



CASE COVER SHEET

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

PLANNING & ZONING CASE NO.

PLANNING & ZONING FEE

PLATTING APPLICATION

- MASTER PLAT
- PRELIMINARY PLAT
- FINAL PLAT
- REPLAT
- AMENDING OR MINOR PLAT
- PLAT REINSTATEMENT REQUEST

SITE PLAN APPLICATION

- SITE PLAN
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING

ZONING APPLICATION

- ZONING CHANGE
- SPECIFIC USE PERMIT
- PD DEVELOPMENT PLAN

OTHER APPLICATION

- TREE REMOVAL
- VARIANCE REQUEST/SPECIAL EXCEPTIONS

RECORD OF RECOMMENDATIONS, VOTING RECORDS, AND CONDITIONS OF APPROVAL

ARCHITECTURE REVIEW BOARD

PLANNING AND ZONING COMMISSION

CITY COUNCIL READING #1

CITY COUNCIL READING #2

CONDITIONS OF APPROVAL

NOTES



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&2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

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.
²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS *Parcel situated in David Harr Survey Abs. 102*

SUBDIVISION *25.41 Cain Revocable Trust Property*

LOT _____

BLOCK _____

GENERAL LOCATION *located east of W.D Boom Add. adjacent to and south of SH 66 centered between J. King Blvd. & 9549*

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING *AG*

CURRENT USE *AG*

PROPOSED ZONING *PD*

PROPOSED USE *PD*

ACREAGE *25.41*

LOTS [CURRENT] _____

LOTS [PROPOSED] _____

- 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 *Dewayne Cain*

APPLICANT *Douphrate & Assoc. Inc*

CONTACT PERSON _____
ADDRESS *305 Stonebridge Dr*

CONTACT PERSON *Bob Douphrate*
ADDRESS *2235 Ridge Rd*

CITY, STATE & ZIP *Rockwall, TX 75087*

CITY, STATE & ZIP *Rockwall, TX 75087*

PHONE *214.533.8641*

PHONE *972.742.2210*

E-MAIL *dewaynecain25@outlook.com*

E-MAIL *wldouphrate@douphrate.com*

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED *Dewayne Cain* [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 \$ *581.15* TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE *16* DAY OF *December*, 20*12* 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."

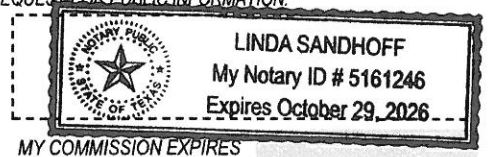
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE *12* DAY OF *Dec*, 20*21*.

OWNER'S SIGNATURE

Dewayne Cain

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Linda Sandhoff



MY COMMISSION EXPIRES

November 10, 2022

City of Rockwall

Planning and Zoning Department

385 S. Goliad Street

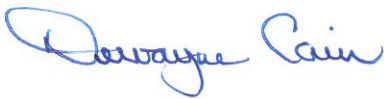
Rockwall, TX 75087

Dear Sirs:

I am requesting a Planned Development on a 25.41-acre tract of land my family trust owns. The property is in the David Harr Survey Abstract #102 and is adjacent to State Highway 66. The property falls within the Rockwall City Limits. The PD will be a mixed-use development consisting of residential lots that are larger than most currently being developed in Rockwall. As a buffer, the front of the property adjacent to State Highway 66 will be zoned commercial.

Respectfully submitted,

Cain Family Revocable Trust

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Dewayne Cain, Trustee

December 2, 2022

Ryan Miller
Director of Planning
City of Rockwall, Texas

Re: Request for Waiver of Alleys for the SH -66 Cain PD Zoning Case Z2022-053

Dear Ryan,

On behalf of Mr. Dewayne Cain, please allow this letter to serve as a formal request to waive the residential alley requirements as outlined in the City of Rockwall's Standards of Design and Construction Manual. We request this waiver due to the size of the estate size lots proposed in this zoning application.

Should you have any questions regarding this request please let me know.

Sincerely,

W.L. Douphrate II

W.L. Douphrate II, P.E.

December 5, 2022

Ryan Miller
Director of Planning
City of Rockwall, Texas

Re: Request for On-Site Sewage Facilities for the SH -66 Cain PD Zoning Case Z2022-053

Dear Ryan,

On behalf of Mr. Dewayne Cain, please allow this letter to serve as a formal request to allow on-site sewage facilities for the proposed residential and general retail lots since all the lots exceed the minimum 1.5-acre requirement. We request this waiver due to the size of the general retail and residential estate size lots proposed in this zoning application.

Should you have any questions regarding this request please let me know.

Sincerely,

W.L. Douphrate II

W.L. Douphrate II, P.E.

STATE OF TEXAS:

COUNTY OF ROCKWALL:

FIELD NOTES:

BEING a 25.41 acre tract of land situated in the David Harr Survey, Abstract No. 102 and being the same tract of land as described in a Warranty Deed from J. Diane Folzenlogen to the Cain Revocable Family Trust as recorded in Volume 3537, Page 162 of the Deed Records of Rockwall, County, Texas and being more particularly described as follows:

BEGINNING at the northeast corner of the Lot 1, Block A of the Widboom Addition, an addition to the City of Rockwall as recorded in Cabinet J, Slide 375 of the Plat Records of Rockwall County, Texas, said point being on the south right-of-way line of S.H. 66 (a 60' wide right-of-way);

THENCE along the south line of said S.H. 66 and along a curve to the left having a central angle of $7^{\circ}13'52''$, a radius of 990.00' and a chord that bears North $82^{\circ}52'21''$ East a distance of 124.86';

THENCE along said curve an arc distance of 124.94' to a TXDOT concrete monument with an aluminum cap stamped "1453";

THENCE North $79^{\circ}08'41''$ East a distance of 127.20' to a TXDOT concrete monument with an aluminum cap stamped "1455", said point being the beginning of a curve to the right having a central angle of $11^{\circ}05'24''$, a radius of 905.00' and a chord that bears North $84^{\circ}41'23''$ East a distance of 174.90';

THENCE along said right-of-way line an arc distance of 175.17' to a busted TXDOT monument found;

THENCE South $89^{\circ}41'47''$ East along said right-of-way line, a distance of 323.43' to a point for a corner, said point being the northwest corner of Tract 2 of a tract of land conveyed to Cain Family Partnership, Ltd. as recorded in Rockwall File Clerk's No. 20170000009797 of the Real Property Records of Rockwall County, Texas (R.P.R.R.C.T.);

THENCE South $00^{\circ}05'21''$ West along the west line of said Tract 2, a distance of 1341.99' to a $\frac{1}{2}$ " iron rod found at the southwest base of a wood fence corner post, said point being the northwest corner of Lot 10 of the revised Final Plat of Rolling Meadows Estates addition, an addition to Rockwall County, Texas as recorded in Cabinet D, Slide 59 of the Plat Records of Rockwall, County, Texas, said point also being the easterly northeast corner of a tract of land conveyed to Donya Beatrice Sellers as recorded in Instrument No. 20170000020261 of the Real Property Records of Rockwall County, Texas;

THENCE South $89^{\circ}34'34''$ West along the north line of said Sellers Tract, a distance of 906.59' to a wooden fence corner post being an "ell" corner of said Sellers tract;

THENCE North $06^{\circ}39'29''$ East along the east line of said Sellers Tract, a distance of 220.86' to a $\frac{1}{2}$ " iron pipe found, said point being the southeast corner of a tract of land conveyed to Gary S. Ryan as recorded in Instrument No. 20170000021114 R.P.R.R.C.T.;

THENCE North $03^{\circ}25'15''$ West a distance of 153.31' to a point for a corner, said point being the northeast corner of said Ryan Tract and the southeast corner of a tract of land conveyed to Alyssa Mock as recorded in Instrument No. 20200000013993 R.P.R.R.C.T.;

THENCE North 05°32'26" East a distance of 135.26' to a point for a corner, said point being the northeast corner of said Mock Tract and the southeast corner of a tract of land conveyed to Mark Dailey as recorded in Volume 2242, Page 276 of the Deed Records of Rockwall County, Texas;

THENCE North 20°09'09" East a distance of 154.69' to a ½" iron rod found for the northeast corner of said Dailey Tract and the southeast corner of a tract of land conveyed to Joseph W. Rinkevich as recorded in Volume 6147, Page 28 of the Deed Records of Rockwall County, Texas;

THENCE North 06°55'10" East a distance of 161.51' to a ½" iron rod found for a corner;

THENCE North 06°48'25" East a distance of 112.14' to a 3/8" iron rod found for the northeast corner of said Rinkevich Tract and the southeast corner of said Widboom Addition;

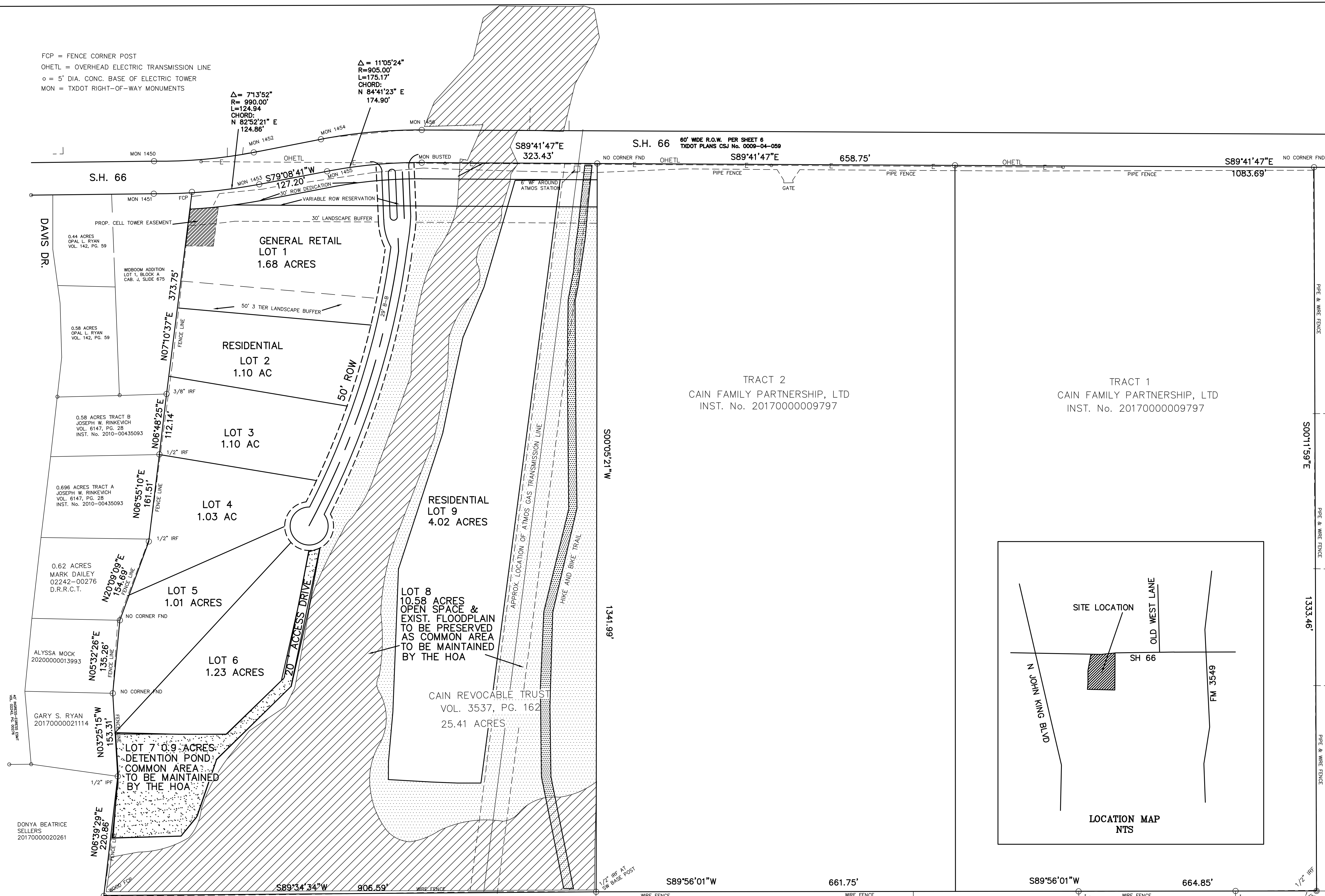
THENCE North 07°10'37" East a distance of 373.75' to the POINT OF BEGINNING and containing 25.41 acres or 1,107,008 square feet of land.



FCP = FENCE CORNER POST
 OHETL = OVERHEAD ELECTRIC TRANSMISSION LINE
 ○ = 5' DIA. CONC. BASE OF ELECTRIC TOWER
 MON = TXDOT RIGHT-OF-WAY MONUMENTS

Δ = 713'52"
 R = 990.00'
 L = 124.94'
 CHORD:
 N 82°52'21" E
 124.86'

Δ = 11°05'24"
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 CHORD:
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 174.90'





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Planning and Zoning Department
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STAFF USE ONLY

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CURRENT USE *AG*

PROPOSED ZONING *PD*

PROPOSED USE *PD*

ACREAGE *25.41*

LOTS [CURRENT] _____

LOTS [PROPOSED] _____

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OWNER *Dewayne Cain*

APPLICANT *Douphrate & Assoc. Inc*

CONTACT PERSON _____
ADDRESS *305 Stonebridge Dr*

CONTACT PERSON *Bob Douphrate*
ADDRESS *2235 Ridge Rd*

CITY, STATE & ZIP *Rockwall, TX 75087*

CITY, STATE & ZIP *Rockwall, TX 75087*

PHONE *214.533.8641*

PHONE *972.742.2210*

E-MAIL *dewaynecain25@outlook.com*

E-MAIL *wldouphrate@douphrate.com*

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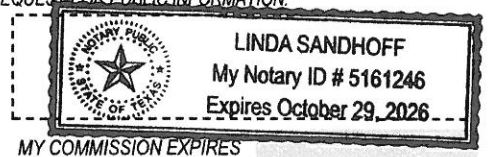
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OWNER'S SIGNATURE

Dewayne Cain

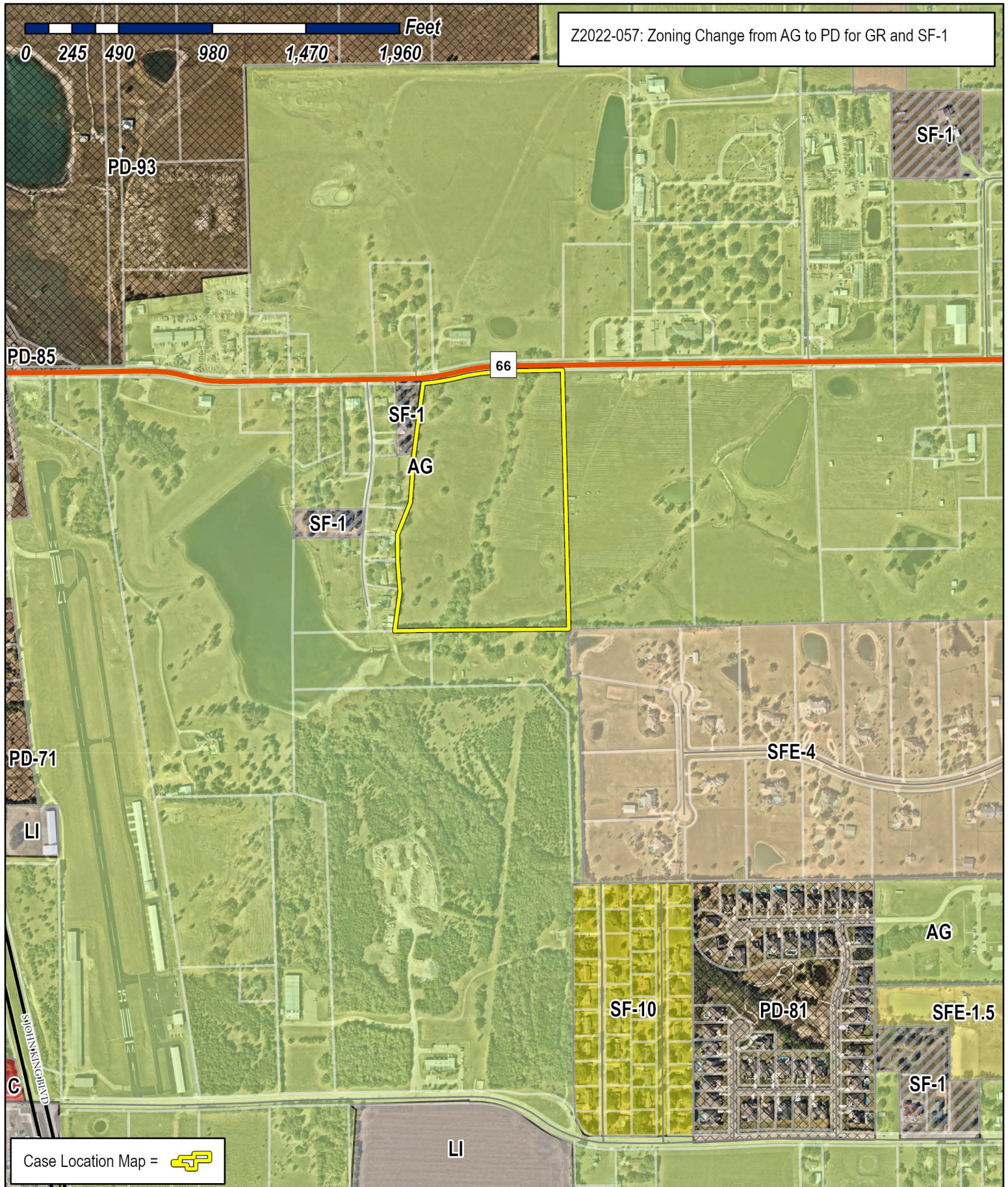
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Linda Sandhoff



