

CITY OF ROCKWALL

ORDINANCE NO. 18-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 82 (PD-82) [*ORDINANCE NO. 16-43*], AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO FURTHER AMEND THE PLANNED DEVELOPMENT DISTRICT TO INCORPORATE A 98.341-ACRE TRACT OF LAND INTO THE EXISTING 81.49-ACRE TRACT OF LAND, CREATING A 179.831-ACRE PLANNED DEVELOPMENT DISTRICT IDENTIFIED AS PLANNED DEVELOPMENT DISTRICT 82 (PD-82) AND BEING TRACT 3, TRACT 8 AND TRACT 16, OF THE J. A. RAMSEY SURVEY, ABSTRACT NO. 186, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request by Jim Douglas of Douglas Properties, Inc. on behalf of Isabel Garrett of the McClendon Company, for the purpose of amending Planned Development District 82 (PD-82) [*Ordinance No. 16-43*], by incorporating an additional 98.341-acre tract of land into the existing 81.49-acre tract of land, for the purpose of developing a residential subdivision on a 179.831-acre tract of land identified as Tract 3, Tract 8, and Tract 16 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 04-38*] and Planned Development District 82 (PD-82) [*Ordinance No. 16-43*] 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 Planned Development District 82 (PD-82) [*Ordinance No. 16-43*];

**Section 2.** That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described within this *Planned Development District Ordinance*, and unless specifically modified within this ordinance the *Subject Property* shall adhere to all development standards stipulated by the Single Family 10 (SF-10) District as specified in Section 3.4, *Single*

*Family Residential (SF-10) District, of Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future;*

**Section 3.** That development of the *Subject Property* shall generally be in accordance with the *Planned Development Concept Plan*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

**Section 4.** That development of the *Subject Property* shall generally be in accordance with the *Concept Phasing Plan*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

**Section 5.** That development of the park areas on the *Subject Property* shall generally be in accordance with the *Parks Concept Plan*, 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 6.** That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, described in *Exhibit 'E'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'E'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

**Section 7.** 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 7(b) through 7(g) below*), shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.
- (b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for an *Open Space Master Plan* in accordance with the time period specified in *Section 212.009 of the Texas Local Government Code*.
  - (1) Open Space Master Plan
  - (2) Master Plat
  - (3) PD Site Plan
  - (4) Preliminary Plat
  - (5) Final Plat
- (c) *Open Space Master Plan.* An *Open Space Master Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan*, (*Open Space Master Plan*) shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

- (d) *Master Plat.* A *Master Plat* application covering all of the *Subject Property* shall be submitted and shall identify each phase of the development. The *Master Plat* application shall not be approved until the *Open Space Master Plan* may be processed by the City concurrently with the *Master Plat Application*.
- (e) *PD Site Plan.* A *PD Site Plan* covering all of the *Subject Property* shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features as depicted in *Exhibit 'D' (Park Concept Plan and Amenity Package)*. A *PD Site Plan* application, including a plan for improvements for the parkland and/or trails, may be processed by the City concurrently with a *Preliminary Plat Application* for the development.
- (f) *Preliminary Plat.* A *Preliminary Plat* covering all of the *Subject Property* shall be submitted and shall include a *Treescape Plan*. A *Preliminary Plat* application, including a plan for improvements for the parkland and/or trails as identified in Section 6(d) above, may be processed by the City concurrently with a *PD Site Plan Application* for the development.
- (g) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, for all of the *Subject Property* shall be submitted for approval.

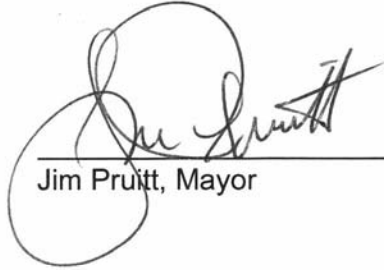
**Section 8.** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

**Section 9.** 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 10.** 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 11.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

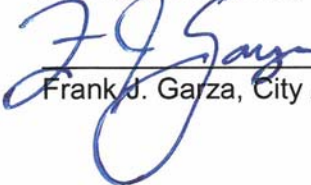
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 2<sup>ND</sup> DAY OF JANUARY, 2018.

