021*

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Exhibit 'A':
Legal Description

Tract 1 (±26.012-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas. Being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a 60D nail found for corner at the intersection near the center of Clem Road and the recognized southeast line of FM-1141, said point being the northwest corner of herein described tract;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, within said Clem Road and the recognized north line of said *Walker Tract*, a distance of 533.77-feet to a point for corner, said point being the northeast corner of herein described tract and the northwest corner of a tract of land described in deed to Mark G. and Jessica K. Taylor, recorded in *Volume 7106, Page 191*, Official Public Records, Rockwall County, Texas;

THENCE South 01 Degrees 23 Minutes 21 Seconds West, along the west line of said *Taylor Tract*, passing a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for witness at a distance of 17.18-feet and continuing for a total distance of 283.63-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 06 Minutes 43 Seconds West, along the west line of said *Taylor Tract*, a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 35 Minutes 13 Seconds West, along the west line of said *Taylor Tract*, a distance of 597.75-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner, said point being an inner ell corner of herein described tract and the southwest corner of said *Taylor Tract*;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, along the south line of said *Taylor Tract*, a distance of 574.09-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner in the west line of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, said point being the southeast corner of said *Taylor Tract* and the most southerly northeast corner of herein described tract;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the recognized east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 334.12-feet to a 3/8-inch iron rod found for corner, the apparent northeast corner of Lot 5 of Meadowview Ranch Estates, recorded in *Cabinet A, Slide 247*, Plat Records, Rockwall county, Texas, said point being the recognized southeast corner of said *Walker Tract* and the apparent southwest corner of said *Stevenson Tract*;

THENCE South 89 Degrees 13 Minutes 16 Seconds West, along the recognized south line of said *Walker Tract*, a distance 510.41-feet to a 3/8-inch iron rod found for angle point;

THENCE North 89 Degrees 58 Minutes 55 Seconds West, along the recognized south line of said *Walker Tract*, a distance of 778.67-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner in the recognized east line of said FM-1141, said point being the southwest corner of herein described tract;

THENCE North, along the recognized east line of said highway, passing a 60D nail found on a wood highway monument for witness at a distance of 734.11-feet and continuing for a total distance of 810.94-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the beginning of a curve to right having a central angle of 39 Degrees 09 Minutes 01 Seconds, a radius of 533.14-feet and a chord bearing and distance of North 19 Degrees 34 Minutes 34 Seconds East - 357.25-feet;

THENCE along the recognized southeast line of said highway and said curve to the right an arc length of 364.29-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the end of said curve;

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THENCE North 39 Degrees 09 Minutes 00 Seconds East along the recognized southeast line of said highway, a distance of 215.67-feet to the place of beginning and containing 1,133,124.22 square-feet or 26.012-acres of land.

Tract 2 (±12.0-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point for corner near the center of Clem Road, said point being the northeast corner of said *Walker Tract* and the northwest corner of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, from which a ½-inch iron rod found for witness bears South 00 Degrees 06 Minutes 20 Seconds East - 17.25-feet;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 990.13-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE South 89 Degrees 06 Minutes 09 Seconds West a distance 574.09-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE North 05 Degrees 35 Minutes 13 Seconds East a distance of 597.75-feet to a 4-inch metal fence corner for angle point;

THENCE North 05 Degrees 06 Minutes 43 Seconds East a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE North 01 Degrees 23 Minutes 21 Seconds East a distance of 283.63-feet to a point for corner in the north line of said *Walker Tract*, said point being near the center of Clem Road from which a ½-inch iron set with yellow cap stamped *BG&A RPLS 5569* for witness bears South 01 Degrees 23 Minutes 21 Seconds West - 17.18-feet;

THENCE North 89 Degrees 06 Minutes 09 Seconds East along the north line of said *Walker Tract* and within said Clem Road a distance of 497.09-feet to the *PLACE OF BEGINNING* and containing 522,720.00 square-feet or 12.000-acres of land.

Tract 3 (+20.83-Acres)

BEING a tract or parcel of Land situated in the William Dalton Survey, Abstract No. #72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams by T.H. Adams, by deed recorded in Volume 11, Page 475, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod in a County Road and at the Northwest corner of the above-mentioned 80 acre tract;

THENCE North 89 deg. 50 min. 30 sec. East, a distance of 684.33 feet along said Country Road to an iron rod for a corner, said iron rod bears South 89 deg. 50 min. 30 sec. West, a distance of 661 .40 feet from the Northeast Corner of said 80 acre tract;

THENCE South 0 deg. 16 min. 03 sec. East, a distance of 1319.86 feet traversing said 80 acre tract to an

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iron rod for a corner;

THENCE South 89 deg. 22 min. 53 sec. West, a distance of 687.71 feet to an iron rod for a corner on the West line of said 80 acre tract and at the Northeast corner of Meadowview Ranch Estates, an addition to the County of Rockwall;

THENCE North 0 deg. 07 min. 17 sec. West, a distance of 1325.38 feet along the West line of said 80 acre tract to the Point of Beginning and containing 20.83 acres of land.

Tract 4 (+19.57-Acres)

Being a tract or parcel of land situated in the William Dalton Survey, Abstract No. 72. Rockwall County. Texas. and being part of an 80 acre tract conveyed to E.L Adams to T. H Adams and wife. SE Adams by Deed recorded in Volume 11. Page 475, Deed Records. Rockwall County. Texas. and being more particularly described as follows:

BEGINING at an iron rod set for a corner on the Northeast corner of said 80 acre tract in a County Road;

THENCE South 0 degrees 16 minutes 03 seconds East with a fence and the East line of said 80 acre tract a distance of 1314.55 feet to an iron rod found for corner:

THENCE South 39 degrees 22 minutes 33 seconds West with a fence a distance of 661.41 feet to an iron rod set for corner;

THENCE North 0 degrees 16 minutes 03 seconds West a distance of 1319.86 feet to an iron rod set for corner in a County Road;

*THENC*E North 89 degrees 50 minutes 30 seconds East with said County Road a distance of 661 .40 feet to the POINT OF BEGINNING and Containing 19.57 acres of land more or less.

