

CITY OF ROCKWALL

ORDINANCE NO. 19-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 47 (PD-47) [ORDINANCES 99-17 AND 07-04] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING THE DEVELOPMENT STANDARDS APPROVED WITH ORDINANCE NO. 99-17, BEING A 14.4712-ACRE TRACT OF LAND IDENTIFIED TRACT 104 OF THE E. TEAL SURVEY, ABSTRACT NO. 207 AND LOT 1, BLOCK A, FIRST CHRISTIAN CHURCH DISCIPLES OF CHRIST ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ZONED PLANNED DEVELOPMENT DISTRICT 47 (PD-47) AND MORE FULLY DEPICTED HEREIN BY EXHIBIT 'A' AND DESCRIBED 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 the applicant Scott Lewis of RRDC, LTD for the approval of an amendment to Planned Development District 47 (PD-47) for the purpose of amending the development standards approved with Ordinance 99-17, being a 14.4712-acre tract of land identified as Tract 104 of the E. Teal Survey, Abstract No. 207 and Lot 1, Block A, First Christian Church Disciples of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) [Ordinances 99-17 and 07-04], generally located at the northeast corner of the intersection of Ridge Road [FM-740] and White Road and more fully depicted in Exhibit 'A' and described 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 47 (PD-47) [Ordinance No.'s 99-17 & 07-04] and the Unified Development Code [Ordinance No. 04-38] should be amended as follows:

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

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in Ordinance No.'s 99-17 & 07-04;

SECTION 2. 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 (UDC) [Ordinance No. 04-38] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future;

SECTION 3. That development of the *Subject Property* shall be in accordance with the *Planned Development Concept Plan*, contained in Exhibit 'C' of this ordinance, attached hereto and incorporated herein by reference as Exhibit 'C', which is deemed hereby to be a condition of

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

SECTION 4. That development of the *Subject Property* shall be in accordance with the *Planned Development Standards*, described 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*;

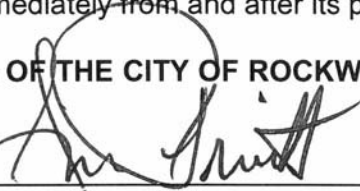
SECTION 5. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 7. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 8. That this ordinance shall take effect immediately ~~from~~ and after its passage;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 3RD DAY OF JUNE, 2019.**



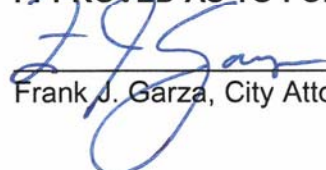
Jim Pruitt, Mayor

ATTEST:



Kristy Cole, City Secretary

PPPROVED AS TO FORM:



Frank J. Garza, City Attorney

1st Reading: May 20, 2019

2nd Reading: June 3, 2019



Exhibit 'A'

Zoning Exhibit

Legal Description: Tract 104 of the E. Teal Survey, Abstract No. 201 and Lot 1, Block A, First Christian Church Disciples of Christ Addition



Exhibit 'B':
Legal Description

Area 1

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS RRDC, LTD., BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING a 9.477 acre tract of land situated in the Edward Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas and being all of a called 9.4769 acre tract of land described in a deed to RRDC, LTD., recorded as instrument No. 20170000023557, Deed Records of Rockwall County, Texas (DRRCT), and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with a yellow plastic cap stamped "RPLS 3963" set for corner in the iron rod with a yellow plastic cap stamped "RPLS 3963" set for corner in the RPLS 3963" set for corner in the set for corner in the east right-of-way line of Ridge Road (FM 740) at the northwest corner of said 9.4769 acre tract;

THENCE South 85 degrees 43 minutes 42 seconds East along the north line thereof and partly with the south lines of the original Benton Court Addition, an Addition to the City of Rockwall recorded in Cabinet D, Slide 69, and Benton Woods, an Addition to the City of Rockwall recorded in Cabinet C, Slide 254, all recorded in the Plat Records of Rockwall County, Texas (PRRCT), for a total distance of 559.60 feet to a point for corner near the base of a steel fence post at the northeast corner of said 9.4769 acre tract, common to the southwest corner of a called 12.000 acre tract described in a deed to Craig Duhon et ux, recorded in Volume 693, Page 228, (DRRCT), from which a 5/8" iron rod with a yellow plastic cap stamped "RPLS 3963" set for iron rod with a yellow plastic cap stamped "RPLS 3963" set for RPLS 3963" set for set for reference bears South 65 degrees 09 minutes 20 seconds West, a distance of 39.51 feet;

