



PLANNING AND ZONING CASE CHECKLIST

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

P&Z CASE # 22020-056 P&Z DATE 01/2/21 CC DATE 01/19/21 APPROVED/DENIED

ARCHITECTURAL REVIEW BOARD DATE _____ HPAB DATE _____ PARK BOARD DATE _____

ZONING APPLICATION
<input type="checkbox"/> SPECIFIC USE PERMIT
<input checked="" type="checkbox"/> ZONING CHANGE
<input type="checkbox"/> PD CONCEPT PLAN
<input type="checkbox"/> PD DEVELOPMENT PLAN

SITE PLAN APPLICATION
<input type="checkbox"/> SITE PLAN
<input type="checkbox"/> LANDSCAPE PLAN
<input type="checkbox"/> TREESCAPE PLAN
<input type="checkbox"/> PHOTOMETRIC PLAN
<input type="checkbox"/> BUILDING ELEVATIONS
<input type="checkbox"/> MATERIAL SAMPLES
<input type="checkbox"/> COLOR RENDERING

PLATTING APPLICATION
<input type="checkbox"/> MASTER PLAT
<input type="checkbox"/> PRELIMINARY PLAT
<input type="checkbox"/> FINAL PLAT
<input type="checkbox"/> REPLAT
<input type="checkbox"/> ADMINISTRATIVE/MINOR PLAT
<input type="checkbox"/> VACATION PLAT
<input type="checkbox"/> LANDSCAPE PLAN
<input type="checkbox"/> TREESCAPE PLAN

<input type="checkbox"/> COPY OF ORDINANCE (ORD.# _____)
<input checked="" type="checkbox"/> APPLICATIONS
<input checked="" type="checkbox"/> RECEIPT
<input checked="" type="checkbox"/> LOCATION MAP
<input checked="" type="checkbox"/> HOA MAP
<input checked="" type="checkbox"/> PON MAP
<input type="checkbox"/> FLU MAP
<input type="checkbox"/> NEWSPAPER PUBLIC NOTICE
<input type="checkbox"/> 500-FT. BUFFER PUBLIC NOTICE
<input type="checkbox"/> PROJECT REVIEW
<input type="checkbox"/> STAFF REPORT
<input type="checkbox"/> CORRESPONDENCE
<input type="checkbox"/> COPY-ALL PLANS REQUIRED
<input type="checkbox"/> COPY-MARK-UPS
<input type="checkbox"/> CITY COUNCIL MINUTES-LASERFICHE
<input type="checkbox"/> MINUTES-LASERFICHE
<input type="checkbox"/> PLAT FILED DATE _____
<input type="checkbox"/> CABINET # _____
<input type="checkbox"/> SLIDE # _____
NOTES: _____

ZONING MAP UPDATED _____



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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 1447 FM 1141, Rockwall, TX 75087

Subdivision J. M. Glass Survey

Lot N/A

Block N/A

General Location Southeast corner of FM 552 and FM 1141

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning NS and SF-16

Current Use AG

Proposed Zoning PD - SF - 7

Proposed Use Residential subdivision

Acreage 121.16

Lots [Current] 109

Lots [Proposed] 262

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 Unison Investment, a California LP

Applicant Michael Joyce Properties, LLC

Contact Person JEN-LIANG WU, General Partner

Contact Person Ryan Joyce

Address 23545 Crenshaw Blvd

Address 1189 Waters Edge Dr

Ste 201

City, State & Zip Torrance, CA 90505

City, State & Zip Rockwall, TX 75087

Phone 310-325-0300

Phone 512-965-6280

E-Mail Uniinv@aol.com

E-Mail Ryan@michaeljoyceproperties.com

NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared JEN LIANG WU [Owner] 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 17 day of DECEMBER, 2020

Owner's Signature _____

Notary Public in and for the State of Texas



My Commission Expires 01/31/2024

October 16, 2020

City of Rockwall
Attn: Ryan Miller, AICP
385 S Goliad St
Rockwall, TX 75087

Dear Mr. Miller,

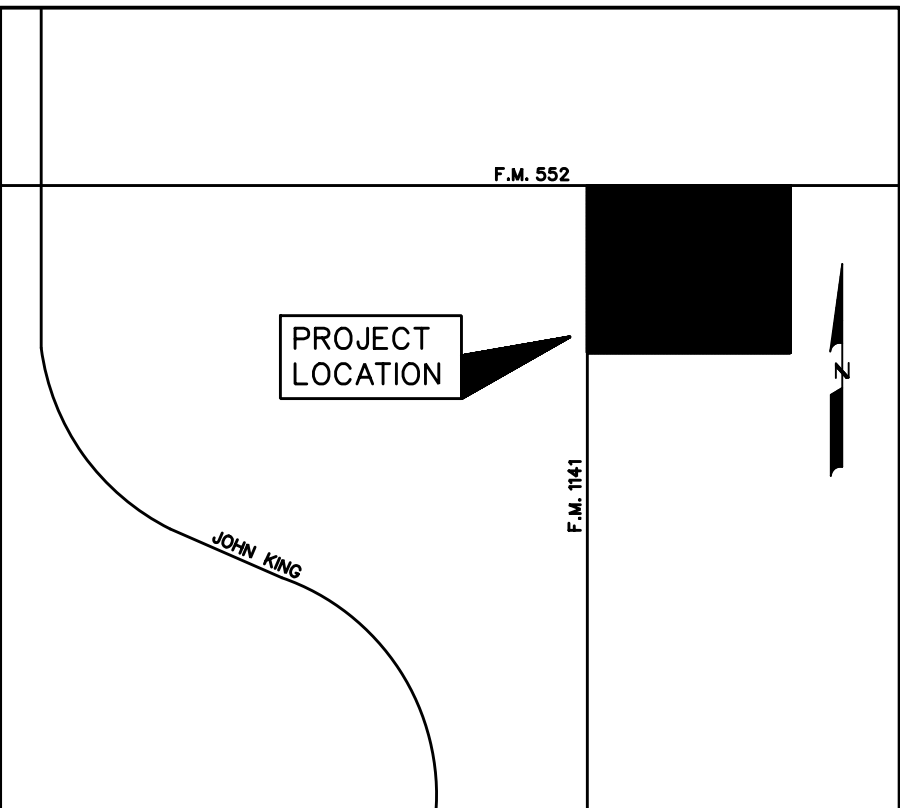
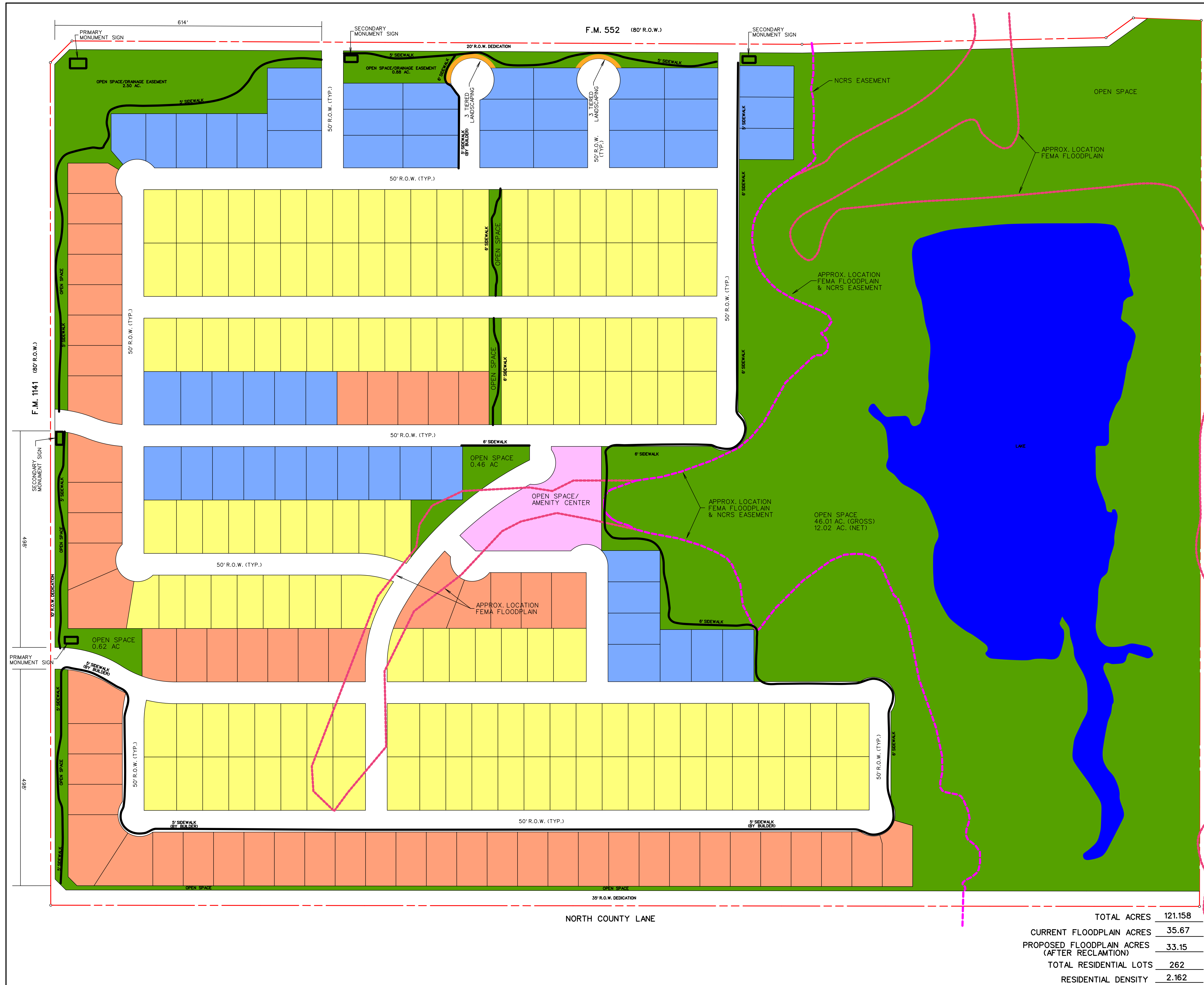
Michael Joyce Properties, LLC is requesting that our project be taken to the November 10th, 2020 Planning and Zoning Meeting. This project is the development of 121.16 Acres in the J.M. Glass Survey, Tract 2 Abstract 88, City of Rockwall, Rockwall County, located at the Southeast corner of F.M. 552 and F.M. 1141.

The property is currently zoned NS and SF – 16. We are proposing a development of Single-Family Residential homes on 7,000 - 8,400 square foot lots. This community will provide for a greater variety of housing that the market demands and will still reflect the beautiful aesthetic of the surrounding communities like Stone Creek and Breezy Hill, and the City of Rockwall as a whole.

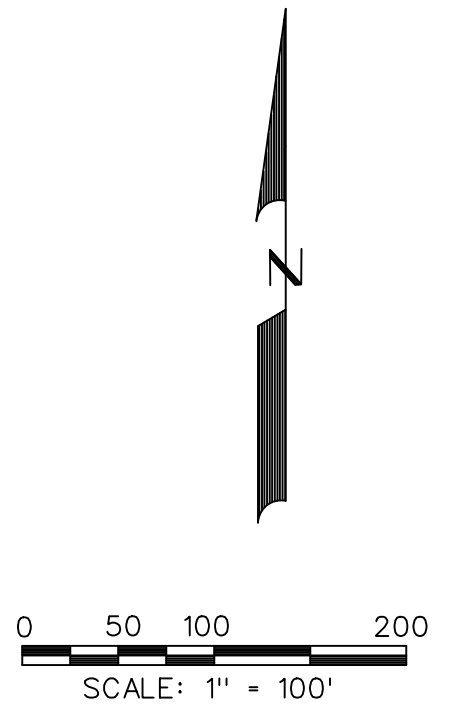
We look forward to working with the City once again to develop another gorgeous development.

Cordially Yours,

Ryan Joyce



LOCATION MAP
N.T.S.



LEGEND

TYPICAL LOT SIZES

- 60' X 120' - 149 LOTS
- 70' X 120' - 61 LOTS
- 72' X 120' - 52 LOTS
- PUBLIC OPEN SPACE/
LANDSCAPE BUFFER - 50.80 AC.
- AMENITY CENTER - 1.145 Ac.

NOTE:
THE MAXIMUM NUMBER OF RESIDENTIAL LOTS
SHALL NOT EXCEED 262 LOTS.

CONCEPT PLAN
OF
NELSON LAKE ESTATES

SITUATED IN THE
J.M. GLASS SURVEY, ABSTRACT NO. 88

IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

OWNER
UNISON INVESTMENT
23545 CRENSHAW BLVD., STE. 201
TORRANCE, CA 90505

TOTAL ACRES	121.158
CURRENT FLOODPLAIN ACRES	35.67
PROPOSED FLOODPLAIN ACRES (AFTER RECLAMATION)	33.15
TOTAL RESIDENTIAL LOTS	262
RESIDENTIAL DENSITY	2.162

CITY OF ROCKWALL

ORDINANCE NO. 20-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM A NEIGHBORHOOD SERVICES (NS) DISTRICT AND A SINGLE-FAMILY 16 (SF-16) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR SINGLE-FAMILY 10 (SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 121.16-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2 OF THE J. M. GASS SURVEY, ABSTRACT NO. 88, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED HEREIN BY EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Ryan Joyce of Ryan Michael Joyce Properties, LLC on behalf of Jen-Liang Wu of Unison Investment, LP for the approval of a zoning change from a Neighborhood Services (NS) District and a Single-Family 16 (SF-16) District to a Planned Development District for Single-Family 10 (SF-10) District land uses, on a 121.16-acre tract of land identified as Tract 2 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

SECTION 2. That development of the *Subject Property* shall generally be in accordance with the *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 ~~7TH~~^{1ST} DAY OF ~~DECEMBER~~FEBRUARY, 2020~~1~~.**

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: ~~November 16, 2020~~January 19, 2021

2nd Reading: ~~December 7, 2020~~February 1, 2021

Exhibit 'A':
Legal Description

All that certain lot, tract or parcel of land situated in the *J.M. GLASS SURVEY, ABSTRACT NO. 88*, Rockwall County, Texas, and being all of that tract of land as described in a Warranty Deed from Charles I. Cheshire to Marvin Menaker, *Trustee*, dated April 23, 1980, and being recorded in *Volume 154, Page 625* of the *Deed Records* of Rockwell County, Texas, and being more particularly described as follows:

BEGINNING at a ½-inch iron rod found for corner at the east cut back corner at the intersection of the east right-of-way line of FM-1141 (80' ROW) with the South right-of-way line of FM-552 (80' ROW);

THENCE along the south right-of-way line of said FM-552 the following:

S. 89 DEG. 44 MIN. 00 SEC. E. (*Controlling Bearing*) a distance of 1681.27-feet to a ½-inch iron rod found for corner;

N. 88 DEG. 45 MIN. 05 SEC. E. a distance of 700.30-feet to a tack found in wood monument for corner;

N. 54 DEG. 06 MIN. 00 SEC. E. a distance of 77.79-feet to a ½-inch iron rod found for corner;

THENCE S. 87 DEG. 51 MIN. 31 SEC. E. leaving the South line of said FM-552, a distance of 156.34-feet to a ½-inch iron rod set for corner at the base of a fence corner post for corner at the northeast corner of said *Menaker Tract*;

THENCE S. 00 DEG. 06 MIN. 49 SEC. E. along the east line of said *Menaker Tract* a distance of 2,041.03-feet to a 3/8-inch iron rod found for corner in the center of North Country Lane;

THENCE N. 89 DEG. 56 MIN. 19 SEC. W. along and near said center of North Country Lane a distance of 2,645.47-feet to a ½-inch iron rod found for corner at the southwest corner of said *Menaker Tract* at the intersection of the center of said road with the east right-of-way line of said FM-1141;

THENCE N. 00 DEG. 01 MIN.46 SEC. W. with the east right-of-way line of said FM-1141 a distance of 1,941.18-feet to a ½-inch iron rod found for corner;

THENCE N.45 DEG. 02 MIN. 47 SEC. E. along the east right-of-way line of said highway a distance of 70.50-feet to the *POINT OF BEGINNING* and containing 121.16-acres or 5,277,595 SF of land.

Exhibit 'C': Concept Plan

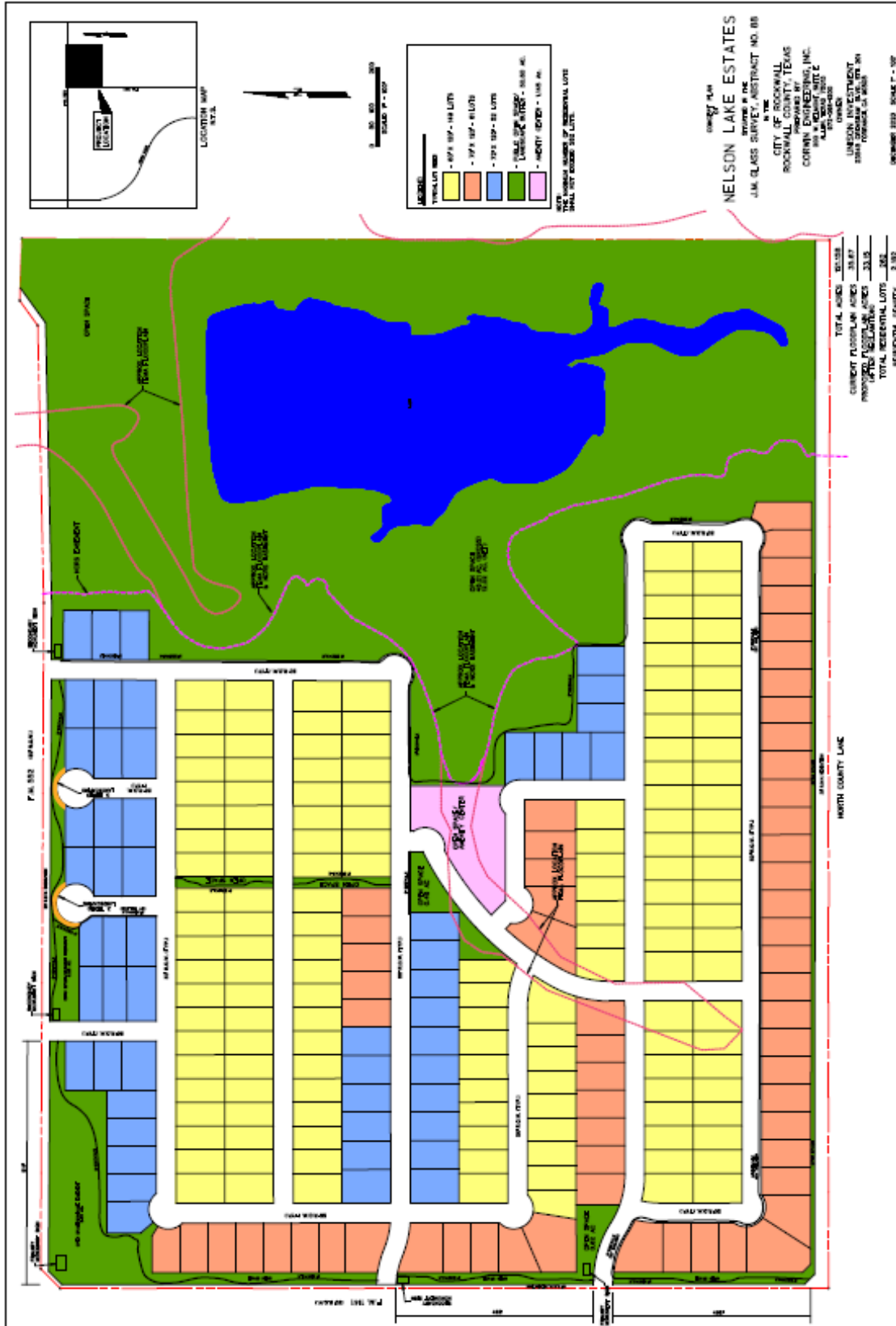
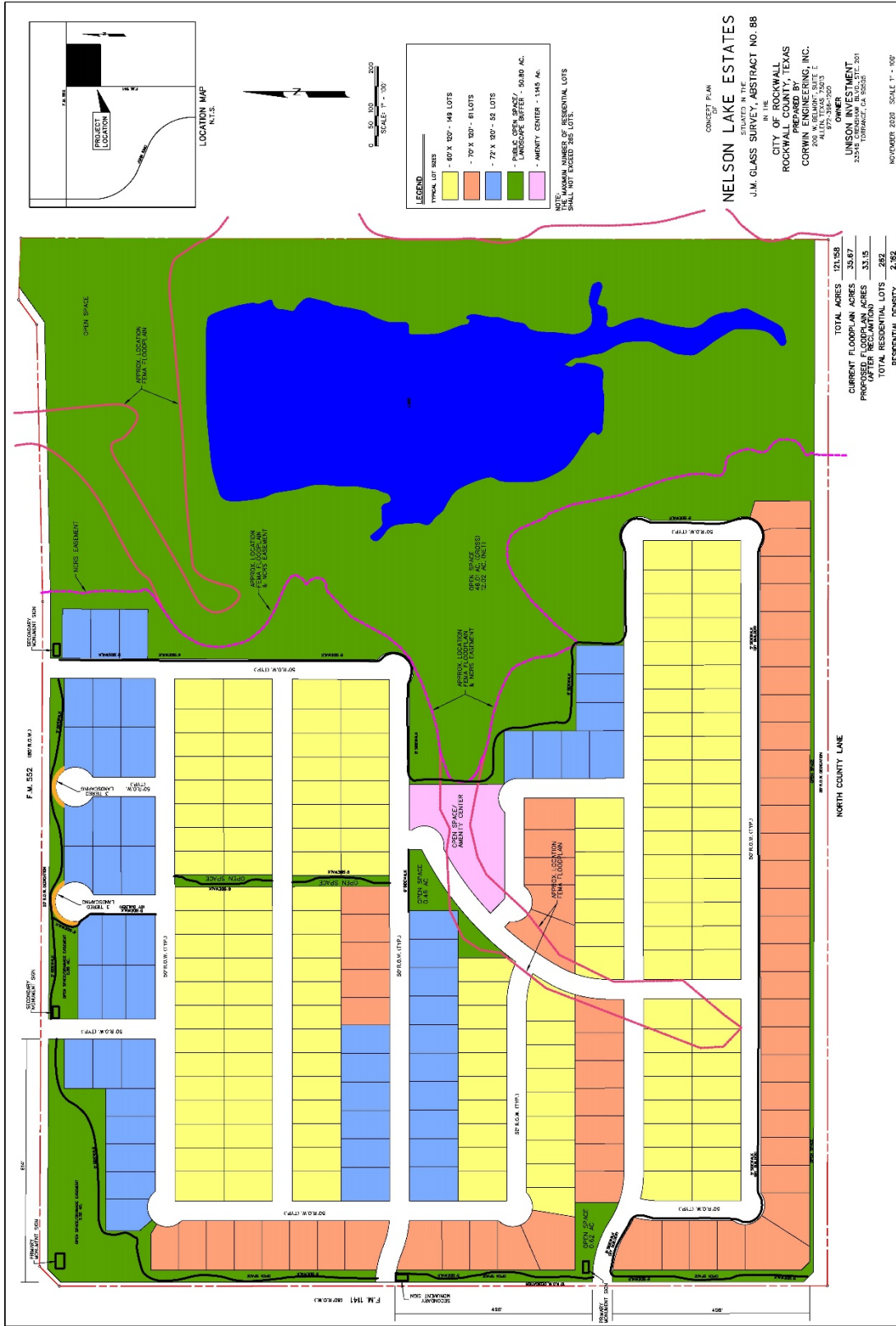


Exhibit 'C': Concept Plan



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

Density and Development Standards.

- (1) Permitted Uses. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 10 (SF-10) 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'* and stated in *Table 1*, which is as follows:

Table 1: Lot Composition

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	60' x 120'	7,000 SF	493149	72.8356.87%
B	70' x 120'	8,400 SF	61	23.28%
CB	720' x 120'	8,6400 SF	7252	19.8527.16%
<i>Maximum Permitted Units:</i>			2625	100.00%

- (3) Density and Dimensional Requirements. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 10 (SF-10) 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 2.20 dwelling units per gross acre of land; however, in no case should the proposed development exceed 2625 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ▶	A	B	C
Minimum Lot Width ⁽¹⁾	60'	70'	72'
Minimum Lot Depth	120'	120'	120'
Minimum Lot Area	7,000 SF	8,400 SF	8,600 SF
Minimum Front Yard Setback ^{(2), (5) & (6)}	20'	20'	20'
Minimum Side Yard Setback	5'	65'	6'
Minimum Side Yard Setback (Adjacent to a Street) ^{(2) & (5)}	20'	20'	20'
Minimum Length of Driveway Pavement	20'	20'	20'
Maximum Height ⁽³⁾	36'	36'	36'
Minimum Rear Yard Setback ⁽⁴⁾	10'	10'	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]	2,200 SF	2,200 SF	2,200 SF
Maximum Lot Coverage	65%	65%	65%

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

Exhibit 'D':
Density and Development Standards

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: Flat front entry garage configurations are permitted on up to 35% (i.e. a maximum of 9~~12~~ lots) of the total number of lots provided that: [1] no more than 40% (i.e. a maximum of ~~78-59~~ lots) of the lots for Lot Type 'A' have a flat front entry garage, [2] no more than ~~29~~20% (i.e. a maximum of ~~44-32~~ lots) of the ~~between~~ Lot Type 'B' and Lot Type "C" combined) have a flat front entry garage, and [3] the front yard building setback for all lots with a flat front entry garage is increased to a minimum of 25-feet.

(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-552* and *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*. This development shall adhere to the following garage design and orientation requirements:

- (1) *Type 'A' Lots*. Garages shall be oriented in a *traditional swing* (or *j-swing*) -- where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration -- or in a flat front entry configuration (i.e. even with the front façade of the primary structure). On *traditional swing* (or *j-swing*) garage configurations, a second single garage door facing the street is permitted if it is located behind the width of the double garage door. Garages configured in a flat front entry configuration shall be allowed on a maximum of 40% of the lots (i.e. a maximum of ~~78-59~~ lots) provided that the front yard building setback is increased to 25-feet. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).

- ~~(2)~~ *Type 'B' & 'C' Lots*. Garages shall be oriented in a *traditional swing* (or *j-swing*) - where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration -- or in a flat front entry configuration (i.e. even with the front façade of the primary structure). On *traditional swing* (or *j-swing*) garage configurations, a second single garage door facing the street is permitted if it is located behind the width of the double garage door. Garages configured in a flat front entry configuration shall be allowed on a maximum of ~~20~~29% of the lots (i.e. a maximum of ~~44-32~~ lots between Lot Type

Exhibit 'D':
Density and Development Standards

'B' & Lot Type 'C' combined provided that the front yard building setback is increased to 25-feet. 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



Carriage Hardware

- (5) Anti-Monotony Restrictions. The development shall adhere to the *Anti-Monotony Matrix* depicted in *Table 3* below (for spacing requirements see *Figures 3 & 4* below).

Table 3: Anti-Monotony Matrix

<u>Lot Type</u>	<u>Minimum Lot Size</u>	<u>Elevation Features</u>
A	60' x 120'	(1), (2), (3), (4)
B	70' x 120'	(1), (2), (3), (4)
C	72' x 120'	(1), (2), (3), (4)

- (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-552, FM-1141, or North Country Lane shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

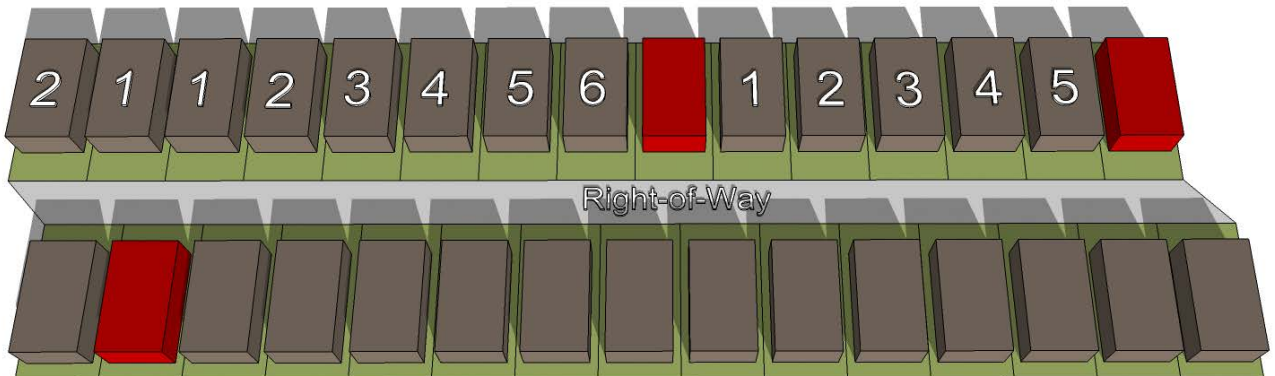
Exhibit 'D':
Density and Development Standards

- (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.

Exhibit 'D':
Density and Development Standards

- (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-552, FM-1141 and North Country Lane*), 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.
 - (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-552). A minimum of a 30-foot landscape buffer shall be provided along FM-552 (*outside of and beyond any required right-of-way dedication*), that 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. In addition, additional three (3) tiered landscaping (*i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees*) shall be required adjacent to the cul-de-sacs along FM-552 as depicted in *Exhibit 'C'* of this ordinance.

Exhibit 'D':
Density and Development Standards

- (2) 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 five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.
- (3) Landscape Buffers (North Country Lane). A minimum of a 10-foot landscape buffer shall be provided along North Country Lane (*outside of and beyond any required right-of-way dedication*). 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 15-foot centers along the entire frontage of North Country Lane. An alternative screening plan proposing the use of existing trees, for the area directly adjacent to North Country Lane, may be submitted by the developer with the PD Site Plan. This alternative plan can be approved by the Planning and Zoning Commission upon a finding that the proposed plan will provide adequate screening that is equal to or exceeds the standards stated in this section.
- (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-foot 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

Exhibit 'D':
Density and Development Standards

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 24.232-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) 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) 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) 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) 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. _____

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 1447 FM 1141, Rockwall, TX 75087

Subdivision J. M. Glass Survey

Lot N/A

Block N/A

General Location Southeast corner of FM 552 and FM 1141

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning NS and SF-16

Current Use AG

Proposed Zoning PD - SF - 7

Proposed Use Residential subdivision

Acreage 121.16

Lots [Current] 109

Lots [Proposed] 262

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 Unison Investment, a California LP

Applicant Michael Joyce Properties, LLC

Contact Person JEN-LIANG WU, General Partner

Contact Person Ryan Joyce

Address 23545 Crenshaw Blvd

Address 1189 Waters Edge Dr

Ste 201

City, State & Zip Torrance, CA 90505

City, State & Zip Rockwall, TX 75087

Phone 310-325-0300

Phone 512-965-6280

E-Mail Uniinv@aol.com

E-Mail Ryan@michaeljoyceproperties.com

NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared JEN LIANG WU [Owner] 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 17 day of DECEMBER, 2020

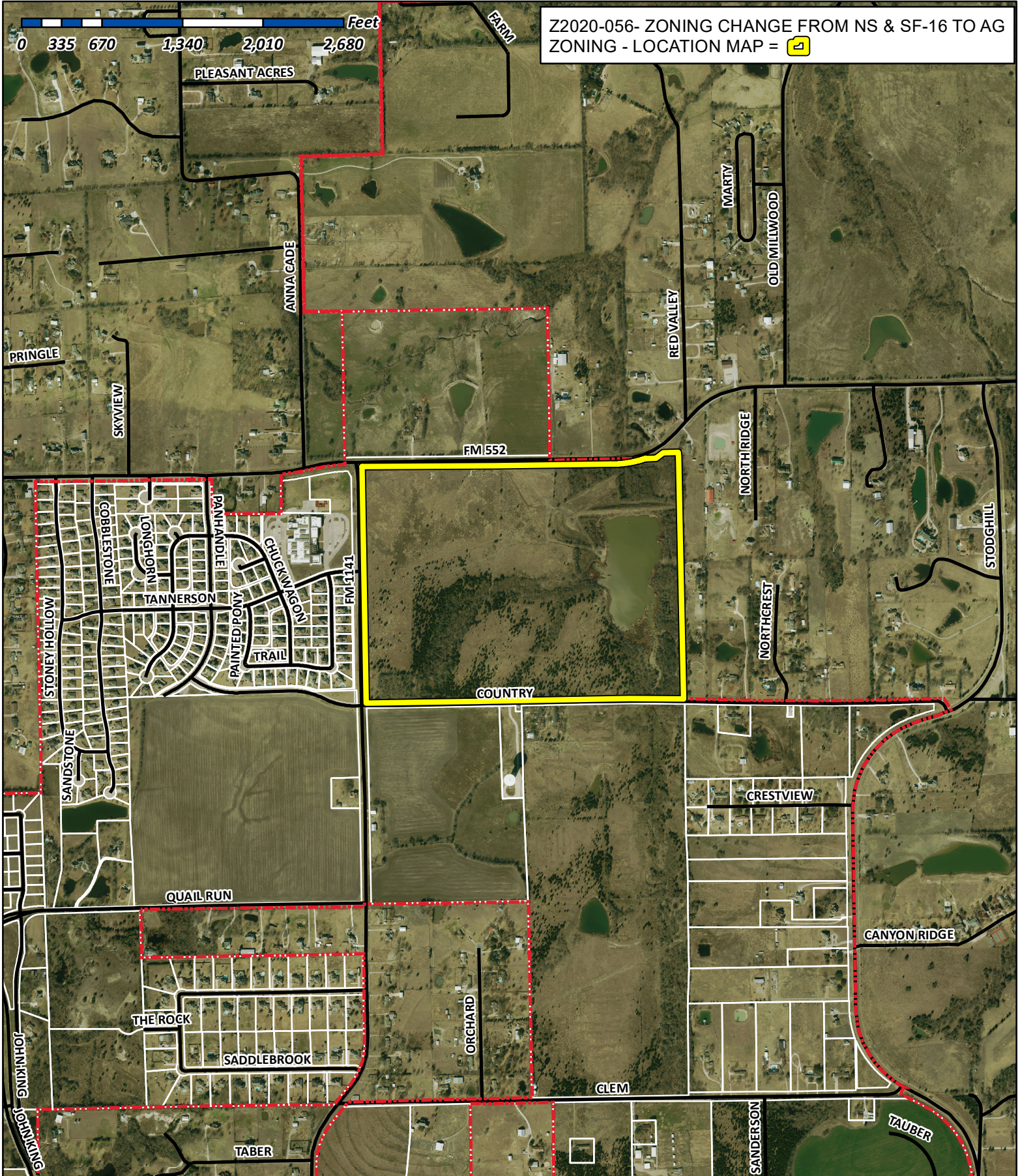
Owner's Signature

Notary Public in and for the State of Texas



My Commission Expires

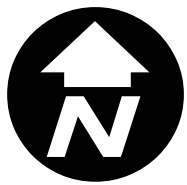
01/31/2024



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.

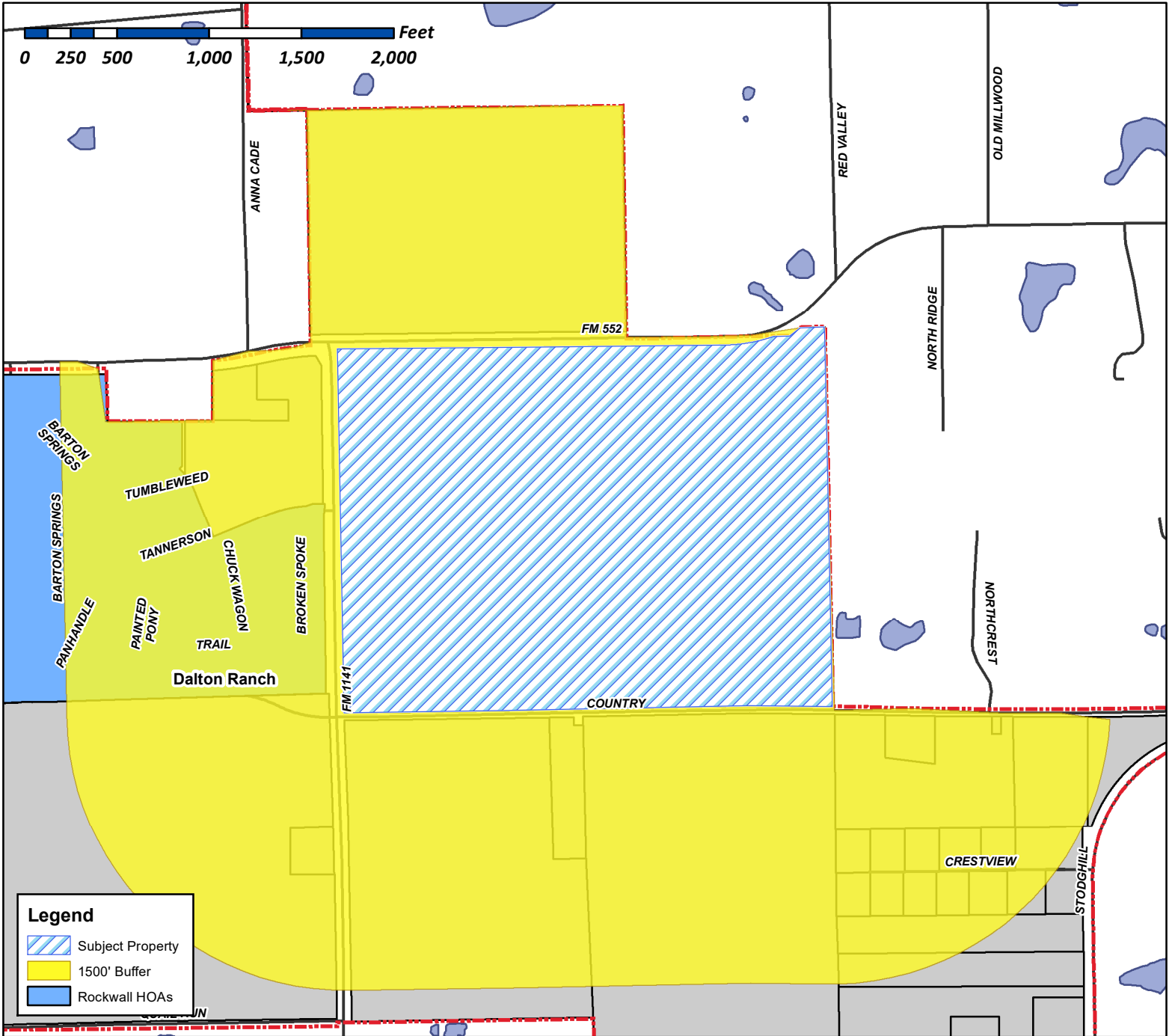
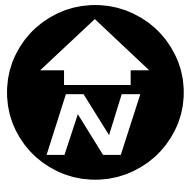




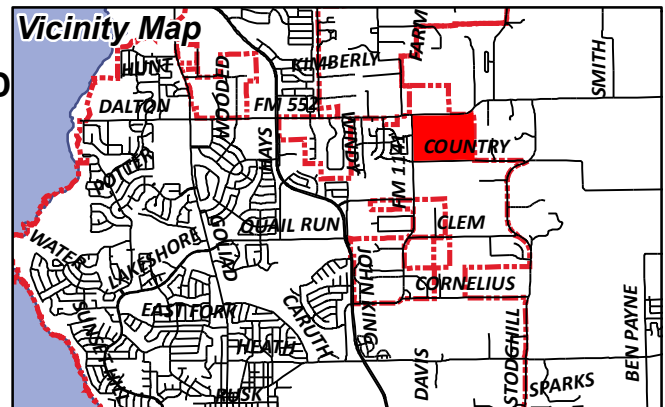
City of Rockwall

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

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Case Number: Z2020-045
Case Name: Zoning Change from NS & SF-16 to PD
Case Type: Zoning
Zoning: NS & SF-16
Case Address: SEC of FM 552 and FM 1141



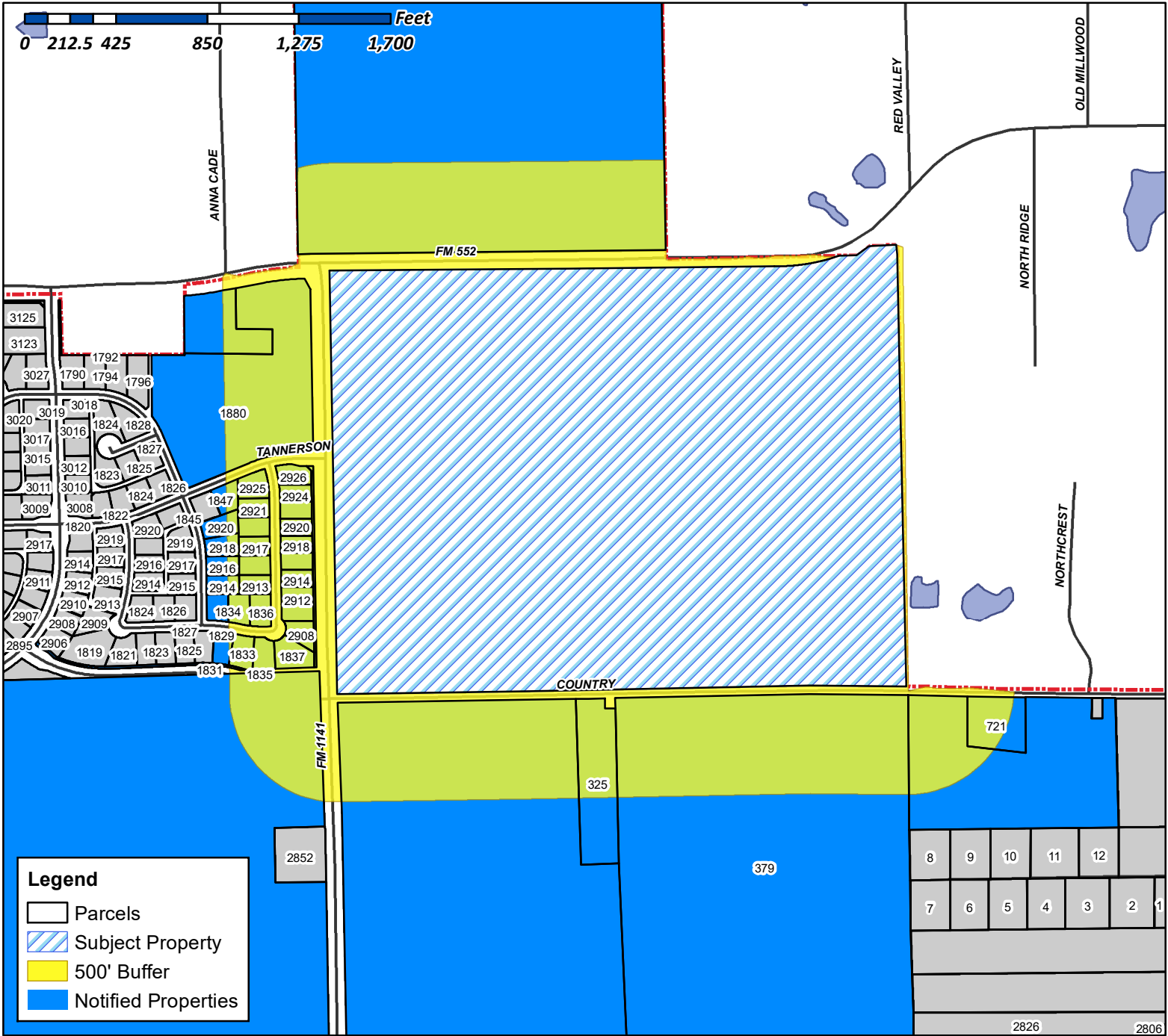
Date Created: 12/19/2020
 For Questions on this Case Call (972) 771-7745



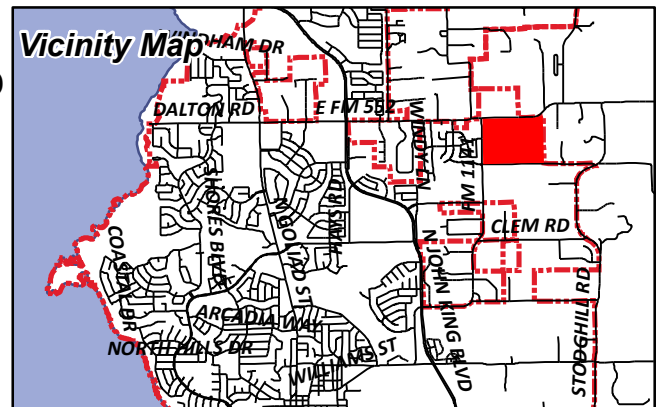
City of Rockwall

Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75087
 (P): (972) 771-7745
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Case Number: Z2020-056
Case Name: Zoning Change from NS & SF-16 to PD
Case Type: Zoning
Zoning: NS & SF-16
Case Address: SEC of FM 552 and FM 1141



Date Created: 12/18/2020

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

WEIR JAMES B & CRYSTAL
1831 TRAIL DR
ROCKWALL, TX 75087

OLIVER MICHAEL
1832 TRAIL DRIVE
ROCKWALL, TX 75087

MILLER ANGELA KAY & JOHN RAY
1833 TRAIL DRIVE
ROCKWALL, TX 75087

FOSTER BRIAN AND DEIDRE
1834 TRAIL DRIVE
ROCKWALL, TX 75087

ALLEN JAMES JR & BARBARA A
1835 TRAIL DRIVE
ROCKWALL, TX 75087

SANTOSO HARDJO AND
SENDYTIAWATI KURNIAWAN
1836 TRAIL DR
ROCKWALL, TX 75087

REAMSBOTTOM DELAYNE
1837 TRAIL DRIVE
ROCKWALL, TX 75087

STOVALL KEVIN
1847 TANNERSON DRIVE
ROCKWALL, TX 75087

ROCKWALL I S D
1880 TANNERSON
ROCKWALL, TX 75087

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

CITY OF ROCKWALL
205 W RUSK ST
ROCKWALL, TX 75087

UNISON INVESTMENT
23545 CRENSHAW BLVD STE 201
TORRANCE, CA 90505

EIDT WILLIAM H AND
MARGARET E SHEEHAN/JOHN EIDT
2728 MCKINNON ST APT 1902
DALLAS, TX 75201

KIM BUNNA
2908 BROKEN SPOKE LN
ROCKWALL, TX 75087

LIPSEY RANDALL L AND KAREN M
2910 BROKEN SPOKE LN
ROCKWALL, TX 75087

RODRIQUEZ MONICA CANO & ISRAEL A JR
2912 BROKEN SPOKE LANE
ROCKWALL, TX 75087

FRANCIS SHELBY & KRISTI
2913 BROKEN SPOKE LANE
ROCKWALL, TX 75087

KOZLOWSKI BRIAN STEPHEN & JULIE
2914 BROKEN SPOKE LANE
ROCKWALL, TX 75087

CONFIDENTIAL
2914 CHUCK WAGON DR
ROCKWALL, TX 75087

MARTIN JEFFREY MICHAEL & ELIZABETH DIANE
2915 BROKEN SPOKE LANE
ROCKWALL, TX 75087

CURRY JOANNA & SHAWN
2916 BROKEN SPOKE LN
ROCKWALL, TX 75087

LOGWOOD DANA CELESTE
2916 CHUCK WAGON DR
ROCKWALL, TX 75087

DE MASELLIS ADAM CLAUDE & STEPHANIE
DENISE
2917 BROKEN SPOKE LANE
ROCKWALL, TX 75087

2018 S M TAYLOR REVOCABLE TRUST
STEVEN EUGENE TAYLOR AND MICHELLE DIANE
TAYLOR- TRUSTEES
2918 BROKEN SPOKE LANE
ROCKWALL, TX 75087