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Exhibit 'B':
Location Map

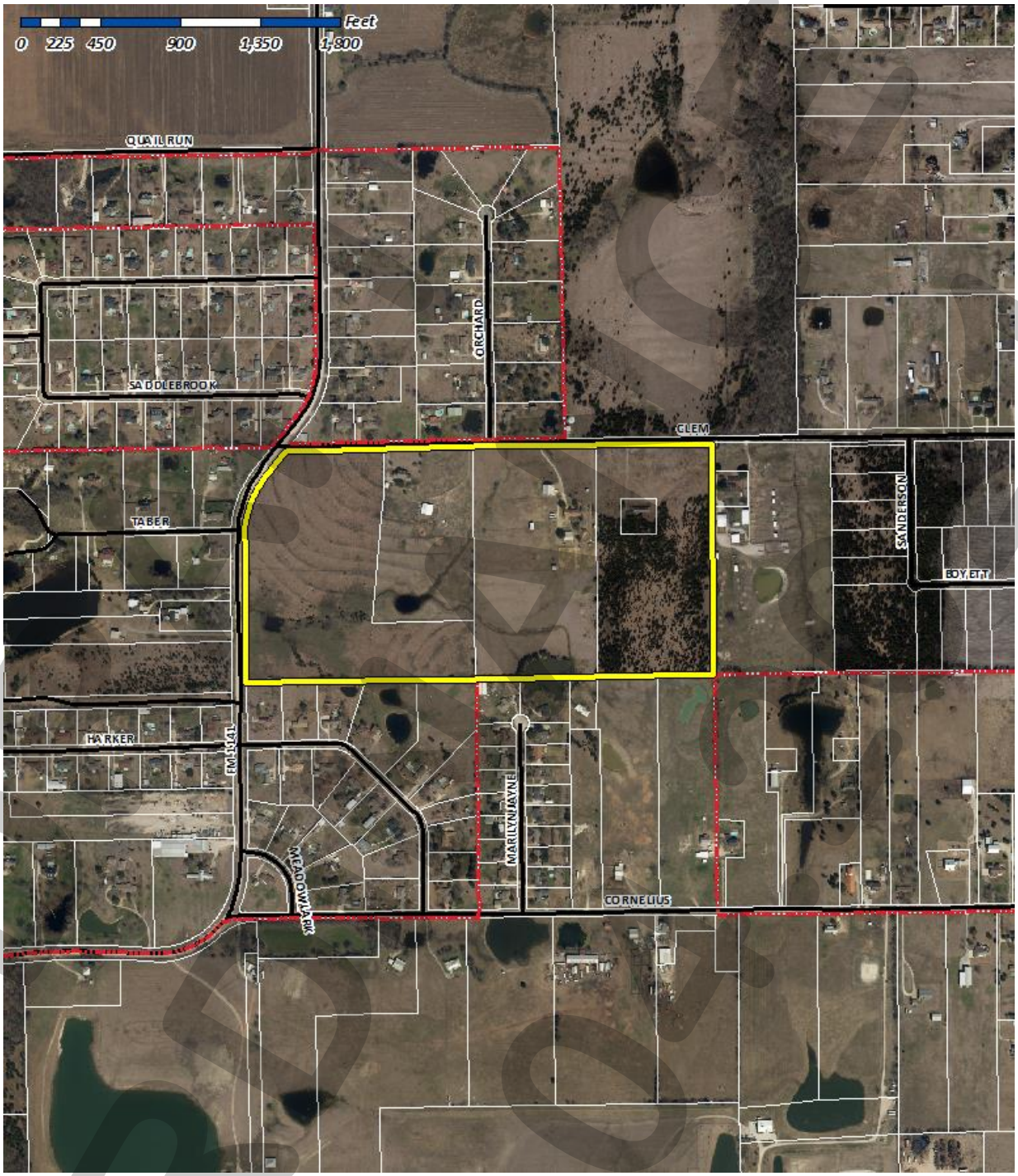

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Exhibit 'C':
Concept Plan

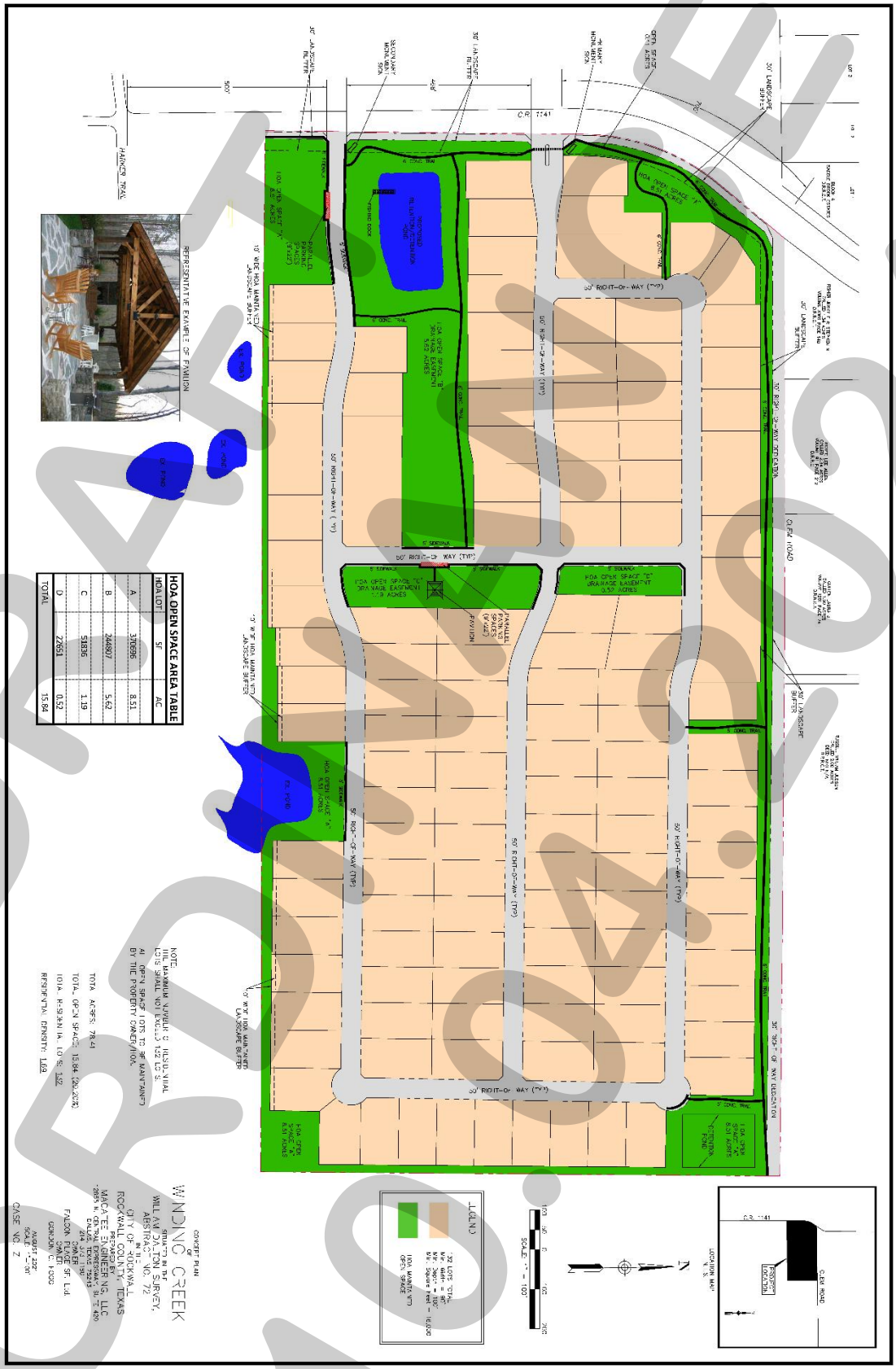

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Exhibit 'D':
Density and Development Standards

Density and Development Standards.

(1) *Permitted Uses*. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 16 (SF-16) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *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'* of this ordinance.

(3) *Density and Dimensional Requirements*. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 16 (SF-16) District, as specified by Article 05, *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 *1.69* dwelling units per gross acre of land; however, in no case should the proposed development exceed *132* units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

Minimum Lot Width [1]	90'
Minimum Lot Depth	100'
Minimum Lot Area	16,000 SF
Minimum Front Yard Setback [2] & [5]	25'
Minimum Side Yard Setback	8'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'
Minimum Length of Driveway Pavement	25'
Maximum Height [3]	36'
Minimum Rear Yard Setback [4]	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space] [6]	3,000 SF
Maximum Lot Coverage	60%

General Notes:

[1]: 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 Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.

[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 (*whichever is greater*) of the single-family home.

[4]: The location of the *Rear Yard Building Setback* as measured from the rear property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. 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.

[6]: A maximum of ten (10) percent of the lots may have a minimum area/dwelling unit of 2,800 SF [*Air-Conditioned Space*].

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

(a) *Masonry Requirement*. The minimum masonry requirement for the total exterior façade area of all buildings shall be 90% (*excluding dormers and walls over roof areas*); however, no individual façade shall be less than 85% masonry. For the