MY COMMISSION EXPIRES

Z2022-057: Zoning Change from AG to PD for GR and SF-1



Case Location Map =



City of Rockwall

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

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

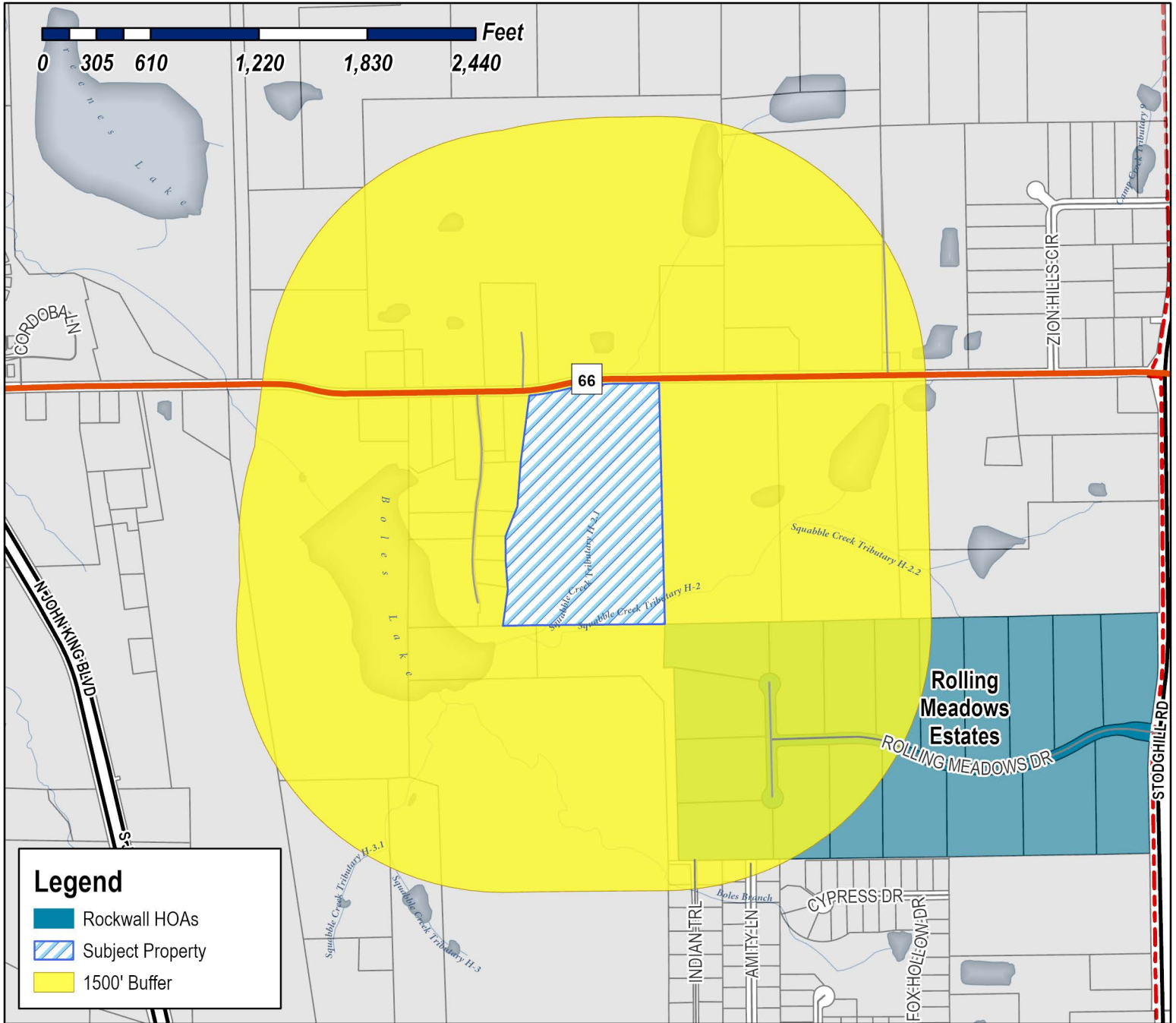




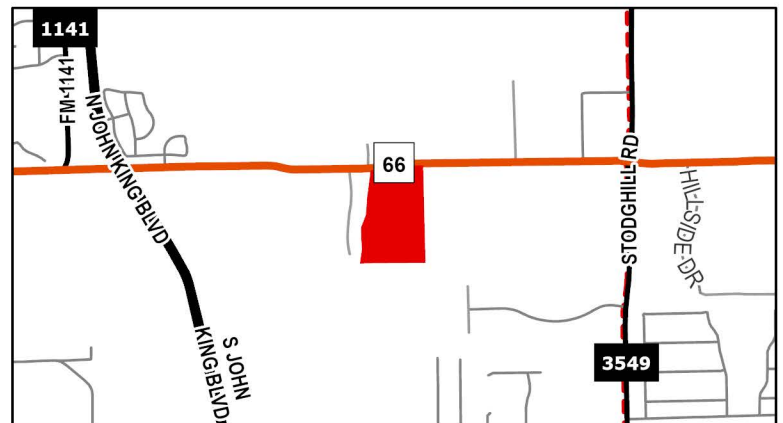
City of Rockwall

Planning & Zoning Department
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Case Number: Z2022-057
Case Name: Zoning Change from AG to PD
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: SE of HWY 66 & John King Blvd



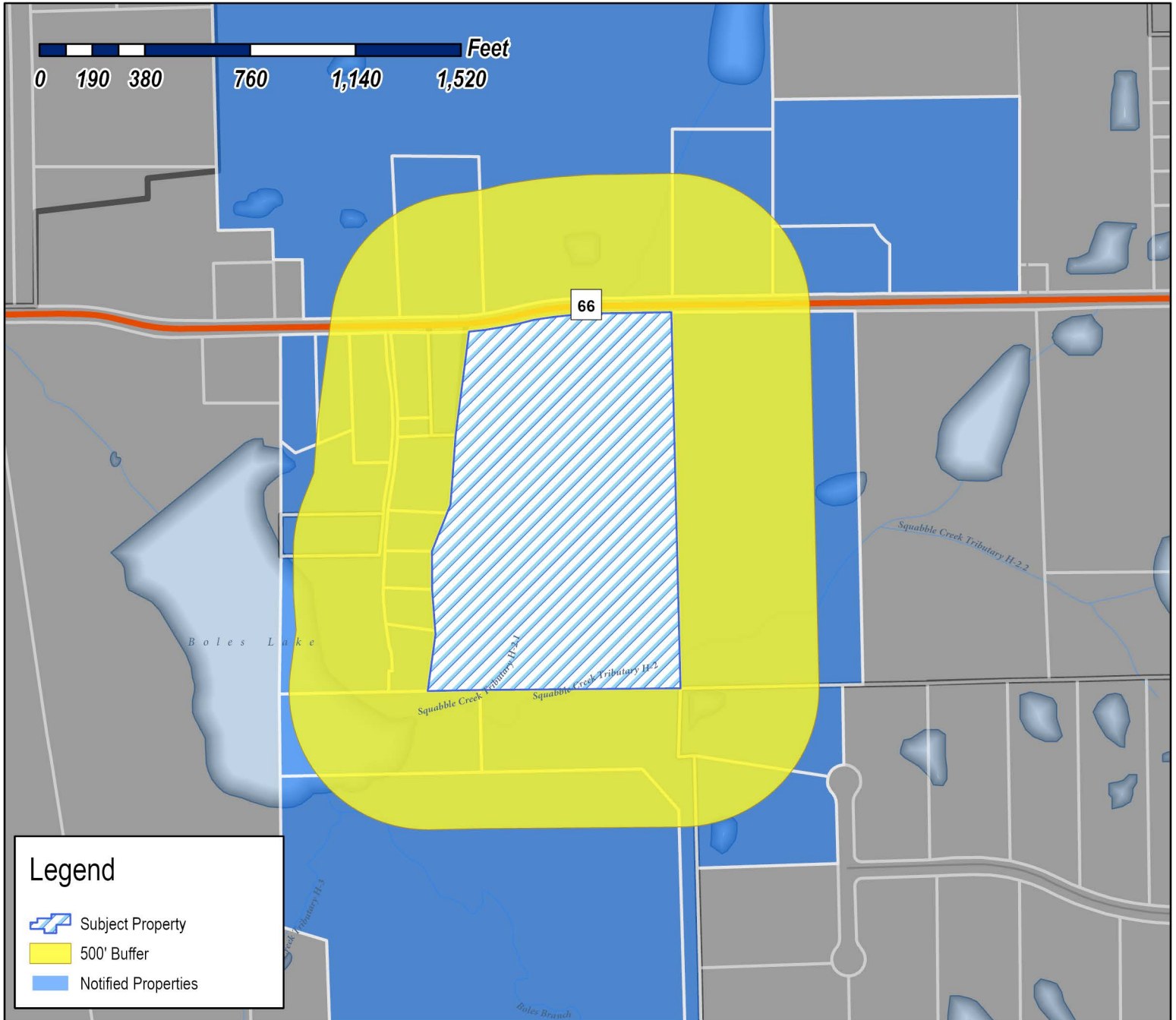
Date Saved: 12/12/2022
 For Questions on this Case Call (972) 771-7745



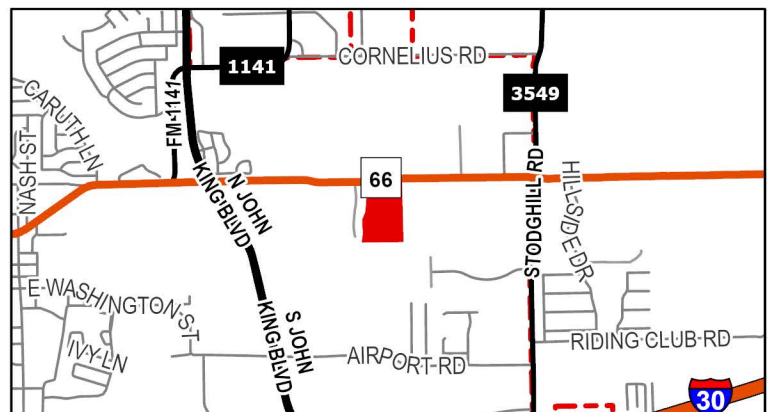
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Date Saved: 12/12/2022

For Questions on this Case Call: (972) 771-7746

NELSON MARC J & MICHELLE L
135 ROLLING MEADOWS CIR
ROCKWALL, TX 75087

152 HILL LN
ROCKWALL, TX 75087

CUMMINGS JOHN & LORI
1770 E HWY66
ROCKWALL, TX 75087

COLLIER JUDY KAY AND
THERESA ROBBINS
1780 WILLIAMS ST
ROCKWALL, TX 75087

MCILRATH PROPERTIES LLC
1790 WILLIAMS ST
ROCKWALL, TX 75087

RYAN BILL K
1800 WILLIAMS ST
ROCKWALL, TX 75087

CITY OF ROCKWALL
1815 AIRPORT RD
ROCKWALL, TX 75087

SULLIVAN BRETT D & EDNA
195 ROLLING MEADOWS CIR
ROCKWALL, TX 75087

CITY OF ROCKWALL
205 W RUSK ST
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD
2294 E STATE HIGHWAY 66
ROCKWALL, TX 75087

CARRIAGE MANAGEMENT INC
2500 HWY66
ROCKWALL, TX 75087

CARRIAGE MANAGEMENT INC
3040 POST OAK BLVD SUITE 300
HOUSTON, TX 77056

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3040 POST OAK BLVD SUITE 300
HOUSTON, TX 77056

CAIN FAMILY PARTNERSHIP LTD
305 STONEBRIDGE DR
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD
305 STONEBRIDGE DR
ROCKWALL, TX 75087

CUMMINGS JOHN & LORI
308 STONEBRIDGE DR
ROCKWALL, TX 75087

RYAN BILL K
330 VZ CR 2207
CANTON, TX 75103

RYAN GARY S AND CONSTANCE E
502 WILLIAMS ST
ROCKWALL, TX 75087

MCILRATH PROPERTIES LLC
636 GRISHAM DR
ROCKWALL, TX 75087

SELLERS DONYA BEATRICE
700 DAVIS DR
ROCKWALL, TX 75087

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700 DAVIS DR
ROCKWALL, TX 75087

RYAN GARY S AND CONSTANCE E
710 DAVIS DR
ROCKWALL, TX 75087

MOCK ALYSSA
720 DAVIS DR
ROCKWALL, TX 75087

MA MICHAEL D AND CAROLINE J G MOORE
725 DAVIS DR
ROCKWALL, TX 75087

DAILEY MARK L
730 DAVIS DR
ROCKWALL, TX 75087

SARACAY JOSELIN E LANDAVERDE AND
JOSE ANTONIO LANDAVERDE
735 DAVIS DRIVE
ROCKWALL, TX 75087

RINKEVICH FAMILY LIVING TRUST
JOSEPH W RINKEVICH- TRUSTEE
740 DAVIS DR
ROCKWALL, TX 75087

RAINES SHERYL
745 DAVIS DR
ROCKWALL, TX 75087

COOK SHERRY LYNN
760 DAVIS DRIVE
ROCKWALL, TX 75087

WIDBOOM ROBBY AND KYLIE
770 DAVIS DR
ROCKWALL, TX 75087

CAIN REVOCABLE FAMILY TRUST AND
CREDIT SHELTER TRUST AND SURVIVORS TRUST
DEWAYNE CAIN TRUSTEE 305 STONEBRIDGE DR
ROCKWALL, TX 75087

CAIN CEMETARY CORP
N/A HWY66
ROCKWALL, TX 75087

CAIN CEMETARY CORP
PO BOX 1119
ROCKWALL, TX 75087

RAINES SHERYL
PO BOX 412
ROCKWALL, TX 75087

, 75087

November 10, 2022

City of Rockwall

Planning and Zoning Department

385 S. Goliad Street

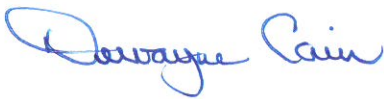
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December 2, 2022

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FIELD NOTES:

BEING a 25.41 acre tract of land situated in the David Harr Survey, Abstract No. 102 and being the same tract of land as described in a Warranty Deed from J. Diane Folzenlogen to the Cain Revocable Family Trust as recorded in Volume 3537, Page 162 of the Deed Records of Rockwall, County, Texas and being more particularly described as follows:

BEGINNING at the northeast corner of the Lot 1, Block A of the Widboom Addition, an addition to the City of Rockwall as recorded in Cabinet J, Slide 375 of the Plat Records of Rockwall County, Texas, said point being on the south right-of-way line of S.H. 66 (a 60' wide right-of-way);

THENCE along the south line of said S.H. 66 and along a curve to the left having a central angle of $7^{\circ}13'52''$, a radius of 990.00' and a chord that bears North $82^{\circ}52'21''$ East a distance of 124.86';

THENCE along said curve an arc distance of 124.94' to a TXDOT concrete monument with an aluminum cap stamped "1453";

THENCE North $79^{\circ}08'41''$ East a distance of 127.20' to a TXDOT concrete monument with an aluminum cap stamped "1455", said point being the beginning of a curve to the right having a central angle of $11^{\circ}05'24''$, a radius of 905.00' and a chord that bears North $84^{\circ}41'23''$ East a distance of 174.90';

THENCE along said right-of-way line an arc distance of 175.17' to a busted TXDOT monument found;

THENCE South $89^{\circ}41'47''$ East along said right-of-way line, a distance of 323.43' to a point for a corner, said point being the northwest corner of Tract 2 of a tract of land conveyed to Cain Family Partnership, Ltd. as recorded in Rockwall File Clerk's No. 20170000009797 of the Real Property Records of Rockwall County, Texas (R.P.R.R.C.T.);

THENCE South $00^{\circ}05'21''$ West along the west line of said Tract 2, a distance of 1341.99' to a $\frac{1}{2}$ " iron rod found at the southwest base of a wood fence corner post, said point being the northwest corner of Lot 10 of the revised Final Plat of Rolling Meadows Estates addition, an addition to Rockwall County, Texas as recorded in Cabinet D, Slide 59 of the Plat Records of Rockwall, County, Texas, said point also being the easterly northeast corner of a tract of land conveyed to Donya Beatrice Sellers as recorded in Instrument No. 20170000020261 of the Real Property Records of Rockwall County, Texas;

THENCE South $89^{\circ}34'34''$ West along the north line of said Sellers Tract, a distance of 906.59' to a wooden fence corner post being an "ell" corner of said Sellers tract;

THENCE North $06^{\circ}39'29''$ East along the east line of said Sellers Tract, a distance of 220.86' to a $\frac{1}{2}$ " iron pipe found, said point being the southeast corner of a tract of land conveyed to Gary S. Ryan as recorded in Instrument No. 20170000021114 R.P.R.R.C.T.;

THENCE North $03^{\circ}25'15''$ West a distance of 153.31' to a point for a corner, said point being the northeast corner of said Ryan Tract and the southeast corner of a tract of land conveyed to Alyssa Mock as recorded in Instrument No. 20200000013993 R.P.R.R.C.T.;

THENCE North 05°32'26" East a distance of 135.26' to a point for a corner, said point being the northeast corner of said Mock Tract and the southeast corner of a tract of land conveyed to Mark Dailey as recorded in Volume 2242, Page 276 of the Deed Records of Rockwall County, Texas;

THENCE North 20°09'09" East a distance of 154.69' to a ½" iron rod found for the northeast corner of said Dailey Tract and the southeast corner of a tract of land conveyed to Joseph W. Rinkevich as recorded in Volume 6147, Page 28 of the Deed Records of Rockwall County, Texas;

THENCE North 06°55'10" East a distance of 161.51' to a ½" iron rod found for a corner;

THENCE North 06°48'25" East a distance of 112.14' to a 3/8" iron rod found for the northeast corner of said Rinkevich Tract and the southeast corner of said Widboom Addition;