DORROUGH JEFFREY
2918 CHUCK WAGON DR
ROCKWALL, TX 75087

GAY VINCENT NEIL AND KERRI L
2919 BROKEN SPOKE LN
ROCKWALL, TX 75087

SANTIAGO ABE D AND ROCIO D SIMENTAL
2920 BROKEN SPOKE LANE
ROCKWALL, TX 75087

BOYD JOEY D
2920 CHUCK WAGON DR
ROCKWALL, TX 75087

RANNIGAN MICHAEL R & RACHELLE LE ANN
2921 BROKEN SPOKE LANE
ROCKWALL, TX 75087

DENNISON BOBBY & RAMONA
2922 BROKEN SPOKE LN
ROCKWALL, TX 75087

JONAS CHAD & JOANA
2924 BROKEN SPOKE LANE
ROCKWALL, TX 75087

BUNCH LLOYD M & LINDA G
2925 BROKEN SPOKE LANE
ROCKWALL, TX 75087

QUINTERO JORGE & DELILAH
2926 BROKEN SPOKE LANE
ROCKWALL, TX 75087

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

DALTON RANCH OWNERS ASSOC
C/O VISION COMMUNITIES MANAGEMENT INC
5757 ALPHA RD STE 680
DALLAS, TX 75240

PEARCE CAROL ALLEY
721 N COUNTRY LN
ROCKWALL, TX 75087

ROCKWALL I S D
801 E WASHINGTON ST
ROCKWALL, TX 75087

October 16, 2020

City of Rockwall
Attn: Ryan Miller, AICP
385 S Goliad St
Rockwall, TX 75087

Dear Mr. Miller,

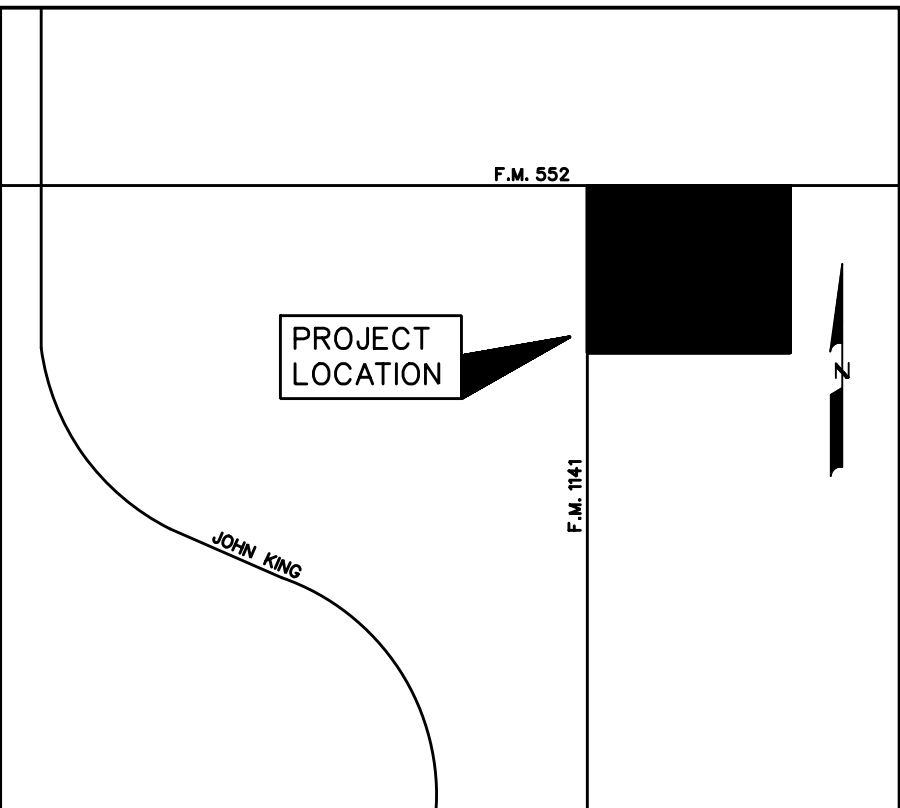
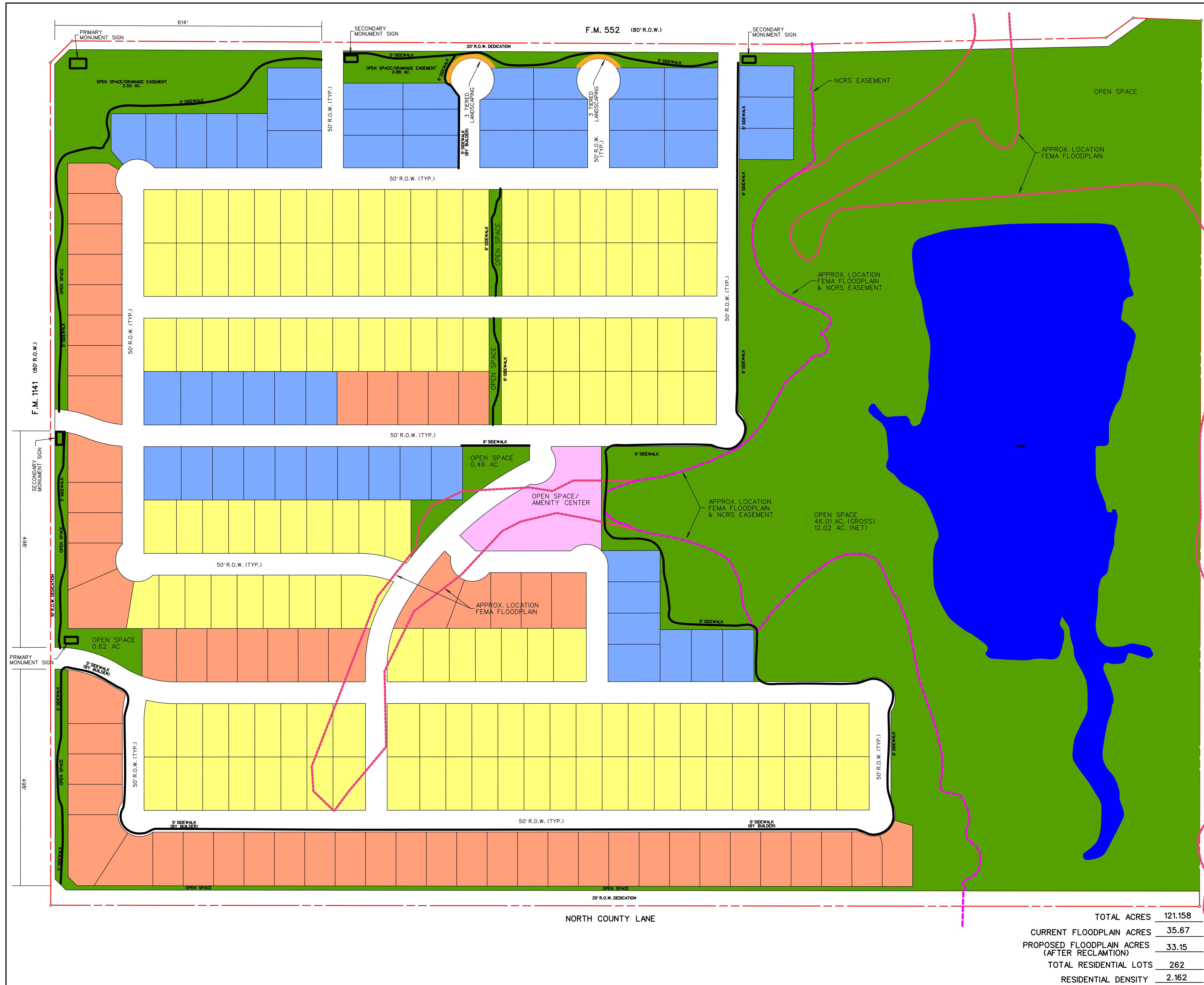
Michael Joyce Properties, LLC is requesting that our project be taken to the November 10th, 2020 Planning and Zoning Meeting. This project is the development of 121.16 Acres in the J.M. Glass Survey, Tract 2 Abstract 88, City of Rockwall, Rockwall County, located at the Southeast corner of F.M. 552 and F.M. 1141.

The property is currently zoned NS and SF – 16. We are proposing a development of Single-Family Residential homes on 7,000 - 8,400 square foot lots. This community will provide for a greater variety of housing that the market demands and will still reflect the beautiful aesthetic of the surrounding communities like Stone Creek and Breezy Hill, and the City of Rockwall as a whole.

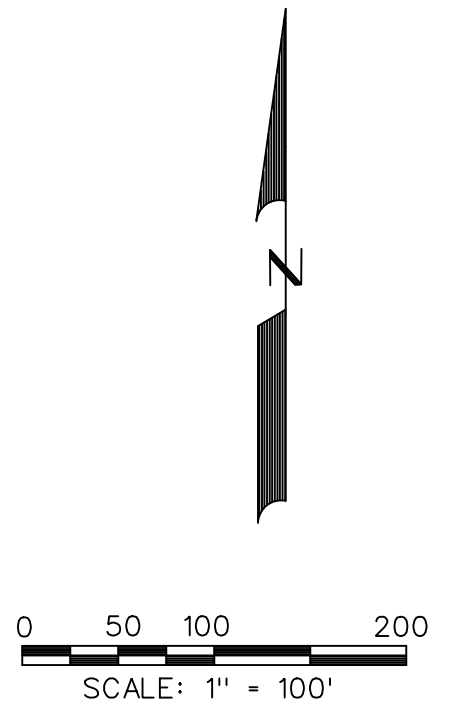
We look forward to working with the City once again to develop another gorgeous development.

Cordially Yours,

Ryan Joyce



LOCATION MAP
N.T.S.



LEGEND

TYPICAL LOT SIZES

- 60' X 120' - 149 LOTS
- 70' X 120' - 61 LOTS
- 72' X 120' - 52 LOTS
- PUBLIC OPEN SPACE/
LANDSCAPE BUFFER - 50.80 AC.
- AMENITY CENTER - 1.145 Ac.

NOTE:
THE MAXIMUM NUMBER OF RESIDENTIAL LOTS
SHALL NOT EXCEED 262 LOTS.

CONCEPT PLAN
OF
NELSON LAKE ESTATES
SITUATED IN THE
J.M. GLASS SURVEY, ABSTRACT NO. 88

IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

OWNER
UNISON INVESTMENT
23545 CRENSHAW BLVD., STE. 201
TORRANCE, CA 90505

TOTAL ACRES	121.158
CURRENT FLOODPLAIN ACRES	35.67
PROPOSED FLOODPLAIN ACRES (AFTER RECLAMATION)	33.15
TOTAL RESIDENTIAL LOTS	262
RESIDENTIAL DENSITY	2.162

CITY OF ROCKWALL

ORDINANCE NO. 20-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM A NEIGHBORHOOD SERVICES (NS) DISTRICT AND A SINGLE-FAMILY 16 (SF-16) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR SINGLE-FAMILY 10 (SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 121.16-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2 OF THE J. M. GASS SURVEY, ABSTRACT NO. 88, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED HEREIN BY EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Ryan Joyce of Ryan Michael Joyce Properties, LLC on behalf of Jen-Liang Wu of Unison Investment, LP for the approval of a zoning change from a Neighborhood Services (NS) District and a Single-Family 16 (SF-16) District to a Planned Development District for Single-Family 10 (SF-10) District land uses, on a 121.16-acre tract of land identified as Tract 2 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

SECTION 2. That development of the *Subject Property* shall generally be in accordance with the *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 ~~7TH~~^{1ST} DAY OF ~~DECEMBER~~FEBRUARY, 2020~~1~~.**

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: ~~November 16, 2020~~January 19, 2021

2nd Reading: ~~December 7, 2020~~February 1, 2021

Exhibit 'A':
Legal Description

All that certain lot, tract or parcel of land situated in the *J.M. GLASS SURVEY, ABSTRACT NO. 88*, Rockwall County, Texas, and being all of that tract of land as described in a Warranty Deed from Charles I. Cheshire to Marvin Menaker, *Trustee*, dated April 23, 1980, and being recorded in *Volume 154, Page 625* of the *Deed Records* of Rockwell County, Texas, and being more particularly described as follows:

BEGINNING at a ½-inch iron rod found for corner at the east cut back corner at the intersection of the east right-of-way line of FM-1141 (80' ROW) with the South right-of-way line of FM-552 (80' ROW);

THENCE along the south right-of-way line of said FM-552 the following:

S. 89 DEG. 44 MIN. 00 SEC. E. (*Controlling Bearing*) a distance of 1681.27-feet to a ½-inch iron rod found for corner;

N. 88 DEG. 45 MIN. 05 SEC. E. a distance of 700.30-feet to a tack found in wood monument for corner;

N. 54 DEG. 06 MIN. 00 SEC. E. a distance of 77.79-feet to a ½-inch iron rod found for corner;

THENCE S. 87 DEG. 51 MIN. 31 SEC. E. leaving the South line of said FM-552, a distance of 156.34-feet to a ½-inch iron rod set for corner at the base of a fence corner post for corner at the northeast corner of said *Menaker Tract*;

THENCE S. 00 DEG. 06 MIN. 49 SEC. E. along the east line of said *Menaker Tract* a distance of 2,041.03-feet to a 3/8-inch iron rod found for corner in the center of North Country Lane;

THENCE N. 89 DEG. 56 MIN. 19 SEC. W. along and near said center of North Country Lane a distance of 2,645.47-feet to a ½-inch iron rod found for corner at the southwest corner of said *Menaker Tract* at the intersection of the center of said road with the east right-of-way line of said FM-1141;

THENCE N. 00 DEG. 01 MIN.46 SEC. W. with the east right-of-way line of said FM-1141 a distance of 1,941.18-feet to a ½-inch iron rod found for corner;

THENCE N.45 DEG. 02 MIN. 47 SEC. E. along the east right-of-way line of said highway a distance of 70.50-feet to the *POINT OF BEGINNING* and containing 121.16-acres or 5,277,595 SF of land.

Exhibit 'C': Concept Plan

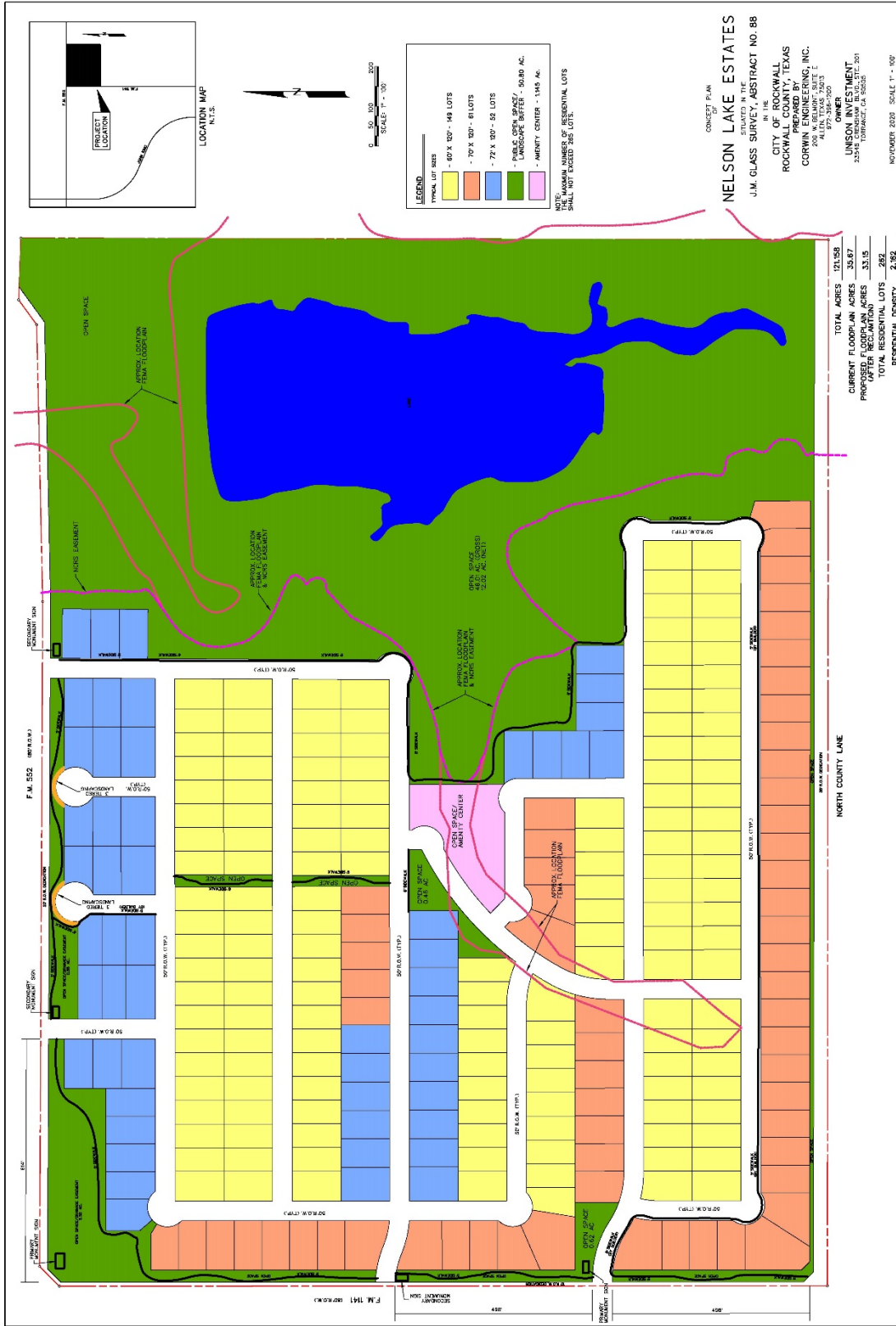


Exhibit 'D':
Density and Development Standards

Density and Development Standards.

- (1) Permitted Uses. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 10 (SF-10) 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'* and stated in *Table 1*, which is as follows:

Table 1: Lot Composition

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	60' x 120'	7,000 SF	493149	72.8356.87%
B	70' x 120'	8,400 SF	61	23.28%
CB	720' x 120'	8,6400 SF	7252	19.8527.16%
<i>Maximum Permitted Units:</i>			2625	100.00%

- (3) Density and Dimensional Requirements. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 10 (SF-10) 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 2.20 dwelling units per gross acre of land; however, in no case should the proposed development exceed 2625 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ▶	A	B	C
Minimum Lot Width ⁽¹⁾	60'	70'	72'
Minimum Lot Depth	120'	120'	120'
Minimum Lot Area	7,000 SF	8,400 SF	8,600 SF
Minimum Front Yard Setback ^{(2), (5) & (6)}	20'	20'	20'
Minimum Side Yard Setback	5'	65'	6'
Minimum Side Yard Setback (Adjacent to a Street) ^{(2) & (5)}	20'	20'	20'
Minimum Length of Driveway Pavement	20'	20'	20'
Maximum Height ⁽³⁾	36'	36'	36'
Minimum Rear Yard Setback ⁽⁴⁾	10'	10'	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]	2,200 SF	2,200 SF	2,200 SF
Maximum Lot Coverage	65%	65%	65%

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

Exhibit 'D':
Density and Development Standards

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: Flat front entry garage configurations are permitted on up to 35% (i.e. a maximum of 9~~12~~ lots) of the total number of lots provided that: [1] no more than 40% (i.e. a maximum of ~~78-59~~ lots) of the lots for Lot Type 'A' have a flat front entry garage, [2] no more than ~~29~~20% (i.e. a maximum of ~~44-32~~ lots) of the ~~between~~ Lot Type 'B' and Lot Type "C" combined have a flat front entry garage, and [3] the front yard building setback for all lots with a flat front entry garage is increased to a minimum of 25-feet.

(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-552* and *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*. This development shall adhere to the following garage design and orientation requirements:
- (1) *Type 'A' Lots*. Garages shall be oriented in a *traditional swing* (or *j-swing*) -- where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration -- or in a flat front entry configuration (i.e. even with the front façade of the primary structure). On *traditional swing* (or *j-swing*) garage configurations, a second single garage door facing the street is permitted if it is located behind the width of the double garage door. Garages configured in a flat front entry configuration shall be allowed on a maximum of 40% of the lots (i.e. a maximum of ~~78-59~~ lots) provided that the front yard building setback is increased to 25-feet. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).
- ~~(2)~~ *Type 'B' & 'C' Lots*. Garages shall be oriented in a *traditional swing* (or *j-swing*) - where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration -- or in a flat front entry configuration (i.e. even with the front façade of the primary structure). On *traditional swing* (or *j-swing*) garage configurations, a second single garage door facing the street is permitted if it is located behind the width of the double garage door. Garages configured in a flat front entry configuration shall be allowed on a maximum of ~~20~~29% of the lots (i.e. a maximum of ~~44-32~~ lots between Lot Type

Exhibit 'D':
Density and Development Standards

'B' & Lot Type 'C' combined provided that the front yard building setback is increased to 25-feet. 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



Carriage Hardware

- (5) Anti-Monotony Restrictions. The development shall adhere to the *Anti-Monotony Matrix* depicted in *Table 3* below (for spacing requirements see *Figures 3 & 4* below).

Table 3: Anti-Monotony Matrix

<u>Lot Type</u>	<u>Minimum Lot Size</u>	<u>Elevation Features</u>
A	60' x 120'	(1), (2), (3), (4)
B	70' x 120'	(1), (2), (3), (4)
C	72' x 120'	(1), (2), (3), (4)

- (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-552, FM-1141, or North Country Lane shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

Exhibit 'D':
Density and Development Standards

- (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.

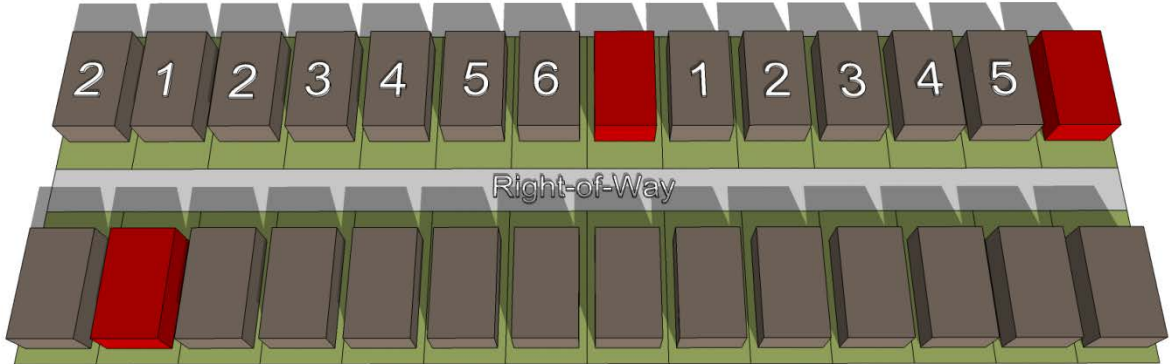
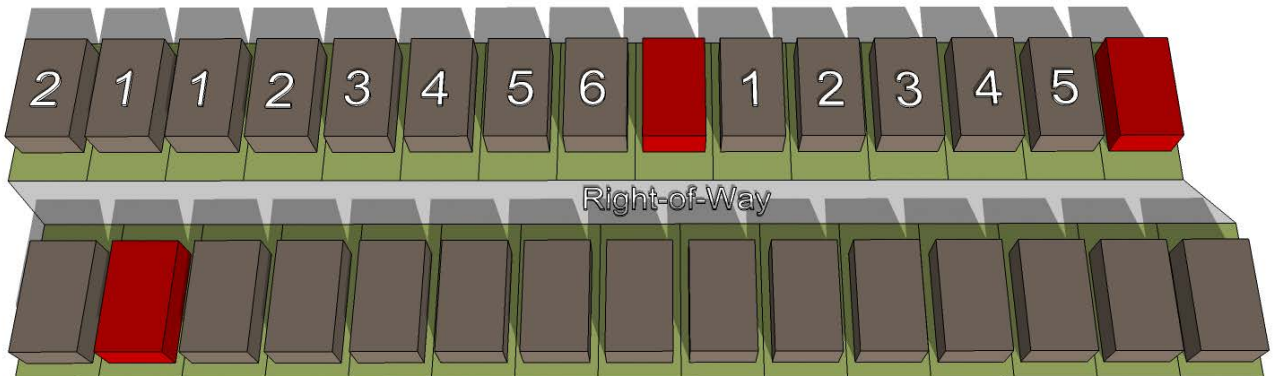


Figure 4: Properties do not line up on opposite side of the street. Where **RED** is the subject property.



- (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.

Exhibit 'D':
Density and Development Standards

- (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-552, FM-1141 and North Country Lane*), 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.
 - (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-552). A minimum of a 30-foot landscape buffer shall be provided along FM-552 (*outside of and beyond any required right-of-way dedication*), that 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. In addition, additional three (3) tiered landscaping (*i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees*) shall be required adjacent to the cul-de-sacs along FM-552 as depicted in *Exhibit 'C'* of this ordinance.

Exhibit 'D':
Density and Development Standards

- (2) 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 five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.
- (3) Landscape Buffers (North Country Lane). A minimum of a 10-foot landscape buffer shall be provided along North Country Lane (*outside of and beyond any required right-of-way dedication*). 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 15-foot centers along the entire frontage of North Country Lane. An alternative screening plan proposing the use of existing trees, for the area directly adjacent to North Country Lane, may be submitted by the developer with the PD Site Plan. This alternative plan can be approved by the Planning and Zoning Commission upon a finding that the proposed plan will provide adequate screening that is equal to or exceeds the standards stated in this section.
- (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-foot 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

Exhibit 'D':
Density and Development Standards

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 24.232-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) 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) 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) 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) 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: 12/22/2020

PROJECT NUMBER: Z2020-056
PROJECT NAME: Zoning Change from NS & SF-16 to PD
SITE ADDRESS/LOCATIONS:

CASE MANAGER: Ryan Miller
CASE MANAGER PHONE: 972-772-6441
CASE MANAGER EMAIL: rmiller@rockwall.com

CASE CAPTION: Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties, LLC on behalf of Jen-Liang Wu of Unison Investment, LP for the approval of a Zoning Change from a Single-Family 16 (SF-16) District and Neighborhood Services (NS) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 121.16-acre tract of land identified as Tract 2 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District and Neighborhood Services (NS) District, generally located at the southeast corner of the intersection of FM-1141 and FM-552, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
	Ryan Miller	12/18/2020	Approved w/ Comments

12/18/2020: Z2020-056; Zoning Change (NS & SF-16 to PD) for Nelson Lake Estates
Please address the following comments (M= Mandatory Comments; I = Informational Comments)

- I.1 This request is for the approval of a Zoning Change from a Single-Family 16 (SF-16) District and Neighborhood Services (NS) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 121.16-acre tract of land identified as Tract 2 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District and Neighborhood Services (NS) District, and generally located at the southeast corner of the intersection of FM-1141 and FM-552..
- I.2 For questions or comments concerning this case please contact Ryan Miller in the Planning Department at (972) 772-6441 or email rcmiller@rockwall.com.
- M.3 For reference, include the case number (Z2020-056) in the lower right-hand corner of all pages on future submittals.
- I.4 According to the OURHometown Vision 2040 Comprehensive Plan the subject property is located within the Northeast Residential District, and according to the Future Land Use Map the subject property is designated for Low Density Residential and Commercial/Retail district land uses. The proposed zoning request appears to generally conform to the Low Density Residential designation; however, the Commercial/Retail designation (i.e. roughly where the Neighborhood Services [NS] District is currently zoned) will require the City Council to amend the Future Land Use Map.
- I.5 According to the District Strategies for the Northeast Residential District -- as outlined in the Land Use Plan contained in the OURHometown Vision 2040 Comprehensive Plan -- "(a)ny new Suburban Residential developments should include a mix of larger to mid-sized lots. Lots in these developments should not be smaller than existing Suburban Residential in the district." As of right now the smallest lots in the district are 80-feet in size. In this case, 60' x 120' lots, 70' x 120' lots, and 72' x 120' lots are being proposed, which would be smaller than all other lots in the district. It may be beneficial for the proposed zoning plan to incorporate some larger 80-foot lots around the outside of the development to off-set the plans non-conformity to the District Strategies.
- I.6 The OURHometown Vision 2040 Comprehensive Plan stipulates various goals for single-family residential developments. The following aspects of the applicant's proposal either do not conform to the stated goals of the City's plan or there is not enough information to determine if the request conforms, and the plan could be revised -- per staff's recommendations -- to bring the project closer to conformance with the plan:

(1) CH. 08 | Sec. 02.03 | Goal 1; Policy 2: To maximize the value of properties that are directly adjacent to or across the street from a park and/or public open space, the house on the property should face onto the park and/or public open space, and should not back or side to the park and/or open space. If homes face onto a park and/or public open space and there is no public street, then the homes should be accessed via a mew-type street design.

Staff Response: The houses at the end of each block face could be turned to front onto the open space areas as opposed to side to them. This may result in the loss of lots, but

would make the request better conform to the Comprehensive Plan.

M.7 On the zoning exhibit please make the following changes:

- (1) Indicate the open space acreage that is located within the 100-year floodplain and that is located outside of the 100-year floodplain. This will help staff verify if the proposed development is in compliance with the required 20% open space. Please also note that floodplain can only be counted for ½-acre for every one (1) acre dedicated as open space [Subsection 02.02(E); Article 10].
- (2) Provide a separate exhibit showing conformance to the requirement that all lots less than 12,000 SF be within 800-feet of a neighborhood park or public/private open space [Subsection 02.02(E); Article 10]. This was NOT provided with the last submittal and is required to move forward.
- (3) Please provide a minimum of a 30-foot landscape buffer adjacent to all perimeter roadways. This landscape buffer is required to have a built-up berm, ground cover, and shrubbery along the entire length of the frontage. In addition, you will be required to plant three (3) canopy trees and four (4) accent trees per 100-linear feet [Subsection 02.02(D); Article 10].

Variance: The draft ordinance proposes an alternative buffer along North Country Lane, which is discretionary to the Planning and Zoning Commission and City Council.

- (4) Consider running a street parallel to FM-552 as a single loaded street to create separation between the homes and this major roadway. This is similar to Barlass Drive, which is located within the Stone Creek Subdivision.

M.8 Please review the attached Draft Ordinance prior to the December 29, 2020 Planning and Zoning Commission Work Session meeting, and provide staff with your markups by no later than January 5, 2021. In reviewing the Draft Ordinance, please pay close attention to staff's suggestions.

I.9 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections, and provide any additional information that is requested. Revisions for this case will be due on January 5, 2021; however, it is encouraged for applicants to submit revisions as soon as possible to give staff ample time to review the case prior to the January 12, 2021 Planning and Zoning Commission Public Hearing Meeting. The Planning and Zoning Commission Work Session Meeting for this case will be held on December 29, 2020.

I.10 The projected City Council meeting dates for this case will be January 19, 2021 (1st Reading) and February 1, 2021 (2nd Reading).

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Jeremy White	12/18/2020	Needs Review

12/18/2020: *+General Items:+*

- I - 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.

+Drainage Items:+

- I - Detention is required if you increase the flow off the property. Drainage areas larger than 20 acres will need a detention study. Review fees apply.
- I - Must conduct a flood study to delineate all localized 100year fully developed floodplain for all creeks/streams and draws.
- I - Detention must be above the floodplain elevation where adjacent.
- I - Must have a wetlands/WOTUS determination for the existing pond on site.
- I - Must have a flood study to change the limits of Nelson Lake or the floodplain. Review fees apply.
- I - Must have written permission release from NRCS regarding their easement around the lakes and possible construction encroachment.
- I - Must show and meet erosion hazard setback for all creeks/streams. Drainage easement/erosion hazard setback easement shall be in its own separate lot owned by the HOA.

+Water and Wastewater Items:+

- I - Must have 8" sewer line minimum through the property and tie to the existing 15" sanitary sewer on the west side of FM 1141.

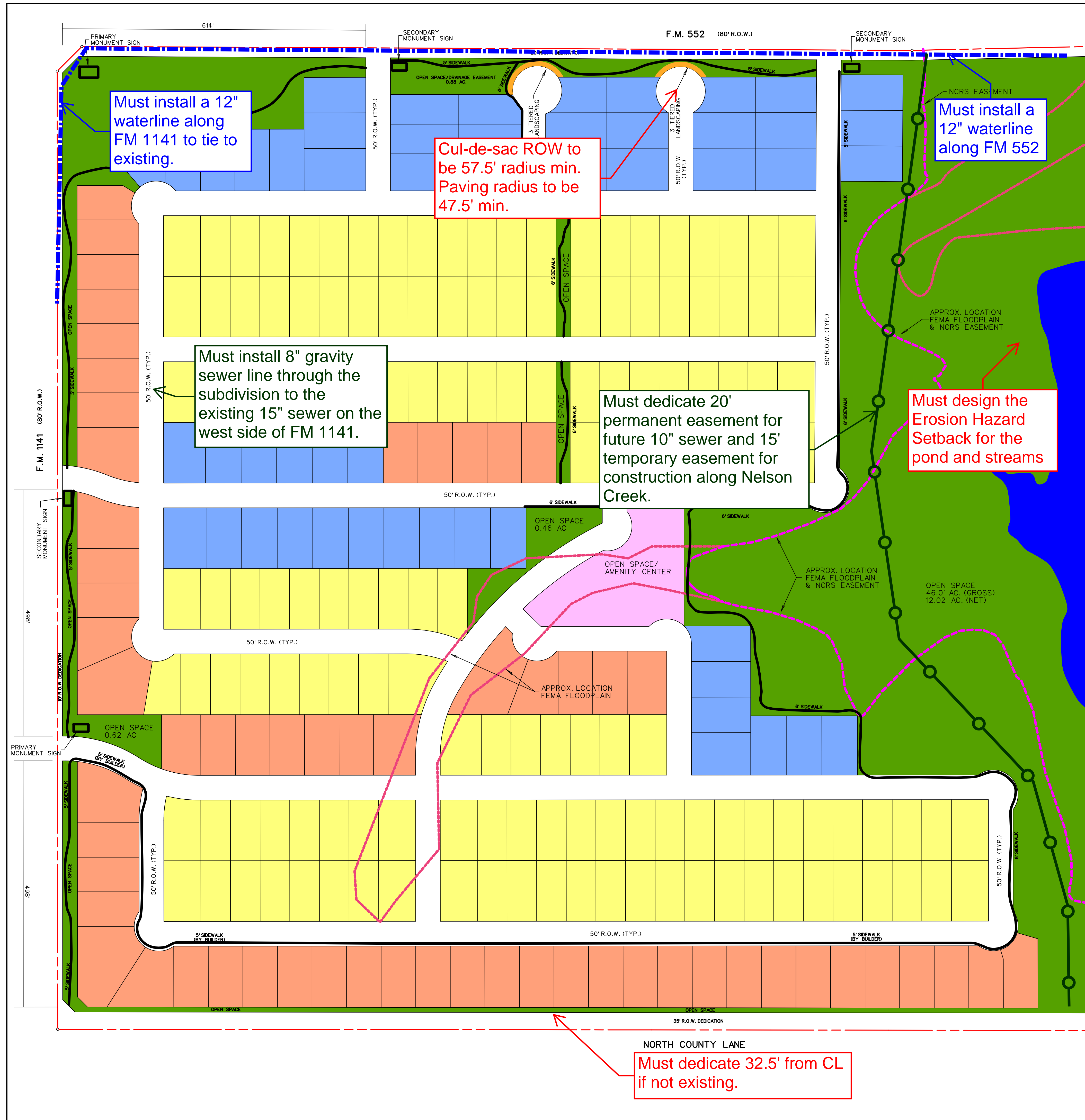
- I - Must have 10" sewer line along Nelson Creek per master plan.
- I - Infrastructure study has been requested to verify capacity at Stoney Hollow Lift Station to Squabble Creek. (review fees apply)
- I - Must pay the sewer pro-rata of no less than \$350/acre for Stoney Hollow upgrades. The infrastructure study will determine the cost.
- I - Must loop 8" water line on site. No dead-end lines allowed.
- I - Must install a 12" water line along the FM 552 and FM 1141 Frontage per the Master Water Plan.

+Roadway Paving Items:+

- I - Required 10' utility easement required along all street frontage.
- I - All streets to be concrete. 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 verify there is 85' of dedicated ROW for FM 1141. You must dedicate 42.5' from the CL.
- I - Must verify TXDOT ROW for FM 552 with approved construction plans.
- I - TxDOT TIA required. Review fees apply.

+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".
- M - "Open spaces to be maintained by the property owner/HOA" add note to preliminary plat.



Must install a 12" waterline along FM 1141 to tie to existing.

Cul-de-sac ROW to be 57.5' radius min. Paving radius to be 47.5' min.

Must install a 12" waterline along FM 552

Must install 8" gravity sewer line through the subdivision to the existing 15" sewer on the west side of FM 1141.

Must dedicate 20' permanent easement for future 10" sewer and 15' temporary easement for construction along Nelson Creek.

Must design the Erosion Hazard Setback for the pond and streams

Must dedicate 32.5' from CL if not existing.

General Items:

- I - 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.

Drainage Items:

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- I - Must conduct a flood study to delineate all localized 100year fully developed floodplain for all creeks/streams and draws.
- I - Detention must be above the floodplain elevation where adjacent.
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- I - Must have a flood study to change the limits of Nelson Lake or the floodplain. Review fees apply.
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- I - No dead-end streets allowed. Must have a cul-de-sac or turnaround per City Standards.
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- I - Must verify TXDOT ROW for FM 552 with approved construction plans.
- I - TxDOT TIA required. Review fees apply.

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".
- M - "Open spaces to be maintained by the property owner/HOA" add note to preliminary plat.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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 1447 FM 1141, Rockwall, TX 75087

Subdivision J. M. Glass Survey

Lot N/A

Block N/A

General Location Southeast corner of FM 552 and FM 1141

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning NS and SF-16

Current Use AG

Proposed Zoning PD - SF - 7

Proposed Use Residential subdivision

Acreage 121.16

Lots [Current] 109

Lots [Proposed] 262

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 Unison Investment, a California LP

Applicant Michael Joyce Properties, LLC

Contact Person JEN-LIANG WU, General Partner

Contact Person Ryan Joyce

Address 23545 Crenshaw Blvd

Address 1189 Waters Edge Dr

Ste 201

City, State & Zip Torrance, CA 90505

City, State & Zip Rockwall, TX 75087

Phone 310-325-0300

Phone 512-965-6280

E-Mail Uniinv@aol.com

E-Mail Ryan@michaeljoyceproperties.com

NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared JEN LIANG WU [Owner] 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 17 day of DECEMBER, 2020

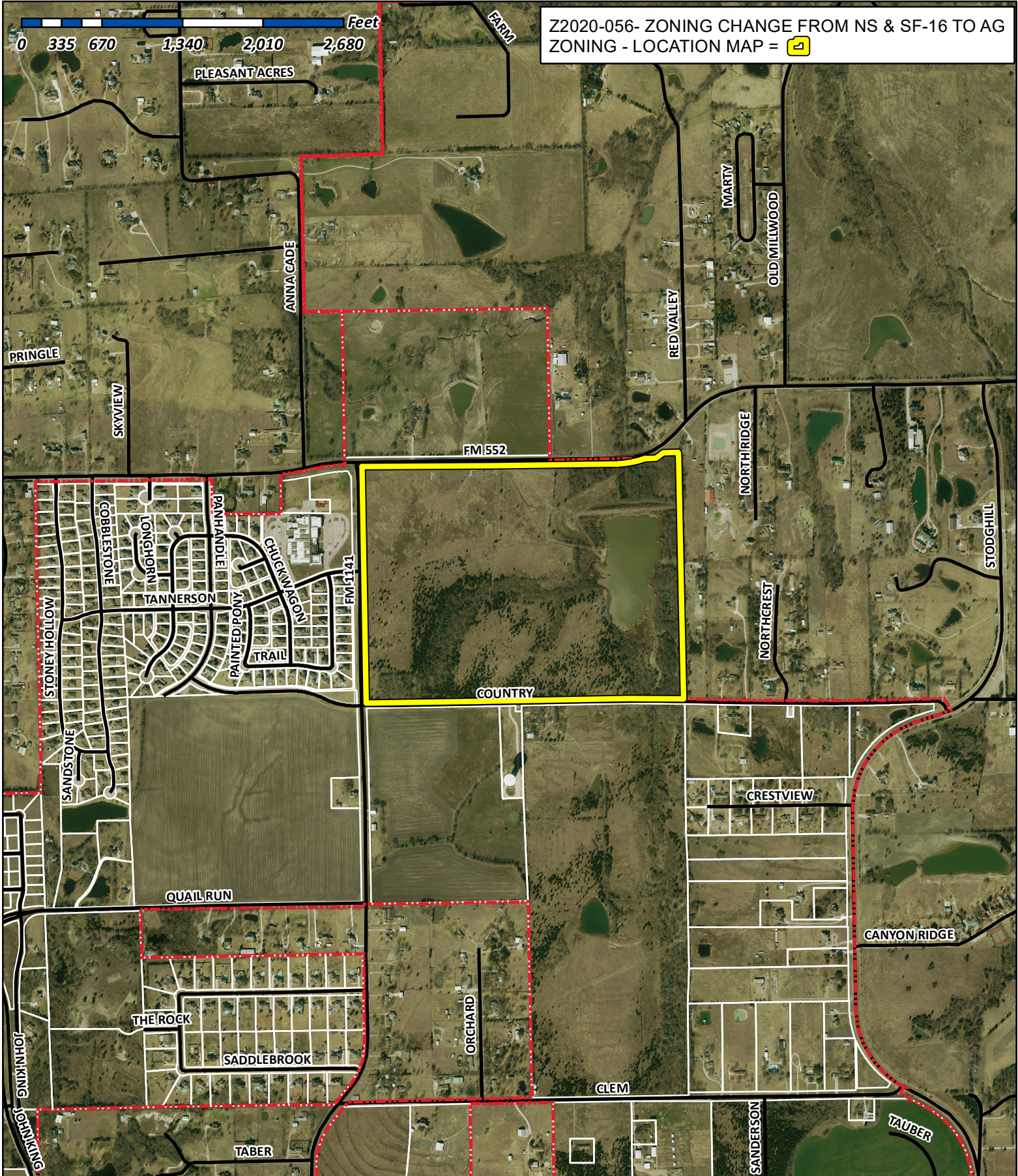
Owner's Signature

Notary Public in and for the State of Texas



My Commission Expires

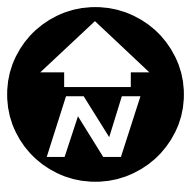
01/31/2024



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.