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

ATTEST:

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

APPROVED AS TO FORM:

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



1<sup>st</sup> Reading: December 18, 2017

2<sup>nd</sup> Reading: January 2, 2018

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

*PHASES I & II*

*BEING* an 61.49 acre tract of land situated in the J. RAMSEY SURVEY A-186 of Rockwall County, Texas and being a part of a once called 405 acre tract described in a deed recorded in Volume D Page 73 and being the same land as described in deed to James F. Wood, Trustee as recorded in Volume 122 Page 783 of the Rockwall County, Deed Records, said 81.49 acre tract being further described as follows;

*BEGINNING* at a nail set in the center of an existing public road on the East line of the Ramsey Survey and being about South 2874 feet from the Northeast corner of said Ramsey Survey and being the Southeast corner of that certain tract described in deed to Joe Smart as recorded in Volume 59 Page 509 of the Rockwall County, Deed Records from said nail a fence corner bears S 89 degree 39 min 28 sec W 40 feet;

*THENCE* S 00 degree 37 min 46 sec W along the center of said road and along the East line of the Ramsey Survey 1678.46 feet to the Southeast corner of said 405 acre tract and being the Northeast corner of the Ridge Haven Estates, subdivision as per plat recorded in Glide A 213 of the Rockwall County, Plat Records, from which a 3/8-inch iron rod was found to bear N 89 degree 19 min 38 sec W 29.58 feet;

*THENCE* N 89 de 19 min 38 sec W along the North line of said Ridge Haven Estates and along an old fence 2133.00 feet to a fence corner found at the Southeast corner of a called 80.42 acre tract described in a deed to B. R. McClendon as recorded in Volume 91 Page 523 of the Rockwall County, Deed Records;

*THENCE* N 00 degree 12 min 45 sec East along the East line of said McClendon tract and along an old fence 1640.51 feet to a 1/2-inch Iron rod found at a fence corner at an ell corner of that certain tract described in deed to Joe Smart as recorded In Volume 59 Page 511 of the Rockwall County, Deed Records;

*THENCE* N 89 degree 39 min 28 sec E along the South line of the Smart tracts 2145.25 feet to the point of beginning and containing 81.49 acres of land.

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

*PHASE III*

*BEING* a 98.341 acre tract of land located in the John A. Ramsey Survey AB-127, in the City of Rockwall, Rockwall County, Texas, being a part of Tracts 1 and 2 as described in a deed to The McClendon Corporation as recorded in, *Volume 91, Page 526*, Deed Records Rockwall County Texas (DRRCT) and Tract 3 as described in a deed to Iheartmedia Tower Co. I(am), LLC as recorded in, Instrument No. 20150000005151 , Deed Records Rockwall County Texas (DRRCT) and more particularly described as follows;

*COMMENCING* at a found ½-inch iron rod for the southwest corner of Sterling Farms Addition, an Addition to the City of Rockwall as recorded Slide C, Page 396, Plat Records Rockwall County Texas (PRRCT), said point being in the common north line of said Tract 2, and being in the East right of way line for Farm to Market Road 543;

*THENCE* N 88°52'38" E with the common line of said McClendon Tract 2, and said Addition a distance of 665.59 feet to the *POINT OF BEGINNING*, from said point a found iron rod for the common southerly corner of Lots 17 and 16 of said Sterling Farms Addition bears N 88°52' E, 136.53 feet;

*THENCE* N 88°04'30" E, a distance of 140.05 feet to a found ½-inch iron rod;

*THENCE* N 88°52'36" E, a distance of 1773.18 feet to a point for southeast corner of said Sterling Farms Addition, and the westerly southwest corner of Timber Creek Estates, Phase 2 & 3, an Addition to the City of Rockwall as recorded in Cabinet E, Slides 55-57, Plat Records Rockwall County Texas (PRRCT);

*THENCE* easterly and southerly with the line common to said Timber Creek Estates and said McClendon Tract 2 as follows:

N 89°51'04" E, a distance of 523.95 feet to a point for a corner in said common line;

S 01°05'16" E, a distance of 612.61 feet to a ½-inch iron rod for the southerly southwest corner of said Timber Creek Estates;