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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; however, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted through a Specific Use Permit (SUP) only. Excluding dormers and walls over roof areas, siding products (*e.g. HardiBoard or Hardy Plank*) shall not be visible on homes abutting any major thoroughfare (*i.e. FM-1141 as shown on Exhibit 'C' of this ordinance*).

(b) *Roof Pitch.* A minimum of an *8:12* roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a *4:12* roof pitch.

(c) *Garage Orientation and Garage Doors.* Garages shall be oriented in a *traditional swing* (or *j-swing*) (*i.e. where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration*). On *traditional swing* (*or j-swing*) garage configurations, a second single or double garage door facing the street is permitted if it is located behind the width of the double garage door. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).

All garage doors shall be required to have decorative wood doors or wood overlays on insulated metal doors. The design between the garage door and home shall use the same or complementary colors and materials. All garages shall include carriage style hardware. An example of carriage style hardware is depicted in *Figure 1*.

Figure 1. Examples of Enhanced Garage Door

(5) *Anti-Monotony Restrictions.* The development shall adhere to the following *Anti-Monotony* standards:

(a) 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.

(b) 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, FM-1141, 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:

(1) Number of Stories
(2) Permitted Encroachment Type and Layout
(3) Roof Type and Layout
(4) Articulation of the Front Façade

(c) Permitted encroachment (*i.e. porches and sunroom*) 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.

(d) 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 3: Properties line up on the opposite side of the street. Where RED is the subject property.