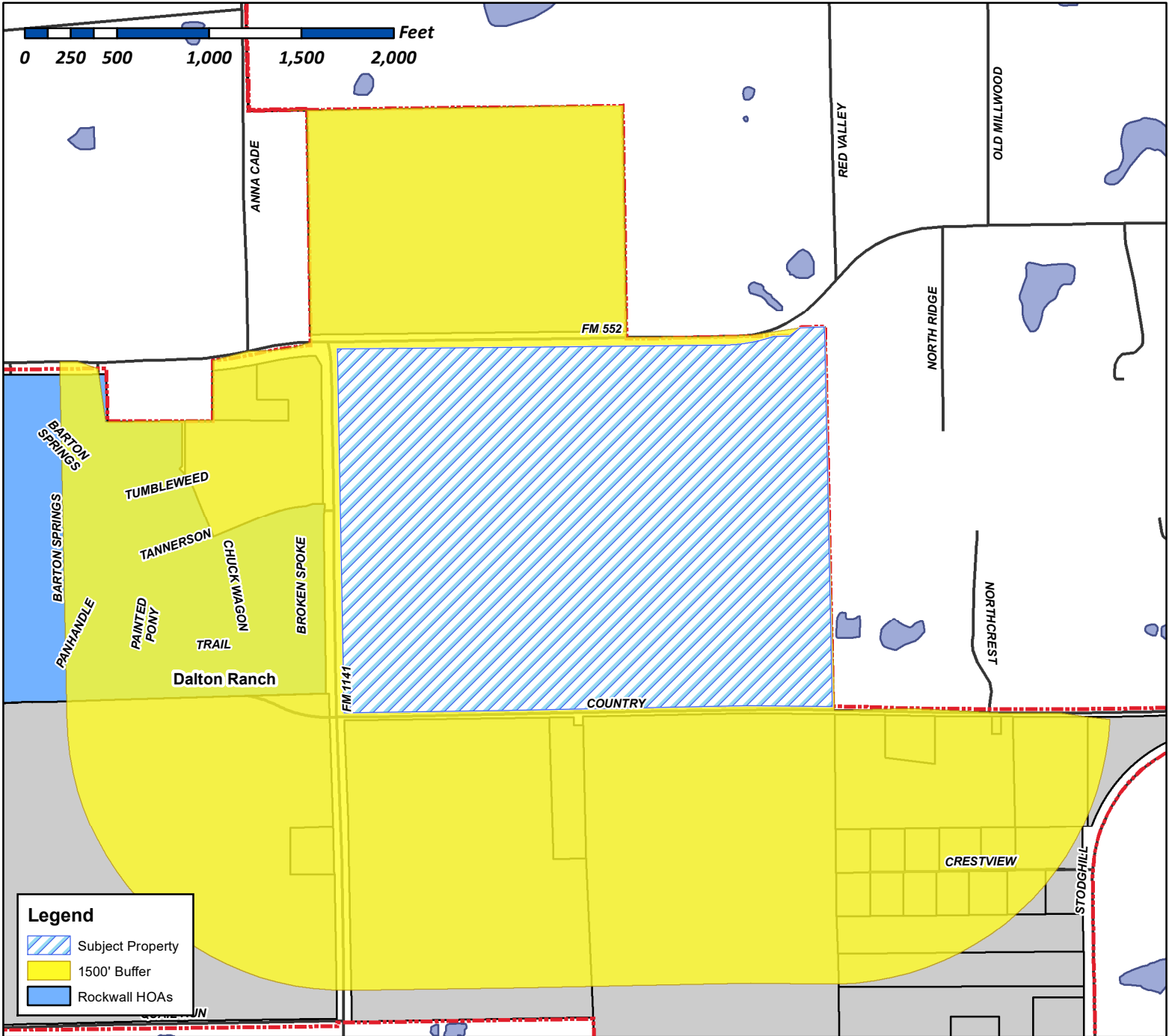
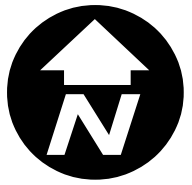




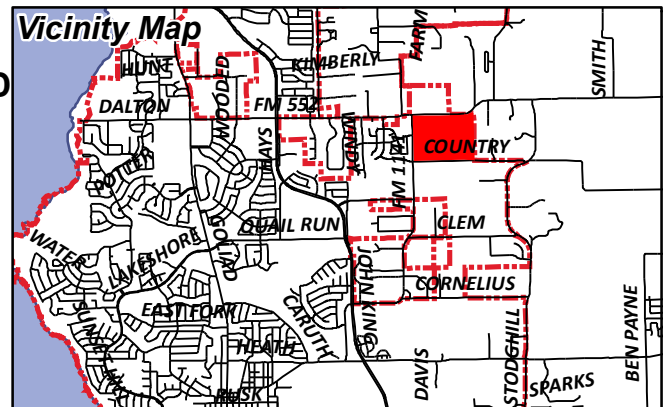
City of Rockwall

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

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Case Number: Z2020-045
Case Name: Zoning Change from NS & SF-16 to PD
Case Type: Zoning
Zoning: NS & SF-16
Case Address: SEC of FM 552 and FM 1141



Date Created: 12/19/2020
 For Questions on this Case Call (972) 771-7745

Miller, Ryan

From: Gamez, Angelica
Sent: Tuesday, December 22, 2020 12:13 PM
Cc: Miller, Ryan; Gonzales, David; Lee, Henry
Subject: Neighborhood Notification Program [Z2020-056]
Attachments: Public Notice (12.21.2020).pdf; HOA Map (12.19.2020).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *December 25, 2020*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, January 12, 2021 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, January 19, 2021 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to Planning@rockwall.com at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:

<https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2020-056 Zoning Change from SF-16 & NS to PD

Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties, LLC on behalf of Jen-Liang Wu of Unison Investment, LP for the approval of a *Zoning Change* from a Single-Family 16 (SF-16) District and Neighborhood Services (NS) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 121.16-acre tract of land identified as Tract 2 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District and Neighborhood Services (NS) District, generally located at the southeast corner of the intersection of FM-1141 and FM-552, and take any action necessary.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

<http://www.rockwall.com/planning/>

This email was scanned by Bitdefender

WEIR JAMES B & CRYSTAL
1831 TRAIL DR
ROCKWALL, TX 75087

OLIVER MICHAEL
1832 TRAIL DRIVE
ROCKWALL, TX 75087

MILLER ANGELA KAY & JOHN RAY
1833 TRAIL DRIVE
ROCKWALL, TX 75087

FOSTER BRIAN AND DEIDRE
1834 TRAIL DRIVE
ROCKWALL, TX 75087

ALLEN JAMES JR & BARBARA A
1835 TRAIL DRIVE
ROCKWALL, TX 75087

SANTOSO HARDJO AND
SENDYTIAWATI KURNIAWAN
1836 TRAIL DR
ROCKWALL, TX 75087

REAMSBOTTOM DELAYNE
1837 TRAIL DRIVE
ROCKWALL, TX 75087

STOVALL KEVIN
1847 TANNERSON DRIVE
ROCKWALL, TX 75087

ROCKWALL I S D
1880 TANNERSON
ROCKWALL, TX 75087

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

CITY OF ROCKWALL
205 W RUSK ST
ROCKWALL, TX 75087

UNISON INVESTMENT
23545 CRENSHAW BLVD STE 201
TORRANCE, CA 90505

EIDT WILLIAM H AND
MARGARET E SHEEHAN/JOHN EIDT
2728 MCKINNON ST APT 1902
DALLAS, TX 75201

KIM BUNNA
2908 BROKEN SPOKE LN
ROCKWALL, TX 75087

LIPSEY RANDALL L AND KAREN M
2910 BROKEN SPOKE LN
ROCKWALL, TX 75087

RODRIQUEZ MONICA CANO & ISRAEL A JR
2912 BROKEN SPOKE LANE
ROCKWALL, TX 75087

FRANCIS SHELBY & KRISTI
2913 BROKEN SPOKE LANE
ROCKWALL, TX 75087

KOZLOWSKI BRIAN STEPHEN & JULIE
2914 BROKEN SPOKE LANE
ROCKWALL, TX 75087

CONFIDENTIAL
2914 CHUCK WAGON DR
ROCKWALL, TX 75087

MARTIN JEFFREY MICHAEL & ELIZABETH DIANE
2915 BROKEN SPOKE LANE
ROCKWALL, TX 75087

CURRY JOANNA & SHAWN
2916 BROKEN SPOKE LN
ROCKWALL, TX 75087

LOGWOOD DANA CELESTE
2916 CHUCK WAGON DR
ROCKWALL, TX 75087

DE MASELLIS ADAM CLAUDE & STEPHANIE
DENISE
2917 BROKEN SPOKE LANE
ROCKWALL, TX 75087

2018 S M TAYLOR REVOCABLE TRUST
STEVEN EUGENE TAYLOR AND MICHELLE DIANE
TAYLOR- TRUSTEES
2918 BROKEN SPOKE LANE
ROCKWALL, TX 75087

DORROUGH JEFFREY
2918 CHUCK WAGON DR
ROCKWALL, TX 75087

GAY VINCENT NEIL AND KERRI L
2919 BROKEN SPOKE LN
ROCKWALL, TX 75087

SANTIAGO ABE D AND ROCIO D SIMENTAL
2920 BROKEN SPOKE LANE
ROCKWALL, TX 75087

BOYD JOEY D
2920 CHUCK WAGON DR
ROCKWALL, TX 75087

RANNIGAN MICHAEL R & RACHELLE LE ANN
2921 BROKEN SPOKE LANE
ROCKWALL, TX 75087

DENNISON BOBBY & RAMONA
2922 BROKEN SPOKE LN
ROCKWALL, TX 75087

JONAS CHAD & JOANA
2924 BROKEN SPOKE LANE
ROCKWALL, TX 75087

BUNCH LLOYD M & LINDA G
2925 BROKEN SPOKE LANE
ROCKWALL, TX 75087

QUINTERO JORGE & DELILAH
2926 BROKEN SPOKE LANE
ROCKWALL, TX 75087

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

DALTON RANCH OWNERS ASSOC
C/O VISION COMMUNITIES MANAGEMENT INC
5757 ALPHA RD STE 680
DALLAS, TX 75240

PEARCE CAROL ALLEY
721 N COUNTRY LN
ROCKWALL, TX 75087

ROCKWALL I S D
801 E WASHINGTON ST
ROCKWALL, TX 75087

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. Z2020-056: Zoning Change from SF-16 & NS to PD

Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties, LLC on behalf of Jen-Liang Wu of Unison Investment, LP for the approval of a Zoning Change from a Single-Family 16 (SF-16) District and Neighborhood Services (NS) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 121.16-acre tract of land identified as Tract 2 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District and Neighborhood Services (NS) District, generally located at the southeast corner of the intersection of FM-1141 and FM-552, 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, January 12, 2021 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 19, 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:

Ryan Miller
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 Tuesday, January 19, 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



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. Z2020-056: Zoning Change from SF-16 & NS to PD

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

October 16, 2020

City of Rockwall
Attn: Ryan Miller, AICP
385 S Goliad St
Rockwall, TX 75087

Dear Mr. Miller,

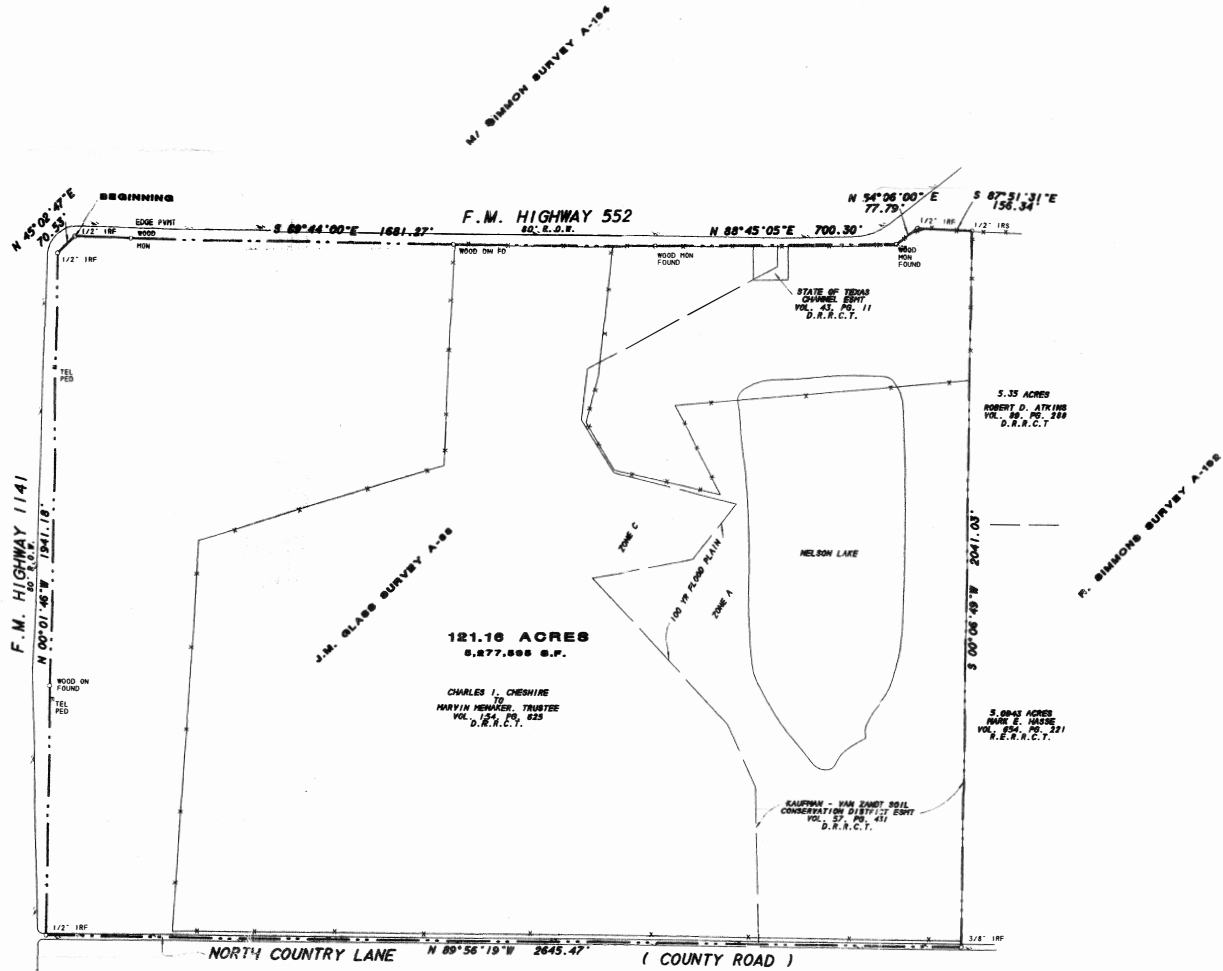
Michael Joyce Properties, LLC is requesting that our project be taken to the November 10th, 2020 Planning and Zoning Meeting. This project is the development of 121.16 Acres in the J.M. Glass Survey, Tract 2 Abstract 88, City of Rockwall, Rockwall County, located at the Southeast corner of F.M. 552 and F.M. 1141.

The property is currently zoned NS and SF – 16. We are proposing a development of Single-Family Residential homes on 7,000 - 8,400 square foot lots. This community will provide for a greater variety of housing that the market demands and will still reflect the beautiful aesthetic of the surrounding communities like Stone Creek and Breezy Hill, and the City of Rockwall as a whole.

We look forward to working with the City once again to develop another gorgeous development.

Cordially Yours,

Ryan Joyce



DESCRIPTION

All that certain lot, tract or parcel of land situated in the J.M. GLASS SURVEY, ABSTRACT NO. 88, Rockwall County, Texas, and being all of that tract of land as described in a Warranty deed from Charles J. Cheshire to Marvin Menaker, Trustee, dated April 23, 1980, and being recorded in Volume 154, Page 825 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the East cut back corner at the intersection of the East right-of-way line of F.M. Highway 552 (80' R.O.W.) with the South right-of-way line of F.M. Highway 552 (80' R.O.W.);

THENCE along the South right-of-way line of said F.M. Highway 552 the following:

- S. 69 deg. 44 min. 00 sec. E. (Controlling bearing) a distance of 1681.27 feet to a 1/2" iron rod found for corner;
- N. 88 deg. 45 min. 05 sec. E. a distance of 700.30 feet to a tack found in wood monument for corner;
- N. 54 deg. 06 min. 00 sec. E. a distance of 77.79 feet to a 1/2" iron rod found for corner;

THENCE S. 87 deg. 51 min. 31 sec. E. leaving the South line of said F.M. Highway 552, a distance of 156.34 feet to a 1/2" iron rod set for corner at the base of a fence corner post for corner at the Northeast corner of said Menaker tract;

THENCE S. 00 deg. 00 min. 49 sec. E. along the East line of said Menaker tract a distance of 2041.03 feet to a 3/8" iron rod found for corner in the center of North Country Lane (county road);

THENCE N. 89 deg. 56 min. 19 sec. W. along and near said center of North Country Lane a distance of 2645.47 feet to a 1/2" iron rod found for corner at the Southwest corner of said Menaker tract at the intersection of the center of said road with the East right-of-way line of said F.M. Highway 1141;

THENCE N. 00 deg. 01 min. 45 sec. W. with the East right-of-way line of said F.M. Highway 1141 a distance of 1941.18 feet to a 1/2" iron rod found for corner;

THENCE N. 45 deg. 02 min. 47 sec. E. along the East right-of-way line of said highway a distance of 7050 feet to the POINT OF BEGINNING and containing 121.16 acres or 5,277.595 square feet of land.

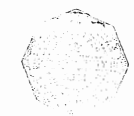
NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 480543 0035 B, dated SEPT 17, 1980, this property lies in Zones A & C. Part of this property does appear to be within a 100-year flood plain.
- 2) BEARING SOURCE IS RECORDED DEED IN VOL. 154, PG. 825, D.R.R.C.T.

SURVEYOR'S CERTIFICATE

I, Harold D. Fathy, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat hereon prepared for ROCKWALL COUNTY ABSTRACT & TITLE COMPANY as 123 acres, on FM 552 and FM 1141, Rockwall County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground on the 15th day of Feb., 2000.

Harold D. Fathy III
 Harold D. Fathy III, R.P.L.S. No. 5034



432

9. In the event the easement described herein is abandoned, the rights, privileges, and authority granted hereunder to the second party shall cease and determine.

IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names and affixed their seals as of the day and year first above written.

- ✓ James R. Murphy
- ✓ Thomas Nelson Murphy
- ✓ M. Burns D. Watkins
- ✓ Aslee Nelson Watkins
- ✓ James R. Dudley
- ✓ Iva Nell Dudley
- ✓ Henry C. Carr
- ✓ Mrs. Jennie Nelson Carr
- ✓ William C. Nelson
- ✓ Mary Dee Nelson

Mrs J M Nelson
Jessie Nelson Rodgers
 (Signature of first party)

Kaufman Van Zandt Soil Conservation District
Soil Conservation District

BY Frank Springer
 Chairman, Board of Supervisors

THE STATE OF _____

COUNTY OF _____

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared _____ and _____, ~~his wife,~~ both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said _____, wife of the said _____, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said _____ acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 27 day of April, A. D. 1956.

Notary Public in and for _____

SEAL
 My Commission Expires: 6-1-57 County, _____

THE STATE OF Texas

COUNTY OF Rockwall

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Mrs. J.M. Nelson known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 27 day of April, A. D. 1956.

Frank Springer
 Notary Public in and for Rockwall
Rockwall County Texas

SEAL
 My Commission Expires: June 1, 1957

THE STATE OF Texas

COUNTY OF _____

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Alton A. Nelson and Mary Dee Nelson, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Mary Dee Nelson wife of the said.

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Alton A. Nelson having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Mary Doe Nelson acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 1 day of March, A. D. 1957.

BETTY ARRANT, Betty Arrant
Notary Public in and for Ector County, Oklahoma

SEAL:
My commission expires: June 14, 1957

THE STATE OF Texas

COUNTY OF Bosque

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Henry A. Carr and Mrs. Lennie Nelson Carr, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Lennie Nelson Carr, wife of the said

Henry A. Carr having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Lennie Nelson Carr acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS, the 13 day of Feb., A. D. 1957.

J. D. Starcher
Notary Public in and for Bosque County, Tex.

SEAL:
My commission expires:

WIFE'S SEPARATE ACKNOWLEDGMENT

THE STATE OF TEXAS, }
COUNTY OF Rockwall }

BEFORE ME, the undersigned, a Notary Public,

in and for said County, Texas, on this day personally appeared Jennie Nelson Rodgers, wife of K. Barto Rodgers known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Jennie Nelson Rodgers acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This 3 day of Jan., A. D. 1957

(L. S.) Frankl Springer
Rockwall Co., Texas

THE STATE OF Texas

COUNTY OF _____

434

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Melbazz I. Watkins

and Aslee Nelson Watkins his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Aslee Nelson Watkins, wife of the said

Melbazz I Watkins having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Aslee Nelson Watkins acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS, the 29 day of January,
M. Sevalters
Aslee Nelson Watkins

A. D. 1957.

George C. Wright
Notary Public in and for Dallas
County, _____

SEAL:

My commission expires: 6/1/57

THE STATE OF Texas

COUNTY OF _____

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared James R. Murphree and

Omaree Nelson Murphree, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Omaree Nelson Murphree of the said

James R. Murphree wife having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said

Omaree Nelson Murphree acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 29 day of January,
James R. Murphree
Omaree Nelson Murphree
A. D. 1957.

George C. Wright
Notary Public in and for Dallas
County, Texas

SEAL

My commission expires: 6-1-57

THE STATE OF Texas
COUNTY OF Rockwall

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BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Albert J. Wilson

known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 14 day of Jan.,
A. D. 1957.

Gladys James
Notary Public in and for Rockwall
Rockwall, County, Texas

SEAL
THE STATE OF TEXAS
COUNTY OF ROCKWALL

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared James R. Dudley and Joan Nell Dudley, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Joan N. Dudley wife of the said

James R. Dudley having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said

Joan N. Dudley acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

SIGNED: James R. Dudley
SIGNED: Joan Nell Dudley

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 28th day of June,
A. D. 1955.

SEAL

My commission expires: 6-1-1957

J. T. Lofland
Notary Public in and for
Rockwall County, Texas

THE STATE OF Texas
COUNTY OF Rockwall

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared K. Barto Rodgers known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 3 day of Jan.,
A. D. 1957

Frank Springer
Notary Public in and for
Rockwall County Texas

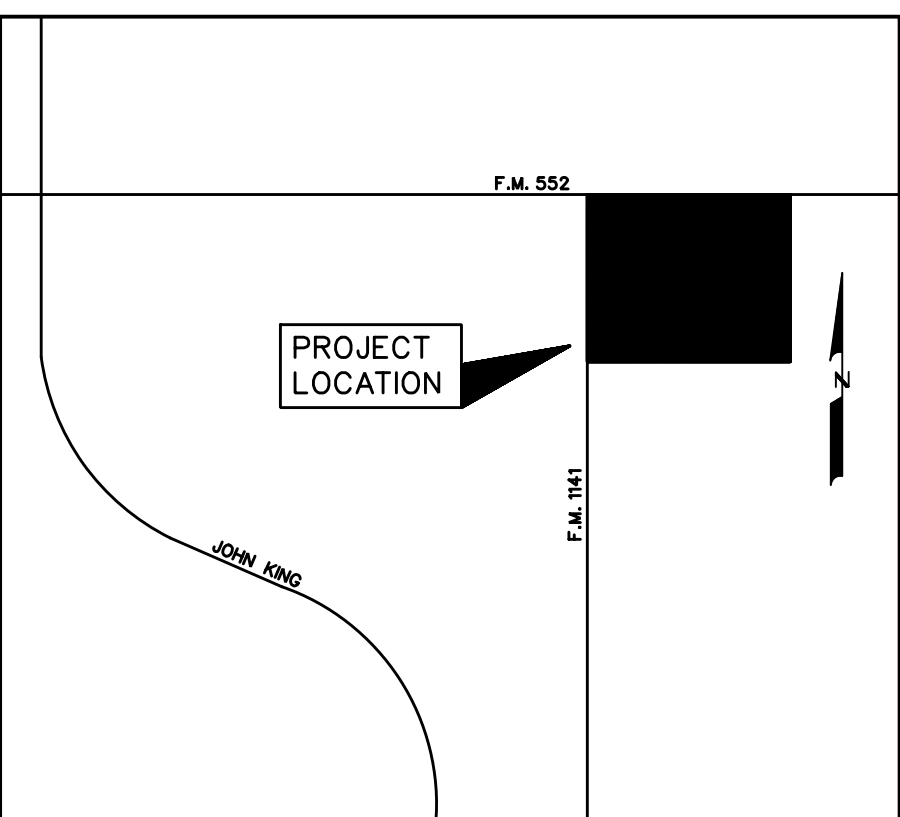
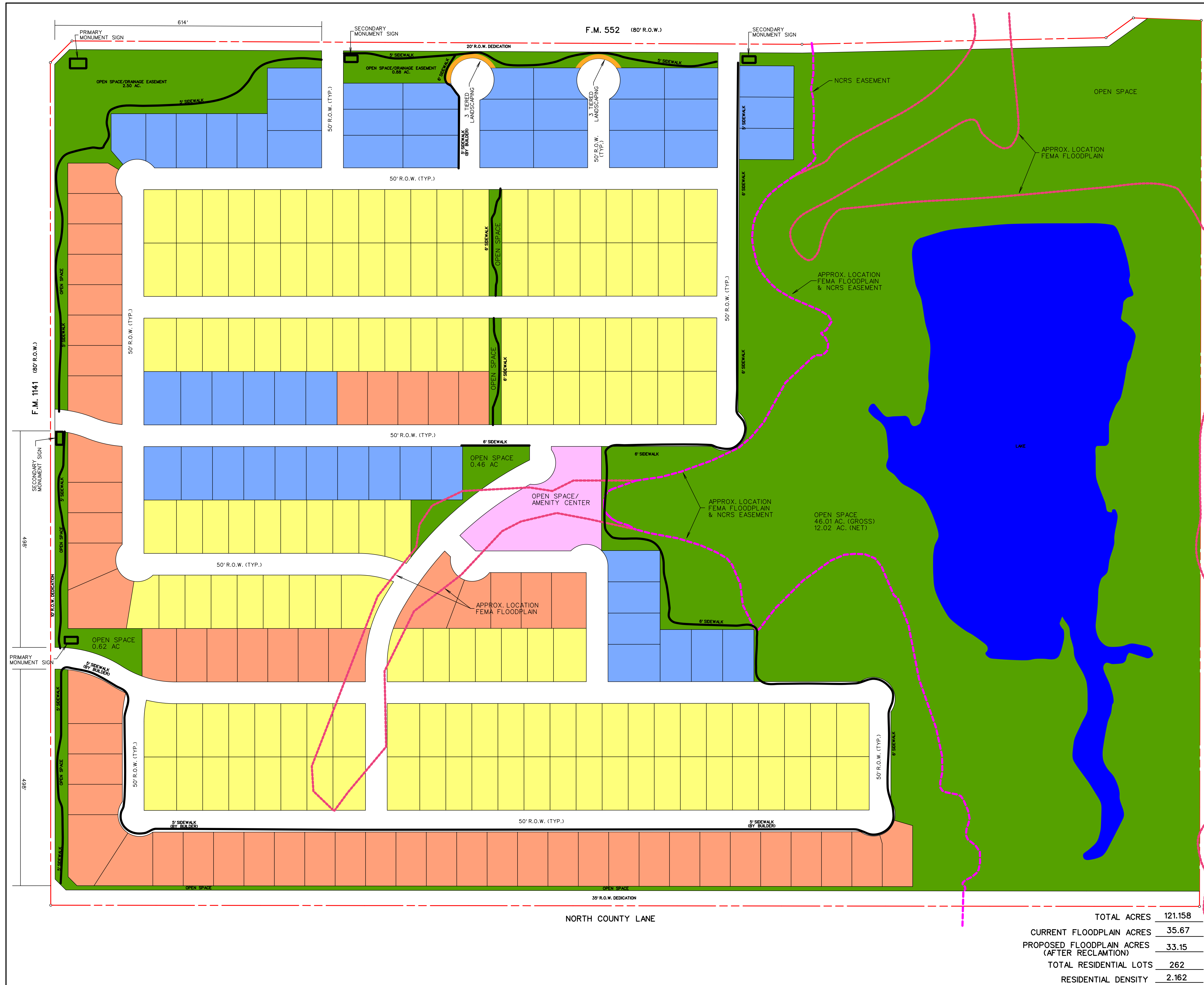
SEAL

My Commission Expires: 6-1-1957

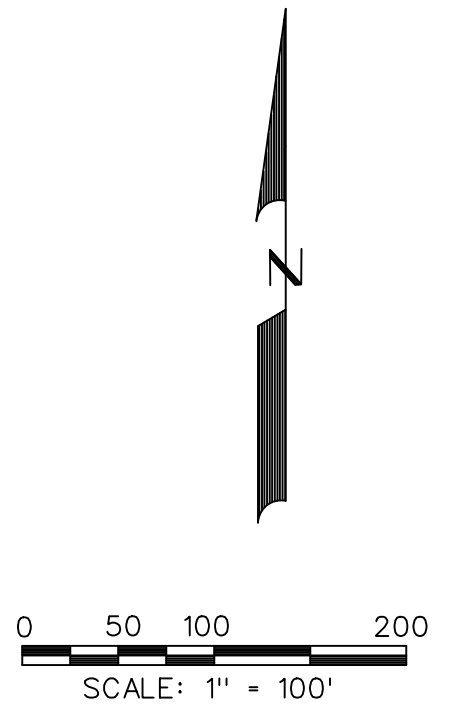
FILED FOR RECORD 16 DAY OF April A.D. 1958, AT 2-30 M.

RECORDED 17 DAY OF April A.D. 1958, AT 9-30 A.M.

Deborah Wimpee
DERWOOD WIMPEE, CLERK COUNTY COURT, ROCKWALL COUNTY, TEXAS.



LOCATION MAP
N.T.S.



LEGEND

TYPICAL LOT SIZES

- 60' X 120' - 149 LOTS
- 70' X 120' - 61 LOTS
- 72' X 120' - 52 LOTS
- PUBLIC OPEN SPACE/
LANDSCAPE BUFFER - 50.80 AC.
- AMENITY CENTER - 1.145 Ac.

NOTE:
THE MAXIMUM NUMBER OF RESIDENTIAL LOTS
SHALL NOT EXCEED 262 LOTS.

CONCEPT PLAN
OF
NELSON LAKE ESTATES
SITUATED IN THE
J.M. GLASS SURVEY, ABSTRACT NO. 88

IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

OWNER
UNISON INVESTMENT
23545 CRENSHAW BLVD., STE. 201
TORRANCE, CA 90505

TOTAL ACRES	121.158
CURRENT FLOODPLAIN ACRES	35.67
PROPOSED FLOODPLAIN ACRES (AFTER RECLAMATION)	33.15
TOTAL RESIDENTIAL LOTS	262
RESIDENTIAL DENSITY	2.162

FISCAL IMPACT ANALYSIS TOOL

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

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

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

CASE NO.: Z2020-045

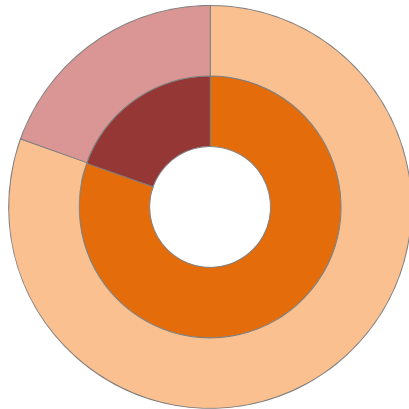
CASE NAME: Zoning Change (SF-16 & NS to PD) [Nelson Lake Estates]

ZONING MAP



	PRESENT				PROPOSED				CHANGE				GOAL		
	LAND USE		LAND VALUE		LAND USE		LAND VALUE		LAND USE		LAND VALUE		ACREAGE	VALUE	DIFFERENCE
	ACRES	%	EST. PROP. VALUE	%	ACRES	%	EST. PROP. VALUE	%	CH. ACRES	% CHANGE	CHANGE IN VALUE	% CHANGE			
RESIDENTIAL	10,934.11	75.49%	\$ 4,086,072,836.39	75.92%	10,949.47	75.59%	4,159,745,765.77	76.24%	15.36	0.11%	73,672,929.38	1.37%	80%	67%	-9.24%
NON-RESIDENTIAL	3,550.31	24.51%	\$ 1,296,229,067.61	24.08%	3,533.95	24.40%	1,296,111,589.15	23.76%	(16.36)	-0.11%	(117,478.46)	0.00%	20%	33%	-9.24%
	14,484.42	100.00%	\$ 5,382,301,904.00	100.00%	14,483.42	99.99%	5,455,857,354.92	100.00%			73,555,450.92	1.37%	100%	100%	
OPEN SPACE	2,487.57		\$ 380,531,381.26		2,488.57		\$ 389,033,454.47								
TOTAL	16,971.99		\$ 5,762,833,285.26		16,971.99		\$ 5,844,890,809.39								

PRESENT		
	ACRES	%
RESIDENTIAL	19,697.30	80.41%
NON-RESIDENTIAL	4,799.77	19.59%
	24,497.07	100.00%
OPEN SPACE	6,114.49	
TOTAL	30,611.56	
PROPOSED		
	ACRES	%
RESIDENTIAL	19,729.78	80.54%
NON-RESIDENTIAL	4,783.41	19.53%
	24,513.19	100.07%
OPEN SPACE	6,098.36	
TOTAL	30,611.56	
CHANGE		
	ACRES	%
RESIDENTIAL	32.48	0.13%
NON-RESIDENTIAL	(16.36)	-0.07%



FUTURE LAND USE MAP

ESTIMATED COST/REVENUES

	[A] Current Zoning	[B] Current Zoning Potential @ BO	[C] Proposed Zoning @ BO	[B] - [C] Difference of Proposed vs. Current
BENCHMARKS				
Residential Value	\$ 402,557.62	\$ 39,692,435.04	\$ 73,672,929.38	\$ 33,980,494.35
Non-Residential Value	\$ 117,478.46	\$ 9,527,246.00	\$ -	\$ (9,527,246.00)
Residential Acreage	56.06	56.06	71.42	15.36
Non-Residential Acreage	16.36	16.36	-	(16.36)
ANNUAL REVENUES				
Residential Revenues	\$ 1,489.46	\$ 147,034.16	\$ 272,684.08	\$ 125,649.91
Non-Residential Revenues	\$ 434.67	\$ 56,519.64	\$ -	\$ (56,519.64)
Direct Sales Tax Increase	\$ -	\$ 229,556.40	\$ -	\$ (229,556.40)
Indirect Sales Tax Increase	\$ -	\$ 179,187.05	\$ 309,948.52	\$ 130,761.47
Total Revenues	\$ 1,924.13	\$ 612,297.26	\$ 582,632.60	\$ (29,664.66)
ANNUAL EXPENDITURES				
Cost of Community Service for Residential	\$ -	\$ (345,644.92)	\$ (715,566.98)	\$ (369,922.06)
Cost of Community Service for Non-Residential	\$ -	\$ (78,815.93)	\$ -	\$ 78,815.93
Total Estimated Expenditures	\$ -	\$ (424,460.84)	\$ (715,566.98)	\$ (291,106.14)
EST. ANN. COST/REVENUES	\$ 1,924.13	\$ 187,836.42	\$ (132,934.38)	\$ (320,770.80)
OTHER BENCHMARKS				
Additional Citizens Added to Population		438	758	320
Estimated Non-Resident Consumers in City		147	-	(147)

CITY OF ROCKWALL

ORDINANCE NO. 21-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM A NEIGHBORHOOD SERVICES (NS) DISTRICT AND A SINGLE-FAMILY 16 (SF-16) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR SINGLE-FAMILY 10 (SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 121.16-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2 OF THE J. M. GASS SURVEY, ABSTRACT NO. 88, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED HEREIN BY EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Ryan Joyce of Ryan Michael Joyce Properties, LLC on behalf of Jen-Liang Wu of Unison Investment, LP for the approval of a zoning change from a Neighborhood Services (NS) District and a Single-Family 16 (SF-16) District to a Planned Development District for Single-Family 10 (SF-10) District land uses, on a 121.16-acre tract of land identified as Tract 2 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

SECTION 2. That development of the *Subject Property* shall generally be in accordance with the *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 1ST DAY OF FEBRUARY, 2021.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 19, 2021

2nd Reading: February 1, 2021

Exhibit 'A':
Legal Description

All that certain lot, tract or parcel of land situated in the *J.M. GLASS SURVEY, ABSTRACT NO. 88*, Rockwall County, Texas, and being all of that tract of land as described in a Warranty Deed from Charles I. Cheshire to Marvin Menaker, *Trustee*, dated April 23, 1980, and being recorded in *Volume 154, Page 625* of the *Deed Records* of Rockwell County, Texas, and being more particularly described as follows:

BEGINNING at a ½-inch iron rod found for corner at the east cut back corner at the intersection of the east right-of-way line of FM-1141 (80' ROW) with the South right-of-way line of FM-552 (80' ROW);

THENCE along the south right-of-way line of said FM-552 the following:

S. 89 DEG. 44 MIN. 00 SEC. E. (*Controlling Bearing*) a distance of 1681.27-feet to a ½-inch iron rod found for corner;

N. 88 DEG. 45 MIN. 05 SEC. E. a distance of 700.30-feet to a tack found in wood monument for corner;

N. 54 DEG. 06 MIN. 00 SEC. E. a distance of 77.79-feet to a ½-inch iron rod found for corner;

THENCE S. 87 DEG. 51 MIN. 31 SEC. E. leaving the South line of said FM-552, a distance of 156.34-feet to a ½-inch iron rod set for corner at the base of a fence corner post for corner at the northeast corner of said *Menaker Tract*;

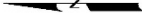
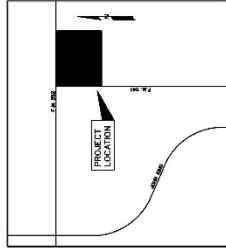
THENCE S. 00 DEG. 06 MIN. 49 SEC. E. along the east line of said *Menaker Tract* a distance of 2,041.03-feet to a 3/8-inch iron rod found for corner in the center of North Country Lane;

THENCE N. 89 DEG. 56 MIN. 19 SEC. W. along and near said center of North Country Lane a distance of 2,645.47-feet to a ½-inch iron rod found for corner at the southwest corner of said *Menaker Tract* at the intersection of the center of said road with the east right-of-way line of said FM-1141;

THENCE N. 00 DEG. 01 MIN. 46 SEC. W. with the east right-of-way line of said FM-1141 a distance of 1,941.18-feet to a ½-inch iron rod found for corner;

THENCE N. 45 DEG. 02 MIN. 47 SEC. E. along the east right-of-way line of said highway a distance of 70.50-feet to the *POINT OF BEGINNING* and containing 121.16-acres or 5,277,595 SF of land.

Exhibit 'C': Concept Plan



0 50 100 200
SCALE: 1" = 100'

LEGEND

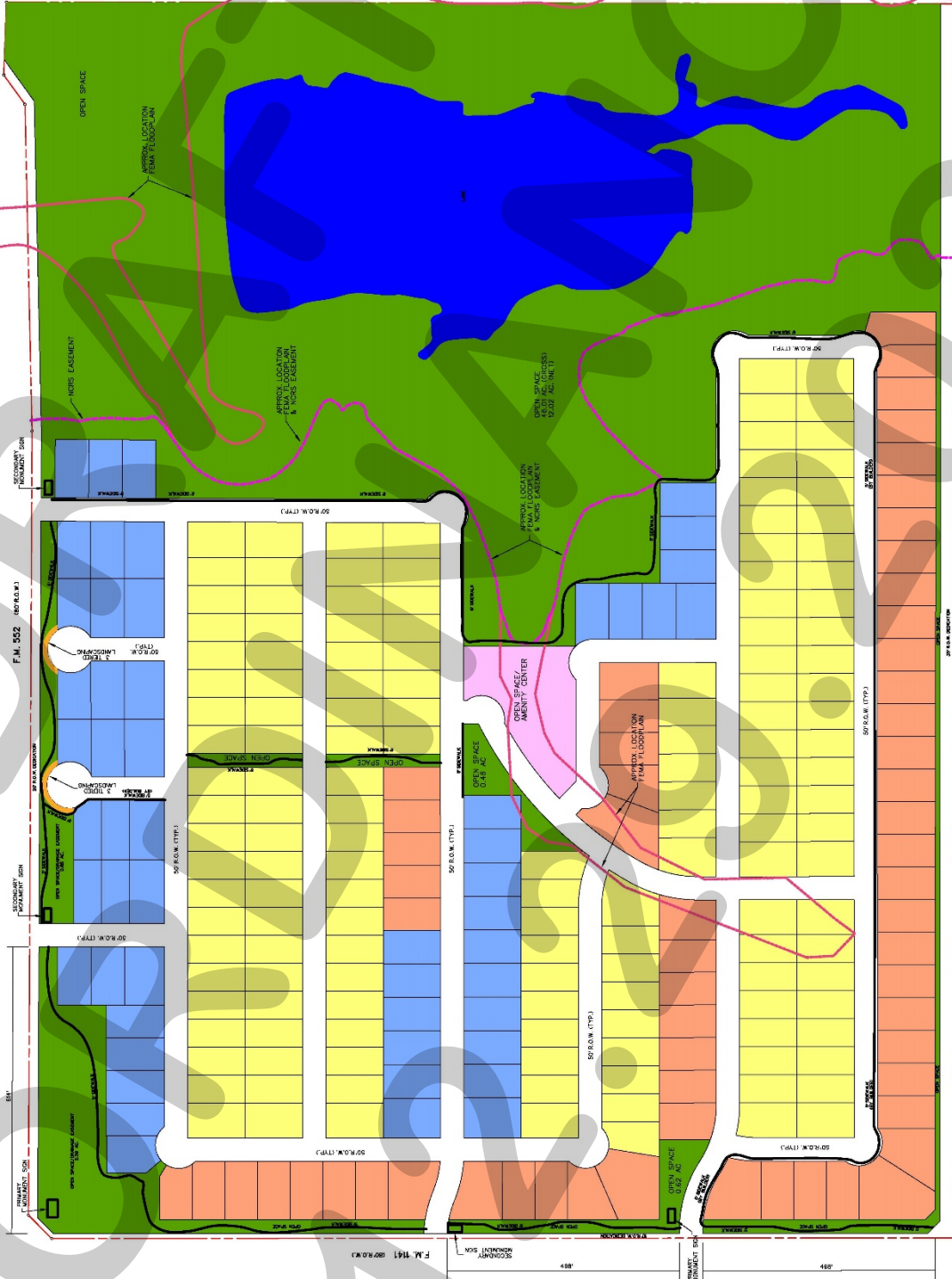
TYPICAL LOT SIZES

- 80' X 20' - 148 LOTS
- 70' X 100' - 81 LOTS
- 72' X 100' - 82 LOTS
- PUBLIC OPEN SPACE / LANDSCAPE BUFFER - 50,880 AC.
- AMENITY CENTER - 1145 AC.

NOTE: MAXIMUM NUMBER OF RESIDENTIAL LOTS SHALL NOT EXCEED 282 LOTS.

NELSON LAKE ESTATES
CONCEPT PLAN
OF
STRATERS IN THE
J.M. GLASS SURVEY, ABSTRACT NO. 88
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
PREPARED BY
CORNING ENGINEERING, INC.
200 W. M. STEWART BLVD.
ALLEN, TEXAS 75013
OWNER
UNISON INVESTMENT
23541 CORKRAN BLVD., SUITE 201
CORPUS CHRISTI, TX 78408

DECEMBER 2020 SCALE 1" = 100'



TOTAL ACRES	121.158
CURRENT FLOODPLAIN ACRES	35.87
PROPOSED FLOODPLAIN ACRES AFTER RECLAMATION	33.15
TOTAL RESIDENTIAL LOTS	282
RESIDENTIAL DENSITY	2.182

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 10 (SF-10) 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'* and stated in *Table 1*, which is as follows:

Table 1: Lot Composition

<i>Lot Type</i>	<i>Minimum Lot Size (FT)</i>	<i>Minimum Lot Size (SF)</i>	<i>Dwelling Units (#)</i>	<i>Dwelling Units (%)</i>
A	60' x 120'	7,000 SF	149	56.87%
B	70' x 120'	8,400 SF	61	23.28%
C	72' x 120'	8,600 SF	52	19.85%
<i>Maximum Permitted Units:</i>			262	100.00%

- (3) Density and Dimensional Requirements. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 10 (SF-10) 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 2.17 dwelling units per gross acre of land; however, in no case should the proposed development exceed 262 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

<i>Lot Type (see Concept Plan) ▶</i>	A	B	C
<i>Minimum Lot Width</i> ⁽¹⁾	60'	70'	72'
<i>Minimum Lot Depth</i>	120'	120'	120'
<i>Minimum Lot Area</i>	7,000 SF	8,400 SF	8,600 SF
<i>Minimum Front Yard Setback</i> ^{(2), (5) & (6)}	20'	20'	20'
<i>Minimum Side Yard Setback</i>	5'	6'	6'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> ^{(2) & (5)}	20'	20'	20'
<i>Minimum Length of Driveway Pavement</i>	20'	20'	20'
<i>Maximum Height</i> ⁽³⁾	36'	36'	36'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	10'	10'	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	2,200 SF	2,200 SF	2,200 SF
<i>Maximum Lot Coverage</i>	65%	65%	65%

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

Exhibit 'D':
Density and Development Standards

the encroaching faces.

- 6: Flat front entry garage configurations are permitted on up to 35% (*i.e. a maximum of 91 lots*) of the total number of lots provided that: [1] no more than 40% (*i.e. a maximum of 59 lots*) of the lots for Lot Type 'A' have a flat front entry garage, [2] no more than 29% (*i.e. a maximum of 32 lots*) of the combined total of the Lot Type 'B' and Lot Type 'C' may have a flat front entry garage, and [3] the front yard building setback for all lots with a flat front entry garage is increased to a minimum of 25-feet.

(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-552 and 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*. This development shall adhere to the following garage design and orientation requirements:

(1) *Type 'A' Lots*. Garages shall be oriented in a *traditional swing* (or *j-swing*) -- where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration -- or in a flat front entry configuration (*i.e. even with the front façade of the primary structure*). On *traditional swing* (or *j-swing*) garage configurations, a second single garage door facing the street is permitted if it is located behind the width of the double garage door. Garages configured in a flat front entry configuration shall be allowed on a maximum of 40% of the lots (*i.e. a maximum of 59 lots*) provided that the front yard building setback is increased to 25-feet. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).

(2) *Type 'B' and 'C' Lots*. Garages shall be oriented in a *traditional swing* (or *j-swing*) -- where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration -- or in a flat front entry configuration (*i.e. even with the front façade of the primary structure*). On *traditional swing* (or *j-swing*) garage configurations, a second single garage door facing the street is permitted if it is located behind the width of the double garage door. Garages configured in a flat front entry configuration shall be allowed on a maximum of 29% of the lots (*i.e. a maximum of 32 lots of the combined total of the Lot Type 'B' and Lot Type 'C' Lots*) provided that the front yard building setback is increased to 25-feet. All garage configurations not

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

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



Carriage Hardware

- (5) Anti-Monotony Restrictions. The development shall adhere to the *Anti-Monotony Matrix* depicted in *Table 3* below (for spacing requirements see *Figures 3 & 4* below).

Table 3: Anti-Monotony Matrix

<u>Lot Type</u>	<u>Minimum Lot Size</u>	<u>Elevation Features</u>
A	60' x 120'	(1), (2), (3), (4)
B	70' x 120'	(1), (2), (3), (4)
C	72' x 120'	(1), (2), (3), (4)

- (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-552, FM-1141, or North Country Lane shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

Exhibit 'D':
Density and Development Standards

- (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.

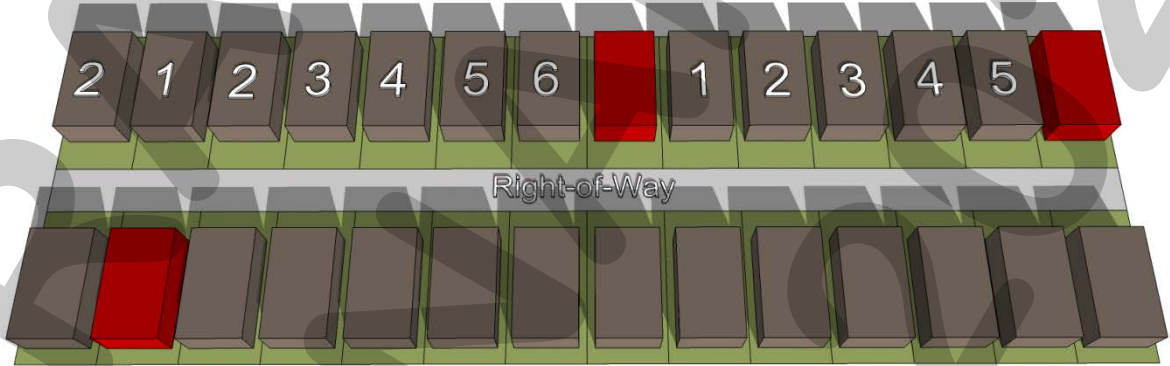
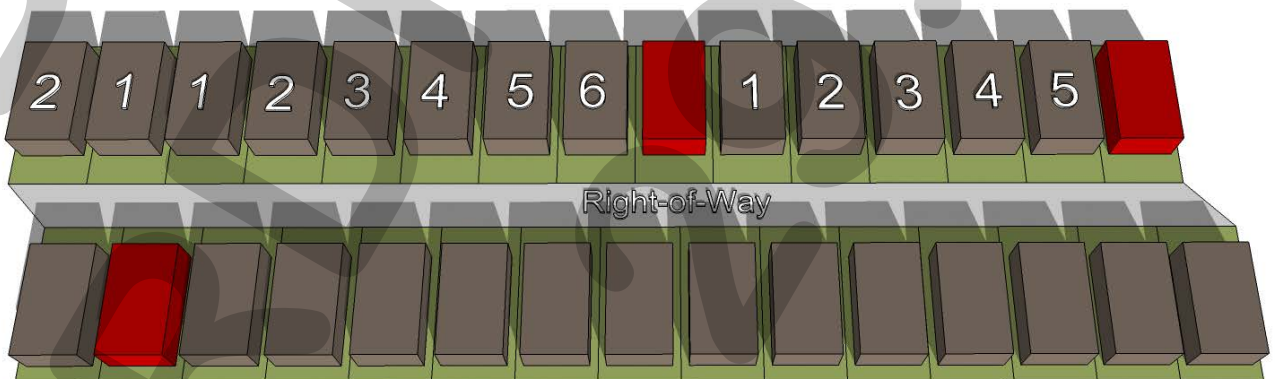


Figure 4: Properties do not line up on opposite side of the street. Where **RED** is the subject property.



- (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.

Exhibit 'D':
Density and Development Standards

- (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-552, FM-1141 and North Country Lane*), 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.
- (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-552). A minimum of a 30-foot landscape buffer shall be provided along FM-552 (*outside of and beyond any required right-of-way dedication*), that 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. In addition, additional three (3) tiered landscaping (*i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees*) shall be required adjacent to the cul-de-sacs along FM-552 as depicted in *Exhibit 'C'* of this ordinance.

Exhibit 'D':
Density and Development Standards

- (2) 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 five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.
- (3) Landscape Buffers (North Country Lane). A minimum of a 10-foot landscape buffer shall be provided along North Country Lane (*outside of and beyond any required right-of-way dedication*). 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 15-foot centers along the entire frontage of North Country Lane. An alternative screening plan proposing the use of existing trees, for the area directly adjacent to North Country Lane, may be submitted by the developer with the PD Site Plan. This alternative plan can be approved by the Planning and Zoning Commission upon a finding that the proposed plan will provide adequate screening that is equal to or exceeds the standards stated in this section.
- (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-foot 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.

Exhibit 'D':
Density and Development Standards

- (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 24.232-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) 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) 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) 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) 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

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: January 12, 2021
APPLICANT: Ryan Joyce; *Michael Joyce Properties, LLC*
CASE NUMBER: Z2020-056; *Zoning Change (NS & SF-16 to PD) for Nelson Lake Estates*

SUMMARY

Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties, LLC on behalf of Jen-Liang Wu of Unison Investment, LP for the approval of a Zoning Change from a Single-Family 16 (SF-16) District and Neighborhood Services (NS) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 121.16-acre tract of land identified as Tract 2 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District and Neighborhood Services (NS) District, generally located at the southeast corner of the intersection of FM-1141 and FM-552, and take any action necessary.