THENCE South 00 degrees 10 minutes 53 seconds West, along the common line of last mentioned tracts, a distance of 679.81 feet to a point for corner near the base of a plastic fence post at the southeast corner of said 9.4769 acre tract, common to the northeast corner of Lot 1, Block A, First Christian Church, Disciples of Christ, an Addition to the City of Rockwall recorded in Cabinet E, Slide 361 (PRRCT), from which a 5/8" iron rod with a yellow plastic cap iron rod with a yellow plastic cap stamped "RPLS 3963" set for reference bears South 61 degrees 43 minutes 15 seconds West, a RPLS 3963" set for reference bears South 61 degrees 43 minutes 15 seconds West, a set for reference bears South 61 degrees 43 minutes 15 seconds West, a distance of 37.49 feet;

THENCE North 89 degrees 09 minutes 00 seconds West with the common line of said 9.4769 acre tract and said Lot 1, a distance of 625.70 feet to a point for corner at the common west corner thereof, and also being in the east line of said Ridge Road, from which a 3 1/4" TXDOT TXDOT Aluminum Disk found for reference bears South 49 degrees 53 minutes 40 seconds West, a distance of 0.50 feet;

THENCE North 05 degrees 42 minutes 52 seconds East with the East Right-of-Way line of said Ridge Road, a distance of 14.11 feet to a 3 1/4" TXDOT Aluminum Disk found at an angle point TXDOT Aluminum Disk found at an angle point thereof;

THENCE North 05 degrees 35 minutes 24 seconds East continuing with the East Right -of-way line of said Ridge Road, a distance of 701.50 feet to the POINT OF BEGINNING and containing 412,830 square feet or 9.477 acres of land.

Exhibit 'B':
Legal Description

Area 2

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS FIRST CHRISTIAN CHURCH OF ROCKWALL, TEXAS, BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING a 5.231 acre tract of land situated in the Edward Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas and being all of Lot 1, Block A, First Christian Church, Disciples of Christ, Rockwall, Texas Addition, recorded in Cabinet E, Slide 361, Plat Records of Rockwall County, Texas (PRRCT), said 5.231 acre tract being more particularly described as follows:

BEGINNING at a point for corner near the base of a plastic fence post at the southeast corner of a called 9.4769 acre tract of land described in deed to RRDC, Ltd., recorded in Instrument 20170000023557, Deed Records, Rockwall, County, Texas (DRRCT), common to the northeast corner of said Lot 1, said corner being in the west boundary line of a called 12 acre tract of land described in a deed to Craig R. Duhon and Donna L. Duhon, recorded in Volume 693, Page 228, (DRRCT), from which a 5/8-inch iron rod with a yellow plastic cap stamped RPLS 3963 found for reference bears South 61 degrees 46 minutes 53 seconds West, a distance of 37.56 feet;

THENCE South 00 degrees 07 minutes 41 seconds West, along the common line of said Lot 1 and said 12 acre tract, a distance of 353.00 feet to a 5/8-inch iron rod with a yellow plastic cap stamped RPLS 3963 set for the southeast corner of said Lot 1, said corner being in the north right-of-way line of White Road, a variable width right-of-way;

THENCE North 89 degrees 08 minutes 58 seconds West, along the common line of said Lot 1 and said White Road, a distance of 671.35 feet to a 5/8-inch iron rod with a yellow plastic cap stamped RPLS 3963 set for the southwest corner of said Lot 1, said corner being at the Ridge Road and said Lot 1, a distance of 50.66 feet to a TxDOT monument found for corner;

THENCE North 05 degrees 45 minutes 12 seconds East, continuing along the common line of said Ridge Road and said Lot 1, a distance of 237.59 feet to the northwest corner of said Lot 1 and the southwest corner of said 9.4769 acre tract, from which a TxDOT monument bears South 58 degrees 52 minutes 38 seconds West, a distance of 0.41 feet;

THENCE South 89 degrees 09 minutes 00 seconds East, along the common line of said Lot 1 and said 9.4769 acre tract, a distance of 625.79 feet to the POINT OF BEGINNING and containing 227,854 square feet or 5.231 acres of land.