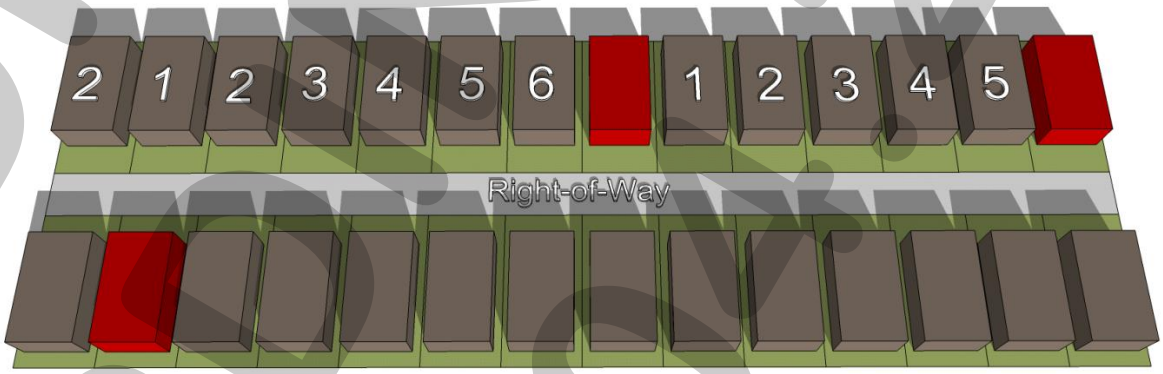
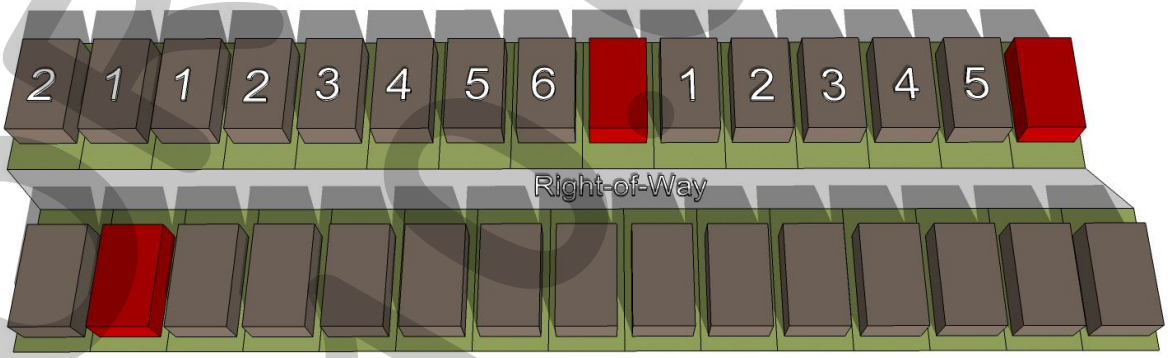


Figure 4: Properties do not line up on opposite side of the street. Where RED is the subject property.



(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) *Front Yard Fences*. Front yard fences shall be prohibited.

(b) *Wood Fences*. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.

(c) *Wrought Iron/Tubular Steel*. Lots located along the perimeter of roadways (*i.e. FM-1141 and Clem 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.

(d) *Corner Lots*. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(e) *Solid Fences (including Wood Fences)*. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

(7) *Landscape and Hardscape Standards.*

(a) *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. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall also be required to plant a row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).

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

(1) *Landscape Buffer and Sidewalks (FM-1141)*. A minimum of a 30-foot landscape buffer shall be provided along FM-1141 (*outside of and beyond any*

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required right-of-way dedication), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering six (6) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(2) *Landscape Buffers (Clem Road).* A minimum of a 30-foot landscape buffer shall be provided along Clem Drive (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(3) *Landscape Buffers (Southern Property Line).* A minimum of a 10-foot landscape buffer shall be incorporated at the rear of the residential lots that back to the southern property line of the subject property. This landscape buffer shall incorporate a solid living screen utilizing evergreen trees -- *either Eastern Red Cedar or Leland Cypress unless approved otherwise approved by the Director of Planning and Zoning* --, a minimum of four (4) caliper inches in size, that will be planted on 20-foot centers.

(c) *Street Trees.* The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-feet vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.

(d) *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).

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

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

(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 two (2) 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

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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 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) *Open Space.* The development shall consist of a minimum of *20%* open space (*or a minimum of 15.682-acres -- as calculated by the formula stipulated in the Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. All open space areas (*including landscape buffers*) shall be maintained by the Homeowner's Association (HOA).

(13) *Fishing Dock*. Subject to the requirements of the Engineering *Standards of Design and Construction Manual* and approval from the Engineering Department, a fishing dock may be constructed generally in conformance with the location depicted in the Concept Plan in *Exhibit 'C'* of this ordinance. The fishing dock shall be constructed using composite materials (*e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic materials*) to prevent rot or decay, and shall be maintained in a good/usable condition by the Homeowner's Association (HOA).

(14) *Pavilion*. A commercial grade pavilion shall be constructed generally in the same location and in the same manner as the image depicted in the *Concept Plan* in *Exhibit 'C'* of this ordinance. The pavilion shall be maintained in a good/usable condition by the Homeowner's Association (HOA).

(15) *Trails*. A concrete trail system shall be constructed in generally the same areas and of the same sizes as what is depicted in *Exhibit 'C'* of this ordinance.

(16) *Neighborhood Signage and Enhancements.* 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 *Figures 1 & 2* (*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 at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.

See the Representative Signage on the Following Page.

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***Figure 1**: Representative Primary Entry Signage*

***Figure 2**: Representative Secondary Entry Signage*

(17) ***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*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development.

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(18) *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.

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October 21, 2021

TO: Adam Shiffer
Skorburg Company
8214 Westchester Drive Suite 900
Dallas, Texas 75225

FROM: Henry Lee
City of Rockwall Planning and Zoning Department
385 S. Goliad Street
Rockwall, TX 75087

SUBJECT: Z2021-036; *Amendment to PD-91*

Adam Shiffer**:**

This letter serves to notify you that the above referenced zoning case that you submitted for consideration by the City of Rockwall was approved by the City Council on October 18, 2021. The following is a record of all recommendations, voting records and conditions of approval:

Staff Recommendations

- ✓ The applicant shall be responsible for maintaining compliance with the conditions contained in the Planned Development District ordinance; and,
- ✓ 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 September 28, 2021, the Planning and Zoning Commission approved a motion to approve the zoning change with the conditions of approval by a vote of 5-1, with Commissioner Chodun dissenting and Commissioner Deckard absent.