BACKGROUND

The subject property was annexed by the City Council on August 30, 1999 by *Ordinance No. 99-33*. At the time of annexation, the subject property was zoned Agricultural (AG) District. On April 4, 2005, the City Council approved *Ordinance No. 05-16 [Case No. Z2005-007]* changing the zoning of the subject property from an Agricultural (AG) District to a Neighborhood Services (NS) District and a Single-Family 16 (SF-16) District. The concept plan included with *Ordinance No. 05-16* showed that the subject property would include 104.8-acres of land zoned Single-Family 16 (SF-16) District with the remainder of the subject property (*i.e.* 16.36-acres) being designated for Neighborhood Service (NS) District land uses. The residential portion of the concept plan also showed the provision of 106 single-family residential lots, and that ~56.00-acres of the 104.8-acres designated for residential land uses would be dedicated for open space. The overall proposed density of this development was 1.01 dwelling units per acre. Despite this plan being adopted by the City Council, the subject property has remained vacant since its annexation into the City. *Staff has provided a copy of the case memo and minutes from the Planning and Zoning Commission and City Council meetings for this case in the attached packet.*

On October 16, 2020, the applicant -- *Ryan Joyce of Michael Joyce Properties, LLC* -- submitted an application requesting to change the zoning of the subject property from a Neighborhood Services (NS) District and Single-Family 16 (SF-16) District to a Planned Development District for Single-Family 10 (SF-10) District land uses. Specifically, the applicant was proposing to entitle the subject property for a 264-lot single-family, residential subdivision that would incorporate lots that were 60' x 120' (*i.e.* a minimum of 7,000 SF) and 70' x 120' (*i.e.* a minimum of 8,400 SF). This request went before the Planning and Zoning Commission on November 10, 2020, and a motion to recommend denial of the case was approved by a vote of 4-3, with Commissioners Womble, Deckard, and Welch dissenting. Following this action -- *on November 16, 2020* --, the City Council failed to approve a motion adopting the zoning change by a supermajority vote. The motion to approve failed by a vote of 5-2, with Councilmembers Campbell and Macalik dissenting. Since the motion to approve failed and no subsequent motion was made, the failure was considered to be a denial with prejudice.

In conformance with Subsection 02.05(C), *Reapplication*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) the applicant submitted a written request outlining changes to the lot mix, setbacks, and minimum area/dwelling unit square footages. In accordance with the procedures of the Unified Development Code (UDC), the Director of Planning and Zoning forwarded the request to the Planning and Zoning Commission for consideration, and on December 8, 2020 the Planning and Zoning Commission approved a motion to allow the applicant to resubmit an application by a vote of 6-1, with Commissioner Welch dissenting.

PURPOSE

On December 18, 2020, the applicant -- *Ryan Joyce of Michael Joyce Properties, LLC* -- resubmitted an application requesting to change the zoning of the subject property from a Neighborhood Services (NS) District and Single-Family 16 (SF-16) District to a Planned Development District for Single-Family 10 (SF-10) District land uses. Specifically, the applicant is proposing to entitle the subject property for a 260-lot single-family, residential subdivision that will incorporate lots that are 60' x 120' (i.e. a minimum of 7,000 SF), 70' x 120' (i.e. a minimum of 8,400 SF), and 72' x 120' (i.e. a minimum of 8,600 SF).

ADJACENT LAND USES AND ACCESS

The subject property is located at southeast corner of the intersection of FM-1141 and FM-552. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is FM-552, which is identified as a TXDOT4D (i.e. *Texas Department of Transportation, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this thoroughfare is a 47.31-acre portion of a larger 56.31-acre tract of land (i.e. *Tract 3 of the M. Simmons Survey, Abstract No. 194*), which is zoned Agricultural (AG) District. Currently situated on this property are two (2) agricultural accessory structures. Beyond this property is the corporate limits of the City of Rockwall.

South: Directly south of the subject property is North Country Lane, which is identified as a M4U (i.e. *major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this thoroughfare are two (2) tracts of land (i.e. *Tract 14 of the J. M. Gass Survey*), which are zoned Agricultural (AG) District. The 48.267-acre tract of land is owned by the City of Rockwall, is currently vacant (with the exception of the *North Country Lane Water Tower*), and is the future site for the *Alma Williams Park*. The other tract of land is a 101.43-acre tract of land that currently has a 660 SF single-family home and multiple agricultural accessory structures situated on it.

East: Directly east of the subject property are the corporate limits of the City of Rockwall. Beyond this are residential properties that are situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ).

West: Directly west of the subject property is an Elementary School (i.e. *Celia Hays Elementary School*) on a 11.036-acre parcel of land (i.e. *Lot 5, Block C, Dalton Ranch, Phase 2 Addition*) that is owned by the Rockwall Independent School District (RISD). Also, adjacent to the subject property is Phase 1 of the Dalton Ranch Subdivision, which consists of 151 single-family residential lots on 62.33-acres. This subdivision is zoned Planned Development District 58 (PD-58) for Single-Family 10 (SF-10) District land uses. Beyond this is the Stoney Hollow Subdivision, which consists of 96 single-family residential lots on 41.88-acres. This subdivision is zoned Single-Family 16 (SF-16) District.

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 121.16-acre subject property will consist of 260 single-family residential lots that will be broken down into three (3) lot types (i.e. 60' x 120', 70' x 120', and 72' x 120'). More specifically, the development will incorporate 134, 60' x 120' (i.e. a minimum of 7,200 SF) lots; 68, 70' x 120' (i.e. a minimum of 8,400 SF) lots; and 58, 72' x 120' (i.e. a minimum of 8,600 SF) lots. This would translate to a density of 2.15 dwelling units per acre for the total development. The minimum dwelling unit size (i.e. *air-condition space*) will be 2,200 SF. According to the applicant, the proposed housing product will be similar to the product that was constructed in *Phases IIA & IIB of the Breezy Hill Subdivision* (i.e. the *Type 'A', 60' x 120'* and *Type 'B', 70' x 120'* lot products from *Planned Development District 74 [PD-74]*) [see example



FIGURE 1: EXAMPLE HOUSING PRODUCT FROM BREEZY HILL, PHASE IIA

in Figure 1]; however, in addition to the *J-Swing* or *Traditional Swing* driveway configuration the applicant will be requesting 35% of the homes (i.e. 40% of the Type 'A' Lots and 30% of the Type 'B' & 'C' Lots -- as identified in Table 1: Lot Composition below) be allowed to be constructed with *Flat Front Entry* garages. The proposed housing product will incorporate a minimum masonry requirement of 90% (with a minimum of 85% on each façade), and be subject to the upgraded anti-monotony requirements that were adopted by the City Council in September of 2019. Staff should to point out that this is significant because after the approval of HB2439 (i.e. the building materials bill which prohibited City's from regulating building materials), the current Single-Family 16 (SF-16) District does not have any material requirements (i.e. the buildings could be built out of any materials allowed by the International Building Code [IBC]); however, by the applicant consenting to the material requirements through the Planned Development District, the City could then hold the applicant to the 90% minimum masonry requirement. The proposed Planned Development District will also be subject to the land uses and requirements stipulated for the Single-Family 10 (SF-10) District unless specifically called out in the Planned Development District ordinance. The following is a summary of the lot composition and density and dimensional standards contained in the proposed Planned Development District ordinance:

TABLE 1: LOT COMPOSITION

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	60' x 120'	7,000 SF	134	51.54%
B	70' x 120'	8,400 SF	68	26.15%
C	72' x 120'	8,600 SF	58	22.31%
<i>Maximum Permitted Units:</i>			260	100.00%

TABLE 2: LOT DIMENSIONAL REQUIREMENTS

Lot Type (see Concept Plan) ►	A	B	C
<i>Minimum Lot Width</i> ⁽¹⁾	60'	70'	72'
<i>Minimum Lot Depth</i>	120'	120'	120'
<i>Minimum Lot Area</i>	7,000 SF	8,400 SF	8,600 SF
<i>Minimum Front Yard Setback</i> ^{(2), (5) & (6)}	20'	20'	20'
<i>Minimum Side Yard Setback</i>	5'	6'	6'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> ^{(2) & (5)}	20'	20'	20'
<i>Minimum Length of Driveway Pavement</i>	20'	20'	20'
<i>Maximum Height</i> ⁽³⁾	36'	36'	36'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	10'	10'	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	2,200 SF	2,200 SF	2,200 SF
<i>Maximum Lot Coverage</i>	65%	65%	65%

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: Flat front entry garage configurations are permitted on up to 35% (i.e. a maximum of 91 lots) of the total number of lots provided that: [1] no more than 45% (i.e. a maximum of 60 lots) of the lots for Lot Type 'A' have a flat front entry garage, [2] no more than 25% (i.e. a maximum of 31 lots) of the combined total of the Lot Type 'B' and Lot Type 'C' may have a flat front entry garage, and [3] the front yard building setback for all lots with a flat front entry garage is increased to a minimum of 25-feet.

With regard to the proposed amenities, the concept plan provided by the applicant shows that the proposed development will provide [1] ~50.34-acres of open space (17.62-acres will be outside of the floodplain -- after reclamation -- and the development will be credited with 33.98-acres of open space [i.e. 32.72-acres x ½ = 16.36-acres + 17.62-acres = 33.98-acres]), [2] a one (1)

acre amenity center, and [3] a trail system. The open space required for this development is 24.232-acres, and the applicant is exceeding this by 9.748-acres (or 8.04%). The proposed trail system will be constructed along the edge of the floodplain running north and south, and utilize the required sidewalks along FM-552 and FM-1141 to create a loop through the development. In addition, pedestrian paths connecting the north side of the development to the amenities center via a trail will also be incorporated.

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 and ensure there is 85-feet of right-of-way, and dedicate any area 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 North Country Lane, and dedicate any area within 32.50-feet of the centerline of the roadway. The applicant shall also verify the right-of-way along FM-552, which currently has approved construction plans per the Texas Department of Transportation (TXDOT).
- (2) Water. The applicant shall be required to construct an eight (8) inch looped water line through the site. In addition, the applicant must install a 12-inch water line along FM-552 and FM-1141 per the Master Water Plan.
- (3) Wastewater. The applicant shall install the required eight (8) inch sewer line through the subject property and connect it to the 15-inch sanitary sewer line that is currently located on the westside of FM-1141. In addition -- *and in accordance with the Master Wastewater Plan --*, a 20-foot sewer line easement with a 30-foot temporary construction easement shall be dedicated along Nelson Creek. The applicant will be required to perform an infrastructure study to determine there is capacity in the Stoney Hollow lift station basin and -- *if so --* what appurtenances will be required to be upgraded or constructed with the proposed development. The applicant will also be required to pay the required pro-rata on the existing Stoney Hollow basin infrastructure.
- (4) Drainage. The applicant shall be required to perform a flood study to delineate the fully developed 100-year 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, and receive written permission from the Natural Resources Conservation Service (NRCS) regarding any encroachment or construction around Nelson Lake.

CONFORMANCE TO THE CITY'S CODES

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

- (1) Alleyways. The Engineering Department's *Standards of Design and Construction Manual* stipulates that "(a)lleys shall be provided in all residential areas and shall be paved with steel reinforced concrete..." The code does grant the City Council the ability to "... waive the residential alley requirement, if it is in the best interest of the City." [Page 14; Section 2.11 of the *Standards of Design and Construction Manual*]
- (2) Garage Configuration. The Unified Development Code (UDC) requires that, "(i)n single-family or duplex districts, parking garages must be located at least 20-feet behind the front building façade for front entry garages unless it is a *J-Swing* [or *traditional swing*] garage where the garage door is perpendicular to the street."

Applicant's Response to (1) & (2): In lieu of providing the required alleyways, the applicant is proposing to provide 65% *J-Swing* or *Traditional Swing* and 35% *Flat Front Entry* (i.e. where the garage is even with the front façade). This translates to 40% of the *Type 'A' Lots* (i.e. 60' x 120' lots) and 20% of the *Type 'B' & 'C' Lots* (i.e. *Type 'B': 70' x 120' lots and Type 'C': 72' x 120' lots*) being in *Flat Front Entry* garage configuration. As a compensatory measure the applicant is proposing to increase the front yard building setback from 20-feet to 25-feet for homes that have a *Flat Front Entry* garage

configuration. The applicant is also proposing to provide decorative wood garage doors or garage doors that incorporate a wood overlay on an insulated metal door. All garage doors will also incorporate carriage style hardware. In addition, the applicant will also have the ability to provide *Recessed Front Entry* (i.e. where the front of the garage is setback a minimum of 20-feet from the front façade of the house).

- (3) Landscape Buffers. According to Subsection 02.01, *General Standards for Planned Development Districts*, of Article 10, *Planned Development Regulations*, of the Unified Development Code (UDC), "(a) minimum of a 30-foot landscape buffer shall be provided adjacent to all perimeter roadways (*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."

Applicant's Response to (3): In this case, the proposed Planned Development District ordinance adheres to this requirement along both FM-552 and FM-1141; however, along North Country Lane the applicant is proposing a ten (10) foot landscape buffer with four (4) inch caliper evergreen trees being planted on 15-foot centers adjacent to where homes will back to the roadway. Staff should point out that the applicant has incorporated language that will allow the Planning and Zoning Commission the ability to review an alternative screening plan making use of the existing trees at the time of PD Site Plan; however, any changes from the stated requirement is a discretionary approval for the Planning and Zoning Commission.

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 Commercial/Retail and Low Density Residential land uses on the Future Land Use Plan. The applicant's request will necessitate that the portion of the subject property that is designated for Commercial/Retail land uses be changed to Low Density Residential land uses on the Future Land Use Plan. This change is discretionary to the City Council; however, staff should point out that this change will bring the land use ratios closer to the desired 80% residential/ 20% commercial land uses called for by the Comprehensive Plan [*Goal 01, Policy 1; Section 02.01 of Chapter 1*]. Specifically, the proposed zoning change will shift the residential/commercial ratio from 75.92%/24.08% to 76.24%/23.76%. Should the City Council choose to approve this request staff has added a condition of approval that would make the necessary change to the Future Land Use Map.

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 addition, the Comprehensive Plan defines amenity as, "... developments that provide some of the following: [1] open space beyond the required 20%, [2] a golf course and/or other comparable recreation facilities, [3] amenity/recreation facilities, [4] school site integration, [5] dedication or development of park land beyond the required park land dedication, [6] additional development of trails, [7] other amenities deemed appropriate by the City Council." In this case, the applicant is requesting a 2.15 dwelling units per gross acre, and is proposing to construct [1] an amenity center, [2] open space in excess of 20% (i.e. 24.232-acres of open space), and [3] a trail system. The proposed amenities do appear to justify the requested density; however, density under any Planned Development District request is a discretionary decision for the City Council.

According to the Northeast Residential District, the district "... is characterized by its established low-density residential subdivisions and rural/estate style lots ... [and] is anticipated to be a future growth center for the City, having several large vacant tracts of land suitable for low-density, residential development." In addition, under the *District Strategies for Suburban Residential* (i.e. the correct designation for the proposed development according to the Comprehensive Plan), "(a)ny new *Suburban Residential* developments should include a mix of larger to mid-sized lots. Lots in these developments should not be smaller than existing *Suburban Residential* in this district." In this case, the applicant is proposing lot products that range from 60' x 120' (or a minimum of 7,200 SF) to 72' x 120' (or a minimum of 8,600 SF). After reviewing the district, staff has identified the following *Suburban Residential* developments that have similar lot sizes:

- (1) Ladera of Rockwall. This development is platted as one (1) large lot, but calls out *Artificial Lots* (i.e. setup like a condominium regime) that consist of the following lot products: 20, 44.5' x 80'; 31, 42' x 77'; 41, 54' x 60'; and 6, 64' x 50'.
- (2) Saddle Star. 143, 70' x 125' and 33, 80' x 125'.
- (3) Dalton Ranch. 75' x 120' and 80' x 125'.
- (4) Gideon Grove. 45, 80' x 125' and 27, 100' x 150'.

Staff should point out that since the applicant is proposing a lot size less than 70' x 125' (or a minimum of 8,750 SF), the request does not conform to the district strategy; however, as with all zoning cases this is discretionary to the City Council.

With regard to the policies for residential development contained in the Comprehensive Plan, staff has identified the following non-conformities and provided the following recommendations to the applicant:

RED: NOT INCORPORATED INTO THE PLANNED DEVELOPMENT DISTRICT ORDINANCE.

BLUE: INCORPORATED INTO THE PLANNED DEVELOPMENT DISTRICT ORDINANCE.

- (1) CH. 08 | Sec. 02.03 | Goal 1; Policy 2: To maximize the value of properties that are directly adjacent to or across the street from a park and/or public open space, the house on the property should face onto the park and/or public open space, and should not back or side to the park and/or open space. If homes face onto a park and/or public open space and there is no public street, then the homes should be accessed via a mew-type street design.

Staff Response: The houses at the end of each block face should be turned to front onto the open space areas as opposed to siding to them as currently depicted. The applicant has chosen not to incorporate this into the Planned Development District ordinance.

- (2) CH. 08 | Sec. 02.03 | Goal 1; Policy 5: Design neighborhoods utilizing the Housing Tree Model (a method of laying of single-family lots so that the largest lots are located adjacent to main entries or perimeter streets, and smaller lots are located internal to the subdivision).

Staff Response: The concept plan should be rearranged so that larger lots (i.e. 70' x 120' lots) are adjacent to the major roadways (i.e. FM-552, FM-1141, and North Country Lane). This will reduce the number of lots backing to these roadways and bring the plan into conformance with the Housing Tree Model. Additionally, a larger lot product (e.g. 80' x 120' lots) could be incorporated to bring the concept plan into closer compliance with the Comprehensive Plan. The applicant has incorporated the Housing Tree Model into the concept plan, but has chosen not to incorporate an additional larger lot product.

- (3) CH. 08 | Sec. 02.03 | Goal 3; Policy 4: Require a larger separation between homes to make neighborhoods feel more spacious. This separation should be no less than 12-feet (i.e. six [6] foot side yard building setback) and should be scaled to the height of the home.

Staff Response: Increase the side yard setbacks to six (6) feet on both lot types to create a greater separation between structures. The applicant has chosen to incorporate this on Lot Types 'B' & 'C' (i.e. 70' x 120' and 72' x 120' lots), but has continued to keep the five (5) foot setbacks on Lot Type 'A' (i.e. 60' x 120').

- (4) CH. 08 | Sec. 02.02 | Goal 3; Policy 4: All parks and open space should provide an integrated trail system that serves the adjacent neighborhood areas.

Staff Response: Provide a trail system that connects to the sidewalks along FM-552 and North Country Lane, and that runs through the open space area adjacent to Nelson Lake. The applicant has incorporated this recommendation into the proposed Planned Development District ordinance.

- (5) CH. 08 | Sec. 02.03 | Goal 3; Policy 3: In cases where flat front entry garages (i.e. even with the front façade of the primary structure) are requested as part of a development no greater than 20% should be incorporated into the development. In addition, flat front entry garages should have a minimum of a 25-foot front yard building setback to allow vehicles to be parked in the driveway without overhanging public right-of-way. This type of garage may not be appropriate for all developments and should be generally discouraged.

Staff Response: If a Flat Front Entry Garage configuration is being requested it should be limited to 20% and the front building setback of these properties should be increased to 25-feet. The applicant has chosen to request 35% Flat Front Entry Garages, but has consented to upgraded garage door requirements and a minimum of a 25-foot front yard building setbacks on all Flat Front Entry Garages.

Taking all of this into account, the concept plan does maintain general conformance to the residential policies and guidelines contained in the OURHometown Vision 2040 Comprehensive Plan; however, the approval of the applicant's request remains a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On December 19, 2020, staff mailed 37 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Dalton Ranch Homeowner's Association (HOA), which is the only HOA or Neighborhood Organization within 1,500-feet of the subject property participating in the Neighborhood Notification Program. 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). At the time this report was drafted, staff had received the following:

- (1) One (1) property owner notification from a property owner within the notification area (*i.e. within the 500-foot buffer*) opposed to the applicant's request.
- (2) Seven (7) emails from property owners outside of the notification area, but within the City limits of the City of Rockwall opposed to the applicant's request.
- (3) Six (6) emails from people who live outside of the City limits.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request to rezone the subject property from a Neighborhood Services (NS) District and Single-Family 16 (SF-16) District to a Planned Development District for Single-Family 10 (SF-10) 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;
- (2) By approving this zoning change, the City Council will effectively be approving changes to the Comprehensive Plan and Future Land Use Map. Specifically, this will change the designation of portions of the subject property from Commercial/Retail and Low Density Residential designation to a Low Density Residential designation; and,
- (3) 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. _____

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 1447 FM 1141, Rockwall, TX 75087

Subdivision J. M. Glass Survey

Lot N/A

Block N/A

General Location Southeast corner of FM 552 and FM 1141

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning NS and SF-16

Current Use AG

Proposed Zoning PD - SF - 7

Proposed Use Residential subdivision

Acreage 121.16

Lots [Current] 109

Lots [Proposed] 262

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 Unison Investment, a California LP

Applicant Michael Joyce Properties, LLC

Contact Person JEN-LIANG WU, General Partner

Contact Person Ryan Joyce

Address 23545 Crenshaw Blvd

Address 1189 Waters Edge Dr

Ste 201

City, State & Zip Torrance, CA 90505

City, State & Zip Rockwall, TX 75087

Phone 310-325-0300

Phone 512-965-6280

E-Mail Uniinv@aol.com

E-Mail Ryan@michaeljoyceproperties.com

NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared JEN LIANG WU [Owner] 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."

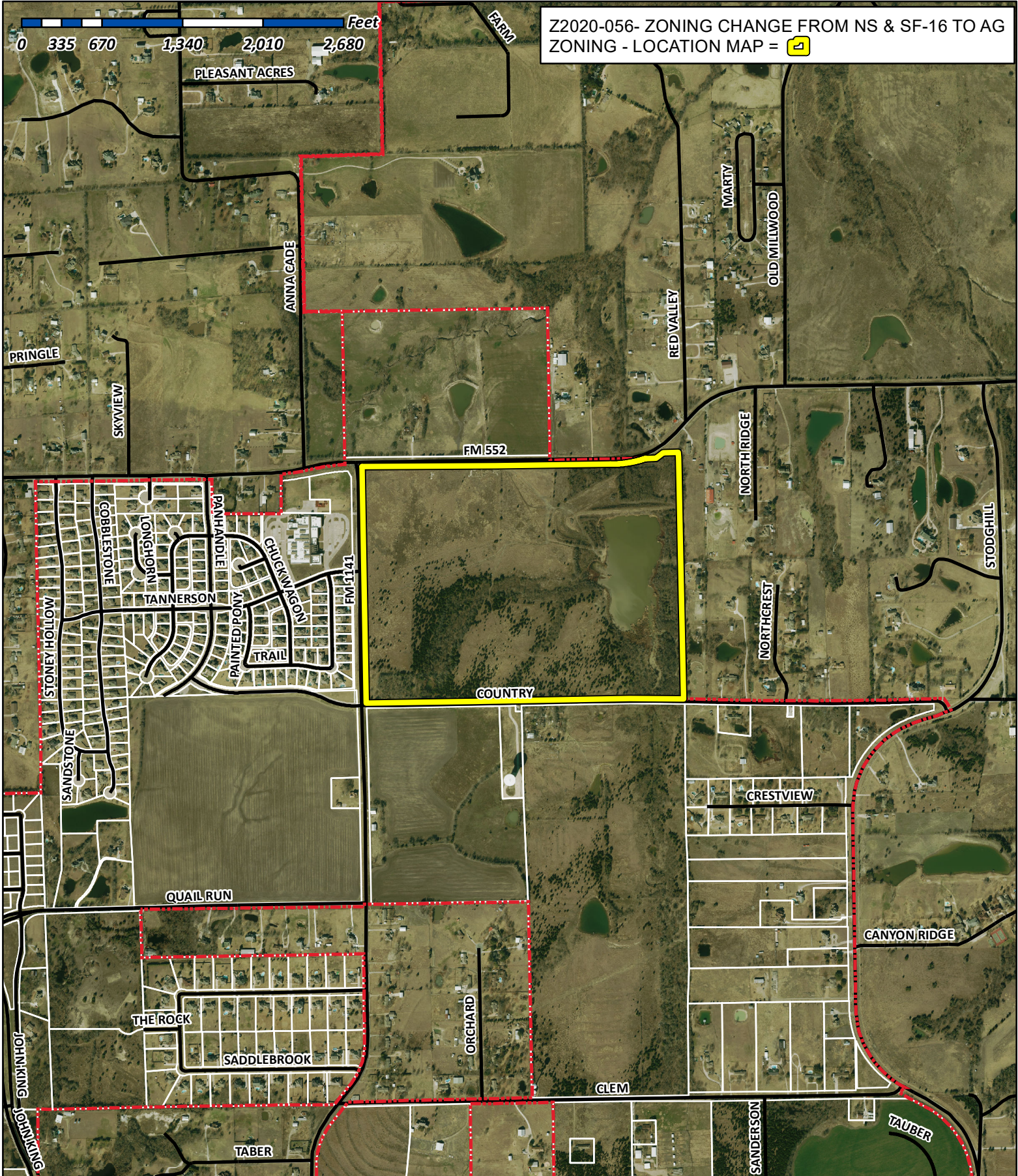
Given under my hand and seal of office on this the 17 day of DECEMBER, 2020

Owner's Signature _____

Notary Public in and for the State of Texas



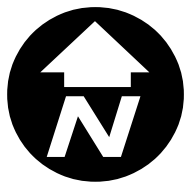
My Commission Expires 01/31/2024



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.

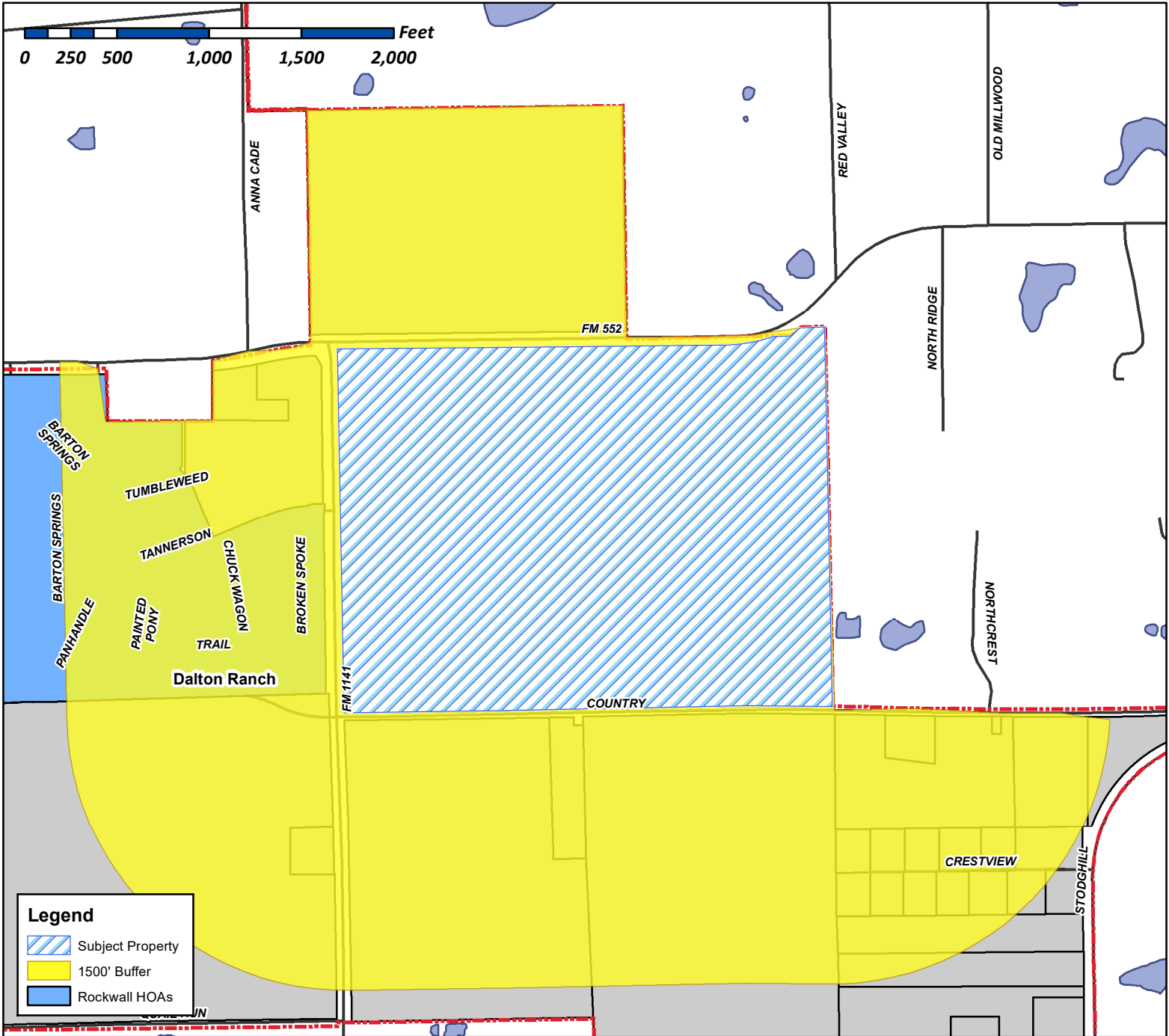
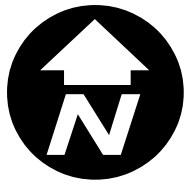




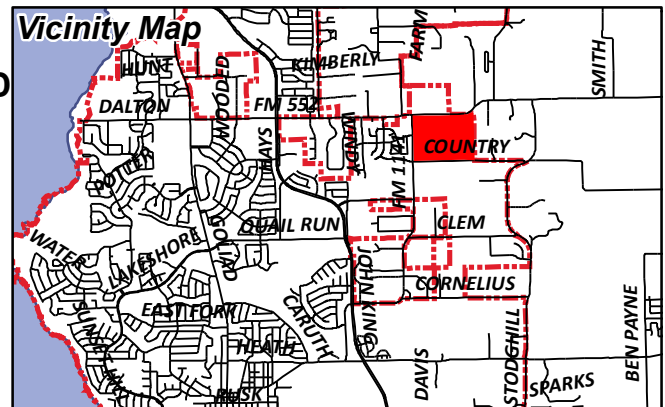
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2020-045
Case Name: Zoning Change from NS & SF-16 to PD
Case Type: Zoning
Zoning: NS & SF-16
Case Address: SEC of FM 552 and FM 1141



Date Created: 12/19/2020
 For Questions on this Case Call (972) 771-7745

Miller, Ryan

From: Gamez, Angelica
Sent: Tuesday, December 22, 2020 12:13 PM
Cc: Miller, Ryan; Gonzales, David; Lee, Henry
Subject: Neighborhood Notification Program [Z2020-056]
Attachments: Public Notice (12.21.2020).pdf; HOA Map (12.19.2020).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *December 25, 2020*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, January 12, 2021 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, January 19, 2021 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to Planning@rockwall.com at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:

<https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2020-056 Zoning Change from SF-16 & NS to PD

Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties, LLC on behalf of Jen-Liang Wu of Unison Investment, LP for the approval of a *Zoning Change* from a Single-Family 16 (SF-16) District and Neighborhood Services (NS) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 121.16-acre tract of land identified as Tract 2 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District and Neighborhood Services (NS) District, generally located at the southeast corner of the intersection of FM-1141 and FM-552, and take any action necessary.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

<http://www.rockwall.com/planning/>

This email was scanned by Bitdefender

 = RESPONSE RECIEVED

WEIR JAMES B & CRYSTAL
1831 TRAIL DR
ROCKWALL, TX 75087

OLIVER MICHAEL
1832 TRAIL DRIVE
ROCKWALL, TX 75087

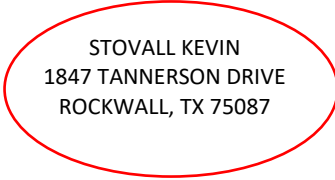
MILLER ANGELA KAY & JOHN RAY
1833 TRAIL DRIVE
ROCKWALL, TX 75087

FOSTER BRIAN AND DEIDRE
1834 TRAIL DRIVE
ROCKWALL, TX 75087

ALLEN JAMES JR & BARBARA A
1835 TRAIL DRIVE
ROCKWALL, TX 75087

SANTOSO HARDJO AND
SENDYTIAWATI KURNIAWAN
1836 TRAIL DR
ROCKWALL, TX 75087

REAMSBOTTOM DELAYNE
1837 TRAIL DRIVE
ROCKWALL, TX 75087

 STOVALL KEVIN
1847 TANNERSON DRIVE
ROCKWALL, TX 75087

ROCKWALL I S D
1880 TANNERSON
ROCKWALL, TX 75087

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

CITY OF ROCKWALL
205 W RUSK ST
ROCKWALL, TX 75087

UNISON INVESTMENT
23545 CRENSHAW BLVD STE 201
TORRANCE, CA 90505

EIDT WILLIAM H AND
MARGARET E SHEEHAN/JOHN EIDT
2728 MCKINNON ST APT 1902
DALLAS, TX 75201

KIM BUNNA
2908 BROKEN SPOKE LN
ROCKWALL, TX 75087

LIPSEY RANDALL L AND KAREN M
2910 BROKEN SPOKE LN
ROCKWALL, TX 75087

RODRIQUEZ MONICA CANO & ISRAEL A JR
2912 BROKEN SPOKE LANE
ROCKWALL, TX 75087

FRANCIS SHELBY & KRISTI
2913 BROKEN SPOKE LANE
ROCKWALL, TX 75087

KOZLOWSKI BRIAN STEPHEN & JULIE
2914 BROKEN SPOKE LANE
ROCKWALL, TX 75087

CONFIDENTIAL
2914 CHUCK WAGON DR
ROCKWALL, TX 75087

MARTIN JEFFREY MICHAEL & ELIZABETH DIANE
2915 BROKEN SPOKE LANE
ROCKWALL, TX 75087

CURRY JOANNA & SHAWN
2916 BROKEN SPOKE LN
ROCKWALL, TX 75087

LOGWOOD DANA CELESTE
2916 CHUCK WAGON DR
ROCKWALL, TX 75087

DE MASELLIS ADAM CLAUDE & STEPHANIE
DENISE
2917 BROKEN SPOKE LANE
ROCKWALL, TX 75087

2018 S M TAYLOR REVOCABLE TRUST
STEVEN EUGENE TAYLOR AND MICHELLE DIANE
TAYLOR- TRUSTEES
2918 BROKEN SPOKE LANE
ROCKWALL, TX 75087

DORROUGH JEFFREY
2918 CHUCK WAGON DR
ROCKWALL, TX 75087

GAY VINCENT NEIL AND KERRI L
2919 BROKEN SPOKE LN
ROCKWALL, TX 75087

SANTIAGO ABE D AND ROCIO D SIMENTAL
2920 BROKEN SPOKE LANE
ROCKWALL, TX 75087

BOYD JOEY D
2920 CHUCK WAGON DR
ROCKWALL, TX 75087

RANNIGAN MICHAEL R & RACHELLE LE ANN
2921 BROKEN SPOKE LANE
ROCKWALL, TX 75087

DENNISON BOBBY & RAMONA
2922 BROKEN SPOKE LN
ROCKWALL, TX 75087

JONAS CHAD & JOANA
2924 BROKEN SPOKE LANE
ROCKWALL, TX 75087

BUNCH LLOYD M & LINDA G
2925 BROKEN SPOKE LANE
ROCKWALL, TX 75087

QUINTERO JORGE & DELILAH
2926 BROKEN SPOKE LANE
ROCKWALL, TX 75087

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

DALTON RANCH OWNERS ASSOC
C/O VISION COMMUNITIES MANAGEMENT INC
5757 ALPHA RD STE 680
DALLAS, TX 75240

PEARCE CAROL ALLEY
721 N COUNTRY LN
ROCKWALL, TX 75087

ROCKWALL I S D
801 E WASHINGTON ST
ROCKWALL, TX 75087

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. Z2020-056: Zoning Change from SF-16 & NS to PD

Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties, LLC on behalf of Jen-Liang Wu of Unison Investment, LP for the approval of a Zoning Change from a Single-Family 16 (SF-16) District and Neighborhood Services (NS) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 121.16-acre tract of land identified as Tract 2 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District and Neighborhood Services (NS) District, generally located at the southeast corner of the intersection of FM-1141 and FM-552, 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, January 12, 2021 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 19, 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:

Ryan Miller
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 Tuesday, January 19, 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



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. Z2020-056: Zoning Change from SF-16 & NS to PD

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.

Four horizontal grey bars for providing reasons for the response.

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

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. Z2020-056: Zoning Change from SF-16 & NS to PD

Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties, LLC on behalf of Jen-Liang Wu of Unison Investment, LP for the approval of a Zoning Change from a Single-Family 16 (SF-16) District and Neighborhood Services (NS) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 121.16-acre tract of land identified as Tract 2 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District and Neighborhood Services (NS) District, generally located at the southeast corner of the intersection of FM-1141 and FM-552, and take any action necessary.

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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. Z2020-056: Zoning Change from SF-16 & NS to PD

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.

I AM OPPOSED TO THE REQUEST. IT IS NOT IN AGREEMENT WITH THE CITY'S COMPREHENSIVE PLAN. ALSO, THE HIGH DENSITY NEIGHBORHOOD WOULD ADD ADDITIONAL OVERBURDEN TO FM 1141, OFTEN BACKED UP WITH HAYS ELEM. QUEUE LINE.

Name: KEVIN STOVALL

Address: 1847 TANNERSON DR. 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

Miller, Ryan

From: [REDACTED]
Sent: Tuesday, December 29, 2020 1:09 PM
To: Miller, Ryan
Subject: Development at 552 and 1141

Sir,

It is with high respect that I address this situation. Our traffic at 205 and Lakeshore Dr. is well above capacity, and allowing this new dense development will further destroy our established communities by increasing accidents and massive traffic.

Please refuse this poorly planned atrocity, it will bring the worst out of what already is a tight situation.

Many lives are at stake here.

Respectfully,

Al Estrada
748 Monterey Drive
ROCKWALL
Tx
75087-6639

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Miller, Ryan

From: [REDACTED]
Sent: Tuesday, December 29, 2020 12:43 PM
To: Miller, Ryan
Subject: Proposed development 552/1141

Follow Up Flag: FollowUp
Flag Status: Completed

Due to Covid 19 we prefer not to come to the meeting tonight but, as a family living in Dalton Ranch we want it known that we are opposed to any residential development going in on the corner of 1141 and 552. There are far too many residences going in on this side of Rockwall and the roads, schools and shopping cannot possibly handle more people and more houses. Look at all the houses going in off John King alone. There is an entire development ready to start building more houses across from Stonecreek and Stonecreek is still actively building. Already it is difficult to eat out in North Rockwall, too few restaurants, and grocery shopping on the weekend is a nightmare. North Rockwall needs more shopping and more restaurant choices, get a Trader Joe's, concentrate on giving the people who live here more rather than giving us more people!

Heather Lee

Sent from my iPhone

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Miller, Ryan

From: [REDACTED]
Sent: Tuesday, December 29, 2020 1:31 PM
To: Miller, Ryan
Subject: Development on 552 and 1141

Good Afternoon,

The proposed development on 552 and 1141 does not fit the area. Rockwall is growing too fast. If we continue to take away the beautiful land and mature trees the appeal of Rockwall will get lost in a sea of houses. The appeal of North Rockwall is the large estates on large lots, not maximized housing profit- that is Frisco!!

I have first hand experience to how these new housing developments have effected the existing residents. My daughter attends Hays Elementary. In 2nd grade she had to take her lunch at 10:45 to accommodate all of the students to get through the lunch line. In 3rd grade the school got rid of their pre-k program and to accommodate a influx of students that all enrolled last minute the school put my daughter in a classroom in the pre-k hall Isolated away from the 3rd grade hall. Nearly 50% of the class were new students. My daughter was in the only self contained classroom Isolated in the pre-k hall because there was no room for the extra kids to switch classrooms like the other 3rd grade classes for different subjects during the day. She saw none of her friends and was pretty miserable. It felt so unfair considering I live 6 houses away from the school. This is our neighborhood school and there was no room for us.

There needs to be consideration for existing residents when these profit hungry builders come through our town. Their actions affect our quality of life.

Me and my family are opposed to this new development.

Janae McMillan

Sent via the Samsung Galaxy S9, an AT&T 5G Evolution capable smartphone
Get [Outlook for Android](#)

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3018 PANHANDLE DRIVE (DALTON RANCH) - OUTSIDE OF 500' BUFFER

Miller, Ryan

From: julie barrow <julie_barrow@sbcglobal.net>
Sent: Saturday, January 2, 2021 9:59 PM
To: Planning
Subject: Z2020-056

Dear planning and Zoning - my email is to document my opposition to the current proposed development. As a homeowner in Dalton Ranch the number of houses being proposed is not in keeping with the city's master plan of estate sized lots. The developer is attempting to count the over 30 acres of flood plain for density purposes and I'm sure you can agree that is shady. The home lot sizes will not be estate sized and the look and feel will not be what the master plan outlines. Lastly - the number of students that will result from this proposed number of homes will cause a significant strain to the already over populated schools of RiSD. We have seen trailers down the street erected to accommodate children and my now freshman attended Hays during the "trailer" years and it is not the best situation for student and / or teachers. We couldn't begin to social distance during the pandemic at the high school so I think it would be prudent to hold off on creating more new students than the plan calls for by the city approved master plan.

Please vote no the proposed increase deviation of the plan and keep the look and feel that the tax paying residents desire.

Sincerely, Julie Hall-Barrow
3018 Panhandle Dr.
501-950-4932

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Gamez, Angelica

From: Kate Wells <katenricky@aol.com>
Sent: Friday, January 8, 2021 9:57 AM
To: Planning
Subject: Z2020-056

No reply necessary- I just wanted to share my insight as a fairly new to Rockwall (17 months here now) resident. I have 2 areas of concern and opposition to this proposed project/plan. Coming from the Houston area and seeing what over-building (small lots, lots of houses and concrete) without the infrastructure to support the increased residents, lack of drainage and runoff issues does to not only that direct area but the areas around it I can say if this occurs we will be moving from the area. You can look up Longwood subdivision in Cypress, Tx and see a (once upscale) neighborhood with a "small creek" that has a golf course as a flood plain area. After living there for years nearby neighborhood/development overbuilding resulted in our small creek to start flooding all of the homes that were at the time in a 500 year flood plain. We won't stick around to have that happen here. Second we have 2 children at Hays elementary. Even if I wasn't concerned with the roads and traffic and overbuilding/flooding, a development this size across from the school is going to fill it up quickly. We knew that there would be one year of overcrowding before Hamm Elementry opened but it's been a drastic change in class sizes since.

All that to say, I'm not opposed to this being developed in a way that would be far less houses on larger lots resulting in less vehicles traveling the already overcrowded roads as well as the developer (not tax \$) making adjustments to drainage and flooding concerns.

Thanks in advance.

Kate Wells

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Miller, Ryan

From: [REDACTED]
Sent: Tuesday, December 29, 2020 11:26 PM
To: Miller, Ryan
Subject: Planned dev corner 1141 & 552

Regarding the above planned development I would like to voice my disapproval on this. Our city is becoming over populated with new developments. That results in more traffic with roads that can't accommodate the number of cars!

Also FM 552 and 1141 are too small for the amount of traffic this development will bring to the area.

I live on Saddlebrook off 1141. This area of Rockwall still has the country feel but with this development and others around that country feel is slipping away!

Martha Griffey

[Sent from AT&T Yahoo Mail on Android](#)

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809 CALM CREST DRIVE (BREEZY HILL SUBDIVISION) - OUTSIDE OF 500' BUFFER

Gamez, Angelica

From: Natalie Roberts <nataliejroberts71@icloud.com>
Sent: Monday, January 4, 2021 8:39 AM
To: Planning
Subject: Z2020-056

I am writing in regard to the proposed plan to build 262 houses on the north side of Rockwall by Hayes. I am strongly against this proposal. This area is out in the country part of Rockwall where we don't need City density. The homes should be built on larger half acre plus lots to maintain the country feel of the area just like Heath does. Land is very valuable in Rockwall and houses on lots this small would harm the overall value of the area. Thank you.

Natalie Roberts

Sent from my iPhone

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OUTSIDE OF CITY LIMITS (844 OLD MILLWOOD ROAD)

Miller, Ryan

From: Ajsmith890 <ajsmith890@gmail.com>
Sent: Saturday, January 2, 2021 10:18 PM
To: Planning
Subject: Subject: Z2020-056

To whom it may concern,

I live off of Old Millwood road ... and Camp Creek bisects my property. A decade ago, it would take 11 inches of rain for the creek to swell and breach.... flooding the land at Beth Talley's place and my place and on down .

Today, with half that, the creek breaches. The continual development of the North side of town has increased the run off to a point where those of us impacted by flood plains are being washed away. The rain absorbing pasture land is being stripped away and replaced with concrete and the waters pushed on to camp creek and those of us down stream.

Rockwall has a thousand or more lots available for building. This plat of land is mostly flood plain and would be wise to be developed as a green belt or park like Harry Meyers. A housing development would add to the existing flooding issue as well as impact traffic to 552 as well as the school.

Celia Hays is finally not popping at the seams from Overcrowding. Please veto this proposal and keep North Rockwall with the country and Ag feel that those of us that have been here a long time made it to be

AJ Smith
844 Old Millwood Rd

Sent from my iPhone

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OUTSIDE OF CITY LIMITS (329 FARM LANE IN ROCKWALL COUNTY)

Miller, Ryan

From: [REDACTED]
Sent: Tuesday, December 29, 2020 1:35 PM
To: Miller, Ryan
Subject: 1141 and 552 project

Please include this Email as part of the packet for the city review tonight of the project At the intersection of 5 52 and 11 41 area my name is Doug pritchard and I live at 3 6 to farm lane rockwall 750873 this is basically around the corner from where that project will be located. The city has done nothing to Decrease traffic congestion in this area particularly as relates to that intersection. As it is right now it is very dangerous interaction it will only get more dangerous with a significant vehicle traffic increase. A traffic signal is not the only solution.

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Miller, Ryan

From: Elizabeth A C Talley <canchaser16000@me.com>
Sent: Sunday, January 3, 2021 12:00 PM
To: Planning
Subject: Z2020-056

I am opposing the developer that is trying to add 262 houses to a small piece of land across from Hays Elementary School on 1141. My understanding is the issue that they are using 33 acres of flood plain land to calculate housing density . Building in and around the flood plain will result in even more flooding of Camp Creek and land in the Anna Cade/ Camp Creek/ Old Millwood area. The high home density development causes a lot of problems for those of us along the creek. Please contact me, Beth Talley, as I would like to have information for the next meeting for this developer.

Beth Talley
214-460-2818

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Miller, Ryan

From: jdaleale@yahoo.com
Sent: Tuesday, January 5, 2021 7:54 PM
To: Planning
Subject: Z2020-056

Sir/Madam

I am very concerned about the proposed development being considered on FM1141 across from Hays Elementary School.

In addition to the massive increase in traffic on the sub standard roads in the area, it will also increase the velocity of the drainage into Camp Creek, resulting in increased flooding on Old Millwood and Camp Creek Residences who already have problems during heavy rain. Many times, even recently the road has been closed due to flooding. Adding these residences along with the concrete run off will decrease the seepage into the soil and increase the runoff into the creek.

I urge you to vote down this proposal until a more detailed plan can be developed to accommodate the concerns of the existing home owners in the area.

Sincerely

John Dale

Camp Creek Resident.

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Miller, Ryan

From: Rick Wells <r_wells@sbcglobal.net>
Sent: Sunday, January 3, 2021 12:45 PM
To: Planning
Subject: Z2020-056

The density calculations of this development appears to include the flood zone area. That is misleading the density calculations. At 262 homes, 121 acres minus 33 for flood supports 2.9 houses per acres. Those smaller lots in the middle of the development are to small. To maintain proposed density of 2.16, total home count should be 190.

Rick Wells
200 camp creek rd
Rockwall

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Miller, Ryan

From: [REDACTED]
Sent: Tuesday, December 29, 2020 1:55 PM
To: Miller, Ryan
Subject: Item number 8 for public hearing

This question was asked, addressed and answered in November 2020. The same issues exist today as then.

One additional consideration; how will the City answer the future residents (voters and tax payers) of that new development when the creek floods? Will the City's answer be the HOA is responsible for flood damage repair to common areas?