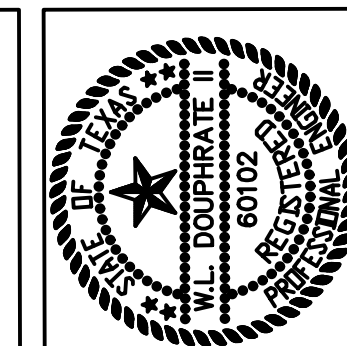
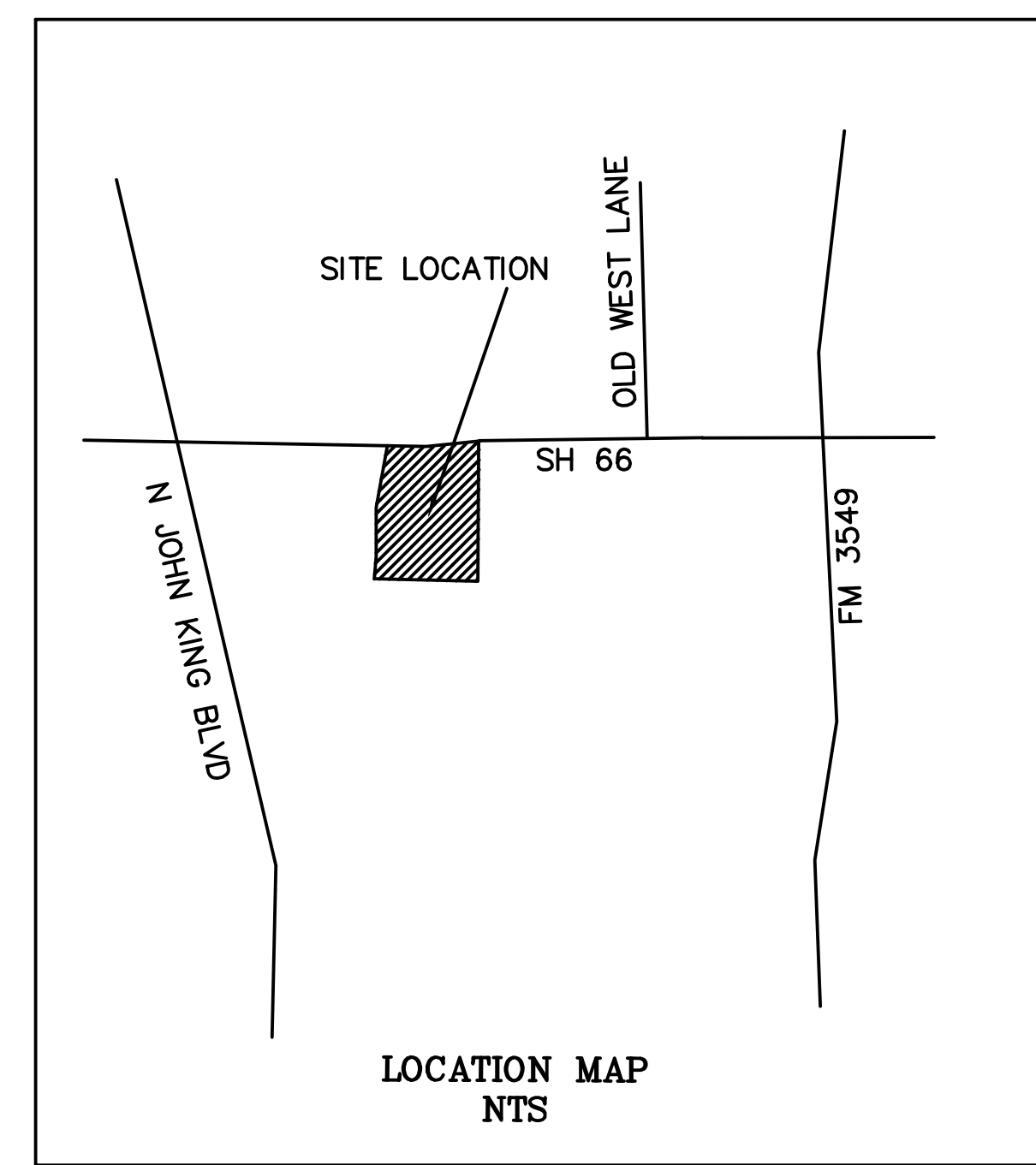
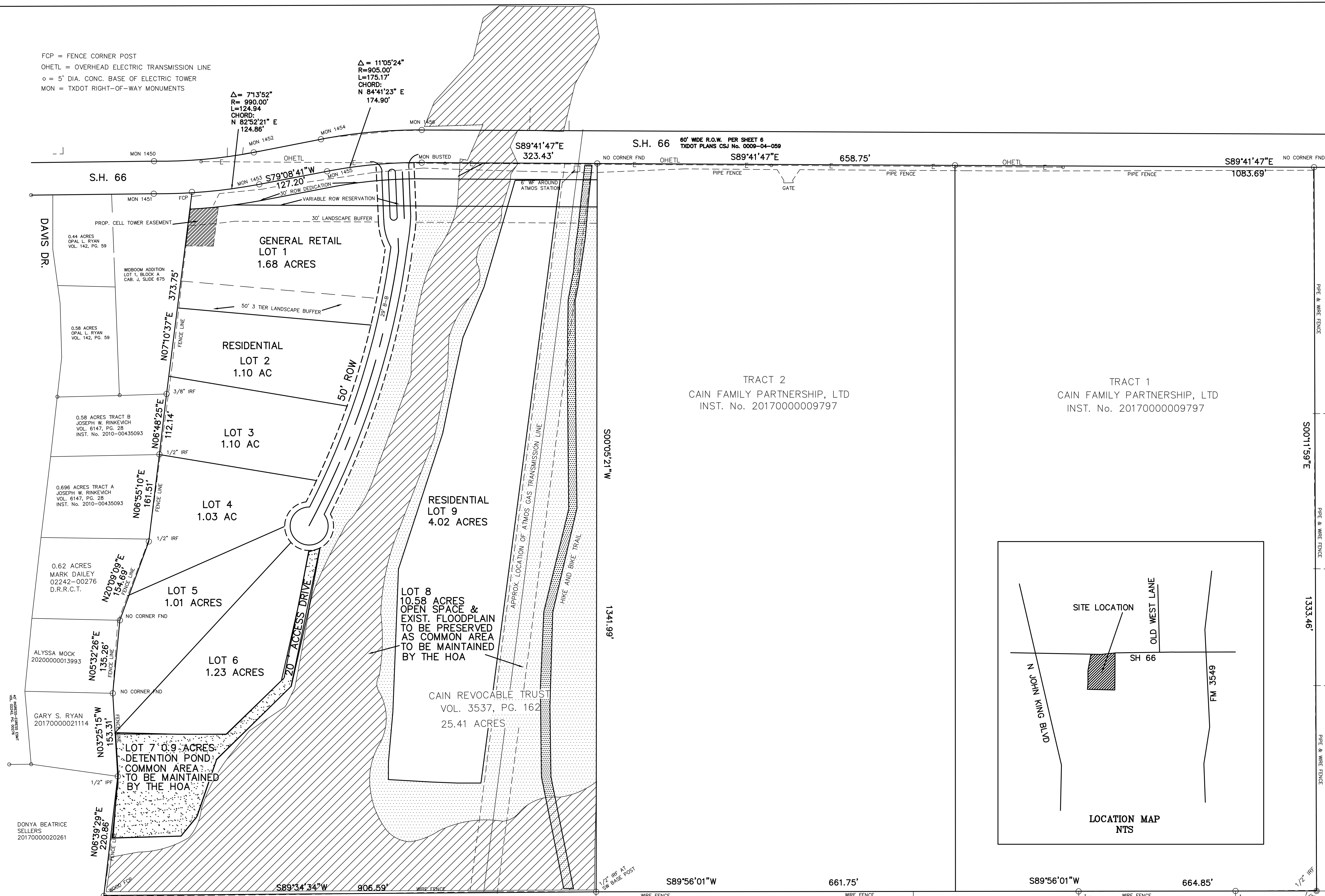
THENCE North 07°10'37" East a distance of 373.75' to the POINT OF BEGINNING and containing 25.41 acres or 1,107,008 square feet of land.



FCP = FENCE CORNER POST
 OHETL = OVERHEAD ELECTRIC TRANSMISSION LINE
 ○ = 5' DIA. CONC. BASE OF ELECTRIC TOWER
 MON = TXDOT RIGHT-OF-WAY MONUMENTS

Δ = 713'52"
 R = 990.00'
 L = 124.94'
 CHORD:
 N 82°52'21" E
 124.86'

Δ = 11°05'24"
 R = 905.00'
 L = 175.17'
 CHORD:
 N 84°41'23" E
 174.90'



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY W.L. DOUPHRATE II, TEXAS P.E. NO. 60102, F-986, ON DATE: NOV 2, 2022.

DOUPHRATE & ASSOCIATES, INC.
 ENGINEERING PROJECT MANAGEMENT SURVEYING
 2235 RIDGE RD., # 200 ROCKWALL, TEXAS 75087
 PHONE: (972)771-9004 FAX: (972)771-9005

CONCEPT PLAN W/ LOT LAYOUT
CAIN SH 66 25 ACRE PLANNED DEVELOPMENT
 CITY OF ROCKWALL
 ROCKWALL COUNTY, TEXAS

REVISION
W.L.D.
CHECKED
GC.W.
DRAWN
SCALE 1" = 80' H 1" = 60' V
DATE NOV 4, 2022
PROJECT 2007 SITE PL
20

ROLLING MEADOWS ESTATES
 CABINET D, SLIDE 59
 P.R.R.C.T. 10

CASE NO. Z2022-053

PROJECT COMMENTS



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

DATE: 12/19/2022

PROJECT NUMBER: Z2022-057
PROJECT NAME: Zoning Change from AG to PD
SITE ADDRESS/LOCATIONS:

CASE MANAGER: Henry Lee
CASE MANAGER PHONE: 972.772.6434
CASE MANAGER EMAIL: hlee@rockwall.com

CASE CAPTION: Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates, Inc. for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development (PD) District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses on a 25.87-acre tract of land identified as parcel of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located southside of SH-66 east of the intersection of SH-66 and Davis Drive, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
	Henry Lee	12/19/2022	Approved w/ Comments

12/19/2022: Please address the following comments (M= Mandatory Comments; I = Informational Comments)

I.1 This is a request for the approval of a Zoning Change from of a Zoning Change from an Agricultural (AG) District to a Planned Development (PD) District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses on a 25.87-acre tract of land identified as parcel of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, and generally located southside of SH-66 east of the intersection of SH-66 and Davis Drive.

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

M.3 For reference, include the case number (Z2022-057) 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 Central District, and according to the Future Land Use Map contained within this document the subject property is designated for Low Density Residential land uses. The proposed zoning request will require the City Council to amend the plan to show the proposed frontage along SH-66 as being designated for Commercial/Retail land uses. This is a discretionary decision for the City Council.

I.5 Based on the district strategies for the Central District staff has included requirements in the proposed draft ordinance that incorporate screening of the proposed commercial land uses from the adjacent residential land uses, and a requirement that the commercial development be of an appropriate residential scale. The proposed residential lot sizes appear to conform to the district strategies for the district.

I.6 The OURHometown Vision 2040 Comprehensive Plan stipulates various goals for developments. The following aspects of the applicant's proposal either do not conform to or could better conform to the stated goals of the City's plan, and could be revised -- per staff's recommendations below -- to bring the project closer to conformance with the plan:

(1) CH. 1; Section 2.03; Goal #2 | Policy #2 (Page 1-2). Commercial/retail shopping centers should be screened from residential areas utilizing landscape buffers that are composed of berms, landscaping, and trees.

Staff's Response: Based on the proposed concept plan, staff recommends that a minimum of a 50-foot landscape buffer, with a berm, ground cover, shrubs, and canopy trees be

incorporated between the proposed residential and commercial land uses.

(2) CH. 2; Goal #2 | Policy #2 (Page 2-1). Encourage developments that incorporate floodplains as recreational opportunities, natural amenities, and vegetative screens from adjacent land uses.

(3) CH. 2; Goal #2 | Policy #3 (Page 2-1). Continue to require that no improvements or alterations -- including stormwater detention systems -- be constructed within floodplains.

(4) CH. 2; Goal #4 | Policy #2 (Page 2-2). Maximize open space through the preservation of natural floodplains, creation of parks, and conservation of environmentally sensitive areas to reduce the heat island effect.

(5) CH. 8; Section 2.02; Goal #2 | Policy #1 (Page 8-2). When planning a residential development, open space, drainage areas, trails and tree groupings should be identified prior to laying out the development. This will lead to a development that places an emphasis on preserving the natural environment.

(6) CH. 8; Section 2.03; Goal #1 | Policy #1 (Page 8-3). Preserve contiguous open space and integrate it into the neighborhood as common greens, boulevards, recreation areas, trails, private open space, public parks, and for the preservation of floodplain.

Staff's Response: The proposed residential lots on the east and south sides of the proposed Concept Plan incorporate a large floodplain that traverses the subject property. The City of Rockwall does not allow any development in a floodplain. Floodplain can be dedicated as open space -- to be maintained by the HOA --, which allow the development to provide the required 20.00% open space. As an alternative the floodplain could be studied and adjusted through FEMA's process.

(7) CH. 7; Goal #2 | Policy #3 (Page 7-1). Continue to develop and plan for an interconnected trail and sidewalk system that promotes connectivity and access to all areas of the City.

(8) CH. 1; Section 2.03; Goal #2 | Policy #4 (Page 1-2). Commercial developments should be constructed with logical connections and extensions to the City's existing and proposed hike and bike trail.

Staff's Response: On the Master Trail Plan contained in the Parks and Open Space Master Plan a future trail is shown running through this development. This trail should be incorporated into the plan and should connect the commercial and residential land uses.

(9) CH. 8; Section 2.02; Goal #3 | Policy #1 (Page 8-2). All residential development -- five (5) acres or greater -- should consist of a minimum of 20% open space as calculated by the gross land area. Floodplain should be counted at a rate of 1/2-acre for every acre provided (e.g. ten {10} acres of floodplain dedicated as open space would count as five (5) acres of open space).

Staff's Response: Currently, the proposed development has less than 20.00% dedicated open space. This should be corrected to bring the development into conformance with the Comprehensive Plan. Consider incorporating the 20.00% open space between the commercial and residential land uses.

(10) CH. 9; Section 02; Goal #6 | Policy #1 (Page 9-2). Where potential incompatible land uses are not part of an integrated master plan, and where there are potentially negative impacts on adjacent properties, screening and buffering should be utilized to mitigate these conflicts and impacts.

Staff's Response: Staff has reviewed the land uses permitted within the General Retail (GR) District and prohibited all potential incompatible land uses in the Planned Development District ordinance. In addition, staff has incorporated upgraded screening standards in the ordinance to ensure that all proposed non-residential land uses will be screened from the residential land uses.

1.7 Based on the submitted Concept Plan the proposed Planned Development District does not conform to the following requirements of the Unified Development Code (UDC), the Municipal Code of Ordinances, and the Engineering Department's Standards of Design and Construction Manual:

(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;

Staff Response: The applicant is requesting a waiver to this requirement.

(2) On-Site Sewage Facilities. If On-Site Sewage Facilities (OSSF) are proposed for the residential lots, please note that the Municipal Code of Ordinances states "(n)o permit for the installation of an on-site sewage facility (OSSF) will be issued for property of less than 1½ acres, unless an exception is granted by the city council on the grounds that undue hardship will be created if said lot is not connected to a OSSF." If it is the intent to request OSSF please provide a letter requesting this for Lots 2 & 3. OSSF for commercial lots typically have not been granted; however, if it is the applicant's intent to request this, this will also need to be provided in the letter.

Staff Response: The applicant is requesting to allow OSSF on lots less than 1.50-acres in size and greater than 1.00-acres in size.

I.8 The Commercial Freestanding Antenna that will be located in the proposed cell tower easement will be required to meet the requirements contained in Subsection 02.03 (K) (5), Commercial Freestanding Antenna, of Article 04, Permissible Uses, of the Unified Development Code (UDC).

M.9 Based on the submitted Concept Plan, please make the following corrections and resubmit the updated plan by January 3, 2023:

- (1) Lot Dimensions. Single Family 1 (SF-1) requires a minimum lot width/frontage of 70-feet. It appears Lots 5, 6, and 9 may not meet this requirement, please confirm.
- (2) Open Space. The minimum open space required for this development is 5.174-acres (i.e. 25.87 (Gross Acreage) x 20.00%). Please indicate the amount of proposed open space; floodplain is calculated as a 0.50 acre of open space per acre.

M.10 Please review the attached draft ordinance prior to the December 27, 2022 Planning & Zoning Commission meeting, and provide staff with your markups by January 3, 2023.

I.11 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 3, 2023; 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 10, 2023 Planning and Zoning Commission Public Hearing Meeting. The Planning and Zoning Commission Work Session Meeting for this case will be held on December 27, 2022.

I.12 The projected City Council meeting dates for this case will be January 17, 2023 (1st Reading) and February 6, 2023 (2nd Reading).

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Sarah Johnston	12/16/2022	Approved w/ Comments

12/16/2022: - Will need to have sewer easements that match the Master Sewer Plan

The following items are informational for the engineering review process.

General Items:

- Must meet City Standards of Design and Construction
- 4% Engineering Inspection Fees
- Impact Fees (Water, Wastewater & Roadway)
- Minimum easement width is 20' for new easements. No structures allowed in easements.
- Retaining walls 3' and over must be engineered.
- All retaining walls 18" and taller must be rock or stone face. No smooth concrete walls.
- No construction within the 70' electric easement or the Atmos gas easement

Drainage Items:

- Detention is required and calculated by zoning type for the entire tract. No detention in flood plain
- Wetland and WOTUS will be required.
- Will need to complete a flood study to cross or change the floodplain.

- Will require an erosion hazard setback on both sides of the creek/flood plain
- The finish floor elevation must be 2' above the floodplain elevation and parking areas to be 1' above.
- Floodplain and erosion hazard setback must be placed within a drainage easement.
- Detention ponds and outfalls must be placed within drainage easements and be maintained by property owner.
- Commercial lots should have individual detention ponds so HOA is not maintaining for commercial.

Water and Wastewater Items:

- All electrical/franchise utility line to be underground.
- Will be required to extend 12" water line across frontage along SH 66 in an easement.
- No structures in easements. Min. easement width is 20'.
- Minimum public utilities to be 8-inch.
- Must include a 20' wide easement per the Master Sewer Plan this is to be located near the existing floodplain limits.
- Unless constructing off-site sewer system, all lots will need a variance for OSSF and must be a minimum of 1.5 acres.

Roadway Paving Items:

- Roadway to be concrete, curb and gutter style.
- Need to dedicate 60' of ROW from the center of SH 66 and reserve the additional ROW for the future SH 66. See attached sheet.

Landscaping:

- No trees to be with 10' of any public water, sewer or storm line that is 10" in diameter or larger.
- No trees to be with 5' of any public water, sewer, or storm line that is less than 10".

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Rusty McDowell	12/14/2022	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	12/15/2022	Approved w/ Comments

12/15/2022: Adequate water must be provided for the needed fire flow.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	12/13/2022	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	Chris Cleveland	12/13/2022	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Henry Lee	12/19/2022	N/A

No Comments



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&2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

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.
²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS *Parcel situated in David Harr Survey Abs. 102*

SUBDIVISION *25.41 Cain Revocable Trust Property*

LOT

BLOCK

GENERAL LOCATION *located east of W.D Boom Add. adjacent to and south of SH 66 centered between J. King Blvd. & 9549*

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING *AG*

CURRENT USE *AG*

PROPOSED ZONING *PD*

PROPOSED USE *PD*

ACREAGE *25.41*

LOTS [CURRENT]

LOTS [PROPOSED]

- 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 *Dewayne Cain*

APPLICANT *Douphrate & Assoc. Inc*

CONTACT PERSON

CONTACT PERSON *Job Douphrate*

ADDRESS *305 Stonebridge Dr*

ADDRESS *2235 Ridge Rd*

CITY, STATE & ZIP *Rockwall, TX 75087*

CITY, STATE & ZIP *Rockwall, TX 75087*

PHONE *214.533.8641*

PHONE *972.742.2210*

E-MAIL *dewaynecain25@outlook.com*

E-MAIL *wldouphrate@douphrate.com*

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED *Dewayne Cain* [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 \$ *581.15* TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE *16* DAY OF *December*, 20*12* 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."

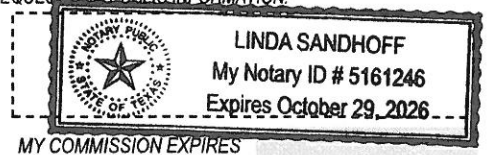
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE *12* DAY OF *Dec*, 20*21*.