City Council

- ✓ On October 18, 2021, the City Council approved a motion to approve the zoning change with the conditions of approval by a vote of 5-2, with Council Members Jorif and Daniels dissenting. (2nd Reading)

Included with this letter is a copy of *Ordinance No. 21-49* which is the regulating ordinance adopted with the City Council's approval of this case. Should you have any questions or concerns regarding your zoning case, please feel free to contact me a (972) 771-7745.

Sincerely,

Henry Lee
Planner

CITY OF ROCKWALL

ORDINANCE NO. 21-49

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE PLANNED DEVELOPMENT DISTRICT 91 (PD-91) [*ORDINANCE NO. 21-17*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO AMEND THE PLANNED DEVELOPMENT CONCEPT PLAN AND DEVELOPMENT STANDARDS APPROVED WITH *ORDINANCE NO. 21-17*, BEING A 78.412-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17, 17-01, 22, 22-04, & 22-05 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 Kevin Harrell of the Skorburg Co. on behalf of Gordon Fogg for the approval of an amendment to the *Planned Development Concept Plan* and *Development Standards* contained within Planned Development District 91 (PD-91) [*Ordinance No. 21-17*] being a 78.412-acre tract of land identified as Tracts 17, 17-01, 22, 22-04, & 22-05 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas and being 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 Planned Development District 91 (PD-91) [*Ordinance No. 21-17*] and the Unified Development Code [*Ordinance No. 20-02*] 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. 20-02*] 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 *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 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 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.* A *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 18TH DAY OF OCTOBER, 2021.

Kevin Fowler, Mayor

ATTEST:

Kristy Cole, City Secretary

CITY OF ROCKWALL TEXAS
SEAL

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: October 4, 2021

2nd Reading: October 18, 2021

Exhibit 'A':
Legal Description

Tract 1 (±26.012-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas. Being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a 60D nail found for corner at the intersection near the center of Clem Road and the recognized southeast line of FM-1141, said point being the northwest corner of herein described tract;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, within said Clem Road and the recognized north line of said *Walker Tract*, a distance of 533.77-feet to a point for corner, said point being the northeast corner of herein described tract and the northwest corner of a tract of land described in deed to Mark G. and Jessica K. Taylor, recorded in *Volume 7106, Page 191*, Official Public Records, Rockwall County, Texas;

THENCE South 01 Degrees 23 Minutes 21 Seconds West, along the west line of said *Taylor Tract*, passing a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for witness at a distance of 17.18-feet and continuing for a total distance of 283.63-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 06 Minutes 43 Seconds West, along the west line of said *Taylor Tract*, a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 35 Minutes 13 Seconds West, along the west line of said *Taylor Tract*, a distance of 597.75-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner, said point being an inner ell corner of herein described tract and the southwest corner of said *Taylor Tract*;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, along the south line of said *Taylor Tract*, a distance of 574.09-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner in the west line of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, said point being the southeast corner of said *Taylor Tract* and the most southerly northeast corner of herein described tract;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the recognized east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 334.12-feet to a 3/8-inch iron rod found for corner, the apparent northeast corner of Lot 5 of Meadowview Ranch Estates, recorded in *Cabinet A, Slide 247*, Plat Records, Rockwall county, Texas, said point being the recognized southeast corner of said *Walker Tract* and the apparent southwest corner of said *Stevenson Tract*;

THENCE South 89 Degrees 13 Minutes 16 Seconds West, along the recognized south line of said *Walker Tract*, a distance 510.41-feet to a 3/8-inch iron rod found for angle point;

THENCE North 89 Degrees 58 Minutes 55 Seconds West, along the recognized south line of said *Walker Tract*, a distance of 778.67-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner in the recognized east line of said FM-1141, said point being the southwest corner of herein described tract;

THENCE North, along the recognized east line of said highway, passing a 60D nail found on a wood highway monument for witness at a distance of 734.11-feet and continuing for a total distance of 810.94-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the beginning of a curve to right having a central angle of 39 Degrees 09 Minutes 01 Seconds, a radius of 533.14-feet and a chord bearing and distance of North 19 Degrees 34 Minutes 34 Seconds East - 357.25-feet;

THENCE along the recognized southeast line of said highway and said curve to the right an arc length of 364.29-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the end of said curve;

THENCE North 39 Degrees 09 Minutes 00 Seconds East along the recognized southeast line of said highway, a distance of 215.67-feet to the place of beginning and containing 1,133,124.22 square-feet or 26.012-acres of land.

Tract 2 (±12.0-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point for corner near the center of Clem Road, said point being the northeast corner of said *Walker Tract* and the northwest corner of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, from which a ½-inch iron rod found for witness bears South 00 Degrees 06 Minutes 20 Seconds East - 17.25-feet;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 990.13-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE South 89 Degrees 06 Minutes 09 Seconds West a distance 574.09-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE North 05 Degrees 35 Minutes 13 Seconds East a distance of 597.75-feet to a 4-inch metal fence corner for angle point;

THENCE North 05 Degrees 06 Minutes 43 Seconds East a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE North 01 Degrees 23 Minutes 21 Seconds East a distance of 283.63-feet to a point for corner in the north line of said *Walker Tract*, said point being near the center of Clem Road from which a ½-inch iron set with yellow cap stamped *BG&A RPLS 5569* for witness bears South 01 Degrees 23 Minutes 21 Seconds West - 17.18-feet;

THENCE North 89 Degrees 06 Minutes 09 Seconds East along the north line of said *Walker Tract* and within said Clem Road a distance of 497.09-feet to the *PLACE OF BEGINNING* and containing 522,720.00 square-feet or 12.000-acres of land.