Steve Taylor

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October 16, 2020

City of Rockwall
Attn: Ryan Miller, AICP
385 S Goliad St
Rockwall, TX 75087

Dear Mr. Miller,

Michael Joyce Properties, LLC is requesting that our project be taken to the November 10th, 2020 Planning and Zoning Meeting. This project is the development of 121.16 Acres in the J.M. Glass Survey, Tract 2 Abstract 88, City of Rockwall, Rockwall County, located at the Southeast corner of F.M. 552 and F.M. 1141.

The property is currently zoned NS and SF – 16. We are proposing a development of Single-Family Residential homes on 7,000 - 8,400 square foot lots. This community will provide for a greater variety of housing that the market demands and will still reflect the beautiful aesthetic of the surrounding communities like Stone Creek and Breezy Hill, and the City of Rockwall as a whole.

We look forward to working with the City once again to develop another gorgeous development.

Cordially Yours,

Ryan Joyce

Miller, Ryan

From: Adam Buczek <abuczek@skorburgcompany.com>
Sent: Tuesday, January 5, 2021 3:06 PM
To: Miller, Ryan
Cc: Kevin Harrell; JR Johnson
Subject: Nelson Lakes - revised PD mark ups and concept plan
Attachments: Draft Ordinance Mark-ups_(1.05.2021).pdf; Nelson Lake Concept Plan_1-5-2021.pdf

Ryan,

Please see attached Nelson Lakes edits / revisions.

Highlighted / summary of the concept plan changes to even more follow P&Z guidance:

- Removed 2 more lots (so we've reduced total lot count by 5 lots from the initial submittal)
- We further reduced the 60' lot type from 57% to 51.5% (5 fewer 60's from the work session version)
- We increased the 70's by 7 lots (from 23.2% to 26.1% of the total lots)
- We increased the 72's by 5 lots (from 19.8% to 22.2% of the total lots)

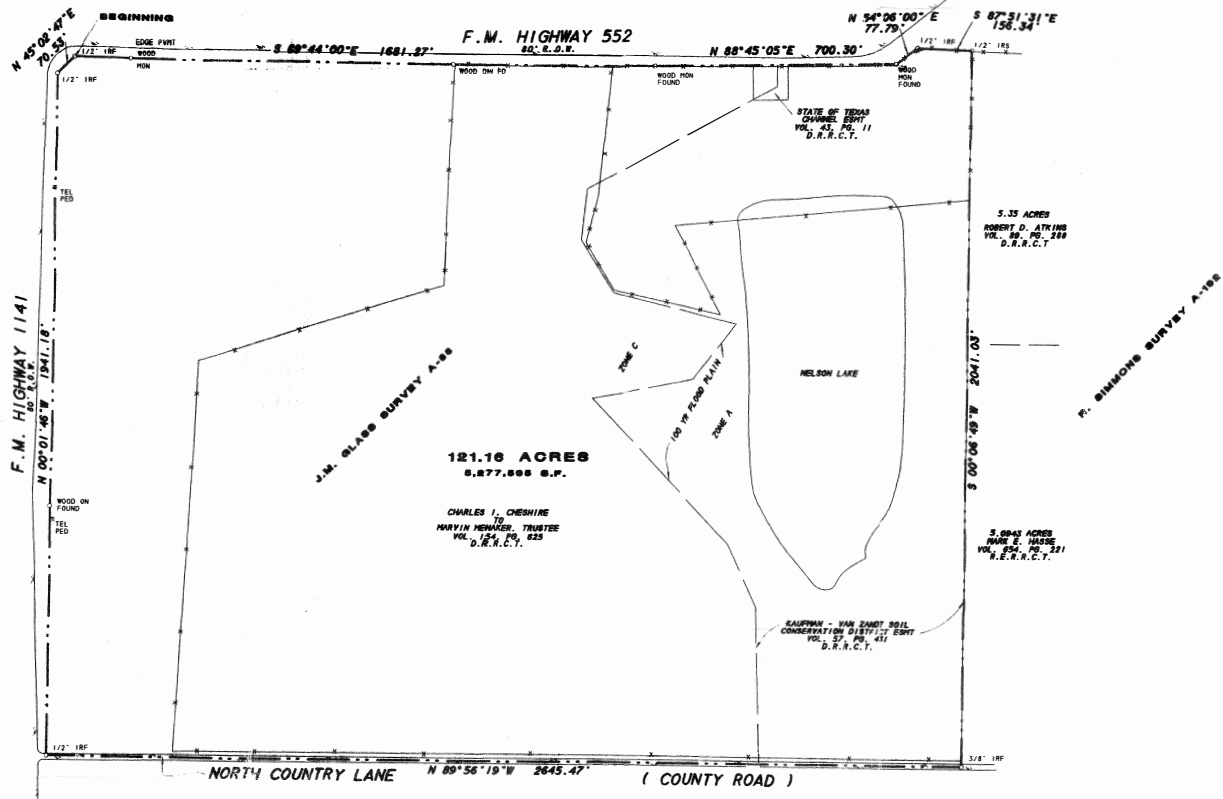
So now – this is now in all material respects a plan that has essentially half of all lots being 70' wide or greater. As an aside – there are several 60's on end / corner lots that are wider than 70' but are still yellow because they couldn't meet the 70' side setback requirement, but from a streetscape standpoint – they will look and feel like 70's because of their extra lot width.

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

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DESCRIPTION

All that certain lot, tract or parcel of land situated in the J.M. GLASS SURVEY, ABSTRACT NO. 88, Rockwall County, Texas, and being all of that tract of land as described in a Warranty deed from Charles J. Cheshire to Marvin Menaker, Trustee, dated April 23, 1980, and being recorded in Volume 154, Page 625 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the East cut back corner at the intersection of the East right-of-way line of F.M. Highway 552 (80' R.O.W.) with the South right-of-way line of F.M. Highway 1141 (80' R.O.W.);

THENCE along the South right-of-way line of said F.M. Highway 552 the following:

S. 89 deg. 44 min. 00 sec. E. (Controlling bearing) a distance of 1681.27 feet to a 1/2" iron rod found for corner;

N. 88 deg. 45 min. 05 sec. E. a distance of 700.30 feet to a tack found in wood monument for corner;

N. 54 deg. 08 min. 00 sec. E. a distance of 77.79 feet to a 1/2" iron rod found for corner;

THENCE S. 87 deg. 51 min. 31 sec. E. leaving the South line of said F.M. Highway 552, a distance of 196.34 feet to a 1/2" iron rod set for corner at the base of a fence corner post for corner at the Northeast corner of said Menaker tract;

THENCE S. 00 deg. 00 min. 49 sec. E. along the East line of said Menaker tract a distance of 2041.03 feet to a 3/8" iron rod found for corner in the center of North Country Lane (county road);

THENCE N. 89 deg. 06 min. 19 sec. W. along and near said center of North Country Lane a distance of 2645.47 feet to a 1/2" iron rod found for corner at the Southwest corner of said Menaker tract at the intersection of the center of said road with the East right-of-way line of said F.M. Highway 1141;

THENCE N. 00 deg. 01 min. 49 sec. W. with the East right-of-way line of said F.M. Highway 1141 a distance of 1941.18 feet to a 1/2" iron rod found for corner;

THENCE N. 45 deg. 02 min. 47 sec. E. along the East right-of-way line of said highway a distance of 7050 feet to the POINT OF BEGINNING and containing 121.16 acres or 5,277,595 square feet of land.

NOTES

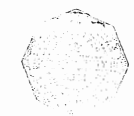
1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 480543 0035 B, dated SEPT 17, 1980, this property lies in Zones A & C. Part of this property does appear to be within a 100-year flood plain.

2) BEARING SOURCE IS RECORDED DEED IN VOL. 154, PG. 625, D.R.R.C.T.

SURVEYOR'S CERTIFICATE

I, Harold D. Feltz, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat or map was prepared for ROCKWALL COUNTY ABSTRACT & TITLE COMPANY as 123 acres, on FM 552 and FM 1141, Rockwall County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground on the 15th day of Feb., 2000.

Harold D. Feltz, III
Harold D. Feltz III, R.P.L.S. No. 5034



432

9. In the event the easement described herein is abandoned, the rights, privileges, and authority granted hereunder to the second party shall cease and determine.

IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names and affixed their seals as of the day and year first above written.

- ✓ James R. Murphy
- ✓ Thomas Nelson Murphy
- ✓ M. Burns D. Watkins
- ✓ Aslee Nelson Watkins
- ✓ James R. Dudley
- ✓ Iva Nell Dudley
- ✓ Henry C. Carr
- ✓ Mrs. Jennie Nelson Carr
- ✓ William G. Nelson
- ✓ Mary Dee Nelson

Mrs J M Nelson
Jessie Nelson Rodgers
 (Signature of first party)

Kaufman Van Zandt Soil Conservation District
Soil Conservation District

BY Frank Springer
 Chairman, Board of Supervisors

THE STATE OF _____

COUNTY OF _____

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared _____ and _____, ~~his wife,~~ both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said _____, wife of the said _____, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said _____ acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 27 day of April, A. D. 1956.

Notary Public in and for _____

SEAL
 My Commission Expires: 6-1-57 County, _____

THE STATE OF Texas

COUNTY OF Rockwall

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Mrs. J.M. Nelson known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 27 day of April, A. D. 1956.

Frank Springer
 Notary Public in and for Rockwall
Rockwall County Texas

SEAL
 My Commission Expires: June 1, 1957

THE STATE OF Texas

COUNTY OF _____

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Alton A. Nelson and Mary Dee Nelson, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Mary Dee Nelson wife of the said.

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Alton A. Nelson having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Mary Doe Nelson acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 1 day of March, A. D. 1957.

BETTY ARRANT, Betty Arrant
Notary Public in and for Ector County, Oklahoma

SEAL:
My commission expires: June 19, 1957

THE STATE OF Texas

COUNTY OF Bosque

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Henry A. Carr and Mrs. Lennie Nelson Carr, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Lennie Nelson Carr, wife of the said

Henry A. Carr having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Lennie Nelson Carr acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS, the 13 day of Feb., A. D. 1957.

J. D. Starcher
Notary Public in and for Bosque County, Tex.

SEAL:
My commission expires:

WIFE'S SEPARATE ACKNOWLEDGMENT

THE STATE OF TEXAS, }
COUNTY OF Rockwall }

BEFORE ME, the undersigned, a Notary Public,

in and for said County, Texas, on this day personally appeared Jennie Nelson Rodgers, wife of K. Barto Rodgers known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Jennie Nelson Rodgers acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This 3 day of Jan., A. D. 1957

(L. S.) Frankl Springer
Rockwall Co., Texas

THE STATE OF Texas

COUNTY OF _____

434

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Melbunn I. Watkins

and Aslee Nelson Watkins his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Aslee Nelson Watkins, wife of the said

Melbunn I Watkins having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Aslee Nelson Watkins acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS, the 29 day of January,
M. Watkins
Aslee Nelson Watkins

A. D. 1957.

Gayle C. Wright
Notary Public in and for Dallas
County, _____

SEAL:

My commission expires: 6/1/57

THE STATE OF Texas

COUNTY OF _____

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared James R. Murphree and

Omaree Nelson Murphree, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Omaree Nelson Murphree of the said

James R. Murphree wife having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said

Omaree Nelson Murphree acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 29 day of January,
James R. Murphree
Omaree Nelson Murphree
A. D. 1957.

Genevieve L. ...
Notary Public in and for Dallas
County, Texas

SEAL

My commission expires: 6-1-57

THE STATE OF Texas
COUNTY OF Rockwall

435

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Albert J. Wilson

known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 14 day of Jan., A. D. 1957.

Gladys James
Notary Public in and for Rockwall
Rockwall, County, Texas

SEAL
THE STATE OF TEXAS
COUNTY OF ROCKWALL

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared James R. Dudley and Joan Nell Dudley, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Joan N. Dudley wife of the said

James R. Dudley having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said

Joan N. Dudley acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

SIGNED: James R. Dudley
SIGNED: Joan Nell Dudley

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 28th day of June, A. D. 1955.

SEAL

My commission expires: 6-1-1957

J. T. Lofland
Notary Public in and for
Rockwall County, Texas

THE STATE OF Texas
COUNTY OF Rockwall

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared K. Barto Rodgers known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 3 day of Jan., A. D. 1957

Frank Springer
Notary Public in and for
Rockwall County, Texas

SEAL

My Commission Expires: 6-1-1957

FILED FOR RECORD 16 DAY OF April A.D. 1958, AT 2-30 M.

RECORDED 17 DAY OF April A.D. 1958, AT 9-30 A.M.

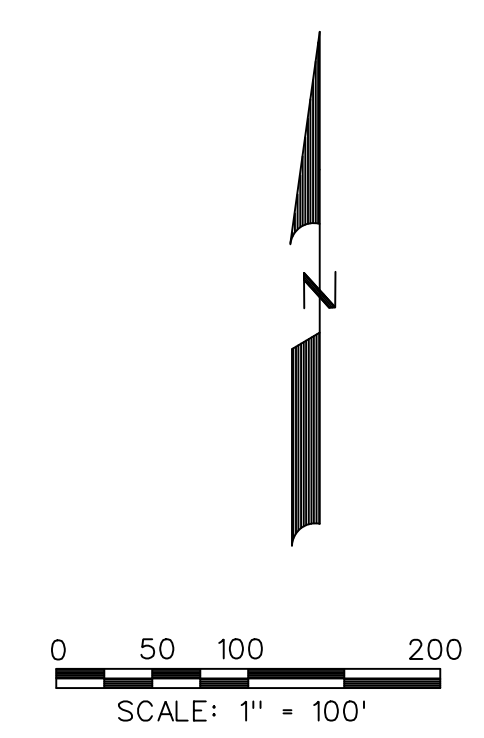
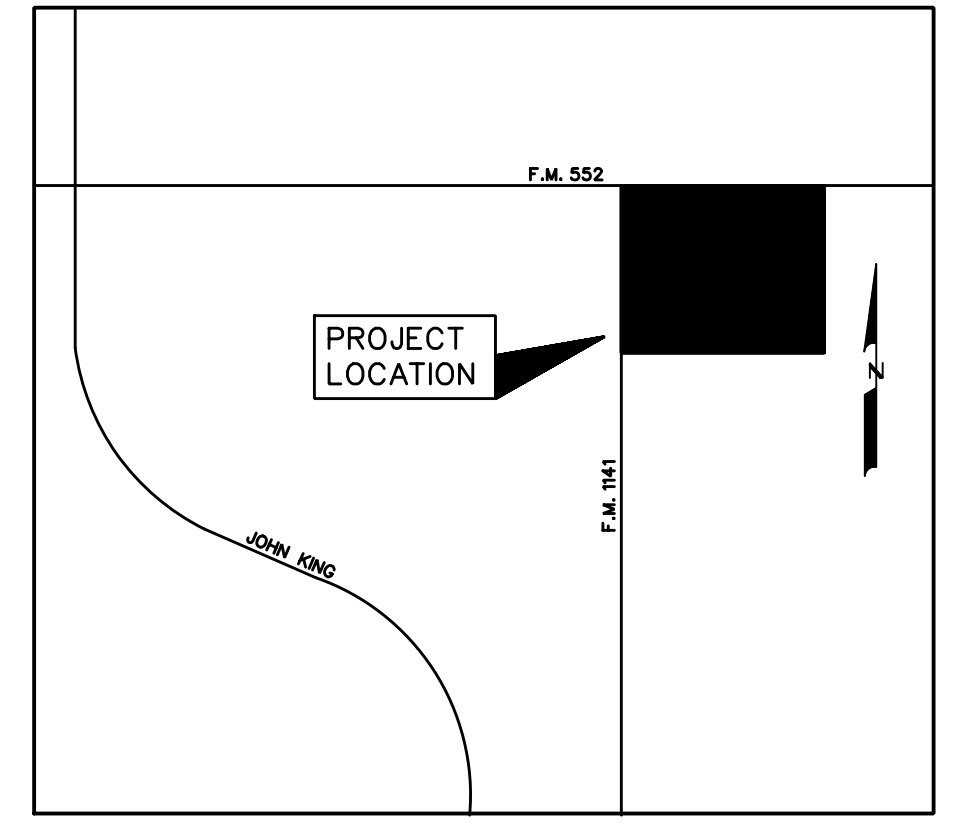
Deborah Wimpee
DERWOOD WIMPEE, CLERK COUNTY COURT, ROCKWALL COUNTY, TEXAS.

F.M. 552 (80' R.O.W.)

SECONDARY MONUMENT SIGN

SECONDARY MONUMENT SIGN

PRIMARY MONUMENT SIGN



LEGEND

TYPICAL LOT SIZES

- 60' X 120' - 134 LOTS
- 70' X 120' - 68 LOTS
- 72' X 120' - 58 LOTS
- PUBLIC OPEN SPACE/ LANDSCAPE BUFFER - 50.44 AC.
- AMENITY CENTER - 1.145 Ac.

NOTE:
THE MAXIMUM NUMBER OF RESIDENTIAL LOTS SHALL NOT EXCEED 260 LOTS.

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

OPEN SPACE INSIDE FLOODPLAIN	32.72 AC.
OPEN SPACE OUTSIDE FLOODPLAIN	17.62 AC.

CONCEPT PLAN OF
NELSON LAKE ESTATES
SITUATED IN THE
J.M. GLASS SURVEY, ABSTRACT NO. 88

IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

OWNER
UNION INVESTMENT
23545 CRENSHAW BLVD., STE. 201
TORRANCE, CA 90505

JANUARY 2021 SCALE 1" = 100'

CASE NO. Z2020-056

TOTAL ACRES	121.158
CURRENT FLOODPLAIN ACRES	35.67
PROPOSED FLOODPLAIN ACRES (AFTER RECLAMATION)	33.15
TOTAL RESIDENTIAL LOTS	260
RESIDENTIAL DENSITY	2.146

NORTH COUNTY LANE

35' R.O.W. DEDICATION

50' R.O.W. (TYP.)

50' R.O.W. (TYP.)

50' R.O.W. (TYP.)

50' R.O.W. (TYP.)

50' R.O.W. (TYP.)

50' R.O.W. (TYP.)

F.M. 1141 (80' R.O.W.)

SECONDARY MONUMENT SIGN

PRIMARY MONUMENT SIGN

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FISCAL IMPACT ANALYSIS TOOL

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

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

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

CASE NO.: Z2020-045

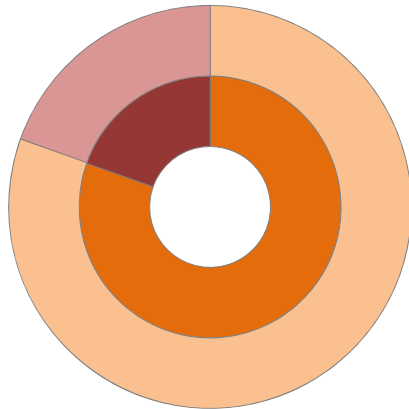
CASE NAME: Zoning Change (SF-16 & NS to PD) [Nelson Lake Estates]

ZONING MAP



	PRESENT				PROPOSED				CHANGE				GOAL		
	LAND USE		LAND VALUE		LAND USE		LAND VALUE		LAND USE		LAND VALUE		ACREAGE	VALUE	DIFFERENCE
	ACRES	%	EST. PROP. VALUE	%	ACRES	%	EST. PROP. VALUE	%	CH. ACRES	% CHANGE	CHANGE IN VALUE	% CHANGE			
RESIDENTIAL	10,934.11	75.49%	\$ 4,086,072,836.39	75.92%	10,949.47	75.59%	4,159,745,765.77	76.24%	15.36	0.11%	73,672,929.38	1.37%	80%	67%	-9.24%
NON-RESIDENTIAL	3,550.31	24.51%	\$ 1,296,229,067.61	24.08%	3,533.95	24.40%	1,296,111,589.15	23.76%	(16.36)	-0.11%	(117,478.46)	0.00%	20%	33%	-9.24%
	14,484.42	100.00%	\$ 5,382,301,904.00	100.00%	14,483.42	99.99%	5,455,857,354.92	100.00%			73,555,450.92	1.37%	100%	100%	
OPEN SPACE	2,487.57		\$ 380,531,381.26		2,488.57		\$ 389,033,454.47								
TOTAL	16,971.99		\$ 5,762,833,285.26		16,971.99		\$ 5,844,890,809.39								

PRESENT		
	ACRES	%
RESIDENTIAL	19,697.30	80.41%
NON-RESIDENTIAL	4,799.77	19.59%
	24,497.07	100.00%
OPEN SPACE	6,114.49	
TOTAL	30,611.56	
PROPOSED		
	ACRES	%
RESIDENTIAL	19,729.78	80.54%
NON-RESIDENTIAL	4,783.41	19.53%
	24,513.19	100.07%
OPEN SPACE	6,098.36	
TOTAL	30,611.56	
CHANGE		
	ACRES	%
RESIDENTIAL	32.48	0.13%
NON-RESIDENTIAL	(16.36)	-0.07%



FUTURE LAND USE MAP

ESTIMATED COST/REVENUES

BENCHMARKS

	[A] Current Zoning	[B] Current Zoning Potential @ BO	[C] Proposed Zoning @ BO	[B] - [C] Difference of Proposed vs. Current
Residential Value	\$ 402,557.62	\$ 39,692,435.04	\$ 73,672,929.38	\$ 33,980,494.35
Non-Residential Value	\$ 117,478.46	\$ 9,527,246.00	\$ -	\$ (9,527,246.00)
Residential Acreage	56.06	56.06	71.42	15.36
Non-Residential Acreage	16.36	16.36	-	(16.36)

ANNUAL REVENUES

	[A] Current Zoning	[B] Current Zoning Potential @ BO	[C] Proposed Zoning @ BO	[B] - [C] Difference of Proposed vs. Current
Residential Revenues	\$ 1,489.46	\$ 147,034.16	\$ 272,684.08	\$ 125,649.91
Non-Residential Revenues	\$ 434.67	\$ 56,519.64	\$ -	\$ (56,519.64)
Direct Sales Tax Increase	\$ -	\$ 229,556.40	\$ -	\$ (229,556.40)
Indirect Sales Tax Increase	\$ -	\$ 179,187.05	\$ 309,948.52	\$ 130,761.47
Total Revenues	\$ 1,924.13	\$ 612,297.26	\$ 582,632.60	\$ (29,664.66)

ANNUAL EXPENDITURES

	[A] Current Zoning	[B] Current Zoning Potential @ BO	[C] Proposed Zoning @ BO	[B] - [C] Difference of Proposed vs. Current
Cost of Community Service for Residential	\$ -	\$ (345,644.92)	\$ (715,566.98)	\$ (369,922.06)
Cost of Community Service for Non-Residential	\$ -	\$ (78,815.93)	\$ -	\$ 78,815.93
Total Estimated Expenditures	\$ -	\$ (424,460.84)	\$ (715,566.98)	\$ (291,106.14)

EST. ANN. COST/REVENUES

	[A] Current Zoning	[B] Current Zoning Potential @ BO	[C] Proposed Zoning @ BO	[B] - [C] Difference of Proposed vs. Current
EST. ANN. COST/REVENUES	\$ 1,924.13	\$ 187,836.42	\$ (132,934.38)	\$ (320,770.80)
OTHER BENCHMARKS				
Additional Citizens Added to Population		438	758	320
Estimated Non-Resident Consumers in City		147	-	(147)

CITY OF ROCKWALL

ORDINANCE NO. 21-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM A NEIGHBORHOOD SERVICES (NS) DISTRICT AND A SINGLE-FAMILY 16 (SF-16) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR SINGLE-FAMILY 10 (SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 121.16-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2 OF THE J. M. GASS SURVEY, ABSTRACT NO. 88, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED HEREIN BY EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Ryan Joyce of Ryan Michael Joyce Properties, LLC on behalf of Jen-Liang Wu of Unison Investment, LP for the approval of a zoning change from a Neighborhood Services (NS) District and a Single-Family 16 (SF-16) District to a Planned Development District for Single-Family 10 (SF-10) District land uses, on a 121.16-acre tract of land identified as Tract 2 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

SECTION 2. That development of the *Subject Property* shall generally be in accordance with the *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 1ST DAY OF FEBRUARY, 2021.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 19, 2021

2nd Reading: February 1, 2021

Exhibit 'A':
Legal Description

All that certain lot, tract or parcel of land situated in the *J.M. GLASS SURVEY, ABSTRACT NO. 88*, Rockwall County, Texas, and being all of that tract of land as described in a Warranty Deed from Charles I. Cheshire to Marvin Menaker, *Trustee*, dated April 23, 1980, and being recorded in *Volume 154, Page 625* of the *Deed Records* of Rockwell County, Texas, and being more particularly described as follows:

BEGINNING at a ½-inch iron rod found for corner at the east cut back corner at the intersection of the east right-of-way line of FM-1141 (80' ROW) with the South right-of-way line of FM-552 (80' ROW);

THENCE along the south right-of-way line of said FM-552 the following:

S. 89 DEG. 44 MIN. 00 SEC. E. (*Controlling Bearing*) a distance of 1681.27-feet to a ½-inch iron rod found for corner;

N. 88 DEG. 45 MIN. 05 SEC. E. a distance of 700.30-feet to a tack found in wood monument for corner;

N. 54 DEG. 06 MIN. 00 SEC. E. a distance of 77.79-feet to a ½-inch iron rod found for corner;

THENCE S. 87 DEG. 51 MIN. 31 SEC. E. leaving the South line of said FM-552, a distance of 156.34-feet to a ½-inch iron rod set for corner at the base of a fence corner post for corner at the northeast corner of said *Menaker Tract*;

THENCE S. 00 DEG. 06 MIN. 49 SEC. E. along the east line of said *Menaker Tract* a distance of 2,041.03-feet to a 3/8-inch iron rod found for corner in the center of North Country Lane;

THENCE N. 89 DEG. 56 MIN. 19 SEC. W. along and near said center of North Country Lane a distance of 2,645.47-feet to a ½-inch iron rod found for corner at the southwest corner of said *Menaker Tract* at the intersection of the center of said road with the east right-of-way line of said FM-1141;

THENCE N. 00 DEG. 01 MIN. 46 SEC. W. with the east right-of-way line of said FM-1141 a distance of 1,941.18-feet to a ½-inch iron rod found for corner;

THENCE N. 45 DEG. 02 MIN. 47 SEC. E. along the east right-of-way line of said highway a distance of 70.50-feet to the *POINT OF BEGINNING* and containing 121.16-acres or 5,277,595 SF of land.

Exhibit 'C': Concept Plan

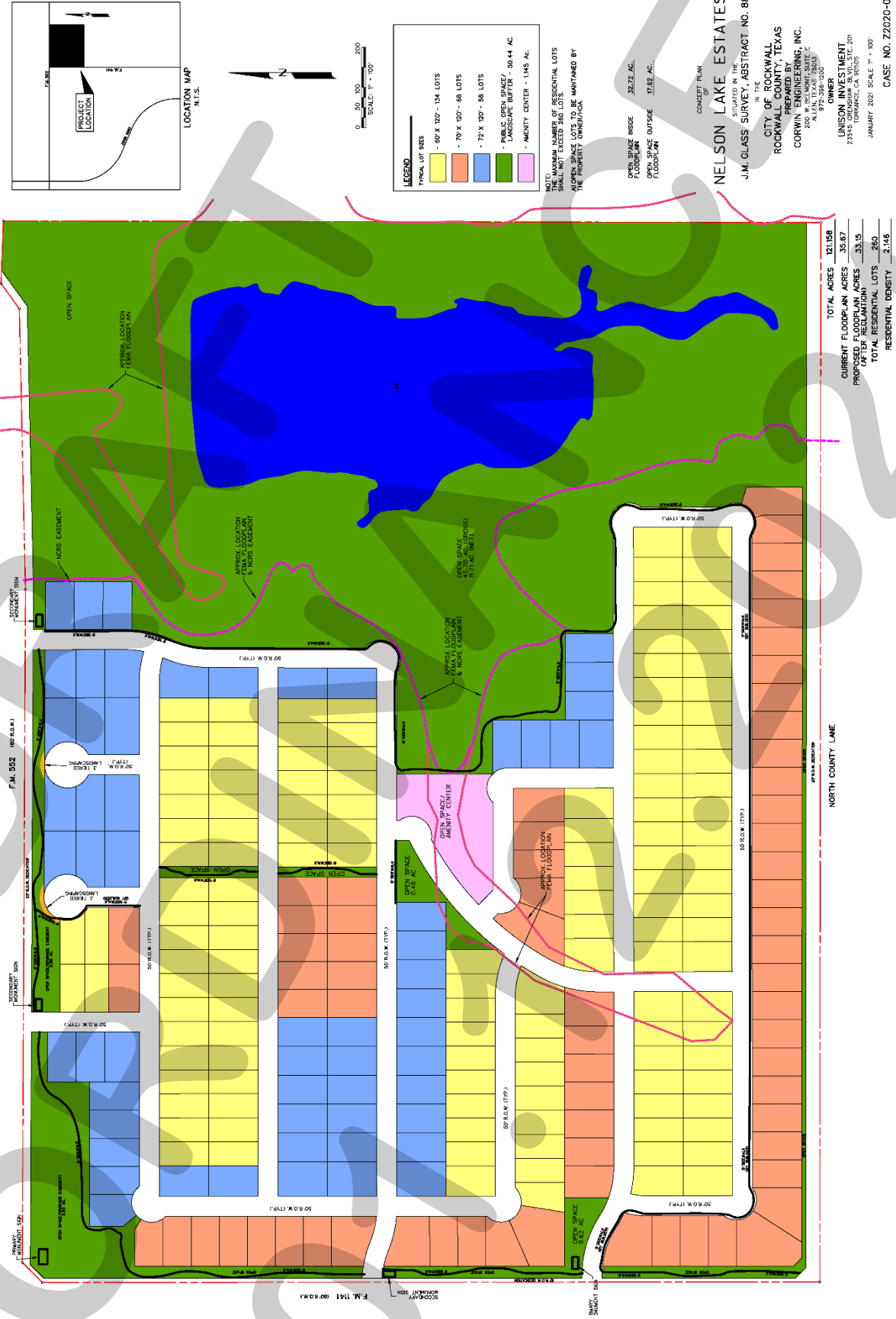


Exhibit 'D':
Density and Development Standards

Density and Development Standards.

- (1) Permitted Uses. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 10 (SF-10) 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'* and stated in *Table 1*, which is as follows:

Table 1: Lot Composition

<i>Lot Type</i>	<i>Minimum Lot Size (FT)</i>	<i>Minimum Lot Size (SF)</i>	<i>Dwelling Units (#)</i>	<i>Dwelling Units (%)</i>
A	60' x 120'	7,000 SF	134	51.54%
B	70' x 120'	8,400 SF	68	26.15%
C	72' x 120'	8,600 SF	58	22.31%
<i>Maximum Permitted Units:</i>			260	100.00%

- (3) Density and Dimensional Requirements. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 10 (SF-10) 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 2.15 dwelling units per gross acre of land; however, in no case should the proposed development exceed 260 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

<i>Lot Type (see Concept Plan) ▶</i>	A	B	C
<i>Minimum Lot Width</i> ⁽¹⁾	60'	70'	72'
<i>Minimum Lot Depth</i>	120'	120'	120'
<i>Minimum Lot Area</i>	7,000 SF	8,400 SF	8,600 SF
<i>Minimum Front Yard Setback</i> ^{(2), (5) & (6)}	20'	20'	20'
<i>Minimum Side Yard Setback</i>	5'	6'	6'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> ^{(2) & (5)}	20'	20'	20'
<i>Minimum Length of Driveway Pavement</i>	20'	20'	20'
<i>Maximum Height</i> ⁽³⁾	36'	36'	36'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	10'	10'	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	2,200 SF	2,200 SF	2,200 SF
<i>Maximum Lot Coverage</i>	65%	65%	65%

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

Exhibit 'D':
Density and Development Standards

the encroaching faces.

- 6: Flat front entry garage configurations are permitted on up to 35% (*i.e. a maximum of 91 lots*) of the total number of lots provided that: [1] no more than 45% (*i.e. a maximum of 60 lots*) of the lots for Lot Type 'A' have a flat front entry garage, [2] no more than 25% (*i.e. a maximum of 31 lots*) of the combined total of the Lot Type 'B' and Lot Type 'C' may have a flat front entry garage, and [3] the front yard building setback for all lots with a flat front entry garage is increased to a minimum of 25-feet.

(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-552 and 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.** This development shall adhere to the following garage design and orientation requirements:

(1) **Type 'A' Lots.** Garages shall be oriented in a *traditional swing* (or *j-swing*) -- *where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration* -- or in a flat front entry configuration (*i.e. even with the front façade of the primary structure*). On *traditional swing* (or *j-swing*) garage configurations, a second single garage door facing the street is permitted if it is located behind the width of the double garage door. Garages configured in a flat front entry configuration shall be allowed on a maximum of 45% of the lots (*i.e. a maximum of 60 lots*) provided that the front yard building setback is increased to 25-feet. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).

(2) **Type 'B' and 'C' Lots.** Garages shall be oriented in a *traditional swing* (or *j-swing*) -- *where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration* -- or in a flat front entry configuration (*i.e. even with the front façade of the primary structure*). On *traditional swing* (or *j-swing*) garage configurations, a second single garage door facing the street is permitted if it is located behind the width of the double garage door. Garages configured in a flat front entry configuration shall be allowed on a maximum of 25% of the lots (*i.e. a maximum of 31 lots of the combined total of the Lot Type 'B' and Lot Type 'C' Lots*) provided that the front yard building setback is increased to 25-feet. All garage configurations not

Exhibit 'D':
Density and Development Standards

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



Carriage Hardware

- (5) Anti-Monotony Restrictions. The development shall adhere to the *Anti-Monotony Matrix* depicted in *Table 3* below (for spacing requirements see *Figures 3 & 4* below).

Table 3: Anti-Monotony Matrix

<u>Lot Type</u>	<u>Minimum Lot Size</u>	<u>Elevation Features</u>
A	60' x 120'	(1), (2), (3), (4)
B	70' x 120'	(1), (2), (3), (4)
C	72' x 120'	(1), (2), (3), (4)

- (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-552, FM-1141, or North Country Lane shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

Exhibit 'D':
Density and Development Standards

- (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.

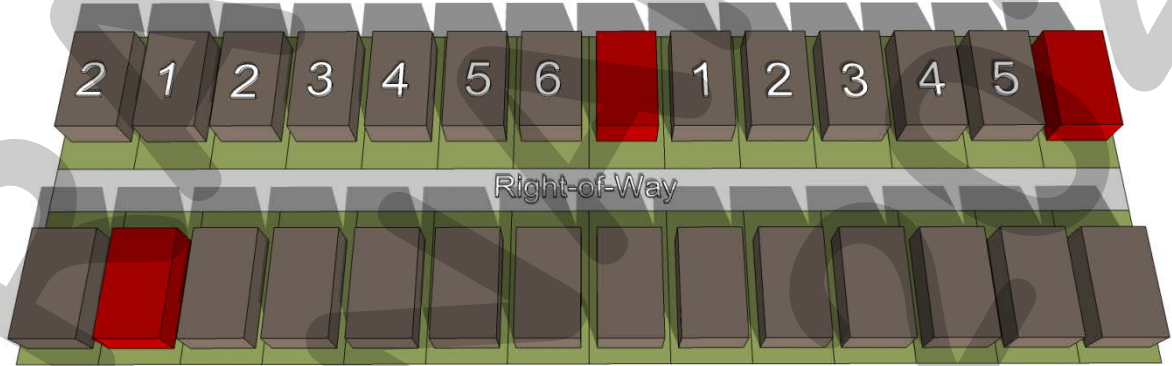


Figure 4: Properties do not line up on opposite side of the street. Where **RED** is the subject property.



- (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.

Exhibit 'D':
Density and Development Standards

- (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-552, FM-1141 and North Country Lane*), 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.
- (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-552). A minimum of a 30-foot landscape buffer shall be provided along FM-552 (*outside of and beyond any required right-of-way dedication*), that 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. In addition, additional three (3) tiered landscaping (*i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees*) shall be required adjacent to the cul-de-sacs along FM-552 as depicted in *Exhibit 'C'* of this ordinance.

Exhibit 'D':
Density and Development Standards

- (2) 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 five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.
- (3) Landscape Buffers (North Country Lane). A minimum of a 10-foot landscape buffer shall be provided along North Country Lane (*outside of and beyond any required right-of-way dedication*). 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 15-foot centers along the entire frontage of North Country Lane. An alternative screening plan proposing the use of existing trees, for the area directly adjacent to North Country Lane, may be submitted by the developer with the PD Site Plan. This alternative plan can be approved by the Planning and Zoning Commission upon a finding that the proposed plan will provide adequate screening that is equal to or exceeds the standards stated in this section.
- (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-foot 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.

Exhibit 'D':
Density and Development Standards

- (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 24.232-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) 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) 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) 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) 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 CITY COUNCIL MEMO

AGENDA DATE: 3/21/2005

APPLICANT: Kimley-Horn & Associates

AGENDA ITEM: Z2005-007; Nelson Lake - (Ag) to (SF-16) & (NS)

Hold a public hearing and consider a request from Jason Faigle of Kimley-Horn & Associates to rezone 104.8-acres from (Ag) Agricultural district to (SF-16) Single Family Residential district, and 16.4-acres from (Ag) Agricultural district to (NS) Neighborhood Service district. The subject property is located at the southeast corner of FM 1141 and FM 552, and currently described as Tract 2, Abstract 88, J.M. Gass Survey.

BACKGROUND INFORMATION:

The applicant has submitted a zoning request to zone property, containing approximately 121.16 acres, from (Ag) Agricultural district to (SF-16) Single Family Residential and (NS) Neighborhood Service. The proposed SF-16 zoning will contain approximately 104.8 acres and the NS zoning will contain approximately 16.4 acres. The property is located at the southeast corner of the intersection of F.M. 1141 and F.M. 552. The vacant property located across FM 552 directly to the north of this site was recently annexed into the City and is zoned (Ag) Agricultural. Property to the south is also zoned (Ag) Agricultural and is currently used for agricultural purposes along with a few residential homes. The property to west (i.e. Dalton Ranch) has been zoned (PD-58) Planned Development and preliminary platted for single family residential development with a density of less than two units per acre, and also incorporates an elementary school site.

The zoning exhibit illustrates a plan for 111 total lots with 106 residential lots, 4 open space areas and 1 retail lot (Neighborhood Service area). As indicated on the exhibit, the SF-16 portion of the zoning proposal yields a density level of 1.01 units per acre. The Land Use Plan indicates this area to be Single Family Low Density Residential. Low density is defined within the Comprehensive Plan as less than two units per acre of land.

The Comprehensive Plan also states that all residential lots which are 16,000 square feet in area or less should be served by an alley. However, the applicant's request is for minimum 16,000-sf lots (concept plan indicates an average lot size of 19,509-sf), and the plan indicates no alleys. The development pattern for SF-16 and greater has been the elimination of the alley requirement.

The Comprehensive Plan states that in determining appropriate zoning, existing surrounding conditions such as lot size, house styles and existing development patterns should be considered. The Dalton Ranch development to the west of this property has

been preliminary platted and zoned for a minimum 10,000 square foot lot area with lots ranging from over 10,000 square foot up to 30,000 square foot in area. The applicant's proposal meets the recommendations of the Comprehensive Plan in terms of density, and is comparable land within the general area.

This proposal also indicates approximately 56 acres of open space which includes Nelson Lake as an amenity to the proposed development. The applicant has indicated the open space and lake area will be private and maintained by a Homeowner's Association. In conjunction with the open space, the applicant has proposed 16 acres of Neighborhood Service zoning which is the most restrictive retail-type district within the Unified Development Code. The Land Use Plan does indicate this intersection as commercial/retail land use. We have included a list of uses that are allowed within the Neighborhood Service District for review. The overall amount of open space being proposed, primarily required because of the lake and flood plain, and the proposed NS zoning will regulate the residential density to less than 2 units per acre. In conjunction with the zoning request, the applicant has also submitted a preliminary plat of the property. Issues dealing with landscape buffers along F.M. 552 and F.M. 1141 and entry features will be taken up with approval of the preliminary plat.

Notices were mailed to eight (8) property owners located in the City within 200-ft of the subject tract, and at this time, none had been returned.

RECOMMENDATIONS:

Staff Recommends approval of the request.

On 3/8/05 the Planning and Zoning Commission recommended approval the zoning change to (SF-16) and (NS) by a vote of 5 to 0 (Jackson and Smith absent).

Tract 134-12, Abstract 207, E. Teal Survey (2.564-acres), located along the south side of Henry M. Chandler Drive and immediately east of the Chandler's Landing Marina.

The motion failed due to a lack of a second.

Burgamy made a motion to deny the request by Austin Lewis of Lewis Real Estate Investments to amend (PD-8) Planned Development district, specifically on a vacant, 6.889-acre tract comprised of Spyglass Hill #4 Addition (4.324-acres) and Tract 134-12, Abstract 207, E. Teal Survey (2.564-acres), located along the south side of Henry M. Chandler Drive and immediately east of the Chandler's Landing Marina.

Langdon seconded the motion. The motion was voted on and passed by a vote of 3 to 1 (Lucas against; Carroll abstaining; Jackson and Smith absent).

Carroll returned to the meeting.

Z2005-007

Hold a public hearing and consider a request from Jason Faigle of Kimley-Horn & Associates to rezone 104.8-acres from (Ag) Agricultural district to (SF-16) Single Family Residential district, and 16.4-acres from (Ag) Agricultural district to (NS) Neighborhood Services district. The subject property is located at the southeast corner of FM 1141 and FM 552, and currently described as Tract 2, Abstract 88, J.M. Gass Survey.

Hampton outlined the request stating the applicant has submitted a zoning request to zone property, containing approximately 121.16 acres, from (Ag) Agricultural district to (SF-16) Single Family Residential and (NS) Neighborhood Service. The proposed SF-16 zoning will contain approximately 104.8 acres and the NS zoning will contain approximately 16.4 acres. The property is located at the southeast corner of the intersection of F.M. 1141 and F.M. 552. The vacant property located across FM 552 directly to the north of this site was recently annexed into the City and is zoned (Ag) Agricultural. Property to the south is also zoned (Ag) Agricultural and is currently used for agricultural purposes along with a few residential homes. The property to west (i.e. Dalton Ranch) has been zoned (PD-58) Planned Development and preliminary platted for single family residential development with a density of less than two units per acre, and also incorporates an elementary school site.

The zoning exhibit illustrates a plan for 111 total lots with 106 residential lots, 4 open space areas and 1 retail lot (Neighborhood Service area). As indicated on the exhibit, the SF-16 portion of the zoning proposal yields a density level of 1.01 units per acre. The Land Use Plan indicates this area to be Single Family Low Density Residential. Low density is defined within the Comprehensive Plan as less than 2 units per acre of land.

The Comprehensive Plan also states that all residential lots which are 16,000 square feet in area or less should be served by an alley. However, the applicant's request is for minimum 16,000-sf lots (concept plan indicates an average lot size of 19,509-sf), and the plan indicates no alleys. The development pattern for SF-16 and greater has been the elimination of the alley requirement.

The Comprehensive Plan states that in determining appropriate zoning, existing surrounding conditions such as lot size, house styles and existing development patterns should be considered. The Dalton Ranch development to the west of this property has been preliminary platted and zoned for a minimum 10,000 square foot lot area with lots ranging from over 10,000 square foot up to 30,000 square foot in area. The applicant's proposal meets the recommendations of the Comprehensive Plan in terms of density, and is comparable land within the general area.

This proposal also indicates approximately 56 acres of open space which includes Nelson Lake as an amenity to the proposed development. The applicant has indicated the open space and lake area will be private and maintained by a Homeowner's Association. In conjunction with the open space, the applicant has proposed 16 acres of Neighborhood Service zoning which is the most restrictive retail-type district within the Unified Development Code. The Land Use Plan does indicate this intersection as commercial/retail land use. We have included a list of uses that are allowed within the Neighborhood Service District for review. The overall amount of open space being proposed, primarily required because of the lake and flood plain, and the proposed NS zoning will regulate the residential density to less than 2 units per acre. In conjunction with the zoning request, the applicant has also submitted a preliminary plat of the property. Issues dealing with landscape buffers along F.M. 552 and F.M. 1141 and entry features will be taken up with approval of the preliminary plat.

Notices were mailed to eight (8) property owners located in the City within 200-ft of the subject tract, and at this time, none had been returned.

Herbst opened the public hearing.

Rob Whittle, applicant addressed requesting approval of the request and to answer questions.

Herbst closed the public hearing.

Carroll made a motion to approve the request from Jason Faigle of Kimley-Horn & Associates to rezone 104.8-acres from (Ag) Agricultural district to (SF-16) Single Family Residential district, and 16.4-acres from (Ag) Agricultural district to (NS) Neighborhood Services district. The subject property is located at the southeast corner of FM 1141 and FM 552, and currently described as Tract 2, Abstract 88, J.M. Gass Survey.

Langdon seconded the motion. The motion was voted on and passed by a vote of 5 to 0.

P2005-011

Discuss and consider a request from Jason Faigle of Kimley-Horn & Associates for approval of a preliminary plat of Nelson Lake Addition, a 121.2-acre tract comprised of 106 single-family residential lots (104.8-acres) and one lot designated for "NS" Neighborhood Services uses (16.4-acres). The subject property is located at the southeast corner of FM 1141 and FM 552, and currently described as Tract 2, Abstract 88, J.M. Gass Survey.

Hampton outlined the request stating the preliminary plat for Nelson Lake lays out 106 single-family residential lots, four (4) open space and/or drainage easements, one (1) lot designated for a sewer lift station and one (1) lot designated for future non-residential development. The preliminary plat application is running concurrently with a zoning application to rezone the 121.2-acre subject tract from (Ag) Agricultural to (SF-16) Single-Family Residential (104.8-acres) and (NS) Neighborhood Services (16.4-acres).

Right-of-way and Access

The site is bordered by FM 552 to the north, FM 1141 to the west, N. Country Lane to the south and the City limits to the east. Access for the residential portion of the development is proposed via "Street A" from FM 1141 and via "Street G" from FM 552. A Traffic Impact Analysis will be required as part of the engineering review. *Each of these proposed street connections will require TXDOT approval, and there is some concern from Staff that TXDOT will require "Street A" to align with the proposed street (Limestone Way) in Dalton Ranch.*

A 10-ft ROW dedication is provided along FM 1141 and a 20-ft ROW dedication along FM 552 for the future widening of those arterials. Left-turn lanes and/or deceleration lanes will be required as per Engineering standards and TXDOT requirements. Access to the proposed 16.4-acre (NS) site will be provided subject to TXDOT and City engineering standards, and will be reviewed at the time of final platting and/or site plan approval for that property. No access is proposed to N. Country Lane; however, the developer will be responsible for the dedication of 32.5-ft of Right-of-way and improvement of a minimum 24-ft street section of this road as it abuts the subject tract.