*THENCE* S 01°01'20" E continuing with the east line of said McClendon tract and with the west line of that West Union Investments, Co. tract as described in Volume 377, Page 273, Deed Records Rockwall County Texas, at 1644.86 feet pass a found 3/8-inch iron rod, continuing for a total distance of 1648.36 feet to a found fence post for corner, being on the north line of Ridge Haven Estates, an Addition to the City of Rockwall as recorded in Book A, Slide 213, (PRRCT);

*THENCE* N 88°53'47" W with the north line of said Addition, a distance of 284.75 feet to a found ½-inch iron rod for the northwest corner of said Addition, same being the northeast corner of Fontanna Ranch Phase II, an Addition to the City of Rockwall as recorded in Instrument No. 20170000010844, Official Public Records Rockwall County Texas (OPRRCT);

*THENCE* S 89°19'19" W with the north line of Fontanna Ranch, a distance of 447.16 feet to a found ½-inch iron rod;

*THENCE* N 01°00'46" W, a distance of 18.05 feet to a found iron rod with Powell & Powell cap for a corner of said Fontanna Ranch and being the southwesterly corner of that tract described in a Special Warranty Deed to iHeartMedia Tower Company, I, LLC, as recorded in Instrument No. 20150000005151, (OPRRCT);

*THENCE* N 48°51'10" W, a distance of 2825.34 feet to a found 5/8-inch iron rod with Powell & Powell cap for the northwest corner of said iHeartMedia Tower Company tract;

*THENCE* N 48°05'00" E, with the northwesterly line of said iHeartMedia Tower Company tract, a distance of 515.38 feet to the *POINT OF BEGINNING*, and containing 98.3415 acres of land, more or less.