Tract 3 (+20.83-Acres)

BEING a tract or parcel of Land situated in the William Dalton Survey, Abstract No. #72, Rockwall County, Texas, and being part of an 80 acre tract conveyed to E.L. Adams by T.H. Adams, by deed recorded in Volume 11, Page 475, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod in a County Road and at the Northwest corner of the above-mentioned 80 acre tract;

THENCE North 89 deg. 50 min. 30 sec. East, a distance of 684.33 feet along said Country Road to an iron rod for a corner, said iron rod bears South 89 deg. 50 min. 30 sec. West, a distance of 661 .40 feet from the Northeast Corner of said 80 acre tract;

THENCE South 0 deg. 16 min. 03 sec. East, a distance of 1319.86 feet traversing said 80 acre tract to an iron rod for a corner;

THENCE South 89 deg. 22 min. 53 sec. West, a distance of 687.71 feet to an iron rod for a corner on the West line of said 80 acre tract and at the Northeast corner of Meadowview Ranch Estates, an addition to the County of Rockwall;

THENCE North 0 deg. 07 min. 17 sec. West, a distance of 1325.38 feet along the West line of said 80 acre tract to the Point of Beginning and containing 20.83 acres of land.

Tract 4 (+19.57-Acres)

Being a tract or parcel of land situated in the William Dalton Survey, Abstract No. 72. Rockwall County. Texas. and being part of an 80 acre tract conveyed to E.L Adams to T. H Adams and wife. SE Adams by Deed recorded in Volume 11. Page 475, Deed Records. Rockwall County. Texas. and being more particularly described as follows:

BEGINING at an iron rod set for a corner on the Northeast corner of said 80 acre tract in a County Road;

THENCE South 0 degrees 16 minutes 03 seconds East with a fence and the East line of said 80 acre tract a distance of 1314.55 feet to an iron rod found for corner:

THENCE South 39 degrees 22 minutes 33 seconds West with a fence a distance of 661.41 feet to an iron rod set for corner;

THENCE North 0 degrees 16 minutes 03 seconds West a distance of 1319.86 feet to an iron rod set for corner in a County Road;

*THENC*E North 89 degrees 50 minutes 30 seconds East with said County Road a distance of 661 .40 feet to the POINT OF BEGINNING and Containing 19.57 acres of land more or less.