Utilities and Engineering Issues

The subject tract currently is situated within Mt. Zion's water district, and it is believed there are not adequate fire flows or capacity to support the proposed development. However, the developer has agreed to participate in a facilities agreement with the City to acquire the right to serve this area, which will be finalized during engineering review/final platting. Development of this tract will require extensions of water and sewer lines to and along the subject tract, as well as installation of a lift station in the northeastern quadrant (i.e. Lot 57, Block C). *The Preliminary Utility Layout outlines the proposal; however, the City Engineer has*

356 **Bill Bradshaw (Applicant)**
357 **Bradshaw stated that this would be their 5th consecutive year at this**
358 **location.**

359
360 **There being no one further to address the Council, Mayor Jones closed the public**
361 **hearing.**

362
363 **Councilmember Raulston made a motion to approve the request with Staff**
364 **recommendations and Councilmember Cotti seconded the motion. The ordinance was**
365 **read as follows:**

366
367 **AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED**
368 **DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY**
369 **AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A TEMPORARY**
370 **PORTABLE BEVERAGE SERVICE FACILITY ON A TRACT OF LAND KNOWN AS**
371 **LOTS 4 AND 5, CANUP ADDITION, LOCATED AT 907 S. GOLIAD; PROVIDING FOR**
372 **SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE**
373 **SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING**
374 **FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;**
375 **PROVIDING FOR AN EFFECTIVE DATE.**

376
377 **The motion passed by a vote of 6 ayes and 1 absent [King].**

378
379 **f. Z2005-007 – Hold a public hearing and consider approval of an**
380 **Ordinance a request from Jason Faigle of Kimley-Horn & Associates to**
381 **rezone 104.8-acres from (Ag) Agricultural district to (SF-16) Single Family**
382 **Residential district, and 16.4-acres from (Ag) Agricultural district to (NS)**
383 **Neighborhood Services district. The subject property is located at the**
384 **southeast corner of FM 1141 and FM 552, and currently described as**
385 **Tract 2, Abstract 88, J.M. Gass Survey and take any action necessary.**
386 **[1st Reading]**

387
388 **Michael Hampton discussed the background of the request and stated Rob Whittle was**
389 **the landowner. Mayor Jones opened the public hearing and the following persons came**
390 **forward to address the Council:**

391
392 **Jason Faigle (Applicant) and Rob Whittle**
393 **Whittle stated that this will be a custom home community and believes it**
394 **will be a catalyst for development of the north area.**

395
396 **There being no one further to address the Council, Mayor Jones closed the public**
397 **hearing.**

398
399 **Councilmember Raulston made a motion to approve the request with Staff**
400 **recommendations and Councilmember Cecil seconded the motion. The ordinance was**
401 **read as follows:**

402
403 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE**
404 **UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL AS PREVIOUSLY AMENDED SO AS TO**
405 **APPROVE A CHANGE IN ZONING FROM (AG), AGRICULTURAL DISTRICT TO (SF-16) SINGLE FAMILY**
406 **RESIDENTIAL DISTRICT AND (NS), NEIGHBORHOOD SERVICE DISTRICT, ON A TRACT OF LAND**
407 **CONTAINING 121.2 ACRES AND KNOWN AS TRACT 2, ABSTRACT 88, J.M. GASS SURVEY, AND MORE**
408 **SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS;**
409 **PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS**
410 **(\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A**
411 **REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

412
413 **The motion passed by a vote of 6 ayes and 1 absent [King].**

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MINUTES
ROCKWALL CITY COUNCIL

April 4, 2005
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

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1. **CALL TO ORDER**

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Mayor Jones called the meeting to order at 5:00 p.m. Present were Mayor Ken Jones and Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Bill Cecil and John King. Councilmember Terry Raulston was absent. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Mayor Jones immediately adjourned the meeting into Executive Session.

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2. **INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER STEPHEN STRAUGHAN**

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3. **PROCLAMATIONS**

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a. **Miss Teen Rockwall – Sabra Davis**

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4. **OPEN FORUM**

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Mayor Jones advised the audience that the floor was open to anyone who wished to address the Council on any subject not on tonight's agenda. The following persons came forward to address the Council:

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Linda Jaresh – Spoke about the Ms. Teen Texas competition.

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Sam Buffington – Requested that the Southside Coalition Association be put on the next agenda to discuss the land at Davy Crockett & Ross.

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There being no one further to address the Council, Mayor Jones closed the open forum.

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5. **CONSENT AGENDA**

a. Consider approval of the Minutes from the March 7, 2005 City Council meeting and take any action necessary.

b. Consider approval of the Minutes from the March 21, 2005 City Council meeting and take any action necessary.

c. Consider approval of the Annual Contract for Street Maintenance Materials and take any action necessary.

d. Consider approval of an **Ordinance** for a request by Maureen Green (Z2005-009) for a change in zoning from (SF-7) Single-family Residential district to (PD-50) Planned Development No. 50 district on a 0.23-acre tract being part of Block 20, Amick Addition, situated at 603 North Goliad and take any action necessary. **[2nd Reading]**

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- e. Consider approval of an **Ordinance** for a request from Bill and Glenda Bradshaw (Z2005-011) for a Specific Use Permit to allow for a portable beverage service facility within the (C) Commercial zoning district, on a 0.25-acre tract located at 907 S. Goliad and take any action necessary. [2nd Reading]
 - f. Consider approval of an **Ordinance** a request from Jason Faigle of Kimley-Horn & Associates (Z2005-007) to rezone 104.8-acres from (Ag) Agricultural district to (SF-16) Single Family Residential district, and 16.4-acres from (Ag) Agricultural district to (NS) Neighborhood Services district. The subject property is located at the southeast corner of FM 1141 and FM 552, and currently described as Tract 2, Abstract 88, J.M. Gass Survey and take any action necessary. [2nd Reading]
 - g. Consider approval of a Facilities Agreement with Jerry Kissick for Ranch Trail Drive and take any action necessary.
 - h. Consider approval of a Facilities Agreement with Lake Pointe Church for use of Yellowjacket Park and take any action necessary.
 - i. Consider approval of a Resolution designating the officers for the General Election to be held on May 7, 2005 and take any action necessary.

115 Councilmember John King requested that Consent Agenda Items 5(a) and (b) be pulled.
116 Councilmember Cotti made a motion to approve the remaining Consent Agenda Items
117 and Councilmember Straughan seconded the motion. The ordinances were read as
118 follows:

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ORDINANCE NO. 05-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM "SF-7" SINGLE FAMILY RESIDENTIAL TO "PD-50"; PLANNED DEVELOPMENT DISTRICT NO. 50 ON A 0.460-ACRE TRACT KNOWN AS PART OF A, B, & E, BLOCK 21, AMICK ADDITION; 603 N. GOLIAD STREET AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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ORDINANCE NO. 05-15

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A TEMPORARY PORTABLE BEVERAGE SERVICE FACILITY ON A TRACT OF LAND KNOWN AS LOTS 4 AND 5, CANUP ADDITION, LOCATED AT 907 S. GOLIAD; 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.



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: January 19, 2021
APPLICANT: Ryan Joyce; *Michael Joyce Properties, LLC*
CASE NUMBER: Z2020-056; *Zoning Change (NS & SF-16 to PD) for Nelson Lake Estates*

SUMMARY

Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties, LLC on behalf of Jen-Liang Wu of Unison Investment, LP for the approval of a Zoning Change from a Single-Family 16 (SF-16) District and Neighborhood Services (NS) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 121.16-acre tract of land identified as Tract 2 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District and Neighborhood Services (NS) District, generally located at the southeast corner of the intersection of FM-1141 and FM-552, and take any action necessary.

BACKGROUND

The subject property was annexed by the City Council on August 30, 1999 by *Ordinance No. 99-33*. At the time of annexation, the subject property was zoned Agricultural (AG) District. On April 4, 2005, the City Council approved *Ordinance No. 05-16 [Case No. Z2005-007]* changing the zoning of the subject property from an Agricultural (AG) District to a Neighborhood Services (NS) District and a Single-Family 16 (SF-16) District. The concept plan included with *Ordinance No. 05-16* showed that the subject property would include 104.8-acres of land zoned Single-Family 16 (SF-16) District with the remainder of the subject property (*i.e.* 16.36-acres) being designated for Neighborhood Service (NS) District land uses. The residential portion of the concept plan also showed the provision of 106 single-family residential lots, and that ~56.00-acres of the 104.8-acres designated for residential land uses would be dedicated for open space. The overall proposed density of this development was 1.01 dwelling units per acre. Despite this plan being adopted by the City Council, the subject property has remained vacant since its annexation into the City. *Staff has provided a copy of the case memo and minutes from the Planning and Zoning Commission and City Council meetings for this case in the attached packet.*

On October 16, 2020, the applicant -- *Ryan Joyce of Michael Joyce Properties, LLC* -- submitted an application requesting to change the zoning of the subject property from a Neighborhood Services (NS) District and Single-Family 16 (SF-16) District to a Planned Development District for Single-Family 10 (SF-10) District land uses. Specifically, the applicant was proposing to entitle the subject property for a 264-lot single-family, residential subdivision that would incorporate lots that were 60' x 120' (*i.e.* a minimum of 7,000 SF) and 70' x 120' (*i.e.* a minimum of 8,400 SF). This request went before the Planning and Zoning Commission on November 10, 2020, and a motion to recommend denial of the case was approved by a vote of 4-3, with Commissioners Womble, Deckard, and Welch dissenting. Following this action -- *on November 16, 2020* --, the City Council failed to approve a motion adopting the zoning change by a supermajority vote. The motion to approve failed by a vote of 5-2, with Councilmembers Campbell and Macalik dissenting. Since the motion to approve failed and no subsequent motion was made, the failure was considered to be a denial with prejudice.

In conformance with Subsection 02.05(C), *Reapplication*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) the applicant submitted a written request outlining changes to the lot mix, setbacks, and minimum area/dwelling unit square footages. In accordance with the procedures of the Unified Development Code (UDC), the Director of Planning and Zoning forwarded the request to the Planning and Zoning Commission for consideration, and on December 8, 2020 the Planning and Zoning Commission approved a motion to allow the applicant to resubmit an application by a vote of 6-1, with Commissioner Welch dissenting.

PURPOSE

On December 18, 2020, the applicant -- *Ryan Joyce of Michael Joyce Properties, LLC* -- resubmitted an application requesting to change the zoning of the subject property from a Neighborhood Services (NS) District and Single-Family 16 (SF-16) District to a Planned Development District for Single-Family 10 (SF-10) District land uses. Specifically, the applicant is proposing to entitle the subject property for a 260-lot single-family, residential subdivision that will incorporate lots that are 60' x 120' (i.e. a minimum of 7,000 SF), 70' x 120' (i.e. a minimum of 8,400 SF), and 72' x 120' (i.e. a minimum of 8,600 SF).

ADJACENT LAND USES AND ACCESS

The subject property is located at southeast corner of the intersection of FM-1141 and FM-552. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is FM-552, which is identified as a TXDOT4D (i.e. *Texas Department of Transportation, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this thoroughfare is a 47.31-acre portion of a larger 56.31-acre tract of land (i.e. *Tract 3 of the M. Simmons Survey, Abstract No. 194*), which is zoned Agricultural (AG) District. Currently situated on this property are two (2) agricultural accessory structures. Beyond this property is the corporate limits of the City of Rockwall.

South: Directly south of the subject property is North Country Lane, which is identified as a M4U (i.e. *major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this thoroughfare are two (2) tracts of land (i.e. *Tract 14 of the J. M. Gass Survey*), which are zoned Agricultural (AG) District. The 48.267-acre tract of land is owned by the City of Rockwall, is currently vacant (with the exception of the *North Country Lane Water Tower*), and is the future site for the *Alma Williams Park*. The other tract of land is a 101.43-acre tract of land that currently has a 660 SF single-family home and multiple agricultural accessory structures situated on it.

East: Directly east of the subject property are the corporate limits of the City of Rockwall. Beyond this are residential properties that are situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ).

West: Directly west of the subject property is an Elementary School (i.e. *Celia Hays Elementary School*) on a 11.036-acre parcel of land (i.e. *Lot 5, Block C, Dalton Ranch, Phase 2 Addition*) that is owned by the Rockwall Independent School District (RISD). Also, adjacent to the subject property is Phase 1 of the Dalton Ranch Subdivision, which consists of 151 single-family residential lots on 62.33-acres. This subdivision is zoned Planned Development District 58 (PD-58) for Single-Family 10 (SF-10) District land uses. Beyond this is the Stoney Hollow Subdivision, which consists of 96 single-family residential lots on 41.88-acres. This subdivision is zoned Single-Family 16 (SF-16) District.

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 121.16-acre subject property will consist of 260 single-family residential lots that will be broken down into three (3) lot types (i.e. 60' x 120', 70' x 120', and 72' x 120'). More specifically, the development will incorporate 134, 60' x 120' (i.e. a minimum of 7,200 SF) lots; 68, 70' x 120' (i.e. a minimum of 8,400 SF) lots; and 58, 72' x 120' (i.e. a minimum of 8,600 SF) lots. This would translate to a density of 2.15 dwelling units per acre for the total development. The minimum dwelling unit size (i.e. *air-condition space*) will be 2,200 SF. According to the applicant, the proposed housing product will be similar to the product that was constructed in *Phases IIA & IIB of the Breezy Hill Subdivision* (i.e. the *Type 'A', 60' x 120'* and *Type 'B', 70' x 120'* lot products from *Planned Development District 74 [PD-74]*) [see example



FIGURE 1: EXAMPLE HOUSING PRODUCT FROM BREEZY HILL, PHASE IIA

in Figure 1]; however, in addition to the *J-Swing* or *Traditional Swing* driveway configuration the applicant will be requesting 35% of the homes (i.e. 40% of the Type 'A' Lots and 30% of the Type 'B' & 'C' Lots -- as identified in Table 1: Lot Composition below) be allowed to be constructed with *Flat Front Entry* garages. The proposed housing product will incorporate a minimum masonry requirement of 90% (with a minimum of 85% on each façade), and be subject to the upgraded anti-monotony requirements that were adopted by the City Council in September of 2019. Staff should to point out that this is significant because after the approval of HB2439 (i.e. the building materials bill which prohibited City's from regulating building materials), the current Single-Family 16 (SF-16) District does not have any material requirements (i.e. the buildings could be built out of any materials allowed by the International Building Code [IBC]); however, by the applicant consenting to the material requirements through the Planned Development District, the City could then hold the applicant to the 90% minimum masonry requirement. The proposed Planned Development District will also be subject to the land uses and requirements stipulated for the Single-Family 10 (SF-10) District unless specifically called out in the Planned Development District ordinance. The following is a summary of the lot composition and density and dimensional standards contained in the proposed Planned Development District ordinance:

TABLE 1: LOT COMPOSITION

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	60' x 120'	7,000 SF	134	51.54%
B	70' x 120'	8,400 SF	68	26.15%
C	72' x 120'	8,600 SF	58	22.31%
<i>Maximum Permitted Units:</i>			260	100.00%

TABLE 2: LOT DIMENSIONAL REQUIREMENTS

Lot Type (see Concept Plan) ►	A	B	C
<i>Minimum Lot Width</i> ⁽¹⁾	60'	70'	72'
<i>Minimum Lot Depth</i>	120'	120'	120'
<i>Minimum Lot Area</i>	7,000 SF	8,400 SF	8,600 SF
<i>Minimum Front Yard Setback</i> ^{(2), (5) & (6)}	20'	20'	20'
<i>Minimum Side Yard Setback</i>	5'	6'	6'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> ^{(2) & (5)}	20'	20'	20'
<i>Minimum Length of Driveway Pavement</i>	20'	20'	20'
<i>Maximum Height</i> ⁽³⁾	36'	36'	36'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	10'	10'	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	2,200 SF	2,200 SF	2,200 SF
<i>Maximum Lot Coverage</i>	65%	65%	65%

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: Flat front entry garage configurations are permitted on up to 35% (i.e. a maximum of 91 lots) of the total number of lots provided that: [1] no more than 45% (i.e. a maximum of 60 lots) of the lots for Lot Type 'A' have a flat front entry garage, [2] no more than 25% (i.e. a maximum of 31 lots) of the combined total of the Lot Type 'B' and Lot Type 'C' may have a flat front entry garage, and [3] the front yard building setback for all lots with a flat front entry garage is increased to a minimum of 25-feet.

With regard to the proposed amenities, the concept plan provided by the applicant shows that the proposed development will provide [1] ~50.34-acres of open space (17.62-acres will be outside of the floodplain -- after reclamation -- and the development will be credited with 33.98-acres of open space [i.e. 32.72-acres x ½ = 16.36-acres + 17.62-acres = 33.98-acres]), [2] a one (1)

acre amenity center, and [3] a trail system. The open space required for this development is 24.232-acres, and the applicant is exceeding this by 9.748-acres (or 8.04%). The proposed trail system will be constructed along the edge of the floodplain running north and south, and utilize the required sidewalks along FM-552 and FM-1141 to create a loop through the development. In addition, pedestrian paths connecting the north side of the development to the amenities center via a trail will also be incorporated.

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 and ensure there is 85-feet of right-of-way, and dedicate any area 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 North Country Lane, and dedicate any area within 32.50-feet of the centerline of the roadway. The applicant shall also verify the right-of-way along FM-552, which currently has approved construction plans per the Texas Department of Transportation (TXDOT).
- (2) Water. The applicant shall be required to construct an eight (8) inch looped water line through the site. In addition, the applicant must install a 12-inch water line along FM-552 and FM-1141 per the Master Water Plan.
- (3) Wastewater. The applicant shall install the required eight (8) inch sewer line through the subject property and connect it to the 15-inch sanitary sewer line that is currently located on the westside of FM-1141. In addition -- *and in accordance with the Master Wastewater Plan --*, a 20-foot sewer line easement with a 30-foot temporary construction easement shall be dedicated along Nelson Creek. The applicant will be required to perform an infrastructure study to determine there is capacity in the Stoney Hollow lift station basin and -- *if so --* what appurtenances will be required to be upgraded or constructed with the proposed development. The applicant will also be required to pay the required pro-rata on the existing Stoney Hollow basin infrastructure.
- (4) Drainage. The applicant shall be required to perform a flood study to delineate the fully developed 100-year 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, and receive written permission from the Natural Resources Conservation Service (NRCS) regarding any encroachment or construction around Nelson Lake.

CONFORMANCE TO THE CITY'S CODES

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

- (1) Alleyways. The Engineering Department's *Standards of Design and Construction Manual* stipulates that "(a)lleys shall be provided in all residential areas and shall be paved with steel reinforced concrete..." The code does grant the City Council the ability to "... waive the residential alley requirement, if it is in the best interest of the City." [Page 14; Section 2.11 of the *Standards of Design and Construction Manual*]
- (2) Garage Configuration. The Unified Development Code (UDC) requires that, "(i)n single-family or duplex districts, parking garages must be located at least 20-feet behind the front building façade for front entry garages unless it is a *J-Swing* [or *traditional swing*] garage where the garage door is perpendicular to the street."

Applicant's Response to (1) & (2): In lieu of providing the required alleyways, the applicant is proposing to provide 65% *J-Swing* or *Traditional Swing* and 35% *Flat Front Entry* (i.e. where the garage is even with the front façade). This translates to 40% of the *Type 'A' Lots* (i.e. 60' x 120' lots) and 20% of the *Type 'B' & 'C' Lots* (i.e. *Type 'B': 70' x 120' lots and Type 'C': 72' x 120' lots*) being in *Flat Front Entry* garage configuration. As a compensatory measure the applicant is proposing to increase the front yard building setback from 20-feet to 25-feet for homes that have a *Flat Front Entry* garage

configuration. The applicant is also proposing to provide decorative wood garage doors or garage doors that incorporate a wood overlay on an insulated metal door. All garage doors will also incorporate carriage style hardware. In addition, the applicant will also have the ability to provide *Recessed Front Entry* (i.e. where the front of the garage is setback a minimum of 20-feet from the front façade of the house).

- (3) Landscape Buffers. According to Subsection 02.01, *General Standards for Planned Development Districts*, of Article 10, *Planned Development Regulations*, of the Unified Development Code (UDC), "(a) minimum of a 30-foot landscape buffer shall be provided adjacent to all perimeter roadways (*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."

Applicant's Response to (3): In this case, the proposed Planned Development District ordinance adheres to this requirement along both FM-552 and FM-1141; however, along North Country Lane the applicant is proposing a ten (10) foot landscape buffer with four (4) inch caliper evergreen trees being planted on 15-foot centers adjacent to where homes will back to the roadway. Staff should point out that the applicant has incorporated language that will allow the Planning and Zoning Commission the ability to review an alternative screening plan making use of the existing trees at the time of PD Site Plan; however, any changes from the stated requirement is a discretionary approval for the Planning and Zoning Commission.

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 Commercial/Retail and Low Density Residential land uses on the Future Land Use Plan. The applicant's request will necessitate that the portion of the subject property that is designated for Commercial/Retail land uses be changed to Low Density Residential land uses on the Future Land Use Plan. This change is discretionary to the City Council; however, staff should point out that this change will bring the land use ratios closer to the desired 80% residential/ 20% commercial land uses called for by the Comprehensive Plan [*Goal 01, Policy 1; Section 02.01 of Chapter 1*]. Specifically, the proposed zoning change will shift the residential/commercial ratio from 75.92%/24.08% to 76.24%/23.76%. Should the City Council choose to approve this request staff has added a condition of approval that would make the necessary change to the Future Land Use Map.

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 addition, the Comprehensive Plan defines amenity as, "... developments that provide some of the following: [1] open space beyond the required 20%, [2] a golf course and/or other comparable recreation facilities, [3] amenity/recreation facilities, [4] school site integration, [5] dedication or development of park land beyond the required park land dedication, [6] additional development of trails, [7] other amenities deemed appropriate by the City Council." In this case, the applicant is requesting a 2.15 dwelling units per gross acre, and is proposing to construct [1] an amenity center, [2] open space in excess of 20% (i.e. *24.232-acres of open space*), and [3] a trail system. The proposed amenities do appear to justify the requested density; however, density under any Planned Development District request is a discretionary decision for the City Council.

According to the Northeast Residential District, the district "... is characterized by its established low-density residential subdivisions and rural/estate style lots ... [and] is anticipated to be a future growth center for the City, having several large vacant tracts of land suitable for low-density, residential development." In addition, under the *District Strategies for Suburban Residential* (i.e. the correct designation for the proposed development according to the Comprehensive Plan), "(a)ny new *Suburban Residential* developments should include a mix of larger to mid-sized lots. Lots in these developments should not be smaller than existing *Suburban Residential* in this district." In this case, the applicant is proposing lot products that range from 60' x 120' (or a minimum of 7,200 SF) to 72' x 120' (or a minimum of 8,600 SF). After reviewing the district, staff has identified the following *Suburban Residential* developments that have similar lot sizes:

- (1) Ladera of Rockwall. This development is platted as one (1) large lot, but calls out *Artificial Lots* (i.e. setup like a condominium regime) that consist of the following lot products: 20, 44.5' x 80'; 31, 42' x 77'; 41, 54' x 60'; and 6, 64' x 50'.
- (2) Saddle Star. 143, 70' x 125' and 33, 80' x 125'.
- (3) Dalton Ranch. 75' x 120' and 80' x 125'.
- (4) Gideon Grove. 45, 80' x 125' and 27, 100' x 150'.

Staff should point out that since the applicant is proposing a lot size less than 70' x 125' (or a minimum of 8,750 SF), the request does not conform to the district strategy; however, as with all zoning cases this is discretionary to the City Council.

With regard to the policies for residential development contained in the Comprehensive Plan, staff has identified the following non-conformities and provided the following recommendations to the applicant:

RED: NOT INCORPORATED INTO THE PLANNED DEVELOPMENT DISTRICT ORDINANCE.

BLUE: INCORPORATED INTO THE PLANNED DEVELOPMENT DISTRICT ORDINANCE.

- (1) CH. 08 | Sec. 02.03 | Goal 1; Policy 2: To maximize the value of properties that are directly adjacent to or across the street from a park and/or public open space, the house on the property should face onto the park and/or public open space, and should not back or side to the park and/or open space. If homes face onto a park and/or public open space and there is no public street, then the homes should be accessed via a mew-type street design.

Staff Response: The houses at the end of each block face should be turned to front onto the open space areas as opposed to siding to them as currently depicted. The applicant has chosen not to incorporate this into the Planned Development District ordinance.

- (2) CH. 08 | Sec. 02.03 | Goal 1; Policy 5: Design neighborhoods utilizing the Housing Tree Model (a method of laying of single-family lots so that the largest lots are located adjacent to main entries or perimeter streets, and smaller lots are located internal to the subdivision).

Staff Response: The concept plan should be rearranged so that larger lots (i.e. 70' x 120' lots) are adjacent to the major roadways (i.e. FM-552, FM-1141, and North Country Lane). This will reduce the number of lots backing to these roadways and bring the plan into conformance with the Housing Tree Model. Additionally, a larger lot product (e.g. 80' x 120' lots) could be incorporated to bring the concept plan into closer compliance with the Comprehensive Plan. The applicant has incorporated the Housing Tree Model into the concept plan, but has chosen not to incorporate an additional larger lot product.

- (3) CH. 08 | Sec. 02.03 | Goal 3; Policy 4: Require a larger separation between homes to make neighborhoods feel more spacious. This separation should be no less than 12-feet (i.e. six [6] foot side yard building setback) and should be scaled to the height of the home.

Staff Response: Increase the side yard setbacks to six (6) feet on both lot types to create a greater separation between structures. The applicant has chosen to incorporate this on Lot Types 'B' & 'C' (i.e. 70' x 120' and 72' x 120' lots), but has continued to keep the five (5) foot setbacks on Lot Type 'A' (i.e. 60' x 120').

- (4) CH. 08 | Sec. 02.02 | Goal 3; Policy 4: All parks and open space should provide an integrated trail system that serves the adjacent neighborhood areas.

Staff Response: Provide a trail system that connects to the sidewalks along FM-552 and North Country Lane, and that runs through the open space area adjacent to Nelson Lake. The applicant has incorporated this recommendation into the proposed Planned Development District ordinance.

- (5) CH. 08 | Sec. 02.03 | Goal 3; Policy 3: In cases where flat front entry garages (i.e. even with the front façade of the primary structure) are requested as part of a development no greater than 20% should be incorporated into the development. In addition, flat front entry garages should have a minimum of a 25-foot front yard building setback to allow vehicles to be parked in the driveway without overhanging public right-of-way. This type of garage may not be appropriate for all developments and should be generally discouraged.

Staff Response: If a Flat Front Entry Garage configuration is being requested it should be limited to 20% and the front building setback of these properties should be increased to 25-feet. The applicant has chosen to request 35% Flat Front Entry Garages, but has consented to upgraded garage door requirements and a minimum of a 25-foot front yard building setbacks on all Flat Front Entry Garages.

Taking all of this into account, the concept plan does maintain general conformance to the residential policies and guidelines contained in the OURHometown Vision 2040 Comprehensive Plan; however, the approval of the applicant's request remains a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On December 19, 2020, staff mailed 37 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Dalton Ranch Homeowner's Association (HOA), which is the only HOA or Neighborhood Organization within 1,500-feet of the subject property participating in the Neighborhood Notification Program. 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). At the time this report was drafted, staff had received the following:

- (1) One (1) property owner notification from a property owner within the notification area (*i.e. within the 500-foot buffer*) opposed to the applicant's request.
- (2) Eight (8) emails from property owners outside of the notification area, but within the City limits of the City of Rockwall opposed to the applicant's request.
- (3) Six (6) emails from people who live outside of the City limits.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request to rezone the subject property from a Neighborhood Services (NS) District and Single-Family 16 (SF-16) District to a Planned Development District for Single-Family 10 (SF-10) 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;
- (2) By approving this zoning change, the City Council will effectively be approving changes to the Comprehensive Plan and Future Land Use Map. Specifically, this will change the designation of portions of the subject property from Commercial/Retail and Low Density Residential designation to a Low Density Residential designation; and,
- (3) 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 January 12, 2021 the Planning and Zoning Commission approved the applicant's request to rezone the subject property from Neighborhood Services (NS) District and Single-Family 16 (SF-16) District to a Planned Development District for Single-Family 10 (SF-10) District land uses by a vote of 6-1, with Commissioner Chodun dissenting.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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 1447 FM 1141, Rockwall, TX 75087

Subdivision J. M. Glass Survey

Lot N/A

Block N/A

General Location Southeast corner of FM 552 and FM 1141

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning NS and SF-16

Current Use AG

Proposed Zoning PD - SF - 7

Proposed Use Residential subdivision

Acreage 121.16

Lots [Current] 109

Lots [Proposed] 262

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 Unison Investment, a California LP

Applicant Michael Joyce Properties, LLC

Contact Person JEN-LIANG WU, General Partner

Contact Person Ryan Joyce

Address 23545 Crenshaw Blvd

Address 1189 Waters Edge Dr

Ste 201

City, State & Zip Torrance, CA 90505

City, State & Zip Rockwall, TX 75087

Phone 310-325-0300

Phone 512-965-6280

E-Mail Uniinv@aol.com

E-Mail Ryan@michaeljoyceproperties.com

NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared JEN LIANG WU [Owner] 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 17 day of DECEMBER, 2020

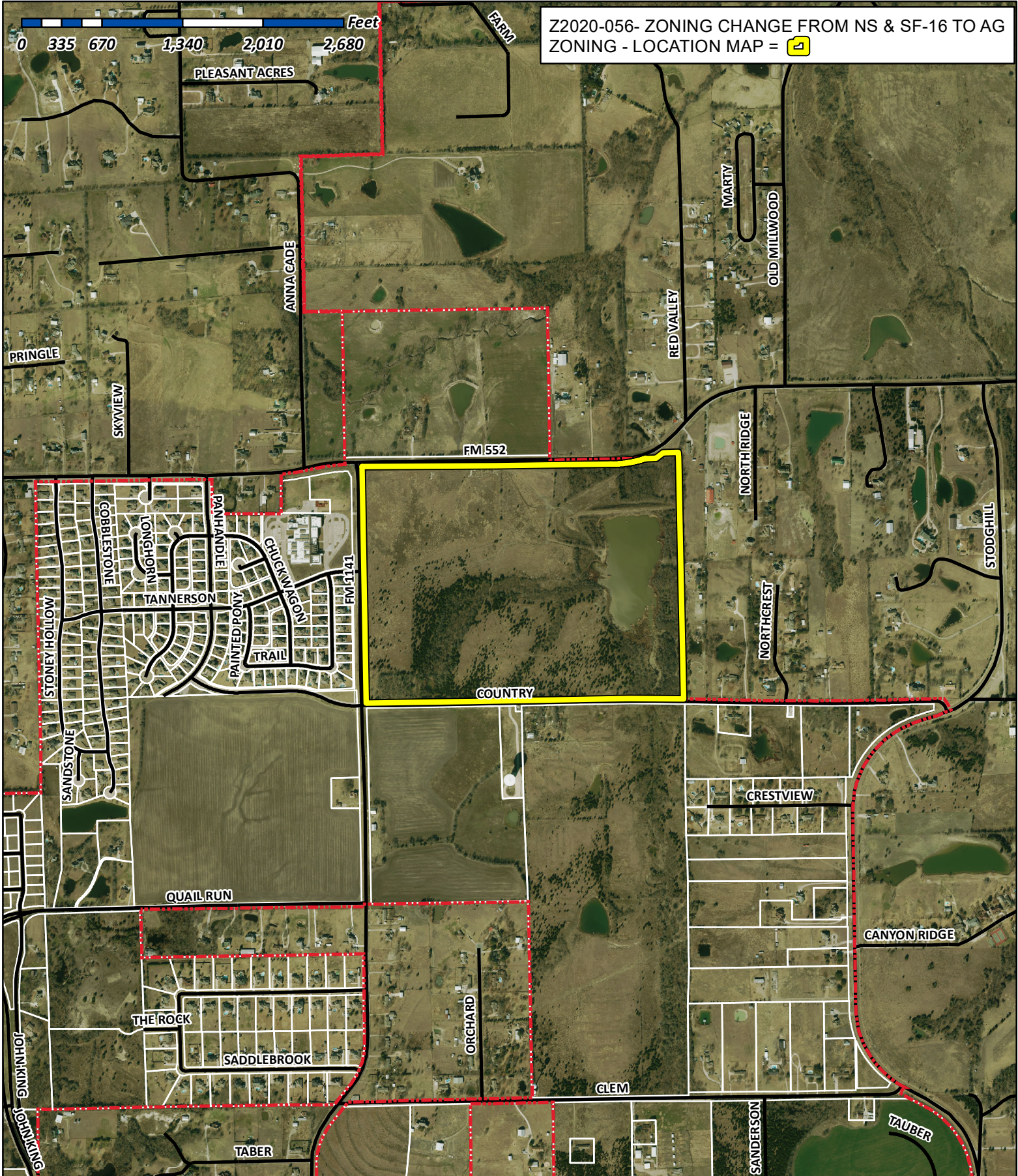
Owner's Signature

Notary Public in and for the State of Texas



My Commission Expires

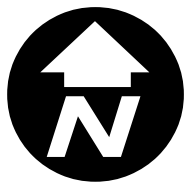
01/31/2024



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.

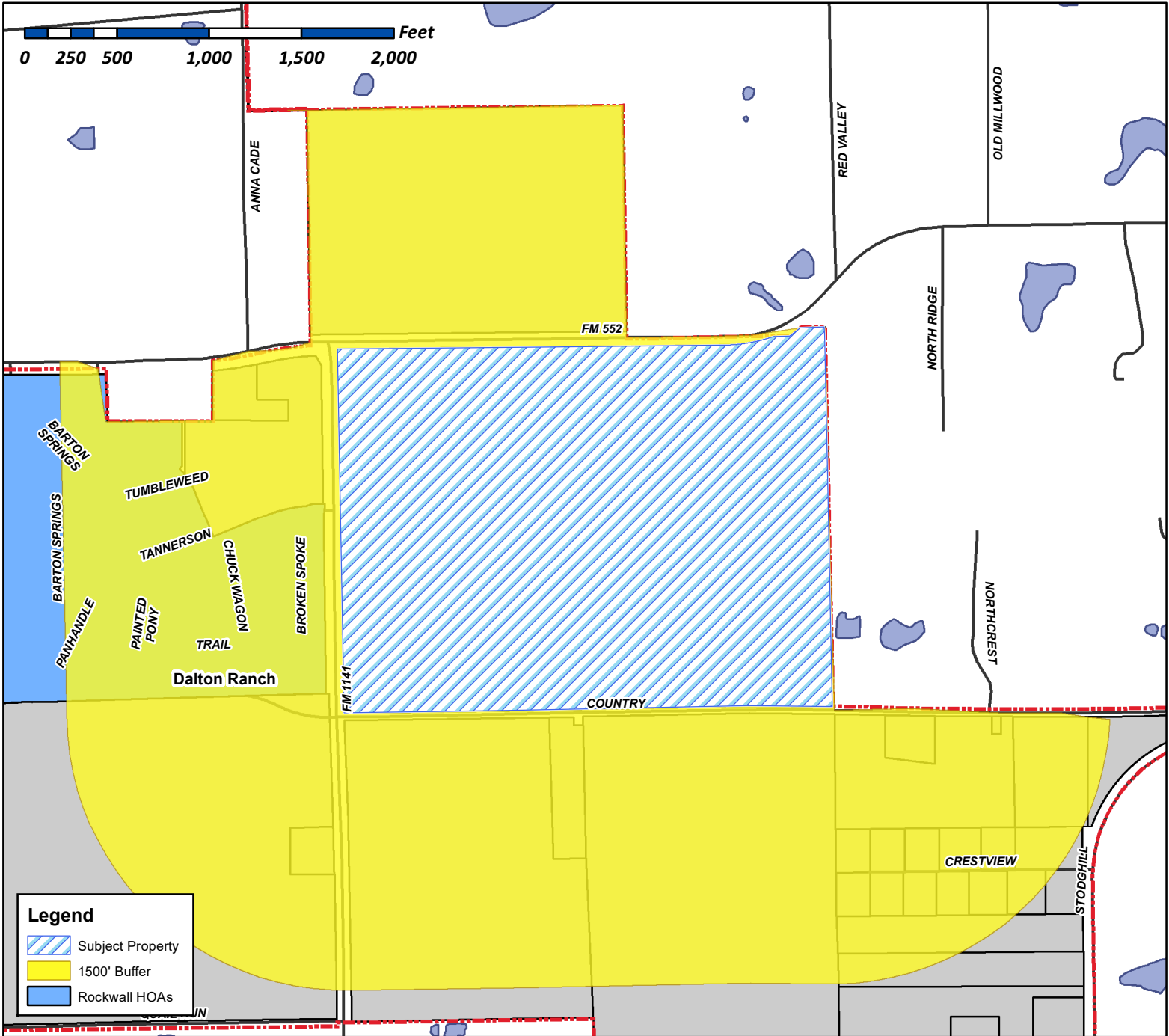
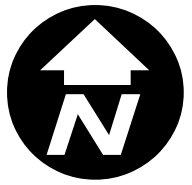




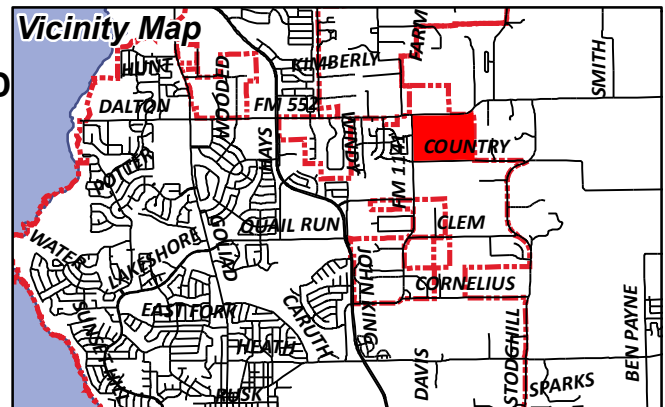
City of Rockwall

Planning & Zoning Department
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Rockwall, Texas 75087
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Case Number: Z2020-045
Case Name: Zoning Change from NS & SF-16 to PD
Case Type: Zoning
Zoning: NS & SF-16
Case Address: SEC of FM 552 and FM 1141



Date Created: 12/19/2020
 For Questions on this Case Call (972) 771-7745

Miller, Ryan

From: Gamez, Angelica
Sent: Tuesday, December 22, 2020 12:13 PM
Cc: Miller, Ryan; Gonzales, David; Lee, Henry
Subject: Neighborhood Notification Program [Z2020-056]
Attachments: Public Notice (12.21.2020).pdf; HOA Map (12.19.2020).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *December 25, 2020*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, January 12, 2021 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, January 19, 2021 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to Planning@rockwall.com at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:

<https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2020-056 Zoning Change from SF-16 & NS to PD

Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties, LLC on behalf of Jen-Liang Wu of Unison Investment, LP for the approval of a *Zoning Change* from a Single-Family 16 (SF-16) District and Neighborhood Services (NS) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 121.16-acre tract of land identified as Tract 2 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District and Neighborhood Services (NS) District, generally located at the southeast corner of the intersection of FM-1141 and FM-552, and take any action necessary.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

<http://www.rockwall.com/planning/>

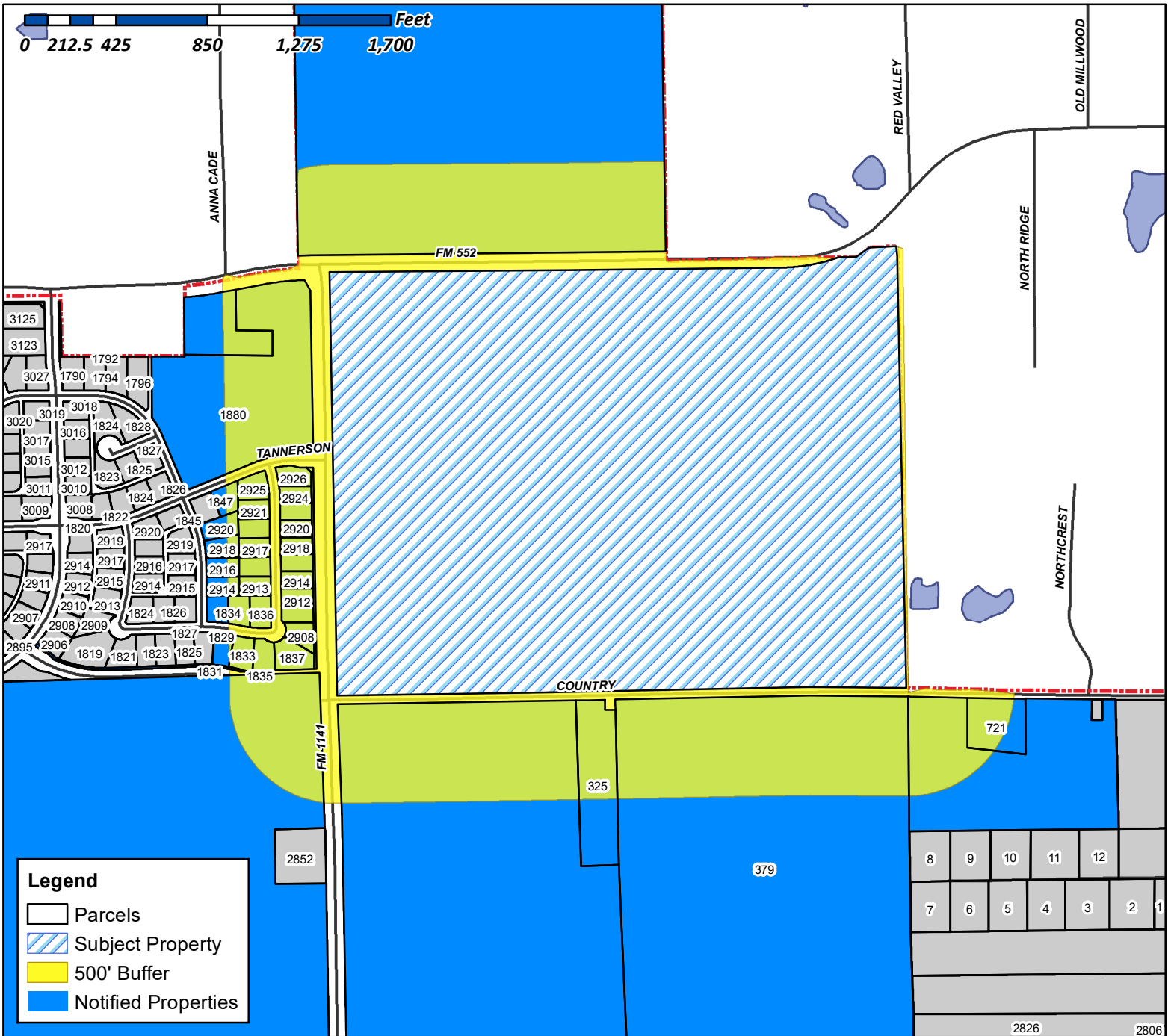
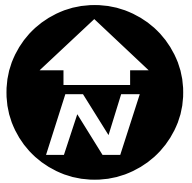
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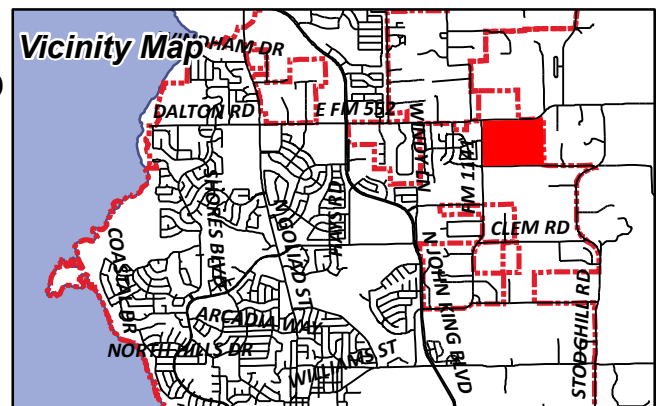
City of Rockwall

Planning & Zoning Department
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Case Number: Z2020-056
Case Name: Zoning Change from NS & SF-16 to PD
Case Type: Zoning
Zoning: NS & SF-16
Case Address: SEC of FM 552 and FM 1141



Date Created: 12/18/2020

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

 = RESPONSE RECIEVED

WEIR JAMES B & CRYSTAL
1831 TRAIL DR
ROCKWALL, TX 75087

OLIVER MICHAEL
1832 TRAIL DRIVE
ROCKWALL, TX 75087

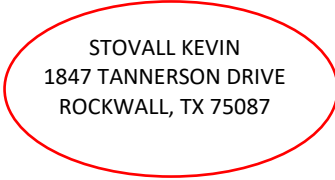
MILLER ANGELA KAY & JOHN RAY
1833 TRAIL DRIVE
ROCKWALL, TX 75087

FOSTER BRIAN AND DEIDRE
1834 TRAIL DRIVE
ROCKWALL, TX 75087

ALLEN JAMES JR & BARBARA A
1835 TRAIL DRIVE
ROCKWALL, TX 75087

SANTOSO HARDJO AND
SENDYTIAWATI KURNIAWAN
1836 TRAIL DR
ROCKWALL, TX 75087

REAMSBOTTOM DELAYNE
1837 TRAIL DRIVE
ROCKWALL, TX 75087

 STOVALL KEVIN
1847 TANNERSON DRIVE
ROCKWALL, TX 75087

ROCKWALL I S D
1880 TANNERSON
ROCKWALL, TX 75087

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

CITY OF ROCKWALL
205 W RUSK ST
ROCKWALL, TX 75087

UNISON INVESTMENT
23545 CRENSHAW BLVD STE 201
TORRANCE, CA 90505

EIDT WILLIAM H AND
MARGARET E SHEEHAN/JOHN EIDT
2728 MCKINNON ST APT 1902
DALLAS, TX 75201

KIM BUNNA
2908 BROKEN SPOKE LN
ROCKWALL, TX 75087

LIPSEY RANDALL L AND KAREN M
2910 BROKEN SPOKE LN
ROCKWALL, TX 75087

RODRIQUEZ MONICA CANO & ISRAEL A JR
2912 BROKEN SPOKE LANE
ROCKWALL, TX 75087

FRANCIS SHELBY & KRISTI
2913 BROKEN SPOKE LANE
ROCKWALL, TX 75087

KOZLOWSKI BRIAN STEPHEN & JULIE
2914 BROKEN SPOKE LANE
ROCKWALL, TX 75087

CONFIDENTIAL
2914 CHUCK WAGON DR
ROCKWALL, TX 75087

MARTIN JEFFREY MICHAEL & ELIZABETH DIANE
2915 BROKEN SPOKE LANE
ROCKWALL, TX 75087

CURRY JOANNA & SHAWN
2916 BROKEN SPOKE LN
ROCKWALL, TX 75087

LOGWOOD DANA CELESTE
2916 CHUCK WAGON DR
ROCKWALL, TX 75087

DE MASELLIS ADAM CLAUDE & STEPHANIE
DENISE
2917 BROKEN SPOKE LANE
ROCKWALL, TX 75087

2018 S M TAYLOR REVOCABLE TRUST
STEVEN EUGENE TAYLOR AND MICHELLE DIANE
TAYLOR- TRUSTEES
2918 BROKEN SPOKE LANE
ROCKWALL, TX 75087

DORROUGH JEFFREY
2918 CHUCK WAGON DR
ROCKWALL, TX 75087

GAY VINCENT NEIL AND KERRI L
2919 BROKEN SPOKE LN
ROCKWALL, TX 75087

SANTIAGO ABE D AND ROCIO D SIMENTAL
2920 BROKEN SPOKE LANE
ROCKWALL, TX 75087

BOYD JOEY D
2920 CHUCK WAGON DR
ROCKWALL, TX 75087

RANNIGAN MICHAEL R & RACHELLE LE ANN
2921 BROKEN SPOKE LANE
ROCKWALL, TX 75087

DENNISON BOBBY & RAMONA
2922 BROKEN SPOKE LN
ROCKWALL, TX 75087

JONAS CHAD & JOANA
2924 BROKEN SPOKE LANE
ROCKWALL, TX 75087

BUNCH LLOYD M & LINDA G
2925 BROKEN SPOKE LANE
ROCKWALL, TX 75087

QUINTERO JORGE & DELILAH
2926 BROKEN SPOKE LANE
ROCKWALL, TX 75087

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

DALTON RANCH OWNERS ASSOC
C/O VISION COMMUNITIES MANAGEMENT INC
5757 ALPHA RD STE 680
DALLAS, TX 75240

PEARCE CAROL ALLEY
721 N COUNTRY LN
ROCKWALL, TX 75087

ROCKWALL I S D
801 E WASHINGTON ST
ROCKWALL, TX 75087

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. Z2020-056: Zoning Change from SF-16 & NS to PD

Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties, LLC on behalf of Jen-Liang Wu of Unison Investment, LP for the approval of a Zoning Change from a Single-Family 16 (SF-16) District and Neighborhood Services (NS) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 121.16-acre tract of land identified as Tract 2 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District and Neighborhood Services (NS) District, generally located at the southeast corner of the intersection of FM-1141 and FM-552, 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, January 12, 2021 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 19, 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:

Ryan Miller
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 Tuesday, January 19, 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



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. Z2020-056: Zoning Change from SF-16 & NS to PD

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.