# Exhibit 'B': Concept Plan



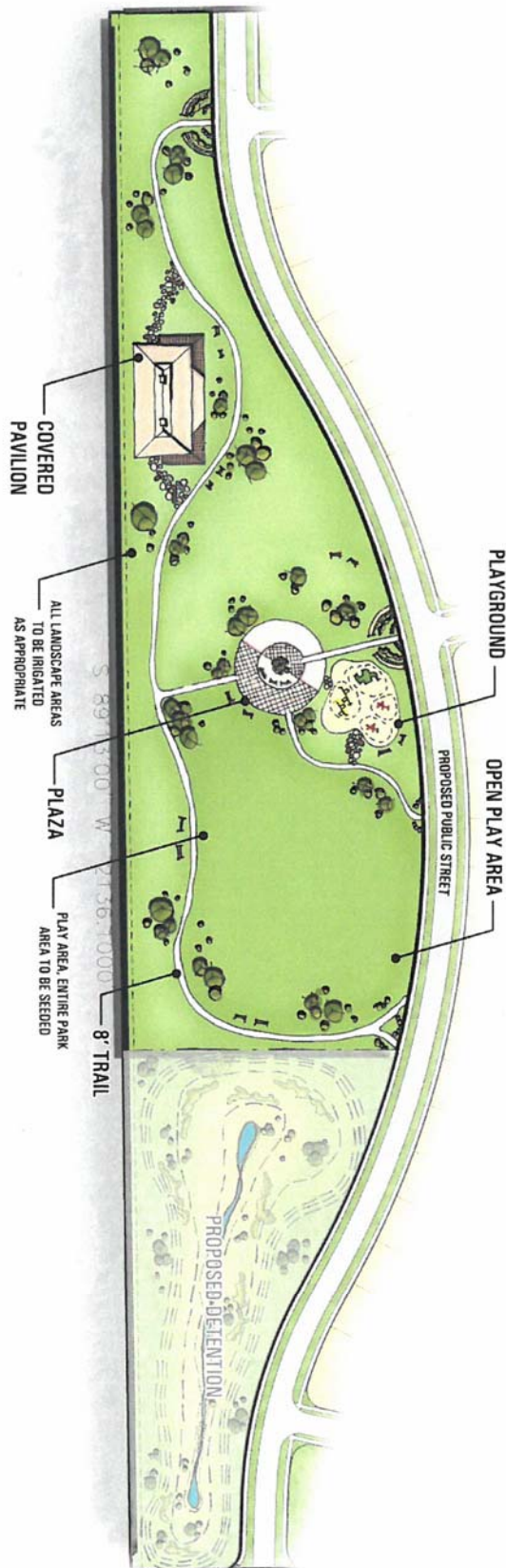
# Exhibit 'C': Concept Phasing Plan





Exhibit 'D':  
Park Concept Plans

**Terracina Estates**  
Park Concept Plan ± 9.0 AC



THIS IS A CONCEPTUAL PLAN. THE DESIGNER HAS CONDUCTED VISUAL AND PRELIMINARY ANALYSIS OF THE SITE AND HAS IDENTIFIED THE GENERAL LAYOUT OF THE PARK. THE DESIGNER HAS NOT CONDUCTED A DETAILED SURVEY OF THE SITE AND HAS NOT OBTAINED ANY RECORD DRAWINGS OR SURVEY DATA. THE DESIGNER HAS NOT OBTAINED ANY RECORD DRAWINGS OR SURVEY DATA. THE DESIGNER HAS NOT OBTAINED ANY RECORD DRAWINGS OR SURVEY DATA.

SCALE: 1"=60'  
DATE: 5.10.2016



**Exhibit 'E':**  
**Development Standards**

**Development Standards.**

1. *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 10 (SF-10) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.
2. *Lot Composition and Layout.* The lot layout and composition shall generally conform to the *Concept Plans* depicted in *Exhibit 'B'* and stated in *Table 1*, which is as follows:

Table 1: Lot Composition

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Maximum Dwelling Units (#)	Dwelling Units (%)
A	65' x 125'	8,125 SF	296	84.09%
B	80' x 125'	10,000 SF	46	13.06%
C	80' x 125'	25,000 SF	10	2.85%
Maximum Permitted Units:			352	100%

3. *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, the development standards stipulated by the Single Family 10 (SF-10) District, as specified by Article V, *District Development Standards*, of the Unified Development Code are applicable to all development on the *Subject Property*. The maximum permissible density for the *Subject Property* shall not exceed 1.96 dwelling units per gross acre of land; however, in no case should the proposed development exceed 352 dwelling units. All lots shall conform to the standards depicted in *Table 2*, which is as follows:

Lot Type (see Concept Plan) ▶	A	B	C
Minimum Lot Width <sup>(1) &amp; (5)</sup>	65'	80'	80'
Minimum Lot Depth	125'	125'	125'
Minimum Lot Area	8,125 SF	10,000 SF	25,000 SF
Minimum Front Yard Setback <sup>(2)</sup>	20'	20'	20'
Minimum Side Yard Setback	5'	5'	5'
Minimum Side Yard Setback (Adjacent to a Street) <sup>(2)</sup>	10'	10'	10'
Minimum Length of Driveway Pavement	25'	25'	25'
Maximum Height <sup>(3)</sup>	36'	36'	36'
Minimum Rear Yard Setback <sup>(4)</sup>	10'	10'	10'
Minimum Area/Dwelling Unit (SF)	1,800 SF	2,000 SF	2,000 SF
Maximum Lot Coverage	65%	65%	65%

General Notes:

- <sup>1</sup>: The minimum lot width shall be measured at the *Front Yard Building Setback*.
- <sup>2</sup>: The location of the *Front Yard Building Setback* as measured from the front property line.
- <sup>3</sup>: The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single family home.
- <sup>4</sup>: As measured from the rear yard property line.
- <sup>5</sup>: Lots fronting onto a curvilinear street, cul-de-sac or eyebrow may have the lot width reduced by up to 20% as measured at the front property line provided that the lot width is met at the front building line. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows maybe reduced by up to ten (10%) percent, but shall meet the minimum lot size for each lot type.

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

- (a) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all buildings shall be 80%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone.

**Exhibit 'E':**  
*Development Standards*

Cementaceous 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 comparable -- to be determined by staff*) shall be permitted through a Specific Use Permit (SUP) only.