OWNER'S SIGNATURE

Dewayne Cain

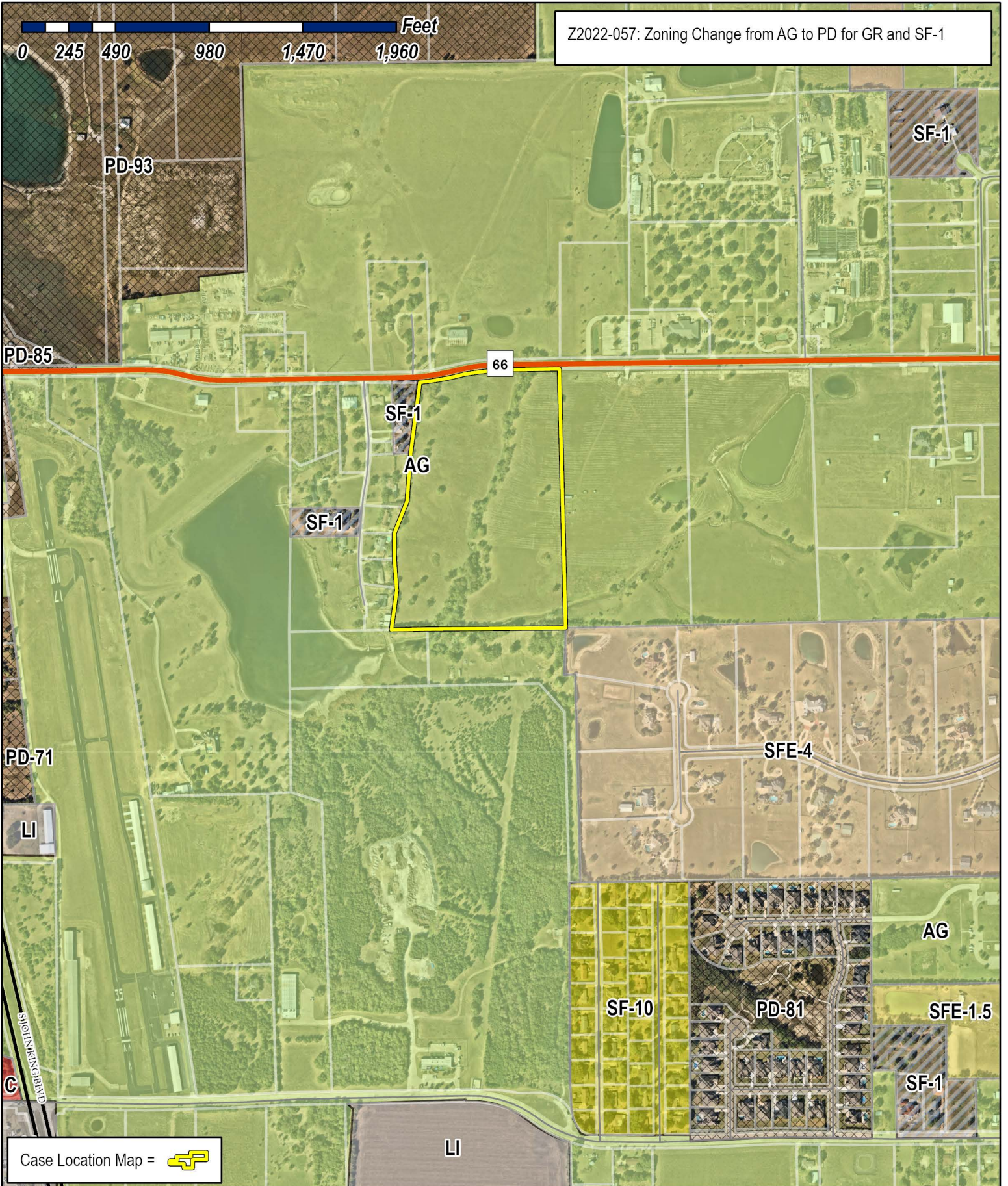
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS


Linda Sandhoff



MY COMMISSION EXPIRES

Z2022-057: Zoning Change from AG to PD for GR and SF-1



Case Location Map = 



City of Rockwall

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

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

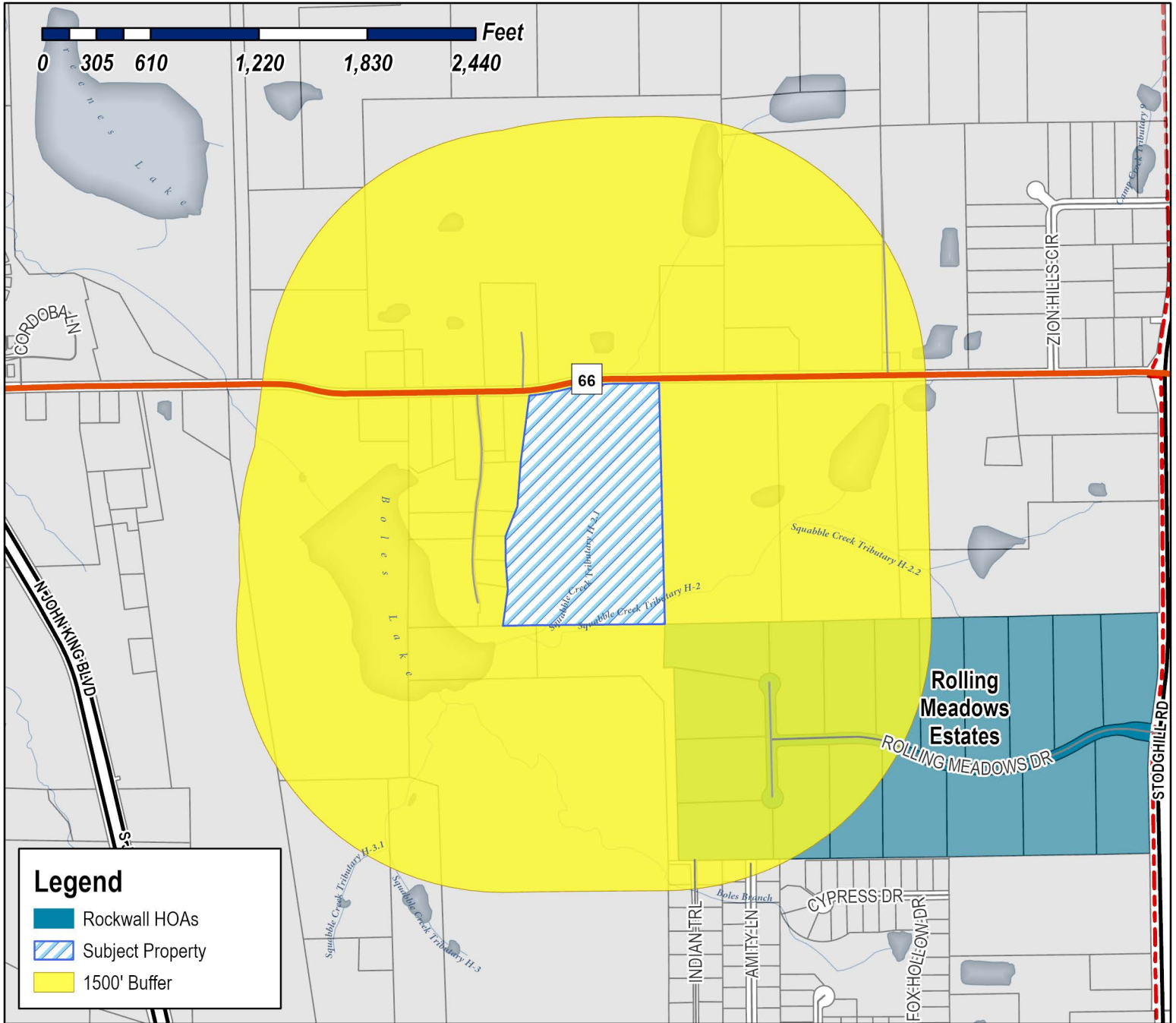




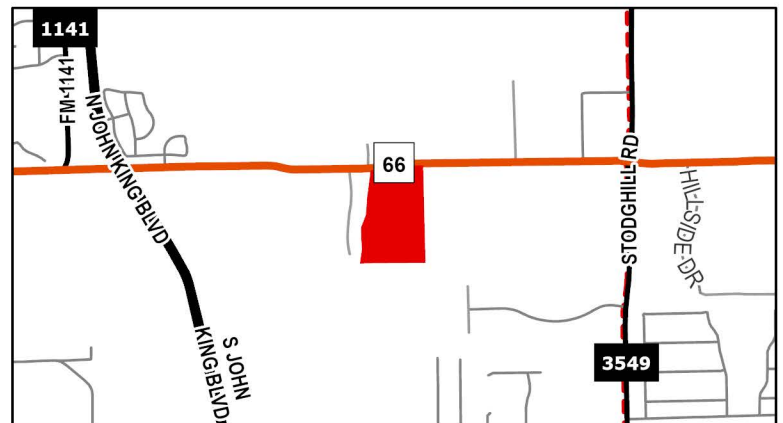
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Case Number: Z2022-057
Case Name: Zoning Change from AG to PD
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: SE of HWY 66 & John King Blvd



Date Saved: 12/12/2022
 For Questions on this Case Call (972) 771-7745

Lee, Henry

From: Guevara, Angelica
Sent: Wednesday, December 14, 2022 3:02 PM
Cc: Miller, Ryan; Ross, Bethany; Chapin, Sarah; Lee, Henry
Subject: Neighborhood Notification Program [Z2022-057]
Attachments: Public Notice Z2022-057.pdf; HOA Map (12.12.2022).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 16, 2022*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, January 10, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, January 17, 2023 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>.

Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates, Inc. for the approval of a *Zoning Change* from an Agricultural (AG) District to a Planned Development (PD) District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses on a 25.87-acre tract of land identified as parcel of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located southside of SH-66 east of the intersection of SH-66 and Davis Drive, and take any action necessary.

Thank you,

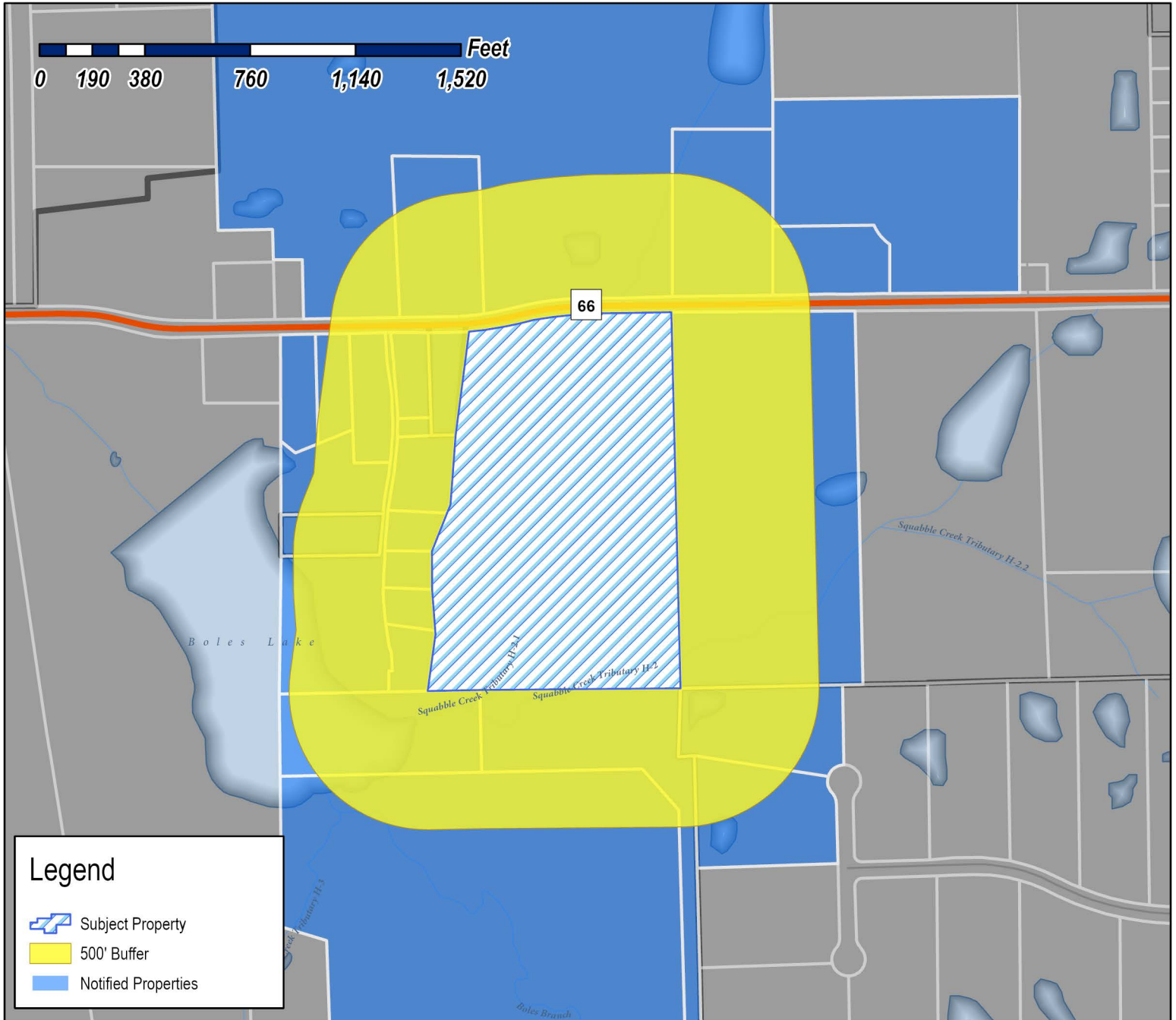
Angelica Guevara
Planning Technician
City of Rockwall Planning & Zoning
385 S. Goliad Street
Rockwall, TX 75087
Office: 972-771-7745
Direct: 972-772-6438



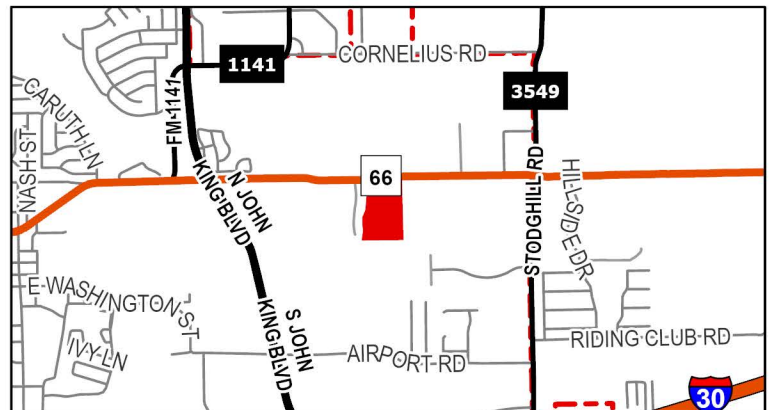
City of Rockwall

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

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



Case Number: Z2022-057
Case Name: Zoning Change from AG to PD
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: SE of HWY 66 & John King Blvd



Date Saved: 12/12/2022

For Questions on this Case Call: (972) 771-7746

NELSON MARC J & MICHELLE L
135 ROLLING MEADOWS CIR
ROCKWALL, TX 75087

152 HILL LN
ROCKWALL, TX 75087

CUMMINGS JOHN & LORI
1770 E HWY66
ROCKWALL, TX 75087

COLLIER JUDY KAY AND
THERESA ROBBINS
1780 WILLIAMS ST
ROCKWALL, TX 75087

MCILRATH PROPERTIES LLC
1790 WILLIAMS ST
ROCKWALL, TX 75087

RYAN BILL K
1800 WILLIAMS ST
ROCKWALL, TX 75087

CITY OF ROCKWALL
1815 AIRPORT RD
ROCKWALL, TX 75087

SULLIVAN BRETT D & EDNA
195 ROLLING MEADOWS CIR
ROCKWALL, TX 75087

CITY OF ROCKWALL
205 W RUSK ST
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD
2294 E STATE HIGHWAY 66
ROCKWALL, TX 75087

CARRIAGE MANAGEMENT INC
2500 HWY66
ROCKWALL, TX 75087

CARRIAGE MANAGEMENT INC
3040 POST OAK BLVD SUITE 300
HOUSTON, TX 77056

CARRIAGE MANAGEMENT INC
3040 POST OAK BLVD SUITE 300
HOUSTON, TX 77056

CAIN FAMILY PARTNERSHIP LTD
305 STONEBRIDGE DR
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD
305 STONEBRIDGE DR
ROCKWALL, TX 75087

CUMMINGS JOHN & LORI
308 STONEBRIDGE DR
ROCKWALL, TX 75087

RYAN BILL K
330 VZ CR 2207
CANTON, TX 75103

RYAN GARY S AND CONSTANCE E
502 WILLIAMS ST
ROCKWALL, TX 75087

MCILRATH PROPERTIES LLC
636 GRISHAM DR
ROCKWALL, TX 75087

SELLERS DONYA BEATRICE
700 DAVIS DR
ROCKWALL, TX 75087

SELLERS DONYA BEATRICE
700 DAVIS DR
ROCKWALL, TX 75087

SELLERS DONYA BEATRICE
700 DAVIS DR
ROCKWALL, TX 75087

RYAN GARY S AND CONSTANCE E
710 DAVIS DR
ROCKWALL, TX 75087

MOCK ALYSSA
720 DAVIS DR
ROCKWALL, TX 75087

MA MICHAEL D AND CAROLINE J G MOORE
725 DAVIS DR
ROCKWALL, TX 75087

DAILEY MARK L
730 DAVIS DR
ROCKWALL, TX 75087

SARACAY JOSELIN E LANDAVERDE AND
JOSE ANTONIO LANDAVERDE
735 DAVIS DRIVE
ROCKWALL, TX 75087

RINKEVICH FAMILY LIVING TRUST
JOSEPH W RINKEVICH- TRUSTEE
740 DAVIS DR
ROCKWALL, TX 75087

RAINES SHERYL
745 DAVIS DR
ROCKWALL, TX 75087

COOK SHERRY LYNN
760 DAVIS DRIVE
ROCKWALL, TX 75087

WIDBOOM ROBBY AND KYLIE
770 DAVIS DR
ROCKWALL, TX 75087

CAIN REVOCABLE FAMILY TRUST AND
CREDIT SHELTER TRUST AND SURVIVORS TRUST
DEWAYNE CAIN TRUSTEE 305 STONEBRIDGE DR
ROCKWALL, TX 75087

CAIN CEMETARY CORP
N/A HWY66
ROCKWALL, TX 75087

CAIN CEMETARY CORP
PO BOX 1119
ROCKWALL, TX 75087

RAINES SHERYL
PO BOX 412
ROCKWALL, TX 75087

, 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:

Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates, Inc. for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development (PD) District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses on a 25.87-acre tract of land identified as parcel of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located southside of SH-66 east of the intersection of SH-66 and Davis Drive, 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 10, 2023 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 17, 2023 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Henry Lee
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Tuesday, January 17, 2023 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. Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

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](#)

November 10, 2022

City of Rockwall

Planning and Zoning Department

385 S. Goliad Street

Rockwall, TX 75087

Dear Sirs:

I am requesting a Planned Development on a 25.41-acre tract of land my family trust owns. The property is in the David Harr Survey Abstract #102 and is adjacent to State Highway 66. The property falls within the Rockwall City Limits. The PD will be a mixed-use development consisting of residential lots that are larger than most currently being developed in Rockwall. As a buffer, the front of the property adjacent to State Highway 66 will be zoned commercial.

Respectfully submitted,

Cain Family Revocable Trust

A handwritten signature in blue ink that reads "Dewayne Cain". The signature is written in a cursive style with a large initial "D" and a long, sweeping underline.

Dewayne Cain, Trustee

December 5, 2022

Ryan Miller
Director of Planning
City of Rockwall, Texas

Re: Request for On-Site Sewage Facilities for the SH -66 Cain PD Zoning Case Z2022-053

Dear Ryan,

On behalf of Mr. Dewayne Cain, please allow this letter to serve as a formal request to allow on-site sewage facilities for the proposed residential and general retail lots since all the lots exceed the minimum 1.5-acre requirement. We request this waiver due to the size of the general retail and residential estate size lots proposed in this zoning application.

Should you have any questions regarding this request please let me know.

Sincerely,

W.L. Douphrate II

W.L. Douphrate II, P.E.

December 2, 2022

Ryan Miller
Director of Planning
City of Rockwall, Texas

Re: Request for Waiver of Alleys for the SH -66 Cain PD Zoning Case Z2022-053

Dear Ryan,

On behalf of Mr. Dewayne Cain, please allow this letter to serve as a formal request to waive the residential alley requirements as outlined in the City of Rockwall's Standards of Design and Construction Manual. We request this waiver due to the size of the estate size lots proposed in this zoning application.

Should you have any questions regarding this request please let me know.

Sincerely,

W.L. Douphrate II

W.L. Douphrate II, P.E.