Four horizontal grey bars for providing reasons for support or opposition.

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

PUBLIC NOTICE



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

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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--- PLEASE RETURN THE BELOW FORM -----

Case No. Z2020-056: Zoning Change from SF-16 & NS to PD

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.

I AM OPPOSED TO THE REQUEST. IT IS NOT IN AGREEMENT WITH THE CITY'S COMPREHENSIVE PLAN. ALSO, THE HIGH DENSITY NEIGHBORHOOD WOULD ADD ADDITIONAL OVERBURDEN TO FM 1141, OFTEN BACKED UP WITH HAYS ELEM. QUEUE LINE.

Name: KEVIN STOVALL

Address: 1847 TANNERSON DR. 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

Miller, Ryan

From: [REDACTED]
Sent: Tuesday, December 29, 2020 1:09 PM
To: Miller, Ryan
Subject: Development at 552 and 1141

Sir,

It is with high respect that I address this situation. Our traffic at 205 and Lakeshore Dr. is well above capacity, and allowing this new dense development will further destroy our established communities by increasing accidents and massive traffic.

Please refuse this poorly planned atrocity, it will bring the worst out of what already is a tight situation.

Many lives are at stake here.

Respectfully,

Al Estrada
748 Monterey Drive
ROCKWALL
Tx
75087-6639

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Miller, Ryan

From: [REDACTED]
Sent: Tuesday, December 29, 2020 12:43 PM
To: Miller, Ryan
Subject: Proposed development 552/1141

Follow Up Flag: FollowUp
Flag Status: Completed

Due to Covid 19 we prefer not to come to the meeting tonight but, as a family living in Dalton Ranch we want it known that we are opposed to any residential development going in on the corner of 1141 and 552. There are far too many residences going in on this side of Rockwall and the roads, schools and shopping cannot possibly handle more people and more houses. Look at all the houses going in off John King alone. There is an entire development ready to start building more houses across from Stonecreek and Stonecreek is still actively building. Already it is difficult to eat out in North Rockwall, too few restaurants, and grocery shopping on the weekend is a nightmare. North Rockwall needs more shopping and more restaurant choices, get a Trader Joe's, concentrate on giving the people who live here more rather than giving us more people!

Heather Lee

Sent from my iPhone

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Miller, Ryan

From: [REDACTED]
Sent: Tuesday, December 29, 2020 1:31 PM
To: Miller, Ryan
Subject: Development on 552 and 1141

Good Afternoon,

The proposed development on 552 and 1141 does not fit the area. Rockwall is growing too fast. If we continue to take away the beautiful land and mature trees the appeal of Rockwall will get lost in a sea of houses. The appeal of North Rockwall is the large estates on large lots, not maximized housing profit- that is Frisco!!

I have first hand experience to how these new housing developments have effected the existing residents. My daughter attends Hays Elementary. In 2nd grade she had to take her lunch at 10:45 to accommodate all of the students to get through the lunch line. In 3rd grade the school got rid of their pre-k program and to accommodate a influx of students that all enrolled last minute the school put my daughter in a classroom in the pre-k hall Isolated away from the 3rd grade hall. Nearly 50% of the class were new students. My daughter was in the only self contained classroom Isolated in the pre-k hall because there was no room for the extra kids to switch classrooms like the other 3rd grade classes for different subjects during the day. She saw none of her friends and was pretty miserable. It felt so unfair considering I live 6 houses away from the school. This is our neighborhood school and there was no room for us.

There needs to be consideration for existing residents when these profit hungry builders come through our town. Their actions affect our quality of life.

Me and my family are opposed to this new development.

Janae McMillan

Sent via the Samsung Galaxy S9, an AT&T 5G Evolution capable smartphone
Get [Outlook for Android](#)

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3018 PANHANDLE DRIVE (DALTON RANCH) - OUTSIDE OF 500' BUFFER

Miller, Ryan

From: julie barrow <julie_barrow@sbcglobal.net>
Sent: Saturday, January 2, 2021 9:59 PM
To: Planning
Subject: Z2020-056

Dear planning and Zoning - my email is to document my opposition to the current proposed development. As a homeowner in Dalton Ranch the number of houses being proposed is not in keeping with the city's master plan of estate sized lots. The developer is attempting to count the over 30 acres of flood plain for density purposes and I'm sure you can agree that is shady. The home lot sizes will not be estate sized and the look and feel will not be what the master plan outlines. Lastly - the number of students that will result from this proposed number of homes will cause a significant strain to the already over populated schools of RiSD. We have seen trailers down the street erected to accommodate children and my now freshman attended Hays during the "trailer" years and it is not the best situation for student and / or teachers. We couldn't begin to social distance during the pandemic at the high school so I think it would be prudent to hold off on creating more new students than the plan calls for by the city approved master plan.

Please vote no the proposed increase deviation of the plan and keep the look and feel that the tax paying residents desire.

Sincerely, Julie Hall-Barrow
3018 Panhandle Dr.
501-950-4932

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Gamez, Angelica

From: Kate Wells <katenricky@aol.com>
Sent: Friday, January 8, 2021 9:57 AM
To: Planning
Subject: Z2020-056

No reply necessary- I just wanted to share my insight as a fairly new to Rockwall (17 months here now) resident. I have 2 areas of concern and opposition to this proposed project/plan. Coming from the Houston area and seeing what over-building (small lots, lots of houses and concrete) without the infrastructure to support the increased residents, lack of drainage and runoff issues does to not only that direct area but the areas around it I can say if this occurs we will be moving from the area. You can look up Longwood subdivision in Cypress, Tx and see a (once upscale) neighborhood with a "small creek" that has a golf course as a flood plain area. After living there for years nearby neighborhood/development overbuilding resulted in our small creek to start flooding all of the homes that were at the time in a 500 year flood plain. We won't stick around to have that happen here. Second we have 2 children at Hays elementary. Even if I wasn't concerned with the roads and traffic and overbuilding/flooding, a development this size across from the school is going to fill it up quickly. We knew that there would be one year of overcrowding before Hamm Elementry opened but it's been a drastic change in class sizes since.

All that to say, I'm not opposed to this being developed in a way that would be far less houses on larger lots resulting in less vehicles traveling the already overcrowded roads as well as the developer (not tax \$) making adjustments to drainage and flooding concerns.

Thanks in advance.

Kate Wells

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Miller, Ryan

From: [REDACTED]
Sent: Tuesday, December 29, 2020 11:26 PM
To: Miller, Ryan
Subject: Planned dev corner 1141 & 552

Regarding the above planned development I would like to voice my disapproval on this. Our city is becoming over populated with new developments. That results in more traffic with roads that can't accommodate the number of cars!

Also FM 552 and 1141 are too small for the amount of traffic this development will bring to the area.

I live on Saddlebrook off 1141. This area of Rockwall still has the country feel but with this development and others around that country feel is slipping away!

Martha Griffey

[Sent from AT&T Yahoo Mail on Android](#)

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809 CALM CREST DRIVE (BREEZY HILL SUBDIVISION) - OUTSIDE OF 500' BUFFER

Gamez, Angelica

From: Natalie Roberts <nataliejroberts71@icloud.com>
Sent: Monday, January 4, 2021 8:39 AM
To: Planning
Subject: Z2020-056

I am writing in regard to the proposed plan to build 262 houses on the north side of Rockwall by Hayes. I am strongly against this proposal. This area is out in the country part of Rockwall where we don't need City density. The homes should be built on larger half acre plus lots to maintain the country feel of the area just like Heath does. Land is very valuable in Rockwall and houses on lots this small would harm the overall value of the area. Thank you.

Natalie Roberts

Sent from my iPhone

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Miller, Ryan

From: jimsmithtexas@aol.com
Sent: Monday, January 11, 2021 4:06 PM
To: Planning; Miller, Ryan
Subject: Z2020-056

Importance: High

This e-mail is in regards to Z2020-056.

This developer is using 33.15 acres of floodplain area to calculate the 2.162 density.

To prevent developers from using unbuildable land to circumvent the density set forth in the Comprehensive Plan, I am wondering if P& Z could establish a precedent that no matter what the total average acreage is in the project, all lots must be 16,000s.f. or greater.

If this is not desirable, could the use of floodplain acreage or unbuildable acreage used to calculate lot density be limited to a percentage, possibly 10%?

Allowing the developer to use over 33 acres (over 27% of the total project acreage) of floodplain to calculate density is not in the best interest of Rockwallians.

Thanks,

Jim & Shirley Smith
609 Amherst Drive
Rockwall, TX 75087

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OUTSIDE OF CITY LIMITS (844 OLD MILLWOOD ROAD)

Miller, Ryan

From: Ajsmith890 <ajsmith890@gmail.com>
Sent: Saturday, January 2, 2021 10:18 PM
To: Planning
Subject: Subject: Z2020-056

To whom it may concern,

I live off of Old Millwood road ... and Camp Creek bisects my property. A decade ago, it would take 11 inches of rain for the creek to swell and breach.... flooding the land at Beth Talley's place and my place and on down .

Today, with half that, the creek breaches. The continual development of the North side of town has increased the run off to a point where those of us impacted by flood plains are being washed away. The rain absorbing pasture land is being stripped away and replaced with concrete and the waters pushed on to camp creek and those of us down stream.

Rockwall has a thousand or more lots available for building. This plat of land is mostly flood plain and would be wise to be developed as a green belt or park like Harry Meyers. A housing development would add to the existing flooding issue as well as impact traffic to 552 as well as the school.

Celia Hays is finally not popping at the seams from Overcrowding. Please veto this proposal and keep North Rockwall with the country and Ag feel that those of us that have been here a long time made it to be

AJ Smith
844 Old Millwood Rd

Sent from my iPhone

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OUTSIDE OF CITY LIMITS (329 FARM LANE IN ROCKWALL COUNTY)

Miller, Ryan

From: [REDACTED]
Sent: Tuesday, December 29, 2020 1:35 PM
To: Miller, Ryan
Subject: 1141 and 552 project

Please include this Email as part of the packet for the city review tonight of the project At the intersection of 5 52 and 11 41 area my name is Doug pritchard and I live at 3 6 to farm lane rockwall 750873 this is basically around the corner from where that project will be located. The city has done nothing to Decrease traffic congestion in this area particularly as relates to that intersection. As it is right now it is very dangerous interaction it will only get more dangerous with a significant vehicle traffic increase. A traffic signal is not the only solution.

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Miller, Ryan

From: Elizabeth A C Talley <canchaser16000@me.com>
Sent: Sunday, January 3, 2021 12:00 PM
To: Planning
Subject: Z2020-056

I am opposing the developer that is trying to add 262 houses to a small piece of land across from Hays Elementary School on 1141. My understanding is the issue that they are using 33 acres of flood plain land to calculate housing density . Building in and around the flood plain will result in even more flooding of Camp Creek and land in the Anna Cade/ Camp Creek/ Old Millwood area. The high home density development causes a lot of problems for those of us along the creek. Please contact me, Beth Talley, as I would like to have information for the next meeting for this developer.

Beth Talley
214-460-2818

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Miller, Ryan

From: jdaleale@yahoo.com
Sent: Tuesday, January 5, 2021 7:54 PM
To: Planning
Subject: Z2020-056

Sir/Madam

I am very concerned about the proposed development being considered on FM1141 across from Hays Elementary School.

In addition to the massive increase in traffic on the sub standard roads in the area, it will also increase the velocity of the drainage into Camp Creek, resulting in increased flooding on Old Millwood and Camp Creek Residences who already have problems during heavy rain. Many times, even recently the road has been closed due to flooding. Adding these residences along with the concrete run off will decrease the seepage into the soil and increase the runoff into the creek.

I urge you to vote down this proposal until a more detailed plan can be developed to accommodate the concerns of the existing home owners in the area.

Sincerely

John Dale

Camp Creek Resident.

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Miller, Ryan

From: Rick Wells <r_wells@sbcglobal.net>
Sent: Sunday, January 3, 2021 12:45 PM
To: Planning
Subject: Z2020-056

The density calculations of this development appears to include the flood zone area. That is misleading the density calculations. At 262 homes, 121 acres minus 33 for flood supports 2.9 houses per acres. Those smaller lots in the middle of the development are to small. To maintain proposed density of 2.16, total home count should be 190.

Rick Wells
200 camp creek rd
Rockwall

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Miller, Ryan

From: [REDACTED]
Sent: Tuesday, December 29, 2020 1:55 PM
To: Miller, Ryan
Subject: Item number 8 for public hearing

This question was asked, addressed and answered in November 2020. The same issues exist today as then.

One additional consideration; how will the City answer the future residents (voters and tax payers) of that new development when the creek floods? Will the City's answer be the HOA is responsible for flood damage repair to common areas?

Steve Taylor

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October 16, 2020

City of Rockwall
Attn: Ryan Miller, AICP
385 S Goliad St
Rockwall, TX 75087

Dear Mr. Miller,

Michael Joyce Properties, LLC is requesting that our project be taken to the November 10th, 2020 Planning and Zoning Meeting. This project is the development of 121.16 Acres in the J.M. Glass Survey, Tract 2 Abstract 88, City of Rockwall, Rockwall County, located at the Southeast corner of F.M. 552 and F.M. 1141.

The property is currently zoned NS and SF – 16. We are proposing a development of Single-Family Residential homes on 7,000 - 8,400 square foot lots. This community will provide for a greater variety of housing that the market demands and will still reflect the beautiful aesthetic of the surrounding communities like Stone Creek and Breezy Hill, and the City of Rockwall as a whole.

We look forward to working with the City once again to develop another gorgeous development.

Cordially Yours,

Ryan Joyce

Miller, Ryan

From: Adam Buczek <abuczek@skorburgcompany.com>
Sent: Tuesday, January 5, 2021 3:06 PM
To: Miller, Ryan
Cc: Kevin Harrell; JR Johnson
Subject: Nelson Lakes - revised PD mark ups and concept plan
Attachments: Draft Ordinance Mark-ups_(1.05.2021).pdf; Nelson Lake Concept Plan_1-5-2021.pdf

Ryan,

Please see attached Nelson Lakes edits / revisions.

Highlighted / summary of the concept plan changes to even more follow P&Z guidance:

- Removed 2 more lots (so we've reduced total lot count by 5 lots from the initial submittal)
- We further reduced the 60' lot type from 57% to 51.5% (5 fewer 60's from the work session version)
- We increased the 70's by 7 lots (from 23.2% to 26.1% of the total lots)
- We increased the 72's by 5 lots (from 19.8% to 22.2% of the total lots)

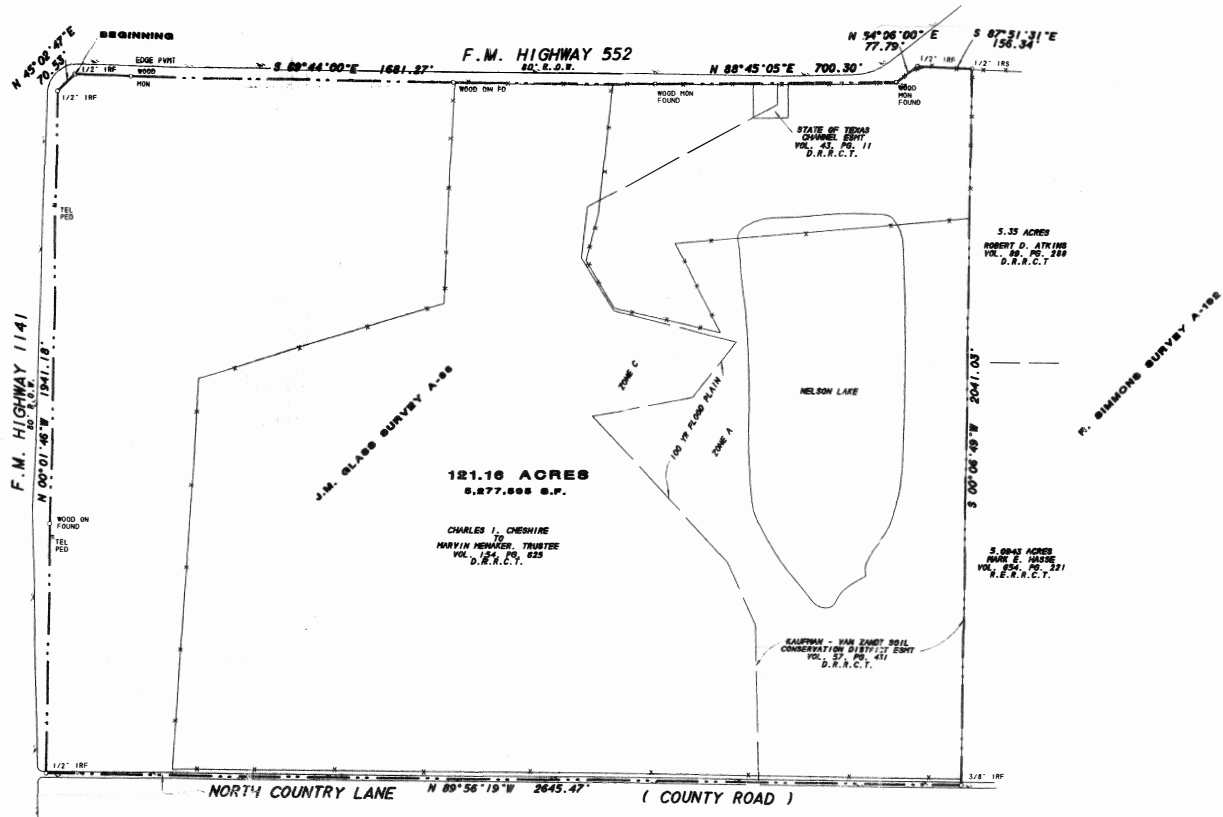
So now – this is now in all material respects a plan that has essentially half of all lots being 70' wide or greater. As an aside – there are several 60's on end / corner lots that are wider than 70' but are still yellow because they couldn't meet the 70' side setback requirement, but from a streetscape standpoint – they will look and feel like 70's because of their extra lot width.

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

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DESCRIPTION

All that certain lot, tract or parcel of land situated in the J.M. GLASS SURVEY, ABSTRACT NO. 88, Rockwall County, Texas, and being all of that tract of land as described in a Warranty deed from Charles J. Cheshire to Marvin Menaker, Trustee, dated April 23, 1980, and being recorded in Volume 154, Page 625 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the East cut back corner at the intersection of the East right-of-way line of F.M. Highway 552 (80' R.O.W.) with the South right-of-way line of F.M. Highway 1141 (80' R.O.W.);

THENCE along the South right-of-way line of said F.M. Highway 552 the following:

S. 89 deg. 44 min. 00 sec. E. (Controlling bearing) a distance of 1681.27 feet to a 1/2" iron rod found for corner;

N. 88 deg. 45 min. 05 sec. E. a distance of 700.30 feet to a tack found in wood monument for corner;

N. 54 deg. 06 min. 00 sec. E. a distance of 77.79 feet to a 1/2" iron rod found for corner;

THENCE S. 87 deg. 51 min. 31 sec. E. leaving the South line of said F.M. Highway 552, a distance of 196.34 feet to a 1/2" iron rod set for corner at the base of a fence corner post for corner at the Northeast corner of said Menaker tract;

THENCE S. 00 deg. 06 min. 49 sec. E. along the East line of said Menaker tract a distance of 2041.03 feet to a 3/8" iron rod found for corner in the center of North Country Lane (county road);

THENCE N. 89 deg. 06 min. 19 sec. W. along and near said center of North Country Lane a distance of 2645.47 feet to a 1/2" iron rod found for corner at the Southwest corner of said Menaker tract at the intersection of the center of said road with the East right-of-way line of said F.M. Highway 1141;

THENCE N. 00 deg. 01 min. 45 sec. W. with the East right-of-way line of said F.M. Highway 1141 a distance of 1941.18 feet to a 1/2" iron rod found for corner;

THENCE N. 45 deg. 02 min. 47 sec. E. along the East right-of-way line of said highway a distance of 7050 feet to the POINT OF BEGINNING and containing 121.16 acres or 5,277,595 square feet of land.

NOTES

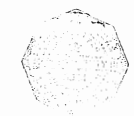
1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 480543 0035 B, dated SEPT 17, 1980, this property lies in Zones A & C. Part of this property does appear to be within a 100-year flood plain.

2) BEARING SOURCE IS RECORDED DEED IN VOL. 154, PG. 625, D.R.R.C.T.

SURVEYOR'S CERTIFICATE

I, Harold D. Feltz, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat or map was prepared for ROCKWALL COUNTY ABSTRACT & TITLE COMPANY as 123 acres, on FM 552 and FM 1141, Rockwall County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground on the 15th day of Feb., 2000.

Harold D. Feltz, III
 Harold D. Feltz III, R.P.L.S. No. 5034



432

9. In the event the easement described herein is abandoned, the rights, privileges, and authority granted hereunder to the second party shall cease and determine.

IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names and affixed their seals as of the day and year first above written.

- ✓ 1 Charles D. Wilson
- ✓ 2 James R. Murphy
- ✓ 3 Thomas Nelson Murphy
- ✓ 4 M. Burns D. Watkins
- ✓ 5 Aslee Nelson Watkins
- ✓ 6 James R. Dudley
- ✓ 7 Iva Nell Dudley
- ✓ 8 Henry C. Carr
- ✓ 9 Mrs. Jennie Nelson Carr
- ✓ 10 William G. Nelson
- ✓ 11 Mary Dee Nelson

Mrs J M Nelson
Jessie Nelson Rodgers
 (Signature of first party)

Kaufman Van Zandt Soil Conservation District
Soil Conservation District

BY Frank Springer
 Chairman, Board of Supervisors

THE STATE OF _____
 COUNTY OF _____

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared _____ and _____, ~~his wife,~~ both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said _____, wife of the said _____, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said _____ acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 27 day of April, A. D. 1956.

Notary Public in and for _____

SEAL
 My Commission Expires: 6-1-57 County, _____

THE STATE OF Texas
 COUNTY OF Rockwall

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Mrs. J.M. Nelson known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 27 day of April, A. D. 1956.

Frank Springer
 Notary Public in and for Rockwall
Rockwall County Texas

SEAL
 My Commission Expires: June 1, 1957

THE STATE OF Texas

COUNTY OF _____

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Alton A. Nelson and Mary Dee Nelson, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Mary Dee Nelson wife of the said.

433

Alton A. Nelson having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Mary Doe Nelson acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 1 day of March, A. D. 1957.

BETTY ARRANT, Betty Arrant
Notary Public in and for Ector County, Oklahoma

SEAL:
My commission expires: June 19, 1957

THE STATE OF Texas

COUNTY OF Bosque

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Henry A. Carr and Mrs. Lennie Nelson Carr, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Lennie Nelson Carr, wife of the said

Henry A. Carr having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Lennie Nelson Carr acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS, the 13 day of Feb., A. D. 1957.

J. D. Starcher
Notary Public in and for Bosque County, Tex.

SEAL:
My commission expires:

WIFE'S SEPARATE ACKNOWLEDGMENT

THE STATE OF TEXAS, }
COUNTY OF Rockwall }

BEFORE ME, the undersigned, a Notary Public,

in and for said County, Texas, on this day personally appeared Jennie Nelson Rodgers, wife of K. Barto Rodgers known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Jennie Nelson Rodgers acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This 3 day of Jan., A. D. 1957

(L. S.) Frank Springer
Rockwall Co., Texas

THE STATE OF Texas

COUNTY OF _____

434

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Melbazz I. Watkins

and Aslee Nelson Watkins his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Aslee Nelson Watkins, wife of the said

Melbazz I Watkins having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Aslee Nelson Watkins acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS, the 29 day of January,
M. Watkins
Aslee Nelson Watkins

A. D. 1957.

Georg A. Wright
Notary Public in and for Dallas
County, _____

SEAL:

My commission expires: 6/1/57

THE STATE OF Texas

COUNTY OF _____

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared James R. Murphree and

Omaree Nelson Murphree, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Omaree Nelson Murphree of the said

James R. Murphree wife having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said

Omaree Nelson Murphree acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 29 day of January,
James R. Murphree
Omaree Nelson Murphree
A. D. 1957.

Georg A. Wright
Notary Public in and for Dallas
County, Texas

SEAL

My commission expires: 6-1-57

THE STATE OF Texas
COUNTY OF Rockwall

435

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Albert J. Wilson

known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 14 day of Jan., A. D. 1957.

Gladys James
Notary Public in and for Rockwall
Rockwall, County, Texas

SEAL
THE STATE OF TEXAS
COUNTY OF ROCKWALL

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared James R. Dudley and Joan Nell Dudley, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Joan N. Dudley wife of the said

James R. Dudley having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said

Joan N. Dudley acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

SIGNED: James R. Dudley
SIGNED: Joan Nell Dudley

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 28th day of June, A. D. 1955.

SEAL

My commission expires: 6-1-1957

J. T. Lofland
Notary Public in and for
Rockwall County, Texas

THE STATE OF Texas
COUNTY OF Rockwall

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared K. Barto Rodgers known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 3 day of Jan., A. D. 1957

Frank Springer
Notary Public in and for
Rockwall County Texas

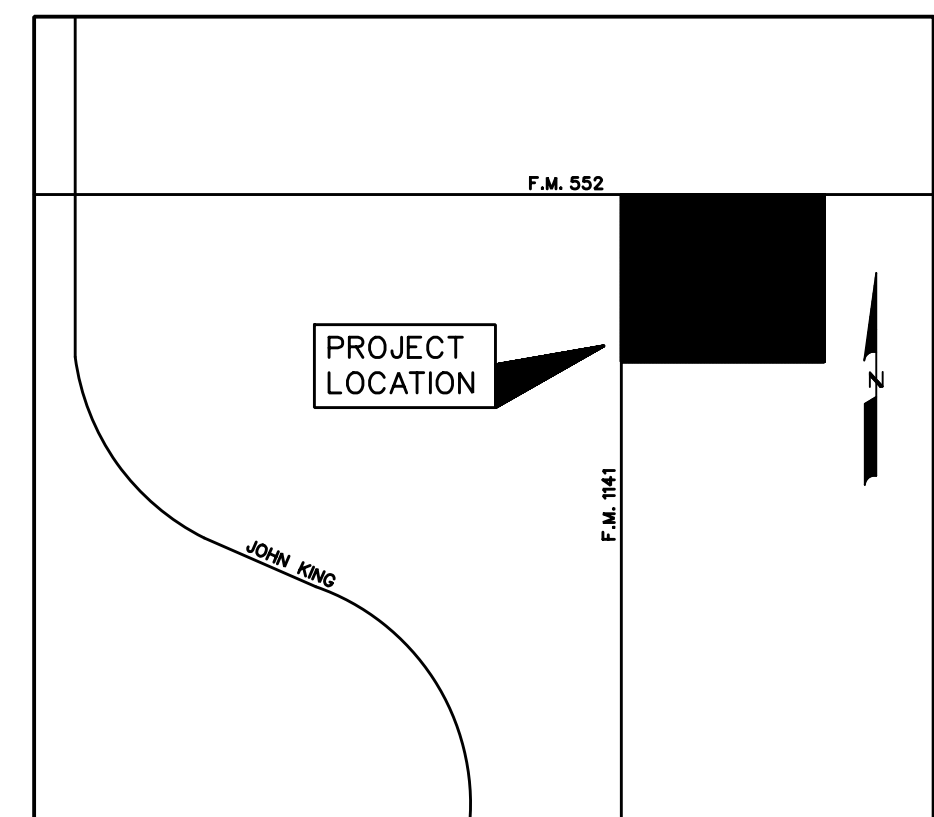
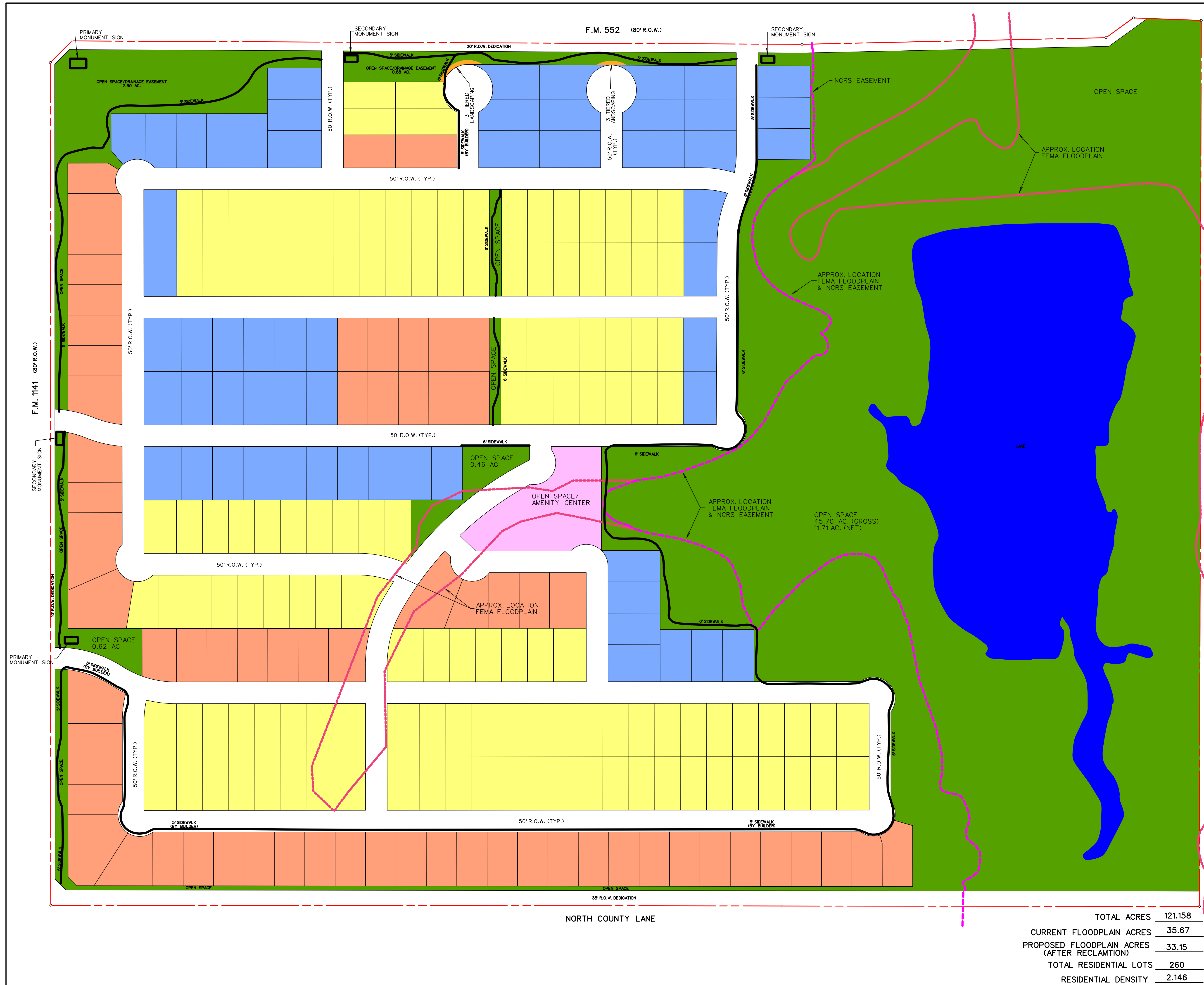
SEAL

My Commission Expires: 6-1-1957

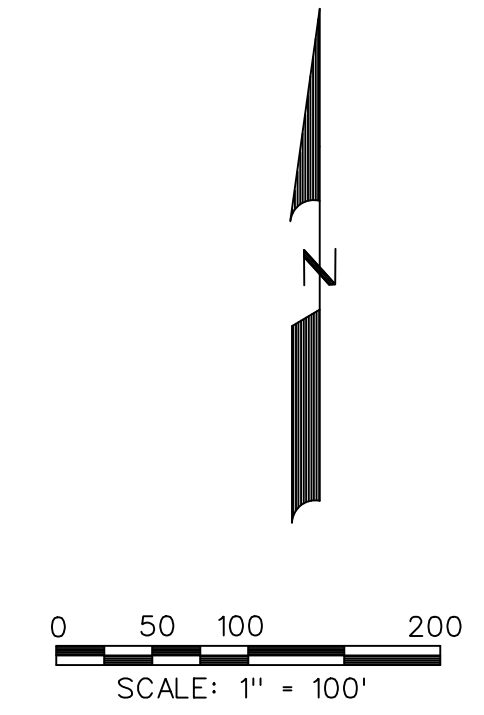
FILED FOR RECORD 16 DAY OF April A.D. 1958, AT 2-30 M.

RECORDED 17 DAY OF April A.D. 1958, AT 9-30 A.M.

Deborah Wimpee
DERWOOD WIMPEE, CLERK COUNTY COURT, ROCKWALL COUNTY, TEXAS.



LOCATION MAP
N.T.S.



LEGEND

TYPICAL LOT SIZES

- 60' X 120' - 134 LOTS
- 70' X 120' - 68 LOTS
- 72' X 120' - 58 LOTS
- PUBLIC OPEN SPACE/
LANDSCAPE BUFFER - 50.44 AC.
- AMENITY CENTER - 1.145 Ac.

NOTE:
THE MAXIMUM NUMBER OF RESIDENTIAL LOTS
SHALL NOT EXCEED 260 LOTS.

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

OPEN SPACE INSIDE FLOODPLAIN	<u>32.72 AC.</u>
OPEN SPACE OUTSIDE FLOODPLAIN	<u>17.62 AC.</u>

CONCEPT PLAN
OF
NELSON LAKE ESTATES
SITUATED IN THE
J.M. GLASS SURVEY, ABSTRACT NO. 88

IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

OWNER
UNION INVESTMENT
23545 CRENSHAW BLVD., STE. 201
TORRANCE, CA 90505

JANUARY 2021 SCALE 1" = 100'

TOTAL ACRES	<u>121.158</u>
CURRENT FLOODPLAIN ACRES	<u>35.67</u>
PROPOSED FLOODPLAIN ACRES (AFTER RECLAMATION)	<u>33.15</u>
TOTAL RESIDENTIAL LOTS	<u>260</u>
RESIDENTIAL DENSITY	<u>2.146</u>

FISCAL IMPACT ANALYSIS TOOL

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

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

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

CASE NO.: Z2020-045

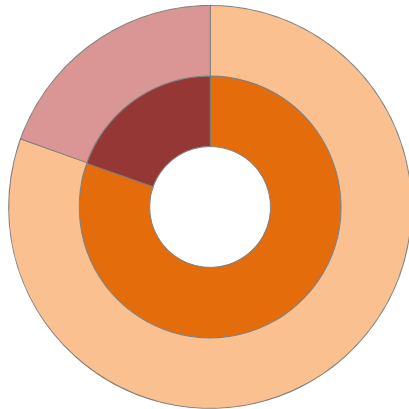
CASE NAME: Zoning Change (SF-16 & NS to PD) [Nelson Lake Estates]

ZONING MAP



	PRESENT				PROPOSED				CHANGE				GOAL		
	LAND USE		LAND VALUE		LAND USE		LAND VALUE		LAND USE		LAND VALUE		ACREAGE	VALUE	DIFFERENCE
	ACRES	%	EST. PROP. VALUE	%	ACRES	%	EST. PROP. VALUE	%	CH. ACRES	% CHANGE	CHANGE IN VALUE	% CHANGE			
RESIDENTIAL	10,934.11	75.49%	\$ 4,086,072,836.39	75.92%	10,949.47	75.59%	4,159,745,765.77	76.24%	15.36	0.11%	73,672,929.38	1.37%	80%	67%	-9.24%
NON-RESIDENTIAL	3,550.31	24.51%	\$ 1,296,229,067.61	24.08%	3,533.95	24.40%	1,296,111,589.15	23.76%	(16.36)	-0.11%	(117,478.46)	0.00%	20%	33%	-9.24%
	14,484.42	100.00%	\$ 5,382,301,904.00	100.00%	14,483.42	99.99%	5,455,857,354.92	100.00%			73,555,450.92	1.37%	100%	100%	
OPEN SPACE	2,487.57		\$ 380,531,381.26		2,488.57		\$ 389,033,454.47								
TOTAL	16,971.99		\$ 5,762,833,285.26		16,971.99		\$ 5,844,890,809.39								

PRESENT		
	ACRES	%
RESIDENTIAL	19,697.30	80.41%
NON-RESIDENTIAL	4,799.77	19.59%
	24,497.07	100.00%
OPEN SPACE	6,114.49	
TOTAL	30,611.56	
PROPOSED		
	ACRES	%
RESIDENTIAL	19,729.78	80.54%
NON-RESIDENTIAL	4,783.41	19.53%
	24,513.19	100.07%
OPEN SPACE	6,098.36	
TOTAL	30,611.56	
CHANGE		
	ACRES	%
RESIDENTIAL	32.48	0.13%
NON-RESIDENTIAL	(16.36)	-0.07%



FUTURE LAND USE MAP

ESTIMATED COST/REVENUES

	[A] Current Zoning	[B] Current Zoning Potential @ BO	[C] Proposed Zoning @ BO	[B] - [C] Difference of Proposed vs. Current
BENCHMARKS				
Residential Value	\$ 402,557.62	\$ 39,692,435.04	\$ 73,672,929.38	\$ 33,980,494.35
Non-Residential Value	\$ 117,478.46	\$ 9,527,246.00	\$ -	\$ (9,527,246.00)
Residential Acreage	56.06	56.06	71.42	15.36
Non-Residential Acreage	16.36	16.36	-	(16.36)
ANNUAL REVENUES				
Residential Revenues	\$ 1,489.46	\$ 147,034.16	\$ 272,684.08	\$ 125,649.91
Non-Residential Revenues	\$ 434.67	\$ 56,519.64	\$ -	\$ (56,519.64)
Direct Sales Tax Increase	\$ -	\$ 229,556.40	\$ -	\$ (229,556.40)
Indirect Sales Tax Increase	\$ -	\$ 179,187.05	\$ 309,948.52	\$ 130,761.47
Total Revenues	\$ 1,924.13	\$ 612,297.26	\$ 582,632.60	\$ (29,664.66)
ANNUAL EXPENDITURES				
Cost of Community Service for Residential	\$ -	\$ (345,644.92)	\$ (715,566.98)	\$ (369,922.06)
Cost of Community Service for Non-Residential	\$ -	\$ (78,815.93)	\$ -	\$ 78,815.93
Total Estimated Expenditures	\$ -	\$ (424,460.84)	\$ (715,566.98)	\$ (291,106.14)
EST. ANN. COST/REVENUES	\$ 1,924.13	\$ 187,836.42	\$ (132,934.38)	\$ (320,770.80)
OTHER BENCHMARKS				
Additional Citizens Added to Population		438	758	320
Estimated Non-Resident Consumers in City		147	-	(147)

CITY OF ROCKWALL

ORDINANCE NO. 21-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM A NEIGHBORHOOD SERVICES (NS) DISTRICT AND A SINGLE-FAMILY 16 (SF-16) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR SINGLE-FAMILY 10 (SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 121.16-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2 OF THE J. M. GASS SURVEY, ABSTRACT NO. 88, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED HEREIN BY EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Ryan Joyce of Ryan Michael Joyce Properties, LLC on behalf of Jen-Liang Wu of Unison Investment, LP for the approval of a zoning change from a Neighborhood Services (NS) District and a Single-Family 16 (SF-16) District to a Planned Development District for Single-Family 10 (SF-10) District land uses, on a 121.16-acre tract of land identified as Tract 2 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

SECTION 2. That development of the *Subject Property* shall generally be in accordance with the *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 1ST DAY OF FEBRUARY, 2021.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 19, 2021

2nd Reading: February 1, 2021

Exhibit 'A':
Legal Description

All that certain lot, tract or parcel of land situated in the *J.M. GLASS SURVEY, ABSTRACT NO. 88*, Rockwall County, Texas, and being all of that tract of land as described in a Warranty Deed from Charles I. Cheshire to Marvin Menaker, *Trustee*, dated April 23, 1980, and being recorded in *Volume 154, Page 625* of the *Deed Records* of Rockwell County, Texas, and being more particularly described as follows:

BEGINNING at a ½-inch iron rod found for corner at the east cut back corner at the intersection of the east right-of-way line of FM-1141 (80' ROW) with the South right-of-way line of FM-552 (80' ROW);

THENCE along the south right-of-way line of said FM-552 the following:

S. 89 DEG. 44 MIN. 00 SEC. E. (*Controlling Bearing*) a distance of 1681.27-feet to a ½-inch iron rod found for corner;

N. 88 DEG. 45 MIN. 05 SEC. E. a distance of 700.30-feet to a tack found in wood monument for corner;

N. 54 DEG. 06 MIN. 00 SEC. E. a distance of 77.79-feet to a ½-inch iron rod found for corner;

THENCE S. 87 DEG. 51 MIN. 31 SEC. E. leaving the South line of said FM-552, a distance of 156.34-feet to a ½-inch iron rod set for corner at the base of a fence corner post for corner at the northeast corner of said *Menaker Tract*;

THENCE S. 00 DEG. 06 MIN. 49 SEC. E. along the east line of said *Menaker Tract* a distance of 2,041.03-feet to a 3/8-inch iron rod found for corner in the center of North Country Lane;

THENCE N. 89 DEG. 56 MIN. 19 SEC. W. along and near said center of North Country Lane a distance of 2,645.47-feet to a ½-inch iron rod found for corner at the southwest corner of said *Menaker Tract* at the intersection of the center of said road with the east right-of-way line of said FM-1141;

THENCE N. 00 DEG. 01 MIN.46 SEC. W. with the east right-of-way line of said FM-1141 a distance of 1,941.18-feet to a ½-inch iron rod found for corner;

THENCE N.45 DEG. 02 MIN. 47 SEC. E. along the east right-of-way line of said highway a distance of 70.50-feet to the *POINT OF BEGINNING* and containing 121.16-acres or 5,277,595 SF of land.

Exhibit 'C': Concept Plan

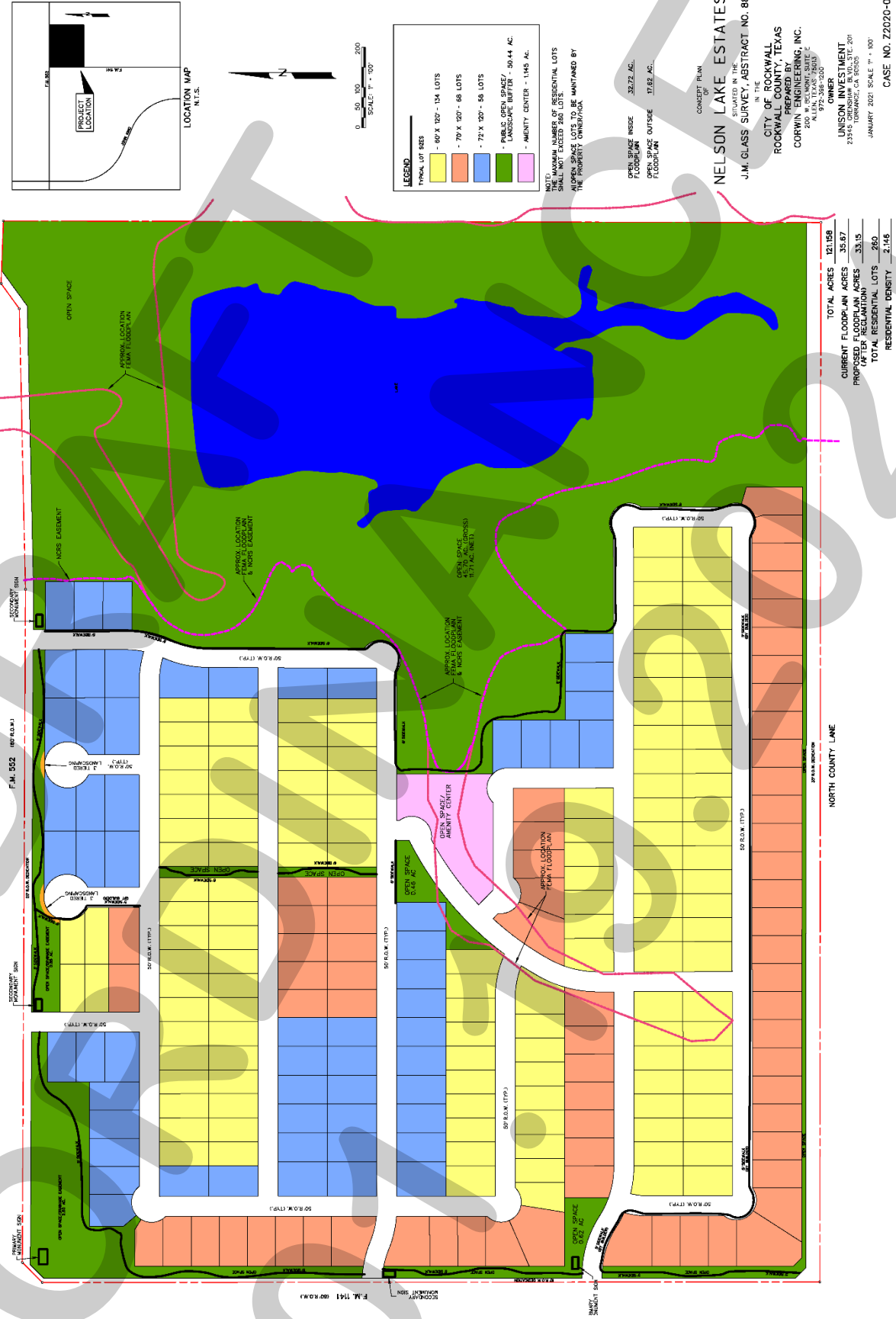


Exhibit 'D':
Density and Development Standards

Density and Development Standards.

- (1) Permitted Uses. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 10 (SF-10) 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'* and stated in *Table 1*, which is as follows:

Table 1: Lot Composition

<i>Lot Type</i>	<i>Minimum Lot Size (FT)</i>	<i>Minimum Lot Size (SF)</i>	<i>Dwelling Units (#)</i>	<i>Dwelling Units (%)</i>
A	60' x 120'	7,000 SF	134	51.54%
B	70' x 120'	8,400 SF	68	26.15%
C	72' x 120'	8,600 SF	58	22.31%
<i>Maximum Permitted Units:</i>			260	100.00%

- (3) Density and Dimensional Requirements. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 10 (SF-10) 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 2.15 dwelling units per gross acre of land; however, in no case should the proposed development exceed 260 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

<i>Lot Type (see Concept Plan) ▶</i>	A	B	C
<i>Minimum Lot Width</i> ⁽¹⁾	60'	70'	72'
<i>Minimum Lot Depth</i>	120'	120'	120'
<i>Minimum Lot Area</i>	7,000 SF	8,400 SF	8,600 SF
<i>Minimum Front Yard Setback</i> ^{(2), (5) & (6)}	20'	20'	20'
<i>Minimum Side Yard Setback</i>	5'	6'	6'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> ^{(2) & (5)}	20'	20'	20'
<i>Minimum Length of Driveway Pavement</i>	20'	20'	20'
<i>Maximum Height</i> ⁽³⁾	36'	36'	36'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	10'	10'	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	2,200 SF	2,200 SF	2,200 SF
<i>Maximum Lot Coverage</i>	65%	65%	65%

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

Exhibit 'D':
Density and Development Standards

the encroaching faces.

- 6: Flat front entry garage configurations are permitted on up to 35% (*i.e. a maximum of 91 lots*) of the total number of lots provided that: [1] no more than 45% (*i.e. a maximum of 60 lots*) of the lots for Lot Type 'A' have a flat front entry garage, [2] no more than 25% (*i.e. a maximum of 31 lots*) of the combined total of the Lot Type 'B' and Lot Type 'C' may have a flat front entry garage, and [3] the front yard building setback for all lots with a flat front entry garage is increased to a minimum of 25-feet.