Exhibit 'B':
Location Map

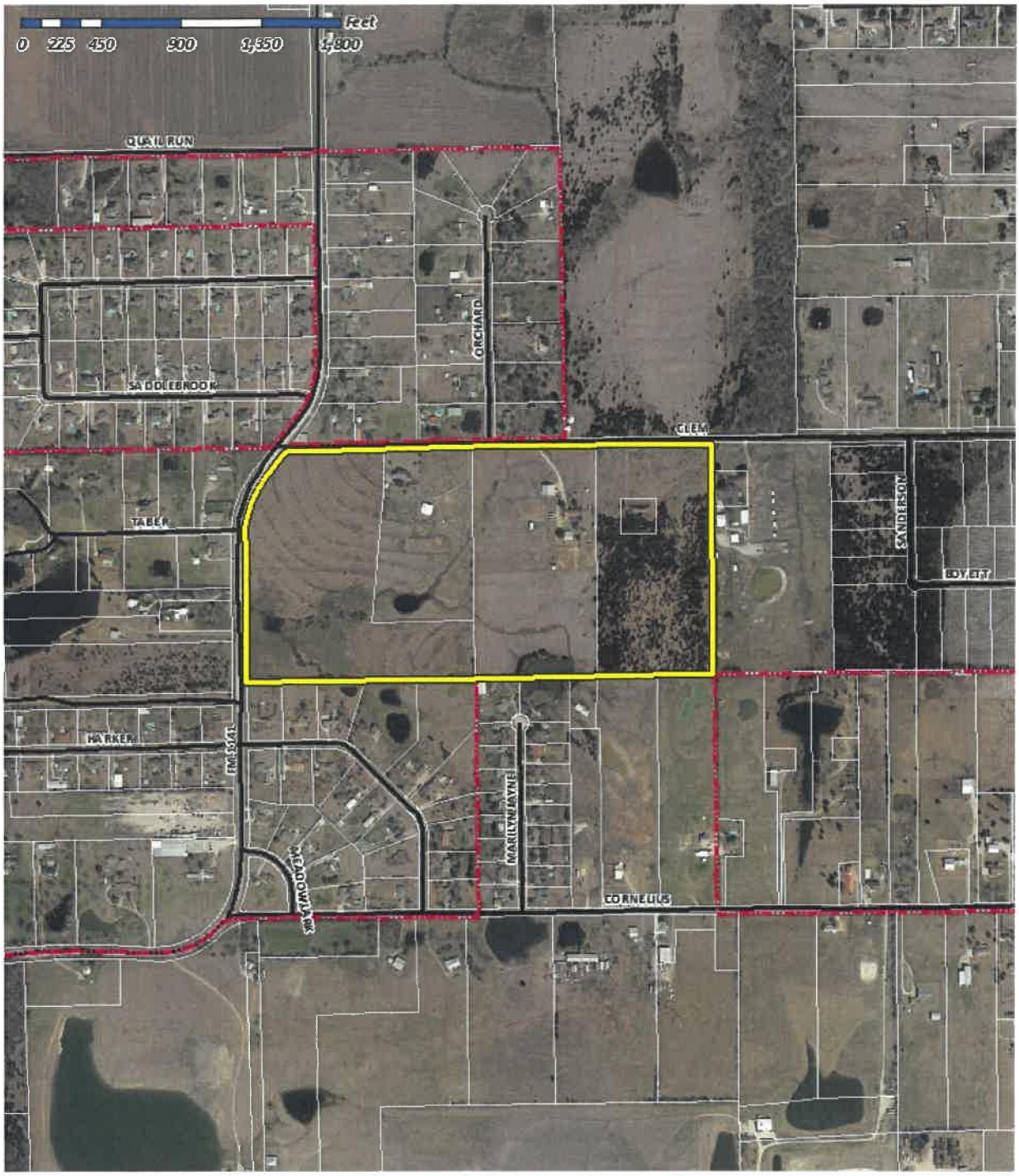
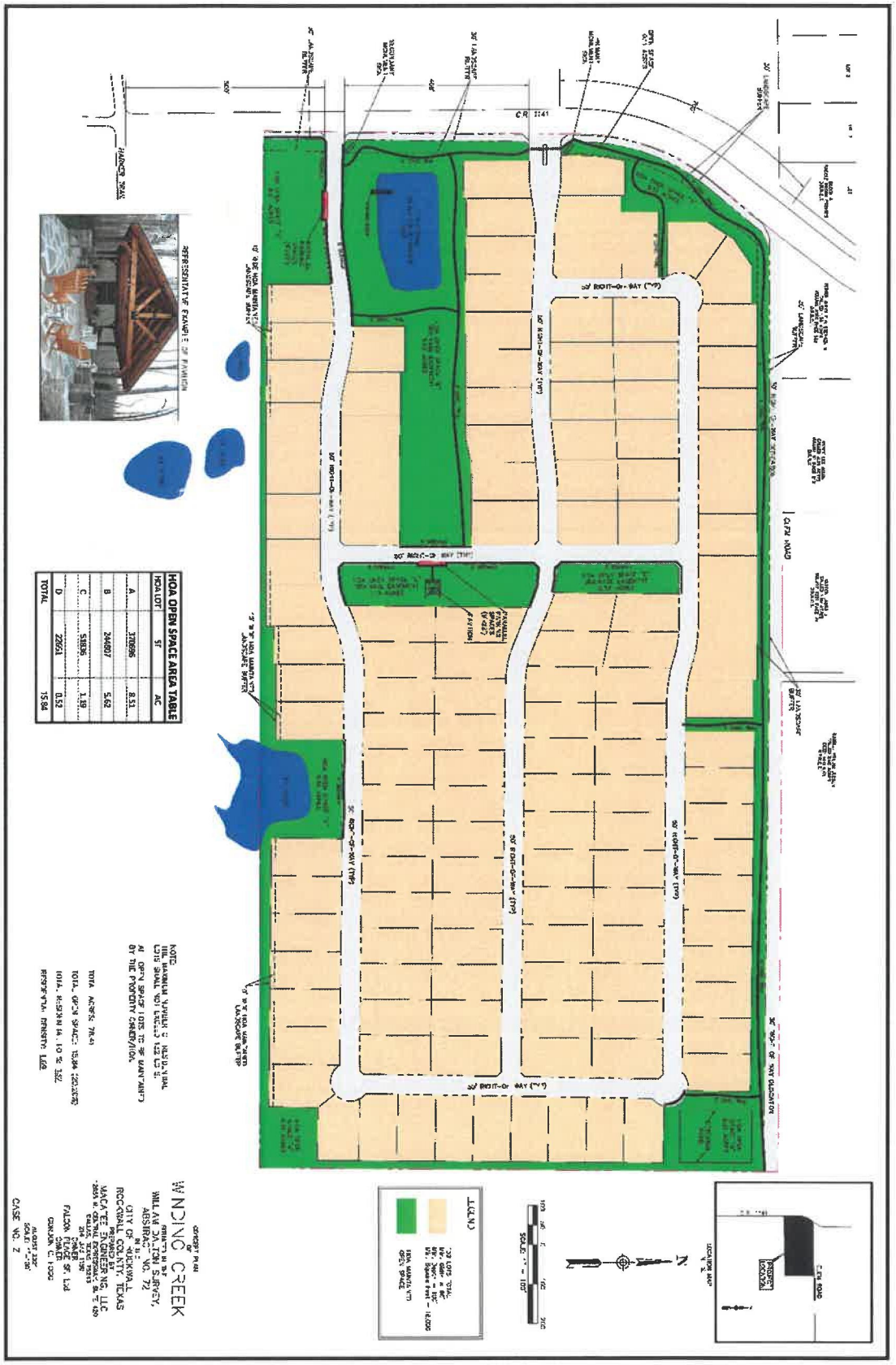


Exhibit 'C':
Concept Plan



Density and Development Standards.

(1) *Permitted Uses*. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 16 (SF-16) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *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'* of this ordinance.

(3) *Density and Dimensional Requirements*. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 16 (SF-16) District, as specified by Article 05, *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 *1.69* dwelling units per gross acre of land; however, in no case should the proposed development exceed *132* units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

Minimum Lot Width [1]	90'
Minimum Lot Depth	100'
Minimum Lot Area	16,000 SF
Minimum Front Yard Setback [2] & [5]	25'
Minimum Side Yard Setback	8'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	10'
Minimum Length of Driveway Pavement	25'
Maximum Height [3]	36'
Minimum Rear Yard Setback [4]	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space] [6]	3,000 SF
Maximum Lot Coverage	60%

General Notes:

[1]: 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 Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.

[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 (*whichever is greater*) of the single-family home.

[4]: The location of the *Rear Yard Building Setback* as measured from the rear property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. 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.

[6]: A maximum of ten (10) percent of the lots may have a minimum area/dwelling unit of 2,800 SF [*Air-Conditioned Space*].