- (b) *Roof Pitch.* A minimum of a 6:12 roof pitch is required on all structures with the exception of sunrooms and porches, which shall have a minimum of a 4:12 roof pitch.
- (c) *Garage Orientation.* A minimum of 30% of garages shall be oriented in a *traditional swing* (or *j-swing*) configuration for *Phase I* and *Phase II* of the *subject property* as depicted in *Exhibit 'C'* of this ordinance. The remainder of garages in *Phase I* and *Phase II* may be configured in a front entry configuration where the front of the garage is flush with (or *recessed behind*) the front façade of the home and the driveway has a minimum length of 25-feet. However, 100% of the garages in *Phase III -- as depicted in Exhibit 'C' of this ordinance --* shall be oriented in a *traditional swing* (or *j-swing*) configuration. All garage configurations that are not front entry shall meet the requirements of Article VI, *Parking and Loading*, of the Unified Development Code. All garage doors are required to be of cedar construction.
5. *Anti-Monotony Restrictions.* The development shall adhere to the *Anti-Monotony Matrix* depicted in *Table 3* below (*for spacing requirements see the illustration below*).

Table 3 : Anti-Monotony Matrix

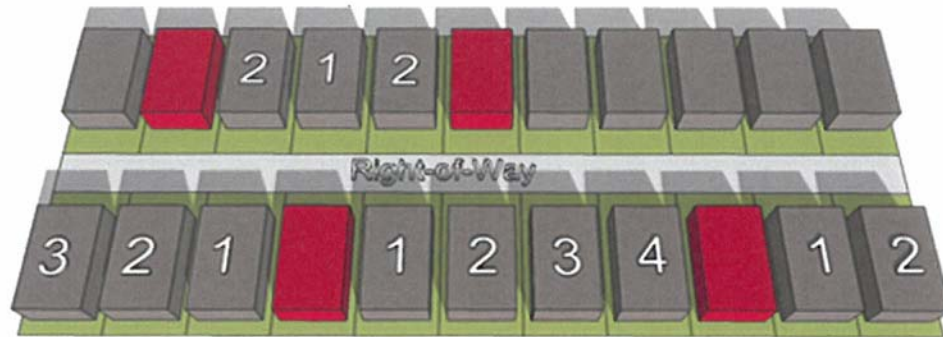
<i>Lot Type</i>	<i>Minimum Lot Size</i>	<i>Elevation Features</i>
A	65' x 125'	(1), (2), (3), (4)
B	80' x 125'	(1), (2), (3), (4)
C	80' x 125'	(1), (2), (3), (4)

- (1) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least four (4) intervening homes of differing materials on the same side of the street beginning with the adjacent property and three (3) intervening homes of differing materials on the opposite side of the street.
- (2) Front building elevations shall not repeat along any block face without at least four (4) intervening homes of differing appearance on the same side of the street and three (3) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on Rochell Road shall not repeat without at least four (4) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
- (a) Number of Stories
  - (b) Porch and/or Sunroom Type and Layout
  - (c) Roof Type and Layout
  - (d) Articulation of the Front Façade
- (3) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

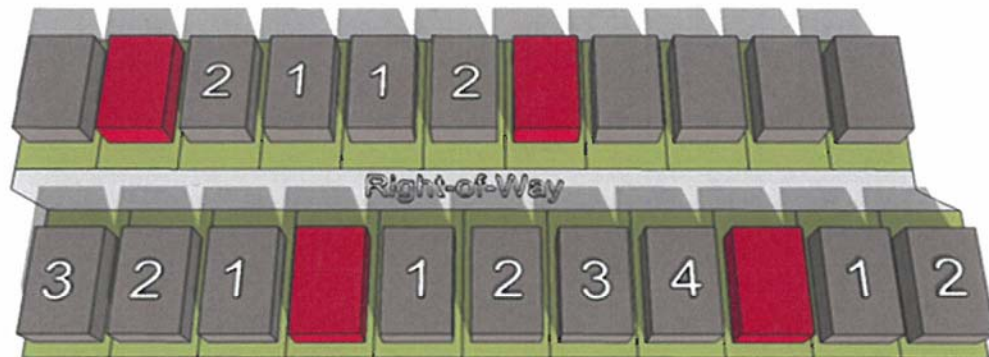


**Exhibit 'E':**  
**Development Standards**

*Illustration 1: Properties line up on the opposite side of the street. Where RED is the subject property.*



*Illustration 2: 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 following design standards:
- (a) **Wood Fences.** All wood fences shall be constructed of a standard fencing material (*minimum of ½" thickness or better; spruce fencing will not be allowed*), and use fasteners that are hot dipped galvanized or stainless steel. Wood fences facing onto a street shall be painted and/or stained and sealed with all pickets being placed on the *public side* facing the street. All wood fences shall be smooth-finished, free of burs and splinters, and be a maximum of six (6) feet in height.
  - (b) **Wrought Iron/Tubular Steel.** Lots located along the perimeter of roadways, 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.
  - (c) **Corner Lots.** Corner lot 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.
  - (d) **Solid Fences (including Wood Fences).** All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.