(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-552 and 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*. This development shall adhere to the following garage design and orientation requirements:

- (1) *Type 'A' Lots*. Garages shall be oriented in a *traditional swing* (or *j-swing*) -- where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration -- or in a flat front entry configuration (*i.e. even with the front façade of the primary structure*). On *traditional swing* (or *j-swing*) garage configurations, a second single garage door facing the street is permitted if it is located behind the width of the double garage door. Garages configured in a flat front entry configuration shall be allowed on a maximum of 45% of the lots (*i.e. a maximum of 60 lots*) provided that the front yard building setback is increased to 25-feet. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).

- (2) *Type 'B' and 'C' Lots*. Garages shall be oriented in a *traditional swing* (or *j-swing*) -- where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration -- or in a flat front entry configuration (*i.e. even with the front façade of the primary structure*). On *traditional swing* (or *j-swing*) garage configurations, a second single garage door facing the street is permitted if it is located behind the width of the double garage door. Garages configured in a flat front entry configuration shall be allowed on a maximum of 25% of the lots (*i.e. a maximum of 31 lots of the combined total of the Lot Type 'B' and Lot Type 'C' Lots*) provided that the front yard building setback is increased to 25-feet. All garage configurations not

Exhibit 'D':
Density and Development Standards

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



Carriage Hardware

- (5) Anti-Monotony Restrictions. The development shall adhere to the *Anti-Monotony Matrix* depicted in *Table 3* below (for spacing requirements see *Figures 3 & 4* below).

Table 3: Anti-Monotony Matrix

<u>Lot Type</u>	<u>Minimum Lot Size</u>	<u>Elevation Features</u>
A	60' x 120'	(1), (2), (3), (4)
B	70' x 120'	(1), (2), (3), (4)
C	72' x 120'	(1), (2), (3), (4)

- (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-552, FM-1141, or North Country Lane shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

Exhibit 'D':
Density and Development Standards

- (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.

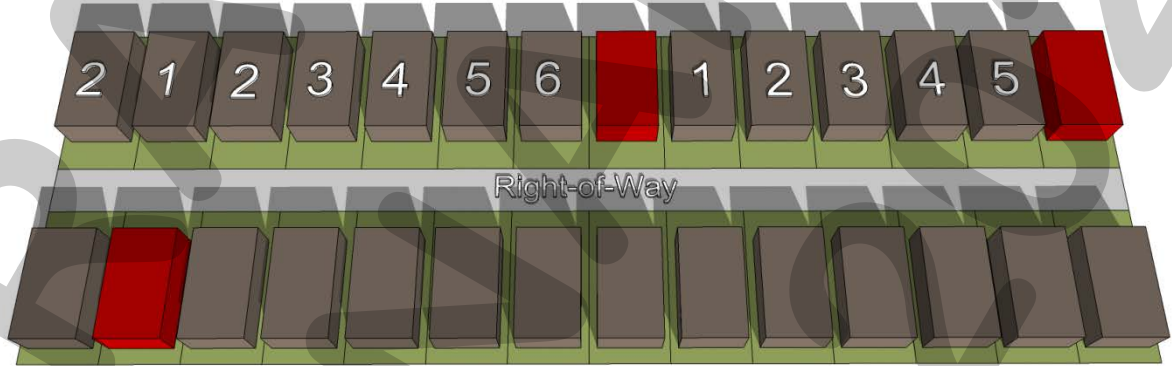


Figure 4: Properties do not line up on opposite side of the street. Where **RED** is the subject property.



- (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.

Exhibit 'D':
Density and Development Standards

- (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-552, FM-1141 and North Country Lane*), 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.
- (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-552). A minimum of a 30-foot landscape buffer shall be provided along FM-552 (*outside of and beyond any required right-of-way dedication*), that 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. In addition, additional three (3) tiered landscaping (*i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees*) shall be required adjacent to the cul-de-sacs along FM-552 as depicted in *Exhibit 'C'* of this ordinance.

Exhibit 'D':
Density and Development Standards

- (2) 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 five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.
- (3) Landscape Buffers (North Country Lane). A minimum of a 10-foot landscape buffer shall be provided along North Country Lane (*outside of and beyond any required right-of-way dedication*). 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 15-foot centers along the entire frontage of North Country Lane. An alternative screening plan proposing the use of existing trees, for the area directly adjacent to North Country Lane, may be submitted by the developer with the PD Site Plan. This alternative plan can be approved by the Planning and Zoning Commission upon a finding that the proposed plan will provide adequate screening that is equal to or exceeds the standards stated in this section.
- (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-foot 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.

Exhibit 'D':
Density and Development Standards

- (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 24.232-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) 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) 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) 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) 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 CITY COUNCIL MEMO

AGENDA DATE: 3/21/2005

APPLICANT: Kimley-Horn & Associates

AGENDA ITEM: **Z2005-007**; Nelson Lake - (Ag) to (SF-16) & (NS)

Hold a public hearing and consider a request from Jason Faigle of Kimley-Horn & Associates to rezone 104.8-acres from (Ag) Agricultural district to (SF-16) Single Family Residential district, and 16.4-acres from (Ag) Agricultural district to (NS) Neighborhood Service district. The subject property is located at the southeast corner of FM 1141 and FM 552, and currently described as Tract 2, Abstract 88, J.M. Gass Survey.

BACKGROUND INFORMATION:

The applicant has submitted a zoning request to zone property, containing approximately 121.16 acres, from (Ag) Agricultural district to (SF-16) Single Family Residential and (NS) Neighborhood Service. The proposed SF-16 zoning will contain approximately 104.8 acres and the NS zoning will contain approximately 16.4 acres. The property is located at the southeast corner of the intersection of F.M. 1141 and F.M. 552. The vacant property located across FM 552 directly to the north of this site was recently annexed into the City and is zoned (Ag) Agricultural. Property to the south is also zoned (Ag) Agricultural and is currently used for agricultural purposes along with a few residential homes. The property to west (i.e. Dalton Ranch) has been zoned (PD-58) Planned Development and preliminary platted for single family residential development with a density of less than two units per acre, and also incorporates an elementary school site.

The zoning exhibit illustrates a plan for 111 total lots with 106 residential lots, 4 open space areas and 1 retail lot (Neighborhood Service area). As indicated on the exhibit, the SF-16 portion of the zoning proposal yields a density level of 1.01 units per acre. The Land Use Plan indicates this area to be Single Family Low Density Residential. Low density is defined within the Comprehensive Plan as less than two units per acre of land.

The Comprehensive Plan also states that all residential lots which are 16,000 square feet in area or less should be served by an alley. However, the applicant's request is for minimum 16,000-sf lots (concept plan indicates an average lot size of 19,509-sf), and the plan indicates no alleys. The development pattern for SF-16 and greater has been the elimination of the alley requirement.

The Comprehensive Plan states that in determining appropriate zoning, existing surrounding conditions such as lot size, house styles and existing development patterns should be considered. The Dalton Ranch development to the west of this property has

been preliminary platted and zoned for a minimum 10,000 square foot lot area with lots ranging from over 10,000 square foot up to 30,000 square foot in area. The applicant's proposal meets the recommendations of the Comprehensive Plan in terms of density, and is comparable land within the general area.

This proposal also indicates approximately 56 acres of open space which includes Nelson Lake as an amenity to the proposed development. The applicant has indicated the open space and lake area will be private and maintained by a Homeowner's Association. In conjunction with the open space, the applicant has proposed 16 acres of Neighborhood Service zoning which is the most restrictive retail-type district within the Unified Development Code. The Land Use Plan does indicate this intersection as commercial/retail land use. We have included a list of uses that are allowed within the Neighborhood Service District for review. The overall amount of open space being proposed, primarily required because of the lake and flood plain, and the proposed NS zoning will regulate the residential density to less than 2 units per acre. In conjunction with the zoning request, the applicant has also submitted a preliminary plat of the property. Issues dealing with landscape buffers along F.M. 552 and F.M. 1141 and entry features will be taken up with approval of the preliminary plat.

Notices were mailed to eight (8) property owners located in the City within 200-ft of the subject tract, and at this time, none had been returned.

RECOMMENDATIONS:

Staff Recommends approval of the request.

On 3/8/05 the Planning and Zoning Commission recommended approval the zoning change to (SF-16) and (NS) by a vote of 5 to 0 (Jackson and Smith absent).

Tract 134-12, Abstract 207, E. Teal Survey (2.564-acres), located along the south side of Henry M. Chandler Drive and immediately east of the Chandler's Landing Marina.

The motion failed due to a lack of a second.

Burgamy made a motion to deny the request by Austin Lewis of Lewis Real Estate Investments to amend (PD-8) Planned Development district, specifically on a vacant, 6.889-acre tract comprised of Spyglass Hill #4 Addition (4.324-acres) and Tract 134-12, Abstract 207, E. Teal Survey (2.564-acres), located along the south side of Henry M. Chandler Drive and immediately east of the Chandler's Landing Marina.

Langdon seconded the motion. The motion was voted on and passed by a vote of 3 to 1 (Lucas against; Carroll abstaining; Jackson and Smith absent).

Carroll returned to the meeting.

Z2005-007

Hold a public hearing and consider a request from Jason Faigle of Kimley-Horn & Associates to rezone 104.8-acres from (Ag) Agricultural district to (SF-16) Single Family Residential district, and 16.4-acres from (Ag) Agricultural district to (NS) Neighborhood Services district. The subject property is located at the southeast corner of FM 1141 and FM 552, and currently described as Tract 2, Abstract 88, J.M. Gass Survey.

Hampton outlined the request stating the applicant has submitted a zoning request to zone property, containing approximately 121.16 acres, from (Ag) Agricultural district to (SF-16) Single Family Residential and (NS) Neighborhood Service. The proposed SF-16 zoning will contain approximately 104.8 acres and the NS zoning will contain approximately 16.4 acres. The property is located at the southeast corner of the intersection of F.M. 1141 and F.M. 552. The vacant property located across FM 552 directly to the north of this site was recently annexed into the City and is zoned (Ag) Agricultural. Property to the south is also zoned (Ag) Agricultural and is currently used for agricultural purposes along with a few residential homes. The property to west (i.e. Dalton Ranch) has been zoned (PD-58) Planned Development and preliminary platted for single family residential development with a density of less than two units per acre, and also incorporates an elementary school site.

The zoning exhibit illustrates a plan for 111 total lots with 106 residential lots, 4 open space areas and 1 retail lot (Neighborhood Service area). As indicated on the exhibit, the SF-16 portion of the zoning proposal yields a density level of 1.01 units per acre. The Land Use Plan indicates this area to be Single Family Low Density Residential. Low density is defined within the Comprehensive Plan as less than 2 units per acre of land.

The Comprehensive Plan also states that all residential lots which are 16,000 square feet in area or less should be served by an alley. However, the applicant's request is for minimum 16,000-sf lots (concept plan indicates an average lot size of 19,509-sf), and the plan indicates no alleys. The development pattern for SF-16 and greater has been the elimination of the alley requirement.

The Comprehensive Plan states that in determining appropriate zoning, existing surrounding conditions such as lot size, house styles and existing development patterns should be considered. The Dalton Ranch development to the west of this property has been preliminary platted and zoned for a minimum 10,000 square foot lot area with lots ranging from over 10,000 square foot up to 30,000 square foot in area. The applicant's proposal meets the recommendations of the Comprehensive Plan in terms of density, and is comparable land within the general area.

This proposal also indicates approximately 56 acres of open space which includes Nelson Lake as an amenity to the proposed development. The applicant has indicated the open space and lake area will be private and maintained by a Homeowner's Association. In conjunction with the open space, the applicant has proposed 16 acres of Neighborhood Service zoning which is the most restrictive retail-type district within the Unified Development Code. The Land Use Plan does indicate this intersection as commercial/retail land use. We have included a list of uses that are allowed within the Neighborhood Service District for review. The overall amount of open space being proposed, primarily required because of the lake and flood plain, and the proposed NS zoning will regulate the residential density to less than 2 units per acre. In conjunction with the zoning request, the applicant has also submitted a preliminary plat of the property. Issues dealing with landscape buffers along F.M. 552 and F.M. 1141 and entry features will be taken up with approval of the preliminary plat.

Notices were mailed to eight (8) property owners located in the City within 200-ft of the subject tract, and at this time, none had been returned.

Herbst opened the public hearing.

Rob Whittle, applicant addressed requesting approval of the request and to answer questions.

Herbst closed the public hearing.

Carroll made a motion to approve the request from Jason Faigle of Kimley-Horn & Associates to rezone 104.8-acres from (Ag) Agricultural district to (SF-16) Single Family Residential district, and 16.4-acres from (Ag) Agricultural district to (NS) Neighborhood Services district. The subject property is located at the southeast corner of FM 1141 and FM 552, and currently described as Tract 2, Abstract 88, J.M. Gass Survey.

Langdon seconded the motion. The motion was voted on and passed by a vote of 5 to 0.

P2005-011

Discuss and consider a request from Jason Faigle of Kimley-Horn & Associates for approval of a preliminary plat of Nelson Lake Addition, a 121.2-acre tract comprised of 106 single-family residential lots (104.8-acres) and one lot designated for "NS" Neighborhood Services uses (16.4-acres). The subject property is located at the southeast corner of FM 1141 and FM 552, and currently described as Tract 2, Abstract 88, J.M. Gass Survey.

Hampton outlined the request stating the preliminary plat for Nelson Lake lays out 106 single-family residential lots, four (4) open space and/or drainage easements, one (1) lot designated for a sewer lift station and one (1) lot designated for future non-residential development. The preliminary plat application is running concurrently with a zoning application to rezone the 121.2-acre subject tract from (Ag) Agricultural to (SF-16) Single-Family Residential (104.8-acres) and (NS) Neighborhood Services (16.4-acres).

Right-of-way and Access

The site is bordered by FM 552 to the north, FM 1141 to the west, N. Country Lane to the south and the City limits to the east. Access for the residential portion of the development is proposed via "Street A" from FM 1141 and via "Street G" from FM 552. A Traffic Impact Analysis will be required as part of the engineering review. *Each of these proposed street connections will require TXDOT approval, and there is some concern from Staff that TXDOT will require "Street A" to align with the proposed street (Limestone Way) in Dalton Ranch.*

A 10-ft ROW dedication is provided along FM 1141 and a 20-ft ROW dedication along FM 552 for the future widening of those arterials. Left-turn lanes and/or deceleration lanes will be required as per Engineering standards and TXDOT requirements. Access to the proposed 16.4-acre (NS) site will be provided subject to TXDOT and City engineering standards, and will be reviewed at the time of final platting and/or site plan approval for that property. No access is proposed to N. Country Lane; however, the developer will be responsible for the dedication of 32.5-ft of Right-of-way and improvement of a minimum 24-ft street section of this road as it abuts the subject tract.

Utilities and Engineering Issues

The subject tract currently is situated within Mt. Zion's water district, and it is believed there are not adequate fire flows or capacity to support the proposed development. However, the developer has agreed to participate in a facilities agreement with the City to acquire the right to serve this area, which will be finalized during engineering review/final platting. Development of this tract will require extensions of water and sewer lines to and along the subject tract, as well as installation of a lift station in the northeastern quadrant (i.e. Lot 57, Block C). *The Preliminary Utility Layout outlines the proposal; however, the City Engineer has*

356 **Bill Bradshaw (Applicant)**
357 **Bradshaw stated that this would be their 5th consecutive year at this**
358 **location.**

359
360 **There being no one further to address the Council, Mayor Jones closed the public**
361 **hearing.**

362
363 **Councilmember Raulston made a motion to approve the request with Staff**
364 **recommendations and Councilmember Cotti seconded the motion. The ordinance was**
365 **read as follows:**

366
367 **AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED**
368 **DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY**
369 **AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A TEMPORARY**
370 **PORTABLE BEVERAGE SERVICE FACILITY ON A TRACT OF LAND KNOWN AS**
371 **LOTS 4 AND 5, CANUP ADDITION, LOCATED AT 907 S. GOLIAD; PROVIDING FOR**
372 **SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE**
373 **SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING**
374 **FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;**
375 **PROVIDING FOR AN EFFECTIVE DATE.**

376
377 **The motion passed by a vote of 6 ayes and 1 absent [King].**

378
379 **f. Z2005-007 – Hold a public hearing and consider approval of an**
380 **Ordinance a request from Jason Faigle of Kimley-Horn & Associates to**
381 **rezone 104.8-acres from (Ag) Agricultural district to (SF-16) Single Family**
382 **Residential district, and 16.4-acres from (Ag) Agricultural district to (NS)**
383 **Neighborhood Services district. The subject property is located at the**
384 **southeast corner of FM 1141 and FM 552, and currently described as**
385 **Tract 2, Abstract 88, J.M. Gass Survey and take any action necessary.**
386 **[1st Reading]**

387
388 **Michael Hampton discussed the background of the request and stated Rob Whittle was**
389 **the landowner. Mayor Jones opened the public hearing and the following persons came**
390 **forward to address the Council:**

391
392 **Jason Faigle (Applicant) and Rob Whittle**
393 **Whittle stated that this will be a custom home community and believes it**
394 **will be a catalyst for development of the north area.**

395
396 **There being no one further to address the Council, Mayor Jones closed the public**
397 **hearing.**

398
399 **Councilmember Raulston made a motion to approve the request with Staff**
400 **recommendations and Councilmember Cecil seconded the motion. The ordinance was**
401 **read as follows:**

402
403 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE**
404 **UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL AS PREVIOUSLY AMENDED SO AS TO**
405 **APPROVE A CHANGE IN ZONING FROM (AG), AGRICULTURAL DISTRICT TO (SF-16) SINGLE FAMILY**
406 **RESIDENTIAL DISTRICT AND (NS), NEIGHBORHOOD SERVICE DISTRICT, ON A TRACT OF LAND**
407 **CONTAINING 121.2 ACRES AND KNOWN AS TRACT 2, ABSTRACT 88, J.M. GASS SURVEY, AND MORE**
408 **SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS;**
409 **PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS**
410 **(\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A**
411 **REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

412
413 **The motion passed by a vote of 6 ayes and 1 absent [King].**

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**MINUTES
ROCKWALL CITY COUNCIL**

April 4, 2005
6:00 p.m. Regular Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

51 **1. CALL TO ORDER**

52
53 Mayor Jones called the meeting to order at 5:00 p.m. Present were Mayor Ken Jones and
54 Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Bill Cecil and John King.
55 Councilmember Terry Raulston was absent. Also present were City Manager Julie Couch
56 and City Attorney Pete Eckert. Mayor Jones immediately adjourned the meeting into
57 Executive Session.

58
59 **2. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER STEPHEN
60 STRAUGHAN**

61
62 **3. PROCLAMATIONS**

63
64 a. **Miss Teen Rockwall – Sabra Davis**

65
66 **4. OPEN FORUM**

67
68 Mayor Jones advised the audience that the floor was open to anyone who wished to
69 address the Council on any subject not on tonight's agenda. The following persons
70 came forward to address the Council:

71
72 **Linda Jaresh – Spoke about the Ms. Teen Texas competition.**

73
74 **Sam Buffington – Requested that the Southside Coalition Association be
75 put on the next agenda to discuss the land at Davy Crockett & Ross.**

76
77 **There being no one further to address the Council, Mayor Jones closed the open forum.**

78
79 **5. CONSENT AGENDA**

80
81 a. Consider approval of the Minutes from the March 7, 2005 City Council
82 meeting and take any action necessary.

83 b. Consider approval of the Minutes from the March 21, 2005 City Council
84 meeting and take any action necessary.

85 c. Consider approval of the Annual Contract for Street Maintenance
86 Materials and take any action necessary.

87 d. Consider approval of an **Ordinance** for a request by Maureen Green
88 (Z2005-009) for a change in zoning from (SF-7) Single-family Residential
89 district to (PD-50) Planned Development No. 50 district on a 0.23-acre
90 tract being part of Block 20, Amick Addition, situated at 603 North Goliad
91 and take any action necessary. [**2nd Reading**]

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- e. Consider approval of an **Ordinance** for a request from Bill and Glenda Bradshaw (Z2005-011) for a Specific Use Permit to allow for a portable beverage service facility within the (C) Commercial zoning district, on a 0.25-acre tract located at 907 S. Goliad and take any action necessary. [2nd Reading]
 - f. Consider approval of an **Ordinance** a request from Jason Faigle of Kimley-Horn & Associates (Z2005-007) to rezone 104.8-acres from (Ag) Agricultural district to (SF-16) Single Family Residential district, and 16.4-acres from (Ag) Agricultural district to (NS) Neighborhood Services district. The subject property is located at the southeast corner of FM 1141 and FM 552, and currently described as Tract 2, Abstract 88, J.M. Gass Survey and take any action necessary. [2nd Reading]
 - g. Consider approval of a Facilities Agreement with Jerry Kissick for Ranch Trail Drive and take any action necessary.
 - h. Consider approval of a Facilities Agreement with Lake Pointe Church for use of Yellowjacket Park and take any action necessary.
 - i. Consider approval of a Resolution designating the officers for the General Election to be held on May 7, 2005 and take any action necessary.

115 Councilmember John King requested that Consent Agenda Items 5(a) and (b) be pulled.
116 Councilmember Cotti made a motion to approve the remaining Consent Agenda Items
117 and Councilmember Straughan seconded the motion. The ordinances were read as
118 follows:

119
120 ORDINANCE NO. 05-08

121
122 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
123 AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL,
124 TEXAS AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM "SF-7"
125 SINGLE FAMILY RESIDENTIAL TO "PD-50"; PLANNED DEVELOPMENT DISTRICT NO.
126 50 ON A 0.460-ACRE TRACT KNOWN AS PART OF A, B, & E, BLOCK 21, AMICK
127 ADDITION; 603 N. GOLIAD STREET AND MORE SPECIFICALLY DESCRIBED IN
128 EXHIBIT "A" ATTACHED HERETO; CORRECTING THE OFFICIAL ZONING MAP;
129 PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO
130 THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY
131 CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN
132 EFFECTIVE DATE.

133
134 ORDINANCE NO. 05-15

135
136 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED
137 DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY
138 AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A TEMPORARY
139 PORTABLE BEVERAGE SERVICE FACILITY ON A TRACT OF LAND KNOWN AS
140 LOTS 4 AND 5, CANUP ADDITION, LOCATED AT 907 S. GOLIAD; PROVIDING FOR
141 SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE
142 SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING
143 FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;
144 PROVIDING FOR AN EFFECTIVE DATE.



February 2, 2021

TO: Ryan Joyce
Michael Joyce Properties, LLC
1189 Waters Edge Drive
Rockwall, TX 75087

CC: Jen-Liang Wu
Unison Investments
23545 Crenshaw Boulevard
Torrance, CA 90505

FROM: Ryan Miller, AICP
City of Rockwall Planning and Zoning Department
385 S. Goliad Street
Rockwall, TX 75087

SUBJECT: Z2020-056; *Zoning Change from NS & SF-16 to PD [Nelson Lake Estates]*

Mr. Joyce:

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 February 1, 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.
- ✓ By approving this zoning change, the City Council will effectively be approving changes to the Comprehensive Plan and Future Land Use Map. Specifically, this will change the designation of portions of the subject property from Commercial/Retail and Low Density Residential designation to a Low Density Residential designation.
- ✓ 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 January 12, 2021 the Planning and Zoning Commission approved a motion to recommend approval of the zoning change by a vote of 6-1, with Commissioner Chodun dissenting.

City Council

- ✓ On January 19, 2021, the City Council approved zoning change by a vote of 6-0, Councilmember Johannesen absent (1st Reading).
- ✓ On February 1, 2021, the City Council approved the zoning change by a vote of 7-0 (2nd Reading).

Included with this letter is a copy of *Ordinance No. 21-09*, 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,

Ryan Miller, AICP
Director of Planning and Zoning

CITY OF ROCKWALL

ORDINANCE NO. 21-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM A NEIGHBORHOOD SERVICES (NS) DISTRICT AND A SINGLE-FAMILY 16 (SF-16) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 90 (PD-90) FOR SINGLE-FAMILY 10 (SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 121.16-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2 OF THE J. M. GASS SURVEY, ABSTRACT NO. 88, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Ryan Joyce of Ryan Michael Joyce Properties, LLC on behalf of Jen-Liang Wu of Unison Investment, LP for the approval of a zoning change from a Neighborhood Services (NS) District and a Single-Family 16 (SF-16) District to a Planned Development District for Single-Family 10 (SF-10) District land uses, on a 121.16-acre tract of land identified as Tract 2 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

SECTION 2. That development of the *Subject Property* shall generally be in accordance with the *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.

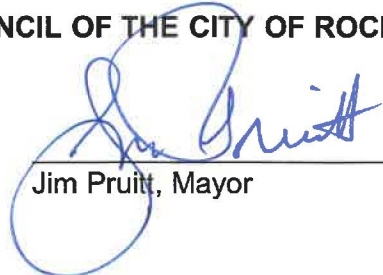
SECTION 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (\$2,000.00) for each offense and each and every day such 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 1ST DAY OF FEBRUARY, 2021.



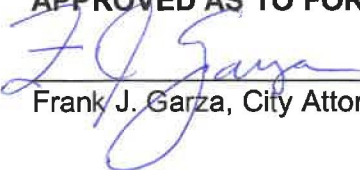
Jim Pruitt, Mayor

ATTEST:



Kristy Cole, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney



1st Reading: January 19, 2021

2nd Reading: February 1, 2021

Exhibit 'A':
Legal Description

All that certain lot, tract or parcel of land situated in the *J.M. GLASS SURVEY, ABSTRACT NO. 88*, Rockwall County, Texas, and being all of that tract of land as described in a Warranty Deed from Charles I. Cheshire to Marvin Menaker, *Trustee*, dated April 23, 1980, and being recorded in *Volume 154, Page 625* of the *Deed Records* of Rockwell County, Texas, and being more particularly described as follows:

BEGINNING at a ½-inch iron rod found for corner at the east cut back corner at the intersection of the east right-of-way line of FM-1141 (80' ROW) with the South right-of-way line of FM-552 (80' ROW);

THENCE along the south right-of-way line of said FM-552 the following:

S. 89 DEG. 44 MIN. 00 SEC. E. (*Controlling Bearing*) a distance of 1681.27-feet to a ½-inch iron rod found for corner;

N. 88 DEG. 45 MIN. 05 SEC. E. a distance of 700.30-feet to a tack found in wood monument for corner;

N. 54 DEG. 06 MIN. 00 SEC. E. a distance of 77.79-feet to a ½-inch iron rod found for corner;

THENCE S. 87 DEG. 51 MIN. 31 SEC. E. leaving the South line of said FM-552, a distance of 156.34-feet to a ½-inch iron rod set for corner at the base of a fence corner post for corner at the northeast corner of said *Menaker Tract*;

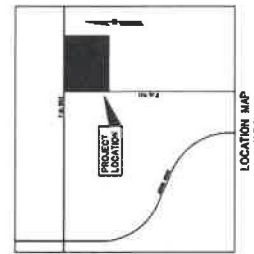
THENCE S. 00 DEG. 06 MIN. 49 SEC. E. along the east line of said *Menaker Tract* a distance of 2,041.03-feet to a 3/8-inch iron rod found for corner in the center of North Country Lane;

THENCE N. 89 DEG. 56 MIN. 19 SEC. W. along and near said center of North Country Lane a distance of 2,645.47-feet to a ½-inch iron rod found for corner at the southwest corner of said *Menaker Tract* at the intersection of the center of said road with the east right-of-way line of said FM-1141;

THENCE N. 00 DEG. 01 MIN.46 SEC. W. with the east right-of-way line of said FM-1141 a distance of 1,941.18-feet to a ½-inch iron rod found for corner;

THENCE N.45 DEG. 02 MIN. 47 SEC. E. along the east right-of-way line of said highway a distance of 70.50-feet to the *POINT OF BEGINNING* and containing 121.16-acres or 5,277,595 SF of land.

Exhibit 'C': Concept Plan



0 50 100
FEET
SCALE 1" = 100'

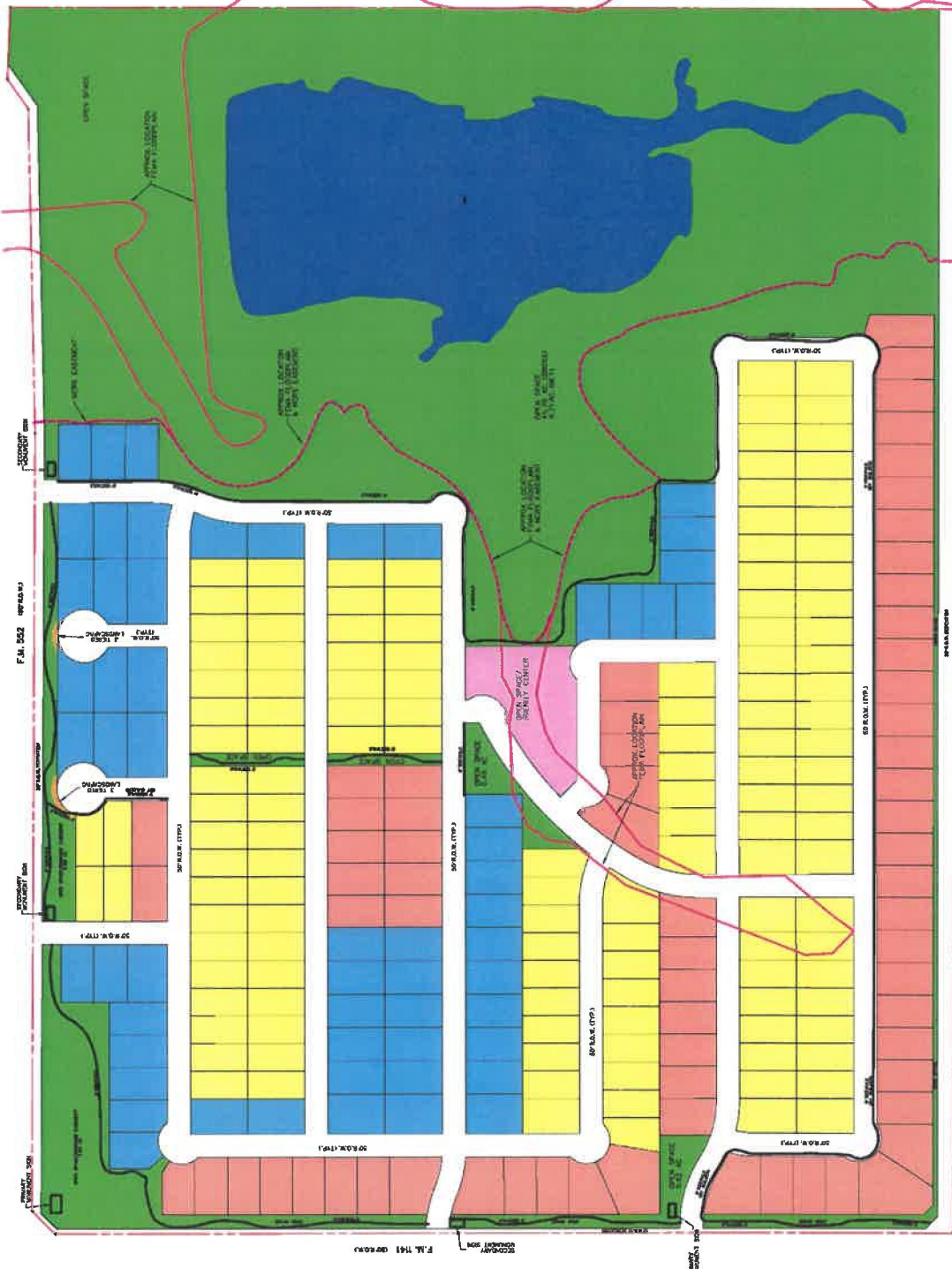
LEGEND

Typical Lot Size	Color	Description
60' x 120' - 124 LOTS	Yellow	60' x 120' - 124 LOTS
70' x 100' - 88 LOTS	Red	70' x 100' - 88 LOTS
72' x 100' - 88 LOTS	Blue	72' x 100' - 88 LOTS
Public Open Space / Landscape Buffer	Green	PUBLIC OPEN SPACE / LANDSCAPE BUFFER - 20.14 AC.
Amenity Center	Pink	AMENITY CENTER - 1.145 AC.

NOTE: HUMAN NUMBER OF RESIDENTIAL LOTS SHALL NOT EXCEED 280 LOTS.
OPEN SPACE LOTS TO BE MAINTAINED BY THE PROPERTY OWNER/OWNER.

PLANNING AREA 30.72 AC.
OPEN SPACE OUTSIDE FLOODPLAIN 12.82 AC.

CONCEPT PLAN OF
NELSON LAKE ESTATES
J.M. GLASS SURVEY, ABSTRACT NO. 88
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
PREPARED BY
CORNING CONSULTING, INC.
250 N. GILBERT STREET, C
ROCKWALL, TEXAS 75087
OWNER
UNISON INVESTMENT
23145 CROSBY, # 100, STE 201
PLANO, TEXAS 75074
JANUARY 2021 SCALE 1" = 100'
CASE NO. Z2020-056



TOTAL ACRES	121.58
CURRENT FLOODPLAIN ACRES	35.67
PROPOSED FLOODPLAIN ACRES (AFTER RECLAMATION)	33.19
TOTAL RESIDENTIAL LOTS	280
RESIDENTIAL DENSITY	2.145

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 10 (SF-10) 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'* and stated in *Table 1*, which is as follows:

Table 1: Lot Composition

<i>Lot Type</i>	<i>Minimum Lot Size (FT)</i>	<i>Minimum Lot Size (SF)</i>	<i>Dwelling Units (#)</i>	<i>Dwelling Units (%)</i>
A	60' x 120'	7,000 SF	134	51.54%
B	70' x 120'	8,400 SF	68	26.15%
C	72' x 120'	8,600 SF	58	22.31%
<i>Maximum Permitted Units:</i>			260	100.00%

- (3) Density and Dimensional Requirements. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 10 (SF-10) 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 2.15 dwelling units per gross acre of land; however, in no case should the proposed development exceed 260 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

<i>Lot Type (see Concept Plan) ►</i>	<i>A</i>	<i>B</i>	<i>C</i>
<i>Minimum Lot Width</i> ⁽¹⁾	60'	70'	72'
<i>Minimum Lot Depth</i>	120'	120'	120'
<i>Minimum Lot Area</i>	7,000 SF	8,400 SF	8,600 SF
<i>Minimum Front Yard Setback</i> ^{(2), (5) & (6)}	20'	20'	20'
<i>Minimum Side Yard Setback</i>	5'	6'	6'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> ^{(2) & (5)}	20'	20'	20'
<i>Minimum Length of Driveway Pavement</i>	20'	20'	20'
<i>Maximum Height</i> ⁽³⁾	36'	36'	36'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	10'	10'	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	2,200 SF	2,200 SF	2,200 SF
<i>Maximum Lot Coverage</i>	65%	65%	65%

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

Exhibit 'D':
Density and Development Standards

the encroaching faces.

- 6: Flat front entry garage configurations are permitted on up to 35% (*i.e. a maximum of 91 lots*) of the total number of lots provided that: [1] no more than 45% (*i.e. a maximum of 60 lots*) of the lots for Lot Type 'A' have a flat front entry garage, [2] no more than 25% (*i.e. a maximum of 31 lots*) of the combined total of the Lot Type 'B' and Lot Type 'C' may have a flat front entry garage, and [3] the front yard building setback for all lots with a flat front entry garage is increased to a minimum of 25-feet.

(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-552 and 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*. This development shall adhere to the following garage design and orientation requirements:
- (1) *Type 'A' Lots*. Garages shall be oriented in a *traditional swing* (or *j-swing*) -- where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration -- or in a flat front entry configuration (*i.e. even with the front façade of the primary structure*). On *traditional swing* (or *j-swing*) garage configurations, a second single garage door facing the street is permitted if it is located behind the width of the double garage door. Garages configured in a flat front entry configuration shall be allowed on a maximum of 45% of the lots (*i.e. a maximum of 60 lots*) provided that the front yard building setback is increased to 25-feet. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).
- (2) *Type 'B' and 'C' Lots*. Garages shall be oriented in a *traditional swing* (or *j-swing*) -- where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration -- or in a flat front entry configuration (*i.e. even with the front façade of the primary structure*). On *traditional swing* (or *j-swing*) garage configurations, a second single garage door facing the street is permitted if it is located behind the width of the double garage door. Garages configured in a flat front entry configuration shall be allowed on a maximum of 25% of the lots (*i.e. a maximum of 31 lots of the combined total of the Lot Type 'B' and Lot Type 'C' Lots*) provided that the front yard building setback is increased to 25-feet. All garage configurations not conforming to this

Exhibit 'D':
Density and Development Standards

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



Carriage Hardware

- (5) *Anti-Monotony Restrictions*. The development shall adhere to the *Anti-Monotony Matrix* depicted in *Table 3* below (for spacing requirements see *Figures 3 & 4* below).

Table 3: Anti-Monotony Matrix

<i>Lot Type</i>	<i>Minimum Lot Size</i>	<i>Elevation Features</i>
A	60' x 120'	(1), (2), (3), (4)
B	70' x 120'	(1), (2), (3), (4)
C	72' x 120'	(1), (2), (3), (4)

- (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-552, FM-1141, or North Country Lane 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

Exhibit 'D':
Density and Development Standards

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

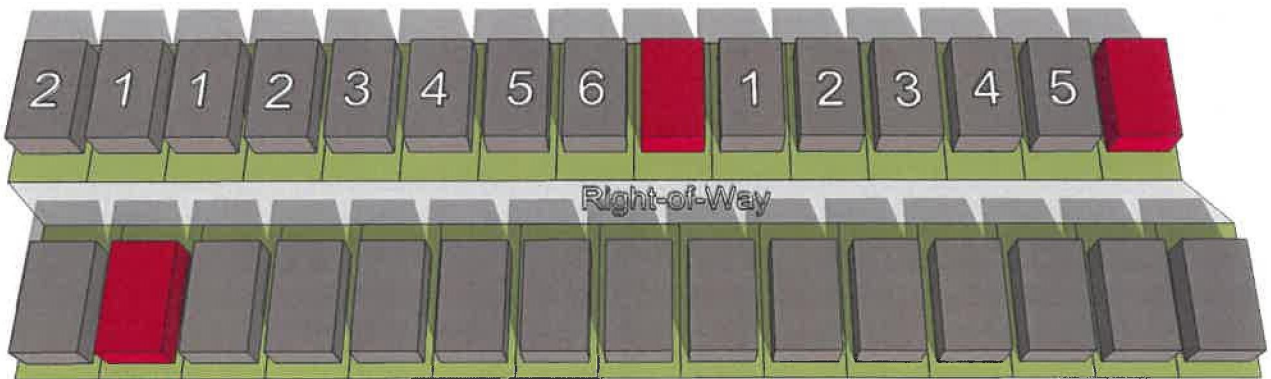
- (c) Permitted encroachment (*i.e. porches and sunroom*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening 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.

Exhibit 'D':
Density and Development Standards

- (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-552, FM-1141 and North Country Lane*), 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.
 - (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-552). A minimum of a 30-foot landscape buffer shall be provided along FM-552 (*outside of and beyond any required right-of-way dedication*), that 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. In addition, additional three (3) tiered landscaping (*i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees*) shall be required adjacent to the cul-de-sacs along FM-552 as depicted in *Exhibit 'C'* of this ordinance.

Exhibit 'D':
Density and Development Standards

- (2) 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 five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.
- (3) Landscape Buffers (North Country Lane). A minimum of a 10-foot landscape buffer shall be provided along North Country Lane (*outside of and beyond any required right-of-way dedication*). 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 15-foot centers along the entire frontage of North Country Lane. An alternative screening plan proposing the use of existing trees, for the area directly adjacent to North Country Lane, may be submitted by the developer with the PD Site Plan. This alternative plan can be approved by the Planning and Zoning Commission upon a finding that the proposed plan will provide adequate screening that is equal to or exceeds the standards stated in this section.
- (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-foot 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

Exhibit 'D':
Density and Development Standards

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 24.232-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) 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) 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) 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) 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.

Miller, Ryan

From: Adam Buczek <abuczek@skorburgcompany.com>
Sent: Thursday, December 17, 2020 11:33 AM
To: Miller, Ryan
Cc: Kevin Harrell
Subject: Nelson Lakes draft redlined and clean copy - revised PD in case you want and have time to review informally before tomorrow's submittal deadline
Attachments: PD Exhibit_Nelson Lake Concept Plan.jpg; Draft Nelson Lakes Ordinance_ 121820 DRAFT_redline.docx; Draft Nelson Lakes Ordinance_ 121820 DRAFT_CLEAN.docx

Hi, Ryan.

I just left you a message as well, but in case you are able and willing to informally review this draft of the revised Nelson Lakes PD (in case you have any corrections or see other modifications necessary), and since I finished a day early – I am sending these files to you for review and comment.

I think you'll find we captured the changes appropriately in the attached revisions, but can't hurt to get an early review if you are willing and have the time. Please call me if you have any questions. Otherwise, we'll formally submit tomorrow. Thank you.

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

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Miller, Ryan

From: Kevin Harrell <kharrell@skorburgcompany.com>
Sent: Friday, December 18, 2020 8:45 AM
To: Miller, Ryan; Adam Buczek
Cc: Neil Stenberg
Subject: RE: Nelson Lakes draft redlined and clean copy - revised PD in case you want and have time to review informally before tomorrow's submittal deadline
Attachments: Nelson Lake_Submittal Packet_20201218.pdf

Good morning Ryan,

I have attached the Nelson Lake complete submittal packet. I will be sending hard copies and the check for the submittal fee over this morning. Neil with our office will be there around 10:30. Please let me know if you have any questions.

Best regards,

Kevin Harrell | Skorburg Company
8214 Westchester Drive, Suite 900
Dallas, Texas 75225
O: 214.888.8859 | C: 214.403.3664

From: Miller, Ryan <RMiller@rockwall.com>
Sent: Thursday, December 17, 2020 12:08 PM
To: Adam Buczek <abuczek@skorburgcompany.com>
Cc: Kevin Harrell <kharrell@skorburgcompany.com>
Subject: RE: Nelson Lakes draft redlined and clean copy - revised PD in case you want and have time to review informally before tomorrow's submittal deadline

Adam ... Can you send the application for this to me along with everything for the submittal? We are trying to get a head start on the submittals since we have an abbreviated week. If you have any questions please let me know. Also, I will try to look everything over today and tomorrow and get you preliminary comments before our official comments next week. 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

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GIS DIVISION WEBSITE | CITY OF ROCKWALL INTERACTIVE MAPS | UNIFIED DEVELOPMENT CODE

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From: Adam Buczek <abuczek@skorburgcompany.com>
Sent: Thursday, December 17, 2020 11:33 AM
To: Miller, Ryan <RMiller@rockwall.com>
Cc: Kevin Harrell <kharrell@skorburgcompany.com>
Subject: Nelson Lakes draft redlined and clean copy - revised PD in case you want and have time to review informally before tomorrow's submittal deadline

Hi, Ryan.

I just left you a message as well, but in case you are able and willing to informally review this draft of the revised Nelson Lakes PD (in case you have any corrections or see other modifications necessary), and since I finished a day early – I am sending these files to you for review and comment.

I think you'll find we captured the changes appropriately in the attached revisions, but can't hurt to get an early review if you are willing and have the time. Please call me if you have any questions. Otherwise, we'll formally submit tomorrow. Thank you.

Best Regards,

Adam J. Buczek
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Miller, Ryan

From: Miller, Ryan
Sent: Tuesday, December 22, 2020 3:13 PM
To: 'ryan@michaeljoyceproperties.com'
Cc: Adam Buczek
Subject: Project Comments: Z2020-056
Attachments: Project Comments (12.22.2020).pdf; Draft Ordinance (12.18.2020).pdf; Engineering Markups (12.19.2020).pdf

Mr. Joyce,

Attached are the comments and draft ordinance for you zoning case. Please address these comments, redline the draft ordinance, and return them to staff no later than January 5, 2020. Please also note, the following meeting schedule:

Planning and Zoning Commission Work Session: January 5, 2020
Planning and Zoning Commission (Public Hearing): January 12, 2020
City Council (Public Hearing and 1st Reading): January 19, 2020
City Council (2nd Reading): February 1, 2020

All meetings will be held at 6:00 PM in the City Council Chambers at City Hall (*i.e.* 385 S. Goliad Street). A representative will need to be present at the meeting. If you have any questions please let me know. Thank you.



RYAN C. MILLER, AICP

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Miller, Ryan

From: Adam Buczek <abuczek@skorburgcompany.com>
Sent: Tuesday, December 22, 2020 4:48 PM
To: Miller, Ryan; ryan
Cc: Kevin Harrell; Chase Finch (CFinch@corwinengineering.com); John Arnold
Subject: RE: Project Comments: Z2020-056

Thanks, Ryan.

For your records, I approve the revised version of the ordinance you just sent me with the staff comments. All changes look good. Thank you.

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: Tuesday, December 22, 2020 4:24 PM
To: ryan
Cc: Adam Buczek
Subject: RE: Project Comments: Z2020-056

Ryan/Adam ... Please note that the work session meeting is December 29, 2020 and not January 5, 2020, and that all January dates are 2021. If you have any questions please let me know. Thanks.



Ryan C. Miller, AICP
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From: Miller, Ryan
Sent: Tuesday, December 22, 2020 3:13 PM
To: 'ryan@michaeljoyceproperties.com' <ryan@michaeljoyceproperties.com>
Cc: Adam Buczek <abuczek@skorburgcompany.com>
Subject: Project Comments: Z2020-056

Mr. Joyce,

Attached are the comments and draft ordinance for you zoning case. Please address these comments, redline the draft ordinance, and return them to staff no later than January 5, 2020. Please also note, the following meeting schedule:

Planning and Zoning Commission Work Session: January 5, 2020
Planning and Zoning Commission (Public Hearing): January 12, 2020
City Council (Public Hearing and 1st Reading): January 19, 2020
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All meetings will be held at 6:00 PM in the City Council Chambers at City Hall (*i.e.* 385 S. Goliad Street). A representative will need to be present at the meeting. If you have any questions please let me know. Thank you.



Ryan C. Miller, AICP
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385 S. GOLIAD STREET • ROCKWALL, TX 75087

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Miller, Ryan

From: Adam Buczek <abuczek@skorburgcompany.com>
Sent: Monday, January 4, 2021 2:13 PM
To: Miller, Ryan
Subject: Nelson Lakes update

Hi, Ryan.

Just tried you at your office as well to give you an update on where we're at with Nelson Lakes. In short, we're going to stick with what we have / presented to P&Z at the last work session. Please call me when you have a few spare minutes. 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

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Miller, Ryan

From: Adam Buczek <abuczek@skorburgcompany.com>
Sent: Tuesday, January 5, 2021 3:06 PM
To: Miller, Ryan
Cc: Kevin Harrell; JR Johnson
Subject: Nelson Lakes - revised PD mark ups and concept plan
Attachments: Draft Ordinance Mark-ups_(1.05.2021).pdf; Nelson Lake Concept Plan_1-5-2021.pdf

Ryan,

Please see attached Nelson Lakes edits / revisions.

Highlighted / summary of the concept plan changes to even more follow P&Z guidance:

- Removed 2 more lots (so we've reduced total lot count by 5 lots from the initial submittal)
- We further reduced the 60' lot type from 57% to 51.5% (5 fewer 60's from the work session version)
- We increased the 70's by 7 lots (from 23.2% to 26.1% of the total lots)
- We increased the 72's by 5 lots (from 19.8% to 22.2% of the total lots)

So now – this is now in all material respects a plan that has essentially half of all lots being 70' wide or greater. As an aside – there are several 60's on end / corner lots that are wider than 70' but are still yellow because they couldn't meet the 70' side setback requirement, but from a streetscape standpoint – they will look and feel like 70's because of their extra lot width.

Best Regards,

Adam J. Buczek
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