STATE OF TEXAS:

COUNTY OF ROCKWALL:

FIELD NOTES:

BEING a 25.41 acre tract of land situated in the David Harr Survey, Abstract No. 102 and being the same tract of land as described in a Warranty Deed from J. Diane Folzenlogen to the Cain Revocable Family Trust as recorded in Volume 3537, Page 162 of the Deed Records of Rockwall, County, Texas and being more particularly described as follows:

BEGINNING at the northeast corner of the Lot 1, Block A of the Widboom Addition, an addition to the City of Rockwall as recorded in Cabinet J, Slide 375 of the Plat Records of Rockwall County, Texas, said point being on the south right-of-way line of S.H. 66 (a 60' wide right-of-way);

THENCE along the south line of said S.H. 66 and along a curve to the left having a central angle of $7^{\circ}13'52''$, a radius of 990.00' and a chord that bears North $82^{\circ}52'21''$ East a distance of 124.86';

THENCE along said curve an arc distance of 124.94' to a TXDOT concrete monument with an aluminum cap stamped "1453";

THENCE North $79^{\circ}08'41''$ East a distance of 127.20' to a TXDOT concrete monument with an aluminum cap stamped "1455", said point being the beginning of a curve to the right having a central angle of $11^{\circ}05'24''$, a radius of 905.00' and a chord that bears North $84^{\circ}41'23''$ East a distance of 174.90';

THENCE along said right-of-way line an arc distance of 175.17' to a busted TXDOT monument found;

THENCE South $89^{\circ}41'47''$ East along said right-of-way line, a distance of 323.43' to a point for a corner, said point being the northwest corner of Tract 2 of a tract of land conveyed to Cain Family Partnership, Ltd. as recorded in Rockwall File Clerk's No. 20170000009797 of the Real Property Records of Rockwall County, Texas (R.P.R.R.C.T.);

THENCE South $00^{\circ}05'21''$ West along the west line of said Tract 2, a distance of 1341.99' to a $\frac{1}{2}$ " iron rod found at the southwest base of a wood fence corner post, said point being the northwest corner of Lot 10 of the revised Final Plat of Rolling Meadows Estates addition, an addition to Rockwall County, Texas as recorded in Cabinet D, Slide 59 of the Plat Records of Rockwall, County, Texas, said point also being the easterly northeast corner of a tract of land conveyed to Donya Beatrice Sellers as recorded in Instrument No. 20170000020261 of the Real Property Records of Rockwall County, Texas;

THENCE South $89^{\circ}34'34''$ West along the north line of said Sellers Tract, a distance of 906.59' to a wooden fence corner post being an "ell" corner of said Sellers tract;

THENCE North $06^{\circ}39'29''$ East along the east line of said Sellers Tract, a distance of 220.86' to a $\frac{1}{2}$ " iron pipe found, said point being the southeast corner of a tract of land conveyed to Gary S. Ryan as recorded in Instrument No. 20170000021114 R.P.R.R.C.T.;

THENCE North $03^{\circ}25'15''$ West a distance of 153.31' to a point for a corner, said point being the northeast corner of said Ryan Tract and the southeast corner of a tract of land conveyed to Alyssa Mock as recorded in Instrument No. 20200000013993 R.P.R.R.C.T.;

THENCE North 05°32'26" East a distance of 135.26' to a point for a corner, said point being the northeast corner of said Mock Tract and the southeast corner of a tract of land conveyed to Mark Dailey as recorded in Volume 2242, Page 276 of the Deed Records of Rockwall County, Texas;

THENCE North 20°09'09" East a distance of 154.69' to a ½" iron rod found for the northeast corner of said Dailey Tract and the southeast corner of a tract of land conveyed to Joseph W. Rinkevich as recorded in Volume 6147, Page 28 of the Deed Records of Rockwall County, Texas;

THENCE North 06°55'10" East a distance of 161.51' to a ½" iron rod found for a corner;

THENCE North 06°48'25" East a distance of 112.14' to a 3/8" iron rod found for the northeast corner of said Rinkevich Tract and the southeast corner of said Widboom Addition;

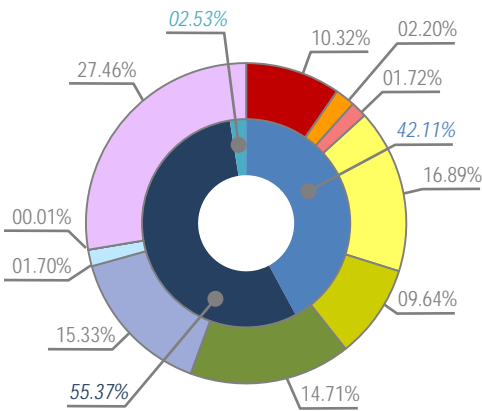
THENCE North 07°10'37" East a distance of 373.75' to the POINT OF BEGINNING and containing 25.41 acres or 1,107,008 square feet of land.

01 CENTRAL DISTRICT DISTRICT STRATEGIES

DISTRICT DESCRIPTION

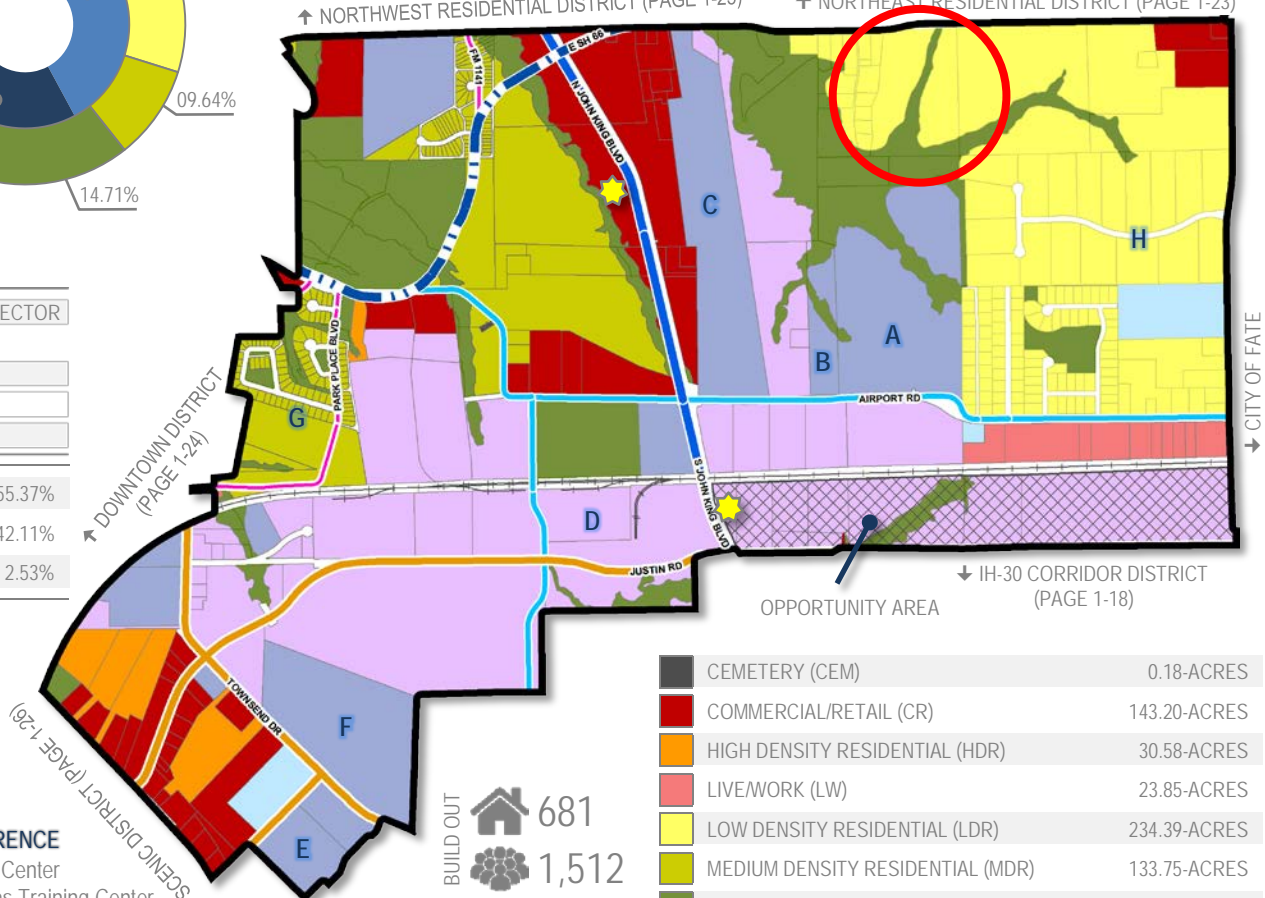
The *Central District* is composed of a wide range of land uses that vary from single-family to industrial. The district's residential areas consist of suburban residential (e.g. *Park Place*), estate and rural residential (e.g. *Rolling Meadows Subdivision*), and higher density residential developments (e.g. *Evergreen Senior Living*). The *Central District* also incorporates a high volume of industrial land uses adjacent to the *Union Pacific/Dallas Garland and Northeastern Rail Road* line that bisects the district -- and *City* -- in an east/west direction. The *Ralph Hall Municipal Airport* and several other large public/school facilities are also located within the boundaries of this district.

John King Boulevard Trail Plan
Rest Stop/Trailblazer Pylon



Color	Category	Percentage
Black	COMMERCIAL	55.37%
Blue	RESIDENTIAL	42.11%
Light Blue	MIXED USE	2.53%
Green	MINOR COLLECTOR	
Orange	M4U	
Yellow	M4D	
Red	P6D	
Dark Blue	TXDOT 4D	

↑ NORTHWEST RESIDENTIAL DISTRICT (PAGE 1-25) ↑ NORTHEAST RESIDENTIAL DISTRICT (PAGE 1-23)



- POINTS OF REFERENCE**
- A. Animal Adoption Center
 - B. Regional Firearms Training Center
 - C. Ralph Hall Municipal Airport
 - D. Leon Tuttle Athletic Complex
 - E. Rockwall County Courthouse
 - F. Utley Middle School
 - G. Park Place Subdivision
 - H. Rolling Meadows Subdivision

BUILD OUT

- House icon: 681
- Flower icon: 1,512

% OF ROCKWALL

- House icon: 1.10%
- Flower icon: 0.82%

CURRENT

- House icon: 220
- Flower icon: 488

Black	CEMETERY (CEM)	0.18-ACRES
Red	COMMERCIAL/RETAIL (CR)	143.20-ACRES
Orange	HIGH DENSITY RESIDENTIAL (HDR)	30.58-ACRES
Light Red	LIVE/WORK (LW)	23.85-ACRES
Yellow	LOW DENSITY RESIDENTIAL (LDR)	234.39-ACRES
Green	MEDIUM DENSITY RESIDENTIAL (MDR)	133.75-ACRES
Dark Green	PARKS AND OPEN SPACE (OS)	204.05-ACRES
Light Blue	PUBLIC (P)	212.77-ACRES
Blue	QUASI-PUBLIC (QP)	23.65-ACRES
Dark Blue	SPECIAL COMMERCIAL CORRIDOR (SC)	0.08-ACRES
Light Purple	TECHNOLOGY/EMPLOYMENT CENTER (TEC)	381.07-ACRES

- 1 Live/Work.** The live/work designation in this district is intended to provide flexibility for land owners, adjacent to the railroad tracks, to transition their properties -- *when appropriate* -- to low intensity office/retail land uses that are similar in scale and scope to the adjacent residential properties.
- 2 Suburban Residential.** While many of the larger tracts in this area are not large enough to support a master planned community (*which is characteristic of Northern Estates and Northwest Residential Districts*), any 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* lots in this district, but should be comparable in size to newer developments (*i.e. Ridgecrest Subdivision*). In addition, newer subdivisions adjacent to existing larger lot subdivisions should provide a transition (*e.g. larger lots or a large landscape buffer*) adjacent to the existing subdivision.
- 3 Commercial/Retail Centers.** The commercial/retail centers in this district are intended to support existing and proposed residential developments, and should be compatible in scale with adjacent residential structures (*i.e. are more characteristic of neighborhood/convenience centers*); however, areas adjacent to John King Boulevard should be capable of accommodating mid to large-scale commercial users. All commercial developments should incorporate appropriate screening (*e.g. berms, landscaping and large buffers*) to transition uses.
- 4 Industrial/Special Commercial Corridor Opportunity Area.** The area south of the railroad tracks that is indicated by a crosshatched pattern represents an opportunity area in the City of Rockwall. Due to its adjacency to the railroad tracks, the land is naturally suitable for *Technology/Industrial* land uses; however, due to the land's adjacency to strategically located parcels along IH-30 the land could be utilized as part of a larger development in the *Special Commercial Corridor*.
- 5 John King Boulevard Trail Plan.** A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in *Appendix 'B'* of this Comprehensive Plan.

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR GENERAL RETAIL (GR) DISTRICT AND SINGLE-FAMILY 1 (SF-1) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 25.87-ACRE TRACT OF LAND IDENTIFIED AS TRACT 14 OF THE D. HARR SURVEY, ABSTRACT NO. 102, 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 Dub Douphrate of Douphrate and Associates, Inc. on behalf of Dewayne Cain for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses, on a 25.87-acre tract of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located on the southside of SH-66 east of the intersection of SH-66 and Davis Drive, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 20-02*] should be amended as follows:

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

SECTION 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 2. That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, depicted in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 3. That development of the *Subject Property* shall generally be in accordance with

the *Density and Development Standards*, outlined in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*,

SECTION 4. That a *Master Parks and Open Space Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan* described in *Exhibit 'C'* of this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

SECTION 5. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

- (a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance [*including Subsections 5(b) through 5(g) below*], shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.
- (b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for a *Master Parks and Open Space Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.
 - (1) *Master Parks and Open Space Plan (Residential Only)*
 - (2) *Master Plat (Residential Only)*
 - (3) *Preliminary Plat (Residential Only)*
 - (4) *PD Development Plan (Non-Residential Only)*
 - (5) *PD Site Plan*
 - (6) *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 6TH DAY OF FEBRUARY, 2023.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 17, 2023

2nd Reading: February 6, 2023

Exhibit 'A':
Legal Description

BEING a 25.41 acre tract of land situated in the David Harr Survey, Abstract No. 102 and being the same tract of land as described in a Warranty Deed from J. Diane Folzenlogen to the Cain Revocable Family Trust as recorded in Volume 3537, Page 162 of the Deed Records of Rockwall, County, Texas and being more particularly described as follows:

BEGINNING at the northeast corner of the Lot 1, Block A of the Widboom Addition, an addition to the City of Rockwall as recorded in Cabinet J, Slide 375 of the Plat Records of Rockwall County, Texas, said point being on the south right-of-way line of S.H. 66 (a 60' wide right-of-way);

THENCE along the south line of said S.H. 66 and along a curve to the left having a central angle of 7°13'52", a radius of 990.00' and a chord that bears North 82°52'21" East a distance of 124.86';

THENCE along said curve an arc distance of 124.94' to a TXDOT concrete monument with an aluminum cap stamped "1453";

THENCE North 79°08'41" East a distance of 127.20' to a TXDOT concrete monument with an aluminum cap stamped "1455", said point being the beginning of a curve to the right having a central angle of 11°05'24", a radius of 905.00' and a chord that bears North 84°41'23" East a distance of 174.90';

THENCE along said right-of-way line an arc distance of 175.17' to a busted TXDOT monument found;

THENCE South 89°41'47" East along said right-of-way line, a distance of 323.43' to a point for a corner, said point being the northwest corner of Tract 2 of a tract of land conveyed to Cain Family Partnership, Ltd. as recorded in Rockwall File Clerk's No. 2017000009797 of the Real Property Records of Rockwall County, Texas (R.P.R.R.C.T.);

THENCE South 00°05'21" West along the west line of said Tract 2, a distance of 1341.99' to a 1/2" iron rod found at the southwest base of a wood fence corner post, said point being the northwest corner of Lot 10 of the revised Final Plat of Rolling Meadows Estates addition, an addition to Rockwall County, Texas as recorded in Cabinet D, Slide 59 of the Plat Records of Rockwall, County, Texas, said point also being the easterly northeast corner of a tract of land conveyed to Donya Beatrice Sellers as recorded in Instrument No. 20170000020261 of the Real Property Records of Rockwall County, Texas;

THENCE South 89°34'34" West along the north line of said Sellers Tract, a distance of 906.59' to a wooden fence corner post being an "ell" corner of said Sellers tract;

THENCE North 06°39'29" East along the east line of said Sellers Tract, a distance of 220.86' to a 1/2" iron pipe found, said point being the southeast corner of a tract of land conveyed to Gary S. Ryan as recorded in Instrument No. 20170000021114 R.P.R.R.C.T.;

THENCE North 03°25'15" West a distance of 153.31' to a point for a corner, said point being the northeast corner of said Ryan Tract and the southeast corner of a tract of land conveyed to Alyssa Mock as recorded in Instrument No. 20200000013993 R.P.R.R.C.T.;

THENCE North 05°32'26" East a distance of 135.26' to a point for a corner, said point being the northeast corner of said Mock Tract and the southeast corner of a tract of land conveyed to Mark Dailey as recorded in Volume 2242, Page 276 of the Deed Records of Rockwall County, Texas;

THENCE North 20°09'09" East a distance of 154.69' to a 1/2" iron rod found for the northeast corner of said Dailey Tract and the southeast corner of a tract of land conveyed to Joseph W. Rinkevich as recorded in Volume 6147, Page 28 of the Deed Records of Rockwall County, Texas;

THENCE North 06°55'10" East a distance of 161.51' to a 1/2" iron rod found for a corner;

THENCE North 06°48'25" East a distance of 112.14' to a 3/8" iron rod found for the northeast corner of said Rinkevich Tract and the southeast corner of said Widboom Addition;

THENCE North 07°10'37" East a distance of 373.75' to the *POINT OF BEGINNING* and containing 25.41 acres or 1,107,008 square feet of land.

Exhibit 'B':
Survey

DRAFT
ORDINANCE
12.27.2022

**Exhibit 'C':
Concept Plan**

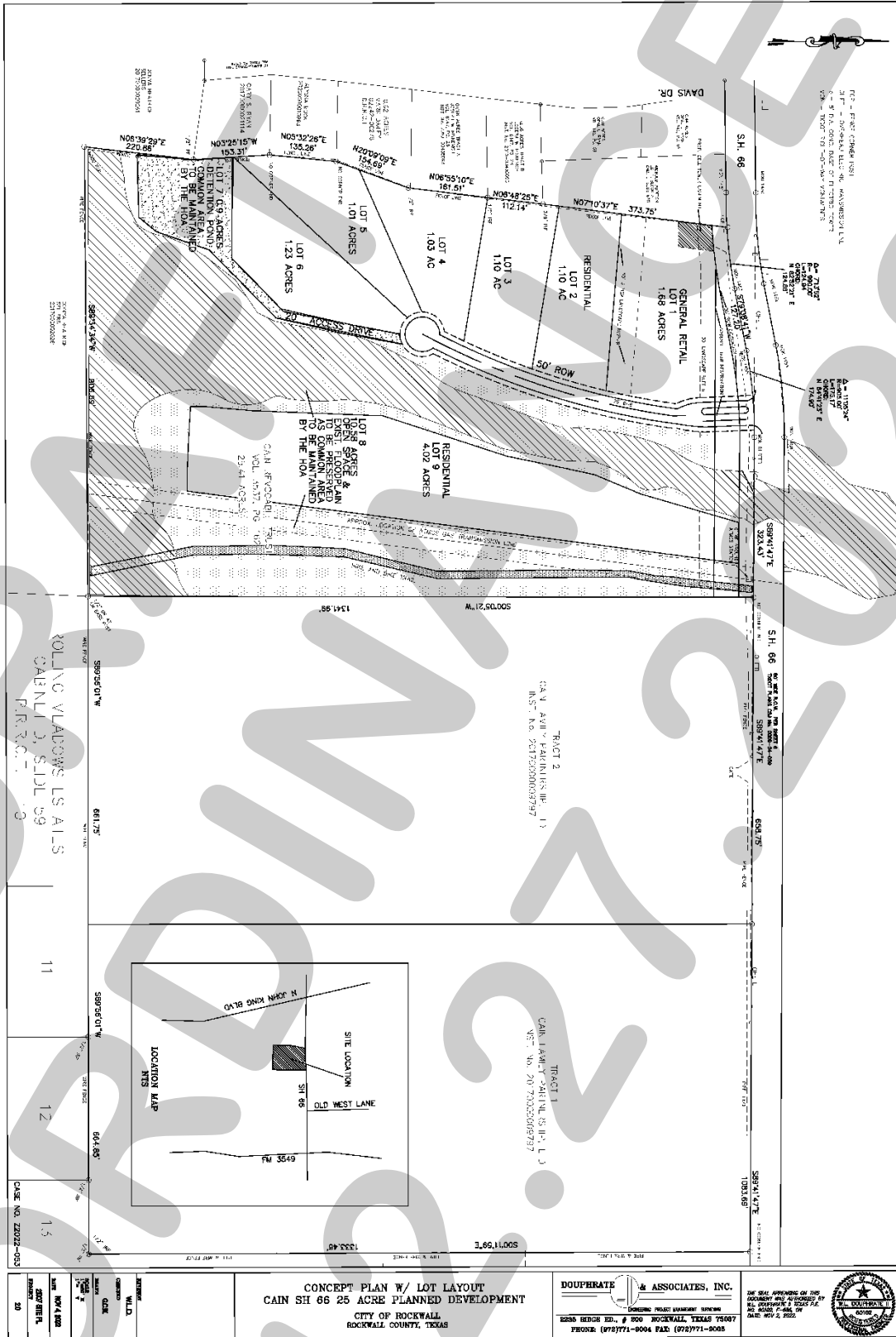


Exhibit 'D':
Density and Development Standards

DENSITY AND DEVELOPMENT STANDARDS.