**Exhibit 'E':**  
*Development Standards*

7. *Landscape and Hardscape Standards.*

- (1) *Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. The following tree species are approved for planting within this subdivision:
    - (a) *Canopy/Shade Trees.* Bald Cypress, Cedar Elm, Texas Red Oak, Homestead Elm, Lace Bark Elm, Alle Elm, Chinese Pistachio, Shumard Oak, Sycamore, and Burr Oak.
    - (b) *Accent/Ornamental/Under-Story Trees.* Texas Redbud, Eve's Necklace, Mexican Plum, Downy Hawthorn, Crepe Myrtle, Texas Mountain Laurel, Vitex, and Desert Willow.
  - (2) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).
    - (a) *Landscape Buffer and Sidewalks (Rochell Road).* A minimum of a 15-foot landscape buffer shall be provided along the frontage of Rochell Road (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least one canopy tree shall be planted per 50 linear feet of frontage. A minimum of a five (5) foot sidewalk shall be required along Rochell Road.
  - (3) *Street Trees.* Street trees shall generally be planted in conformance with the *Planned Development Concept Plan* as depicted in *Exhibits 'B'* of this ordinance. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of a 14-foot vertical clearance height for all trees. All street trees shall be planted a minimum of five (5) feet from all water, sanitary sewer and storm lines.
  - (4) *Irrigation Requirements.* Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association.
  - (5) *Hardscape.* Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the PD Site Plan.
8. *Street.* All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to City street standards.
9. *Park Improvements.* All parks within this development -- *including all features outlined in Section 'A' & 'B' below* -- shall be maintained by the *Home Owners Association (HOA)*.

**Exhibit 'E':**  
*Development Standards*

- A) The development of *Phase I* and *Phase II* -- as depicted in *Exhibit 'C'* of this ordinance -- shall incorporate a nine (9) acre, fully established natural turf (e.g. seeding process) and irrigated park as generally depicted in the *Planned Development Park Concept Plan* of *Exhibit 'D'* of this ordinance. This area shall also incorporate the following improvements:
1. Eight (8) Foot Concrete Hike & Bike Trail
  2. Playground
  3. Plaza
  4. Covered Pavilion
  5. Picnic Area
  6. Benches
  7. Landscape Features (e.g. Trees and Other Vegetation)
- B) The development of *Phase III* -- as depicted in *Exhibit 'C'* of this ordinance -- shall incorporate a 2.24-acre, fully established natural turf (e.g. seeding process) and irrigated private park as generally depicted in the *Planned Development Concept Plan* depicted in *Exhibit 'B'* of this ordinance.
10. *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.
11. *Sidewalks*. At a maximum, all sidewalks adjacent to a street shall begin two (2) feet behind the right-of-way line and be five (5) feet in overall width.
12. *Buried Utilities*. New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.
13. *Open Space*. All phases of the development (i.e. *Phase I*, *Phase II*, and *Phase III* as depicted in *Exhibit 'C'* of this ordinance) shall adhere to *Exhibits 'B' & 'D'* and all private parks and open space areas shall be maintained by the Homeowners Association (HOA).
14. *Neighborhood Signage*. 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*.
15. *Drainage Standards*. The development shall comply with existing drainage standards including the permissible spread of water in the streets and permissible gutter flow

**Exhibit 'E':**  
*Development Standards*

through intersections as outlined in the City of Rockwall's *Standards of Design and Construction* (approved in August 2003 and updated in October 2007). The proposed drainage areas, flow patterns (*not lot to lot drainage*), and storm drain system that will be constructed shall be based on the City's drainage criteria and be identified on a *Conceptual Drainage Plan*, which shall be submitted with the *Civil Plans* at the time of *Engineering* submittal. The *Conceptual Drainage Plan* shall be reviewed and approved by the Engineering Department in compliance with engineering standards.

16. *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 parks, trails, open space and common areas, irrigation, landscaping, screening fences associated with this development.
17. *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.