Exhibit 'D':
PD Development Standards



Exhibit 'D':
PD Development Standards

Area 1: Single-Family 10 (SF-10) District [9.477-Acres]

- (1) **Permitted Uses.** Unless specifically provided by this Planned Development ordinance, *Area 1* as depicted in *Exhibit 'C'* of this ordinance shall be subject to the land uses permitted for the Single-Family 10 (SF-10) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 04-38] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.
- (2) **Density and Dimensional Requirements.** Unless specifically provided by this Planned Development ordinance, *Area 1* as depicted in *Exhibit 'C'* of this ordinance shall be subject to the development standards for the Single-Family 10 (SF-10) District as stipulated in Article V, *District Development Standards*, of the Unified Development Code [Ordinance No. 04-38] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future. All lots shall conform to the standards depicted in *Table 1*, which are as follows:

Table 1: Density and Dimensional Requirements

Minimum Lot Width ⁽¹⁾	80'
Minimum Lot Depth	100'
Minimum Lot Area	10,000 SF
Minimum Front Yard Setback ⁽²⁾	25'
Minimum Side Yard Setback	6'
Minimum Distance Between Buildings	10'
Maximum Height	36'
Minimum Rear Yard Setback	10'
Maximum Lot Coverage	55%
Minimum Dwelling Size	3,000 SF

General Notes:

¹: The minimum lot width shall be measured at the *Front Yard Building Setback*.

²: The location of the *Front Yard Building Setback* as measured from the front property line.

- (3) **Building Standards.** Housing type and construction shall adhere to the following building standards:
 - (a) **Masonry Requirements.** The minimum masonry requirement for the exterior façades of all buildings shall be 60% primary materials and/or a maximum of 20% secondary materials, excluding windows and doors. For the purpose of this ordinance, primary materials shall consist of stone, brick, and cementitious materials. The use of cementitious materials (e.g. stucco, cementitious lap siding, or similar materials) shall be limited to 40% of the building's exterior façade.
 - (b) **Anti-Monotony.** An anti-monotony standard shall not allow the same structure—in terms of materials and elevation--any closer than four (4) houses apart on either side of the street.
 - (c) **Common Areas and Open Space.** All common areas, dedicated landscape easements, and open space areas shall be maintained by a Homeowner's Association, which shall be created subject to the requirements of the City's Subdivision Ordinance.
 - (d) **Garage Orientation.** Garages shall be oriented in a traditional swing (or j-swing). Garages configured in a flat-front entry configuration shall be setback a minimum of 20 feet from the front façade of the primary structure. No more than 40% of the garages shall be flat-front entry. All garage doors shall be required to have upgraded finishes (e.g. *divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be approved by staff*). All garage configurations not conforming to

Exhibit 'D':
PD Development Standards

this section shall meet the requirements of Article VI, Parking and Loading, of the Unified Development Code (UDC).

Area 2: Single-Family 10 (SF-10) District [4.9995-Acres]

- (1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, Area 2 as depicted in *Exhibit 'C'* of this ordinance shall be subject to the land uses permitted for the Single-Family 10 (SF-10) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 04-38] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future however, the following conditions shall apply:

The following land use shall be permitted in Area 2:

☒ Antenna, Commercial*

NOTES: 1) All equipment shall be contained interior to the building 2) The height of the structure shall remain as depicted in *Exhibit 'E'* of this ordinance.

- (2) *Density and Dimensional Requirements.* Any development in Area 2 as depicted in *Exhibit 'C'* of this ordinance shall be subject to the development standards required for properties in a Single-Family 10 (SF-10) District as stipulated by Article V, *District Development Standards*, of the Unified Development Code [Ordinance No. 04-38] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.
- (3) *Building Standards.* Housing type and construction shall adhere to the following building standards:
- (a) *Masonry Requirements.* The minimum masonry requirement for the exterior façades of all buildings shall be 60% primary materials and/or a maximum of 20% secondary materials, excluding windows and doors. For the purpose of this ordinance, primary materials shall consist of stone, brick, and cementitious materials. The use of cementitious materials (e.g. stucco, cementitious lap siding, or similar materials) shall be limited to 40% of the building's exterior façade.
 - (b) *Anti-Monotony.* An anti-monotony standard shall not allow the same structure--in terms of materials and elevation--any closer than four (4) houses apart on either side of the street.
 - (c) *Common Areas and Open Space.* All common areas, dedicated landscape easements, and open space areas shall be maintained by a Homeowner's Association, which shall be created subject to the requirements of the City's Subdivision Ordinance.
- (4) *Garage Orientation.* Garages shall be oriented in a traditional swing (or j-swing). Garages configured in a front entry configuration shall be setback a minimum of 20 feet from the front façade of the primary structure. No more than 40% of the garages shall be flat-front entry. All garage doors shall be required to have upgraded finishes (e.g. *divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be approved by staff*]). All garage configurations not conforming to this section shall meet the requirements of Article VI, Parking and Loading, of the Unified Development Code (UDC).

Exhibit 'E':
Concept Plan