- (1) Permitted Uses. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the General Retail (GR) District and Single-Family 1 (SF-1) 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*.
- (a) Residential Land Uses. Residential land uses shall be allowed only within the area designated for residential lots as depicted on the *Concept Plan* in *Exhibit 'C'* of this ordinance. These areas are limited to those uses permit by-right or by Specific Use Permit (SUP) for the Single-Family 1 (SF-1) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC).
- (b) Non-Residential Land Uses. Non-residential land uses shall be allowed only within the area designated for *General Retail* land uses as depicted on the *Concept Plan* in *Exhibit 'C'* of this ordinance. These areas are limited to those uses permitted *by-right* or by Specific Use Permit (SUP) for the General Retail (GR) District as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) and subject to the approval of a *PD Development Plan* and *PD Site Plan* in accordance with the Planned Development District regulations contained in Article 10, *Planned Development District Regulations*, of the Unified Development Code (UDC); however, the subject property shall be subject to the following:

The following land uses shall be permitted by-right:

- Commercial Freestanding Antenna

The following uses shall be expressly prohibited:

- Animal Boarding/Kennel without Outside Pens
- Animal Hospital or Clinic
- Convent, Monastery, or Temple
- Commercial Parking Garage
- Limited-Service, Full-Service, and/or Residence Hotel
- Motel
- Cemetery/Mausoleum
- Church/House of Worship
- Congregate Care Facility/Elderly Housing
- Emergency Ground Ambulance Services
- Hospital
- Mortuary or Funeral Chapel
- Financial Institution with Drive-Through
- Temporary Carnival, Circus, or Amusement
- Outdoor Commercial Amusement/Recreation
- Private Country Club
- Golf-Driving Range
- Temporary Fundraising Events by Non-Profit
- Indoor Gun Club with Skeet or Target Range
- Private Club, Lodge or Fraternal Organization

Exhibit 'D':
Density and Development Standards

- Tennis Courts
- Banquet Facility/Event Hall
- Brew Pub
- Private Sports Arena, Stadium, and or Track
- Portable Beverage Service Facility
- Temporary Christmas Tree Sales Lot and/or Similar Uses
- Copy Center
- Incidental Display
- Food Trucks/Trailers
- Garden Supply/Plant Nursery
- Self Service Laundromat
- Night Club, Discotheque, or Dance Hall
- Pawn Shop
- Restaurant with less/more than 2,000 SF with a Drive-Through or Drive-In
- Rental Store without Outside Storage and/or Display
- Retail Store with Gasoline Sales that has less/more than Two (2) Dispensers
- Trade School
- Minor Auto Repair Garage
- Full Service Car Wash and Auto Detail
- Self Service Car Wash
- Non-Commercial Parking Lot
- Service Station
- Temporary Asphalt or Concrete Batch Plant
- Mining and Extraction of Sand, Gravel, Oil and/or Other Materials
- Helipad
- Railroad Yard or Shop
- Transit Passenger Facility

(2) Density and Dimensional Requirements. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated for the *Subject Property* shall be as follows:

(a) Residential. Except as provided by this Planned Development District ordinance, the residential land uses on the *Subject Property* shall be required to meet the development standards for the Single-Family 1 (SF-1) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC). The maximum permissible density for the *Subject Property* shall not exceed 0.23 dwelling units per gross acre of land; however, in no case should the proposed development exceed 6 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

TABLE 2: LOT DIMENSIONAL REQUIREMENTS

<u>Lot Type (see Concept Plan) ►</u>	
<i>Minimum Lot Width</i>	70'
<i>Minimum Lot Depth</i>	100'
<i>Minimum Lot Area</i>	8,400 SF
<i>Minimum Front Yard Setback</i> ⁽¹⁾	20'
<i>Minimum Side Yard Setback</i>	6'
<i>Minimum Length of Driveway Pavement</i>	25'
<i>Maximum Height</i> ⁽²⁾	36'
<i>Minimum Rear Yard Setback</i> ⁽³⁾	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	3,000 SF

Exhibit 'D':
Density and Development Standards

Maximum Lot Coverage

45%

General Notes:

- ¹: The location of the *Front Yard Building Setback* as measured from the front property line. The front yard building setback shall be increased to a minimum of 50-feet adjacent to homes along SH-66.
- ²: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- ³: The location of the *Rear Yard Building Setback* as measured from the rear property line.

- (b) ***Non-Residential!*** Except as modified by this Planned Development District ordinance, the non-residential land uses on the *Subject Property* shall be required to meet the development standards stipulated by the *General Overlay District Standards*, *General Commercial District Standards*, and the standards required for the General Retail (GR) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC). In addition, the *Commercial* area shall be designed to be pedestrian-oriented and easily accessible to the adjacent residential neighborhoods, and be constructed to be integrated with the adjacent uses, not be separated from them by screening walls or other physical barriers. This will be accomplished by creating paths from the adjacent development into the *Commercial* area and through the use of landscaping buffers utilizing a berm and three (3) tiered screening (*i.e. [1] a small to mid-sized shrub, [2] large shrubs or accent trees, and [3] canopy trees on 20-foot centers*), and building design and other urban design elements to create compatibility with the surrounding residential neighborhood.
- (3) ***Building Standards for Residential!*** All development shall adhere to the following building standards:
- (a) ***Masonry Requirement!*** The minimum masonry requirement for the exterior façade of all buildings shall be 90.00% (*excluding dormers and walls over roof areas*). For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard (*e.g. HardiBoard or Hardy Plank*) in a horizontal lap-siding, *board-and-batten* siding, or a decorative pattern (*see examples below*) may be used for up to 50.00% of the masonry requirement; however, administrative approval from the Director of Planning and Zoning may be requested for housing plans that utilize cementitious fiberboard in excess of 50.00% of the masonry requirement on a *case-by-case* basis.

FIGURE 1: EXAMPLES OF CEMENTITIOUS FIBERBOARD



Exhibit 'D':
Density and Development Standards

FIGURE 2: EXAMPLES OF BOARD AND BATTEN



FIGURE 3: EXAMPLES OF HORIZONTAL LAP



- (b) ***Roof Pitch.*** A minimum of an 8:12 roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a 4:12 roof pitch.
- (c) ***Garage Orientation and Garage Doors.*** Garages shall be oriented in a traditional swing (or j-swing) or recessed front entry (i.e. the garage door may be oriented toward the street as long as it is setback a minimum of 20-feet behind the front façade of the primary structure). All garage doors shall be required to have upgraded finishes (e.g. divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be approved by staff):

Continued on Next Page ...

Exhibit 'D':
Density and Development Standards

FIGURE 4: EXAMPLES OF ENHANCED WOOD GARAGE DOOR



FIGURE 5: EXAMPLES OF UPGRADED FINISHES



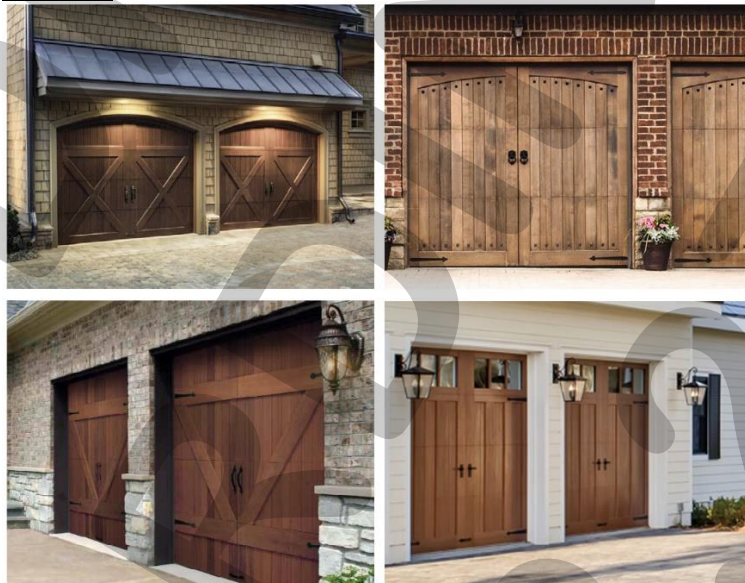
DIVIDED BAYS

CARRIAGE HARDWARE

CEDAR CLADDING

ORNAMENTAL PAVING

FIGURE 6: EXAMPLES OF UPGRADED GARAGES



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

(a) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on

Exhibit 'D':
Density and Development Standards

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. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
 - (1) Number of Stories
 - (2) Roof Type and Layout
 - (3) Articulation of the Front Façade
 - (c) 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*).
- (5) 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) Wrought Iron/Tubular Steel. All lots shall utilize fencing materials that shall be open in nature and not to exceed six (6) feet in height. Fences that extend beyond the front building line of any structure shall be required to be pipe-rail or similar fencing. No chain-link or wooden fencing shall be allowed.
 - (b) Lots with Floodplain. No fences shall be permitted within the floodplain.
- (6) 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. All shrubs shall be a minimum of five (5) gallons in size. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall be required to plant an additional row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).
 - (b) Landscape Buffer and Sidewalks (State Highway 66). A minimum of a 30-foot landscape buffer shall be provided along SH-66 (*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. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-linear feet of frontage. A meandering six (6) foot trail shall be constructed within the 30-foot landscape buffer.
 - (c) Landscape Buffer (Adjacent to Residential Properties). A minimum of a 50-landscape buffer with a minimum of a 48-inch berm and three (3) tiered screening (*i.e. [1] a small to mid-sized shrub, [2] large shrubs or accent trees, and [3] canopy trees on 20-foot centers*) along the entire adjacency.

Exhibit 'D':
Density and Development Standards

- (d) 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 that are less than ten (10) inches and ten (10) feet from public water, sanitary sewer and storm lines that are greater than ten (10) inches. All street trees shall be reviewed with the *PD Site Plan*.
- (e) Residential Lot Landscaping. Prior to the issuance of a Certificate of Occupancy (CO), all residential lots depicted on *Exhibit 'C'* shall be landscaped with a minimum of two (2), four (4) inch caliper canopy trees (as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]) within the front yard. In addition, corner lots shall be required to add a minimum of two (2), four (4) inch caliper canopy trees (as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]) within the side yard facing the street.
- (f) 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).
- (g) Hardscape. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.
- (7) Street. All streets (excluding drives, fire lanes and private parking areas) shall be built according to the City's standards.
- (8) 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.
- (9) 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.
- (10) Buried Utilities. New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.
- (11) Neighborhood Signage and Enhancements. Permanent subdivision identification signage shall be required 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*.

Exhibit 'D':
Density and Development Standards

- (12) Homeowner's Association (HOA). A Homeowner's Association (HOA) 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. These areas are required to be delineated on the *PD Site Plan*.
- (13) On-Site Sewage Facilities. Septic Systems are permitted on all lots within this subdivision pending conformance to the following standards:
- (a) All *Septic Systems* shall be designed by a licensed *On-Site Sewage Facility (OSSF)* professional (e.g. *licensed engineer, sanitarian, and etcetera*).
 - (b) A stamped and signed copy of the *Septic System* plans indicating the full limits of the septic field shall be submitted to the city at the time of building permit on a *lot-by-lot* basis.
 - (c) All *Septic Systems* shall be inspected and approved by the City's chosen inspector.
- (14) 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 10, 2023
APPLICANT: Dub Douphrate; *Douphrate & Associates, Inc.*
CASE NUMBER: Z2022-057; *Zoning Change from Agricultural (AG) District to Planned Development District*

SUMMARY

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates, Inc. for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development (PD) District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses on a 25.87-acre tract of land identified as parcel of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH66 Overlay (E. SH-66 OV) District, generally located southside of SH-66 east of the intersection of SH-66 and Davis Drive, and take any action necessary.

BACKGROUND

The subject property was annexed on March 16, 1998 by *Ordinance No. 98-10 [Case No. A1998-001]*. At the time of annexation the subject property was zoned Agricultural (AG) District. This designation has not changed since annexation and the subject property has remained vacant.

PURPOSE

On December 12, 2022 the applicant -- *Dub Douphrate of Douphrate & Associates, Inc.* -- submitted an application requesting to change the zoning of the subject property from an Agricultural (AG) District to a Planned Development District for General Retail (GR) District and Single-Family 10 (SF-10) District land uses.

ADJACENT LAND USES AND ACCESS

The subject property is generally located in between N. John King Boulevard and N. Stodghill Road, south of SH-66. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is SH-66, which is identified as a TXDOT4D (*i.e. Texas Department of Transportation [TXDOT] roadway, four [4] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 55.08-acre tract of land zoned Agricultural (AG) District. Following this is a 14.219-acre tract of land zoned Agricultural (AG) District and Planned Development District 93 (PD-93) for Single-Family 10 (SF-10) District land uses.

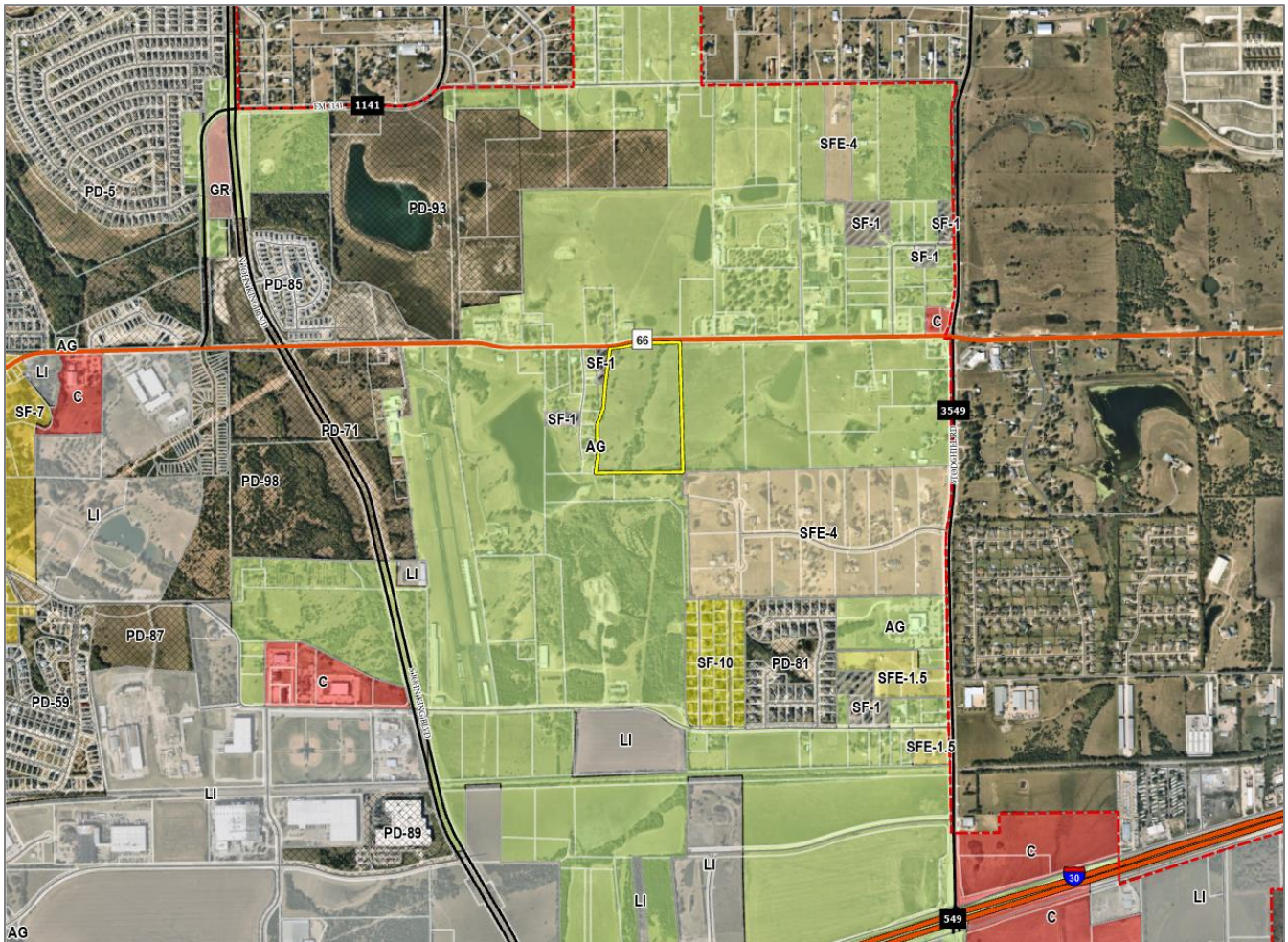
South: Directly south of the subject property are two (2) vacant tracts of land [*i.e. Tracts 17 & 17-1 of the D. H. Survey Abstract No. 102*] zoned Agricultural District. Beyond this is a 64.514-acre tract of land developed with the City of Rockwall's Animal Shelter and Gun Range, which is zoned Agricultural (AG) District.

East: Directly east of the subject property two (2) vacant tracts of land [*i.e. Tracts 9 & 9-01 of the E. M. E. Survey Abstract No. 77*] zoned Agricultural (AG) District. Beyond this are six (6) tracts of land, four (4) are developed with single-family homes [*i.e. 2755 E. SH-66 and, 1110 and 1226 N. Stodghill Road*], one (1) is vacant [*i.e. Tract 29-2 of the E. M. E. Survey Abstract 77*], and one (1) is developed with an *Animal Clinic* [*i.e. 2897 E. SH-66*]. All of these properties are zoned Agricultural (AG) District.

West: Directly west of the subject property are several properties developed with single-family homes that are zoned Agricultural (AG) District and Single-Family 1 (SF-1) District. Beyond this is a 47.89-acre parcel of land developed with the Ralph M. Hall Airport, which is zoned Agricultural (AG) District.