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

(a) *Masonry Requirement*. The minimum masonry requirement for the total exterior façade area of all buildings shall be 90% (*excluding dormers and walls over roof areas*); however, no individual façade shall be less than 85% masonry. 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; however, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) shall be permitted through a Specific Use Permit (SUP) only. Excluding dormers and walls over roof areas, siding products (*e.g. HardiBoard or Hardy Plank*) shall not be visible on homes abutting any major thoroughfare (*i.e. FM-1141 as shown on Exhibit 'C' of this ordinance*).

(b) *Roof Pitch.* A minimum of an *8:12* roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a *4:12* roof pitch.

(c) *Garage Orientation and Garage Doors.* Garages shall be oriented in a *traditional swing* (or *j-swing*) (*i.e. where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration*). On *traditional swing* (*or j-swing*) garage configurations, a second single or double garage door facing the street is permitted if it is located behind the width of the double garage door. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).

All garage doors shall be required to have decorative wood doors or wood overlays on insulated metal doors. The design between the garage door and home shall use the same or complementary colors and materials. All garages shall include carriage style hardware. An example of carriage style hardware is depicted in *Figure 1*.

Figure 1. Examples of Enhanced Garage Door

(5) *Anti-Monotony Restrictions.* The development shall adhere to the following *Anti-Monotony* standards:

(a) 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.

(b) 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, FM-1141, 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:

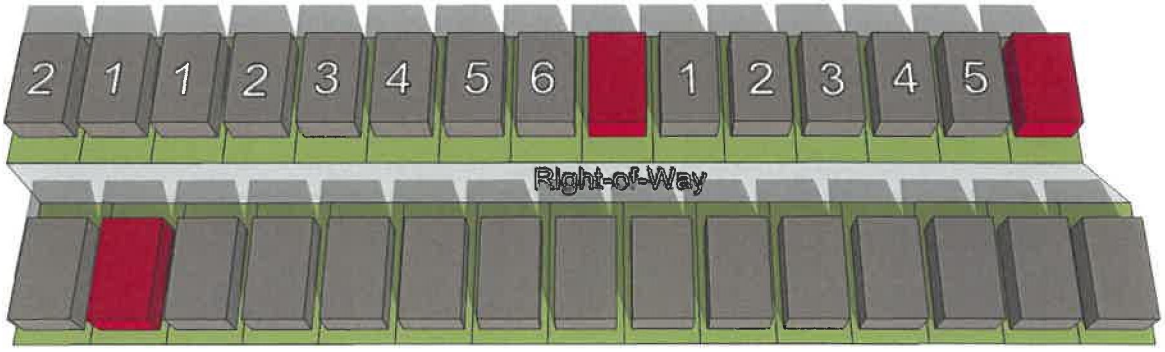
(1) Number of Stories
(2) Permitted Encroachment Type and Layout
(3) Roof Type and Layout
(4) Articulation of the Front Façade

(c) Permitted encroachment (*i.e. porches and sunroom*) 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.

(d) 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 3: Properties line up on the opposite side of the street. Where RED is the subject property.

Figure 4: 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) *Front Yard Fences*. Front yard fences shall be prohibited.

(b) *Wood Fences*. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.

(c) *Wrought Iron/Tubular Steel*. Lots located along the perimeter of roadways (*i.e. FM-1141 and Clem 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.

(d) *Corner Lots*. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.

(e) *Solid Fences (including Wood Fences)*. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

(7) *Landscape and Hardscape Standards*.

(a) *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. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall also be required to plant a row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).

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

(1) *Landscape Buffer and Sidewalks (FM-1141)*. A minimum of a 30-foot landscape buffer shall be provided along FM-1141 (*outside of and beyond any required*

right-of-way dedication), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering six (6) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(2) *Landscape Buffers (Clem Road).* A minimum of a 30-foot landscape buffer shall be provided along Clem Drive (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery 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. A meandering five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.

(3) *Landscape Buffers (Southern Property Line).* A minimum of a 10-foot landscape buffer shall be incorporated at the rear of the residential lots that back to the southern property line of the subject property. This landscape buffer shall incorporate a solid living screen utilizing evergreen trees -- *either Eastern Red Cedar or Leland Cypress unless approved otherwise approved by the Director of Planning and Zoning* --, a minimum of four (4) caliper inches in size, that will be planted on 20-foot centers.

(c) *Street Trees.* The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-feet vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.

(d) *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).

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

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

(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 two (2) 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 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) *Open Space*. The development shall consist of a minimum of *20%* open space (*or a minimum of 15.682-acres -- as calculated by the formula stipulated in the Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. All open space areas (*including landscape buffers*) shall be maintained by the Homeowner's Association (HOA).

(13) *Fishing Dock*. Subject to the requirements of the Engineering *Standards of Design and Construction Manual* and approval from the Engineering Department, a fishing dock may be constructed generally in conformance with the location depicted in the Concept Plan in *Exhibit 'C'* of this ordinance. The fishing dock shall be constructed using composite materials (*e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic materials*) to prevent rot or decay, and shall be maintained in a good/usable condition by the Homeowner's Association (HOA).

(14) *Pavilion*. A commercial grade pavilion shall be constructed generally in the same location and in the same manner as the image depicted in the *Concept Plan* in *Exhibit 'C'* of this ordinance. The pavilion shall be maintained in a good/usable condition by the Homeowner's Association (HOA).

(15) *Trails*. A concrete trail system shall be constructed in generally the same areas and of the same sizes as what is depicted in *Exhibit 'C'* of this ordinance.

(16) *Neighborhood Signage and Enhancements*. 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 *Figures 1 & 2* (*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 at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.

See the Representative Signage on the Following Page.

***Figure 1**: Representative Primary Entry Signage*

***Figure 2**: Representative Secondary Entry Signage*

(17) *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*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development.

(18) *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.