MAP 1: LOCATION MAP

YELLOW: SUBJECT PROPERTY



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 25.87-acre subject property will consist of six (6) residential lots on 9.49-acres and a 1.68-acre *General Retail* lot. The applicant has submitted a letter requesting that the City Council approve On-Site Sewage Facilities (OSSF) [or *septic systems*] for all lots (*i.e. both the residential lots and general retail lot*). The purpose of this request is due to the proximity of the subject property to the City's existing sanitary sewer facilities, and the fact that five (5) of the six (6) lots are less than 1.50-acres in size. The proposed number of residential lots translates to a gross density of 0.23 dwelling units per gross acre (*i.e. six [6] lots/25.87-acres = 0.2319 dwelling units per gross acre*). The minimum dwelling unit size will be 3,000 SF (*i.e. air-condition space*). With regard to the proposed housing product, staff has incorporated anti-monotony and masonry standards into the proposed Planned Development District ordinance; however, the applicant has indicated that these lots will most likely be custom homes built on an individual lot basis. With regard to the anti-monotony and masonry standards, the ordinance will require a minimum of 90% masonry, and be subject to the City's upgraded anti-monotony standards. In addition, the Planned Development District ordinance will incorporate a provision that allows up to 50.00% cementitious fiberboard utilized in a horizontal lap-siding, *board-and-batten* siding, or decorative pattern to allow a variation in the materials throughout the six (6) residential lots. The following are some of the examples showing horizontal lap-siding, *board-and-batten* siding, or decorative patterns that are contained within the Planned Development District ordinance:

FIGURE 1: EXAMPLES OF CEMENTITIOUS FIBERBOARD



FIGURE 2: EXAMPLES OF BOARD AND BATTEN



FIGURE 3: EXAMPLES OF HORIZONTAL LAP



Looking at the garage orientation proposed for the development, the garage doors will be oriented in a *J-Swing* (or a *Traditional Swing*) configuration or *Recessed Front Entry* configuration (i.e. where the garage door is situated a minimum of 20-feet behind the front façade). In addition, the applicant is proposing to incorporate upgraded finishes on all garage doors that include: [1] divided garage bay doors, [2] carriage style hardware and lighting, and [3] decorative wood doors or wood overlays on insulated metal doors. On the following page are some of the examples of the upgrades required in the Planned Development District ordinance.

FIGURE 4: EXAMPLES OF ENHANCED WOOD GARAGE DOOR



FIGURE 5: EXAMPLES OF UPGRADED FINISHES



DIVIDED BAYS



CARRIAGE HARDWARE



CEDAR CLADDING



ORNAMENTAL PAVING

FIGURE 6: EXAMPLES OF UPGRADED GARAGES



The proposed subdivision will be subject to the land uses and density and dimensional requirements stipulated for properties within a Single-Family 1 (SF-1) District unless otherwise specified 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: RESIDENTIAL LOT DIMENSIONAL REQUIREMENTS

Minimum Lot Width ⁽¹⁾	70'
Minimum Lot Depth	100'
Minimum Lot Area (SF)	43,560 SF
Minimum Front Yard Setback ⁽²⁾	20'
Minimum Side Yard Setback	6'
Minimum Side Yard Setback (Adjacent to a Street)	20'
Minimum Length of Driveway Pavement	25'
Maximum Height ⁽³⁾	36'
Minimum Rear Yard Setback ⁽⁴⁾	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]	3,000 SF
Maximum Lot Coverage	45%

General Notes:

- ¹: The *Minimum Lot Width* shall be measured from the *Front Yard Setback*.
- ²: The location of the *Front Yard Building Setback* as measured from the front property line. The front yard building setback shall be increased to a minimum of 50-feet adjacent to homes along SH-66.
- 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.

The proposed concept plan shows that the development will consist of a total of 10.93-acres of open space (*i.e.* 4.78-acres outside of the floodplain and 6.15-acres situated within the floodplain), which equates to an open space percentage of 30.38% (*i.e.* $[6.15\text{-acres}/2] + 4.78\text{-acres}/25.87\text{-acres} = 0.30382$ or 30.38%). In addition, the applicant has incorporated a trail system on the concept plan that shows a six (6) foot hike and bike trail will be provided that will bisect the subject property from north to south. Staff should note that this trail is currently indicated on the City’s Master Trail Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

With regard to the proposed 1.68-acre *General Retail* lot depicted on the concept plan, this property will be subject to the density and development standards required for the General Retail (GR) District and the East SH-66 Overlay (E. SH-66 OV) District. These standards are summarized as follows:

TABLE 2: GENERAL RETAIL (GR) DISTRICT LOT DIMENSIONAL REQUIREMENTS

<i>Ordinance Provisions</i>	<i>Zoning District Standards</i>
Minimum Lot Area	6,000 SF
Minimum Lot frontage	60-Feet
Minimum Lot Depth	100-Feet
Minimum Front Yard Setback	15-Feet
Minimum Rear Yard Setback	20-Feet
Minimum Side Yard Setback	10-Feet
Maximum Building Height	36-Feet
Max Building/Lot Coverage	40%
Minimum Landscaping Percentage	20%
Maximum Impervious Coverage	85%-90%

In addition to the residential and commercial land uses proposed by the applicant, the applicant has also requested to have the *Commercial Freestanding Antenna* land use as a permitted by right land use, and has indicated a future location of a *Commercial Freestanding Antenna* on the concept plan. Staff should point out that the proposed location for the *Commercial Freestanding Antenna* has direct adjacency to an existing single-family home, which is located directly west of the subject property. Typically, these types of facilities are discouraged from locating directly adjacent to or within the City’s residential areas; however, this aspect of the applicant’s request will be discretionary to the City Council pending a recommendation from the Planning and Zoning Commission.

INFRASTRUCTURE

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

- (1) Roadways. According to the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan SH-66 is required to be a TXDOT4D (*i.e.* a Texas Department of Transportation, four [4] lane, divided roadway), which requires a 140-foot right-of-way. The applicant will be required to dedicate a minimum of 60-feet of right-of-way from the current centerline of SH-66 and provide a reserve for any additional ROW above and beyond the 120-feet for the future expansion of SH-66.
- (2) Water. The applicant will be required to construct a 12-inch waterline in the future right-of-way of SH-66.
- (3) Wastewater. Each lot will be required to be at a minimum of 1.50-acres for On-Site Sanitary Facilities (OSSF) unless the City Council grants the applicant's request to allow these facilities on lots less than 1.50-acres.
- (4) Drainage. Detention will be required and sized per the required detention study and the residential and *General Retail* lots must utilize separate detention systems. The applicant will also be required to perform a Flood Study and a Wetlands and Waters of the United States (WOTUS) Study for the existing ponds and floodplain on the subject property.

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), the Municipal Code of Ordinances, 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) On-Site Sewage Facility (OSSF). Section 44-243, *On-Site Sewage Facility*, of Chapter 44, *Utilities*, of the Municipal Code of Ordinances states that, "(n)o permit for the installation of an on-site sewage facility (OSSF) will be issued for property of less than 1½ acres."

Applicant's Response to (1) & (2): According to the applicant's letter they are requesting the waiver to the alleyways due to the size of the proposed lots. The applicant is also requesting to allow OSSF on lots less than 1.50-acres in size due to the availability of sewer to the subject property. Staff should note that OSSF for residential lots have been approved in previous cases, however it has not been approved for *Commercial/Retail* lots.

Staff Response to (1) & (2): The City Council and Planning and Zoning Commission have granted a waiver to the alleyways requirements on similar projects that have incorporated similar concessions (*i.e.* *conforming garage configurations, upgraded garage doors, and other improvements*) with regard to garage orientation. The City Council has granted *On-Site Sewage Facilities* (OSSF) for residential projects that have incorporated lot sizes less than 1.50-acres, but typically that are larger than one (1) acre. The City Council has not granted OSSF for any non-residential lots in a Planned Development District; however, this is a discretionary decision for the City Council pending a recommendation from 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 Central District and is designated for Low Density Residential land uses. The plan defines Low Density Residential land uses as "... residential subdivisions that are greater than two (2) units per gross acre or less; however, a density of up to two and one-half (2½) units per gross acre may be permitted for developments that incorporate increased amenity and

a mix of land uses.” In this case, the applicant is proposing a total density of 0.23 dwelling units per acre. In addition, the applicant is proposing to incorporate 10.93-acres of open space, a 50-foot landscape buffer between the proposed *General Retail* and residential land uses, and a hike and bike trail. Based on this, the applicant’s request is in conformance with the Low Density Residential designation indicated for the subject property; however, the proposed *General Retail* land use will require the City Council to change the future land use map from a Low Density Residential designation to a Commercial/Retail land use designation for the 1.68-acre portion of the subject property. Based on this the applicant’s request is discretionary to the City Council and Planning and Zoning Commission.

According to the *District Strategies* for *Suburban Residential* in the Central District, “... many of the larger tracts in this area are not large enough to support a master planned community ... any 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* lots in this district, but should be comparable in size to newer developments ...” In this case, the proposed residential lots are large lots that compare to the existing surrounding housing. Based on this, the applicant’s request appears to be in conformance with the *District Strategies* for the Central District.

With regard to the policies and goals for residential development contained in the Comprehensive Plan, the applicant’s request incorporates the majority of these policies and goals (e.g. *minimum of six [6] side yard setbacks on all lot types, providing a mixture of lot types throughout the development, etc.*); however, staff did identify the following non-conformities on the original concept plan. Based on these non-conformities, staff provided the below recommendations to the applicant. These recommendations are followed by the applicant’s response to each recommendation.

RED: NOT INCORPORATED INTO THE PLANNED DEVELOPMENT DISTRICT ORDINANCE.

BLUE: INCORPORATED INTO THE PLANNED DEVELOPMENT DISTRICT ORDINANCE.

- (1) CH. 7; Goal #2 | Policy #3 (Page 7-1). Continue to develop and plan for an interconnected trail and sidewalk system that promotes connectivity and access to all areas of the City.
- (2) CH. 1; Section 2.03; Goal #2 | Policy #4 (Page 1-2). Commercial developments should be constructed with logical connections and extensions to the City’s existing and proposed hike and bike trail.

Staff Response: Staff requested the applicant provide a hike and bike trail to connect the commercial and residential land uses. The applicant has shown a six (6) foot hike/bike trail along the east side of the proposed subdivision that extends the entire length of the subject property.

- (3) CH. 1; Section 2.03; Goal #2 | Policy #2 (Page 1-2). Commercial/retail shopping centers should be screened from residential areas utilizing landscape buffers that are composed of berms, landscaping, and trees.

Staff Response: Staff requested that the applicant provide a 50-foot landscape buffer with a berm, ground cover, shrubs, and canopy trees. The applicant has shown a 50-foot landscape buffer that will include three (3) tiered landscaping. This includes a berm, shrubs, accent trees, and canopy trees.

Taking all of this into account, the applicant’s concept plan and proposed density and development standards appear to conform with the majority of the OURHometown Vision 2040 Comprehensive Plan; however, with the addition and location of the proposed *Commercial Freestanding Antenna* and the proposed changes to the *Future Land Use Map*, this request remains a discretionary decision for the City Council pending a recommendation from the City Council.

NOTIFICATIONS

On December 14, 2022, staff mailed 36 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Rolling Meadows Estates Homeowner’s Association (HOA), which is the only HOA 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) Five (5) property owner notifications from three (3) property owners who are in favor of the applicant’s request.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request to rezone the subject property from an Agricultural (AG) District to a Planned Development District for Single-Family 1 (SF-1) District land uses, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the concept plan and development standards contained in the Planned Development District ordinance.
- (2) The proposed General Retail (GR) District and the *Commercial Freestanding Antenna* will require the Future Land Use Map to be changed from *Low Density Residential* to *commercial/retail*.
- (3) The 50-foot landscape buffer that incorporates the three (3) tiered landscaping shall be extended along the western property line of the *General Retail* lot adjacent to the adjoining residential property.
- (4) 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&2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

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.
²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS *Parcel situated in David Harr Survey Abs. 102*

SUBDIVISION *25.41 Cain Revocable Trust Property*

LOT _____

BLOCK _____

GENERAL LOCATION *located east of W.D Boom Add. adjacent to and south of SH 66 centered between J. King Blvd. & 9549*

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING *AG*

CURRENT USE *AG*

PROPOSED ZONING *PD*

PROPOSED USE *PD*

ACREAGE *25.41*

LOTS [CURRENT] _____

LOTS [PROPOSED] _____

- 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 *Dewayne Cain*

APPLICANT *Douphrate & Assoc. Inc*

CONTACT PERSON _____
ADDRESS *305 Stonebridge Dr*

CONTACT PERSON *Bob Douphrate*
ADDRESS *2235 Ridge Rd*

CITY, STATE & ZIP *Rockwall, TX 75087*

CITY, STATE & ZIP *Rockwall, TX 75087*

PHONE *214.533.8641*

PHONE *972.742.2210*

E-MAIL *dewaynecain25@outlook.com*

E-MAIL *wldouphrate@douphrate.com*

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED *Dewayne Cain* [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

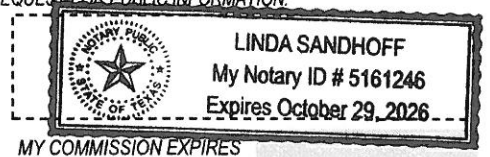
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ *581.15* TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE *16* DAY OF *December*, 20*12* BY SIGNING THIS 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 *Dec*, 20*21*.

OWNER'S SIGNATURE *Dewayne Cain*

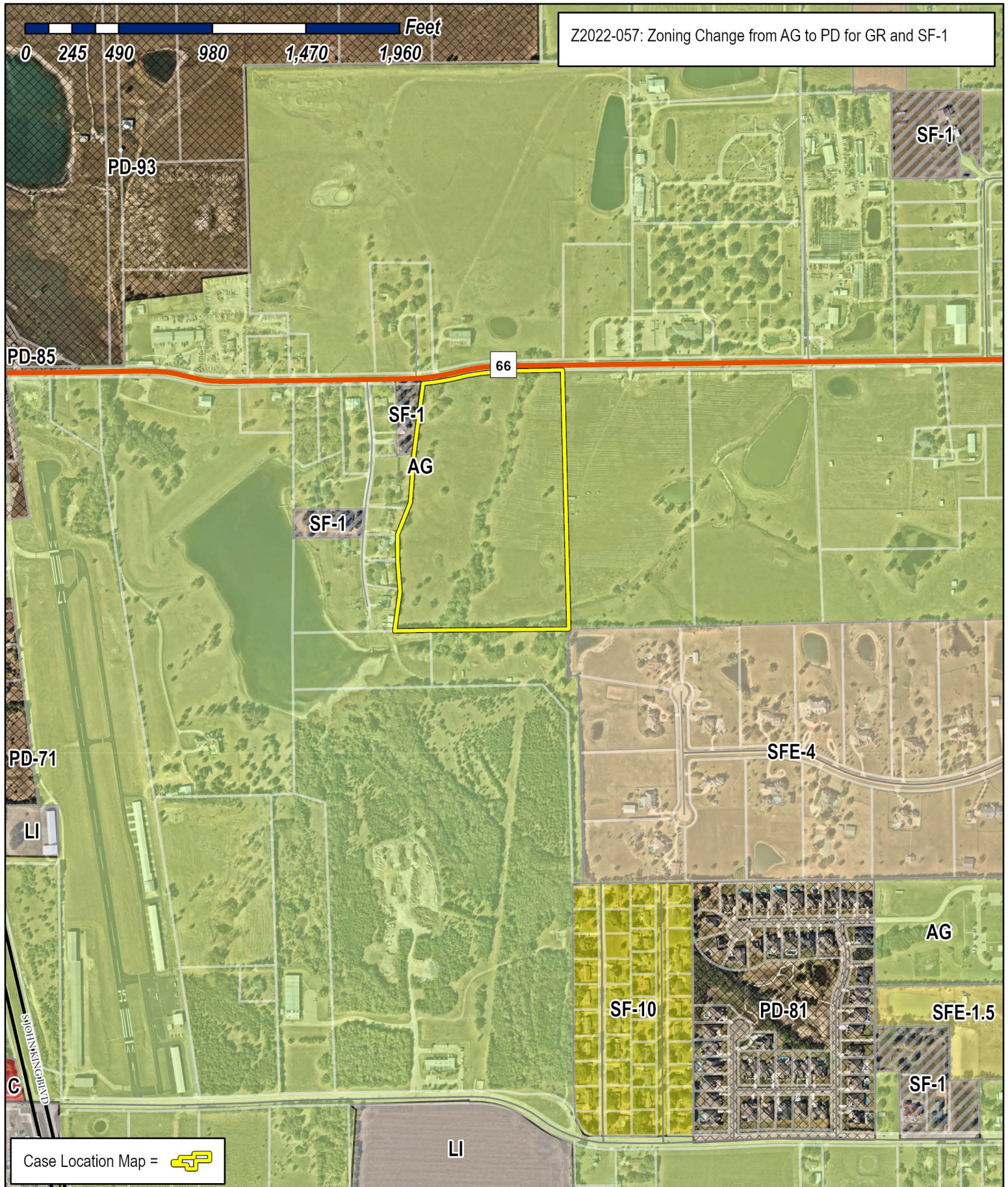
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Linda Sandhoff



MY COMMISSION EXPIRES _____

Z2022-057: Zoning Change from AG to PD for GR and SF-1



Case Location Map = 



City of Rockwall

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

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

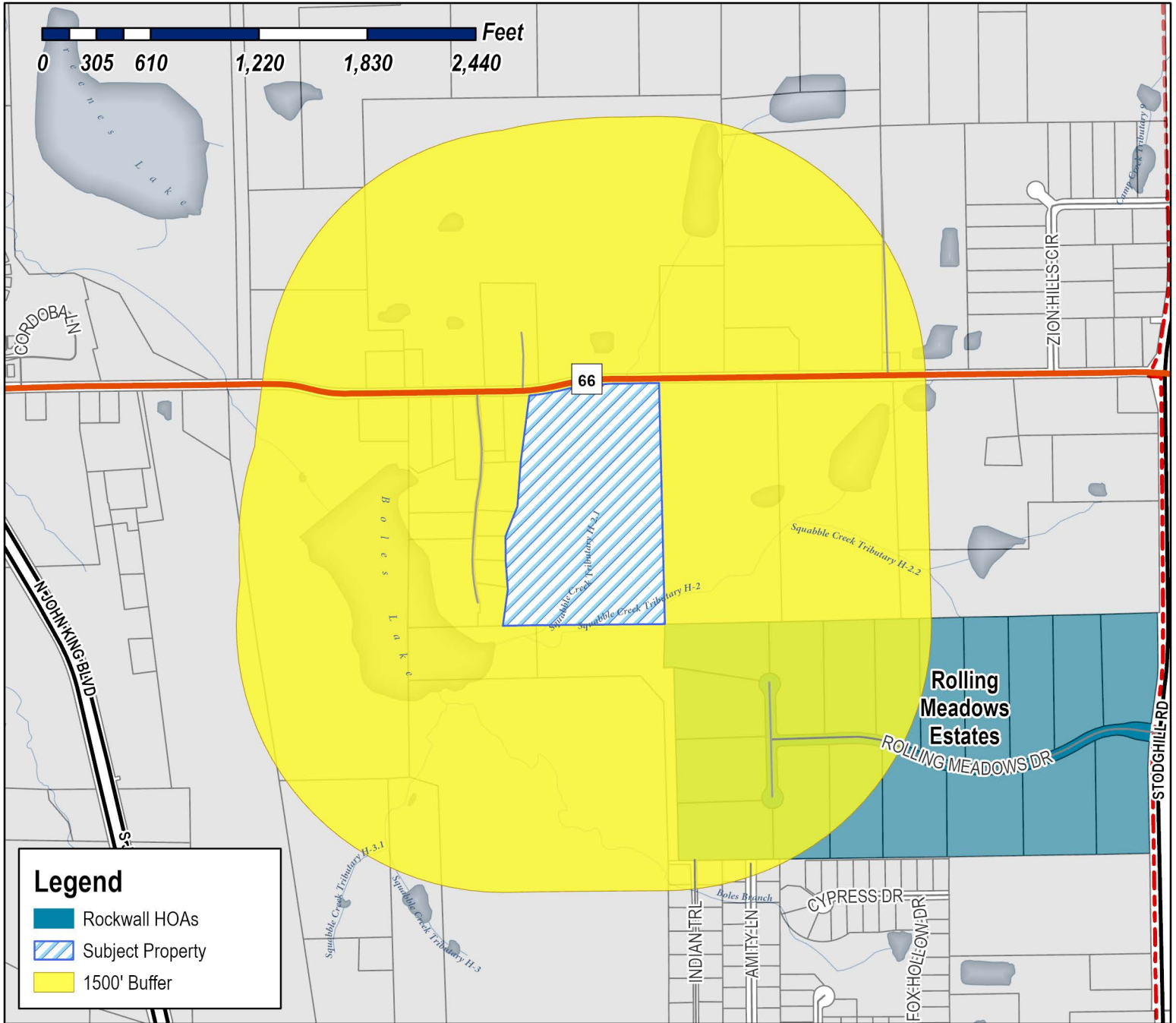




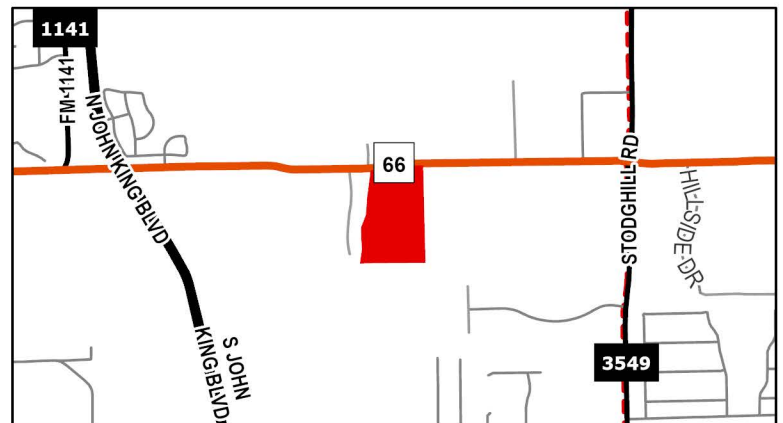
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Case Number: Z2022-057
Case Name: Zoning Change from AG to PD
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: SE of HWY 66 & John King Blvd



Date Saved: 12/12/2022
 For Questions on this Case Call (972) 771-7745

Lee, Henry

From: Guevara, Angelica
Sent: Wednesday, December 14, 2022 3:02 PM
Cc: Miller, Ryan; Ross, Bethany; Chapin, Sarah; Lee, Henry
Subject: Neighborhood Notification Program [Z2022-057]
Attachments: Public Notice Z2022-057.pdf; HOA Map (12.12.2022).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 16, 2022*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, January 10, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, January 17, 2023 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>.

Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates, Inc. for the approval of a *Zoning Change* from an Agricultural (AG) District to a Planned Development (PD) District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses on a 25.87-acre tract of land identified as parcel of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located southside of SH-66 east of the intersection of SH-66 and Davis Drive, and take any action necessary.

Thank you,

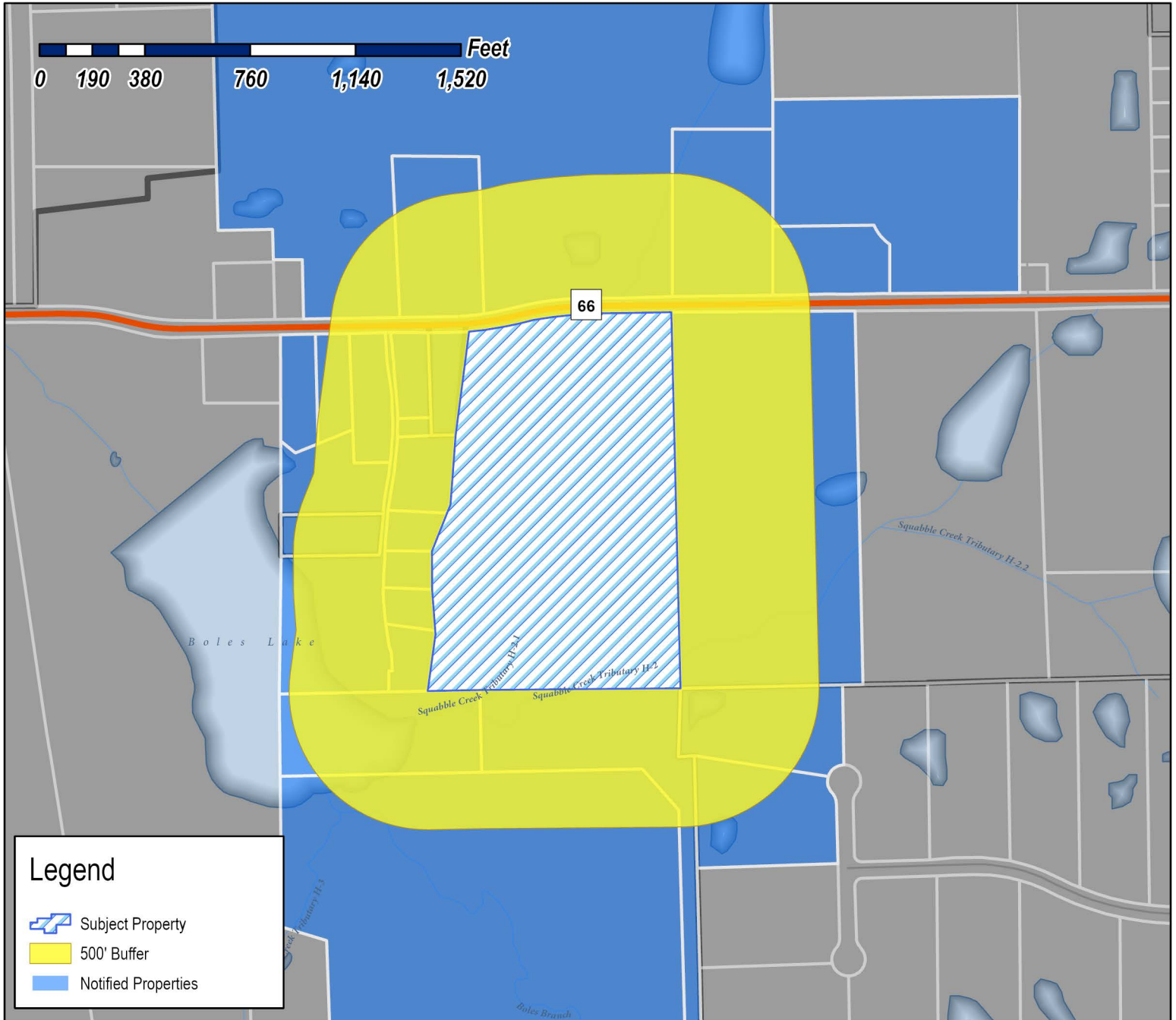
Angelica Guevara
Planning Technician
City of Rockwall Planning & Zoning
385 S. Goliad Street
Rockwall, TX 75087
Office: 972-771-7745
Direct: 972-772-6438



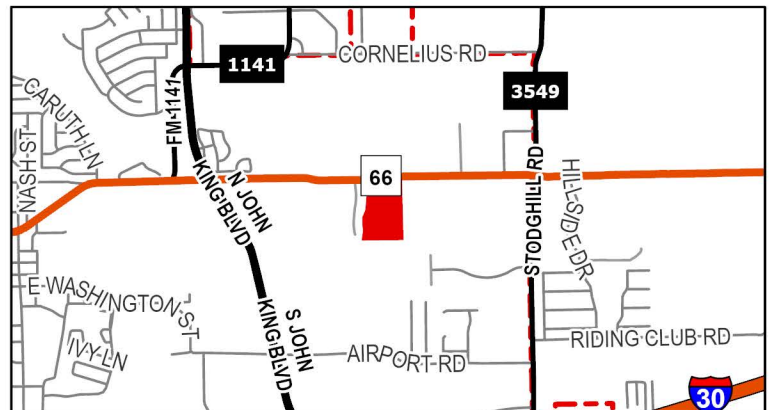
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Case Number: Z2022-057
Case Name: Zoning Change from AG to PD
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: SE of HWY 66 & John King Blvd



Date Saved: 12/12/2022

For Questions on this Case Call: (972) 771-7746

NELSON MARC J & MICHELLE L
135 ROLLING MEADOWS CIR
ROCKWALL, TX 75087

152 HILL LN
ROCKWALL, TX 75087

CUMMINGS JOHN & LORI
1770 E HWY66
ROCKWALL, TX 75087

COLLIER JUDY KAY AND
THERESA ROBBINS
1780 WILLIAMS ST
ROCKWALL, TX 75087

MCILRATH PROPERTIES LLC
1790 WILLIAMS ST
ROCKWALL, TX 75087

RYAN BILL K
1800 WILLIAMS ST
ROCKWALL, TX 75087

CITY OF ROCKWALL
1815 AIRPORT RD
ROCKWALL, TX 75087

SULLIVAN BRETT D & EDNA
195 ROLLING MEADOWS CIR
ROCKWALL, TX 75087

CITY OF ROCKWALL
205 W RUSK ST
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD
2294 E STATE HIGHWAY 66
ROCKWALL, TX 75087

CARRIAGE MANAGEMENT INC
2500 HWY66
ROCKWALL, TX 75087

CARRIAGE MANAGEMENT INC
3040 POST OAK BLVD SUITE 300
HOUSTON, TX 77056

CARRIAGE MANAGEMENT INC
3040 POST OAK BLVD SUITE 300
HOUSTON, TX 77056

CAIN FAMILY PARTNERSHIP LTD
305 STONEBRIDGE DR
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD
305 STONEBRIDGE DR
ROCKWALL, TX 75087

CUMMINGS JOHN & LORI
308 STONEBRIDGE DR
ROCKWALL, TX 75087

RYAN BILL K
330 VZ CR 2207
CANTON, TX 75103

RYAN GARY S AND CONSTANCE E
502 WILLIAMS ST
ROCKWALL, TX 75087

MCILRATH PROPERTIES LLC
636 GRISHAM DR
ROCKWALL, TX 75087

SELLERS DONYA BEATRICE
700 DAVIS DR
ROCKWALL, TX 75087

SELLERS DONYA BEATRICE
700 DAVIS DR
ROCKWALL, TX 75087

SELLERS DONYA BEATRICE
700 DAVIS DR
ROCKWALL, TX 75087

RYAN GARY S AND CONSTANCE E
710 DAVIS DR
ROCKWALL, TX 75087

MOCK ALYSSA
720 DAVIS DR
ROCKWALL, TX 75087

MA MICHAEL D AND CAROLINE J G MOORE
725 DAVIS DR
ROCKWALL, TX 75087

DAILEY MARK L
730 DAVIS DR
ROCKWALL, TX 75087

SARACAY JOSELIN E LANDAVERDE AND
JOSE ANTONIO LANDAVERDE
735 DAVIS DRIVE
ROCKWALL, TX 75087

RINKEVICH FAMILY LIVING TRUST
JOSEPH W RINKEVICH- TRUSTEE
740 DAVIS DR
ROCKWALL, TX 75087

RAINES SHERYL
745 DAVIS DR
ROCKWALL, TX 75087

COOK SHERRY LYNN
760 DAVIS DRIVE
ROCKWALL, TX 75087

WIDBOOM ROBBY AND KYLIE
770 DAVIS DR
ROCKWALL, TX 75087

CAIN REVOCABLE FAMILY TRUST AND
CREDIT SHELTER TRUST AND SURVIVORS TRUST
DEWAYNE CAIN TRUSTEE 305 STONEBRIDGE DR
ROCKWALL, TX 75087

CAIN CEMETARY CORP
N/A HWY66
ROCKWALL, TX 75087

CAIN CEMETARY CORP
PO BOX 1119
ROCKWALL, TX 75087

RAINES SHERYL
PO BOX 412
ROCKWALL, TX 75087

, 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:

Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates, Inc. for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development (PD) District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses on a 25.87-acre tract of land identified as parcel of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located southside of SH-66 east of the intersection of SH-66 and Davis Drive, 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 10, 2023 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 17, 2023 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Henry Lee
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Tuesday, January 17, 2023 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. Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

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](#)

PUBLIC NOTICE



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Case No. Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

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: Cain Family Partnership (Across St. Hwy 66 From The Zoning Change)
Address: 305 Stonebridge Dr.

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.

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PUBLIC NOTICE



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Case No. Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

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: Cain Family Partnership (Property Adjacent To Zoning Change)

Address: 305 Stonebridge Dr.

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

Chapin, Sarah

From: Donya Sellers <donyasellers@yahoo.com>
Sent: Wednesday, January 4, 2023 11:57 AM
To: Planning
Subject: Case Z2022-057 Zoning Change

I am in favor of the request as this SF land division is the least intrusive to my property

Donya Sellers-Horton
700 Davis Dr, Rockwall TX 75087

[Sent from Yahoo Mail on Android](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Case No. Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

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.

Blank lines for providing reasons for support or opposition.

Name: *Hesli Johnson, Rest Haven Funeral Home*

Address: *2500 State Hwy 66 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

Case No. Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

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: *Lesli Johnson, Rest Haven Memorial Park*
Address: *2500 Stat Hwy Le6 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

November 10, 2022

City of Rockwall

Planning and Zoning Department

385 S. Goliad Street

Rockwall, TX 75087

Dear Sirs:

I am requesting a Planned Development on a 25.41-acre tract of land my family trust owns. The property is in the David Harr Survey Abstract #102 and is adjacent to State Highway 66. The property falls within the Rockwall City Limits. The PD will be a mixed-use development consisting of residential lots that are larger than most currently being developed in Rockwall. As a buffer, the front of the property adjacent to State Highway 66 will be zoned commercial.

Respectfully submitted,

Cain Family Revocable Trust

A handwritten signature in blue ink that reads "Dewayne Cain". The signature is written in a cursive style with a large initial "D" and a long, sweeping underline.

Dewayne Cain, Trustee

December 5, 2022

Ryan Miller
Director of Planning
City of Rockwall, Texas

Re: Request for On-Site Sewage Facilities for the SH -66 Cain PD Zoning Case Z2022-053

Dear Ryan,

On behalf of Mr. Dewayne Cain, please allow this letter to serve as a formal request to allow on-site sewage facilities for the proposed residential and general retail lots since all the lots exceed the minimum 1.5-acre requirement. We request this waiver due to the size of the general retail and residential estate size lots proposed in this zoning application.

Should you have any questions regarding this request please let me know.

Sincerely,

W.L. Douphrate II

W.L. Douphrate II, P.E.

December 2, 2022

Ryan Miller
Director of Planning
City of Rockwall, Texas

Re: Request for Waiver of Alleys for the SH -66 Cain PD Zoning Case Z2022-053

Dear Ryan,

On behalf of Mr. Dewayne Cain, please allow this letter to serve as a formal request to waive the residential alley requirements as outlined in the City of Rockwall's Standards of Design and Construction Manual. We request this waiver due to the size of the estate size lots proposed in this zoning application.

Should you have any questions regarding this request please let me know.

Sincerely,

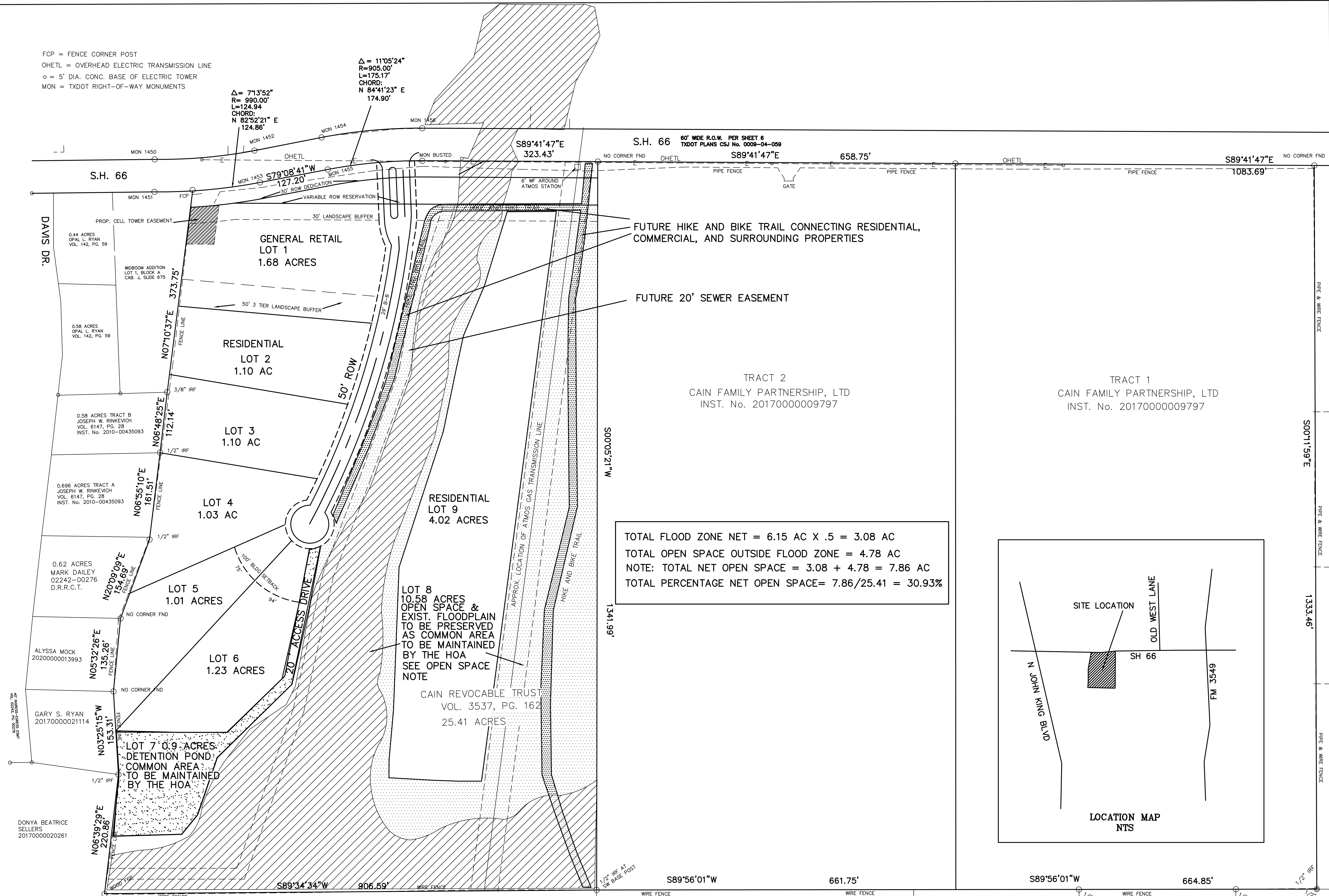
W.L. Douphrate II

W.L. Douphrate II, P.E.

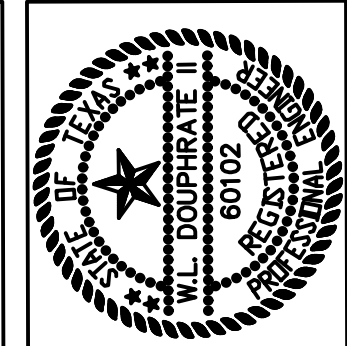
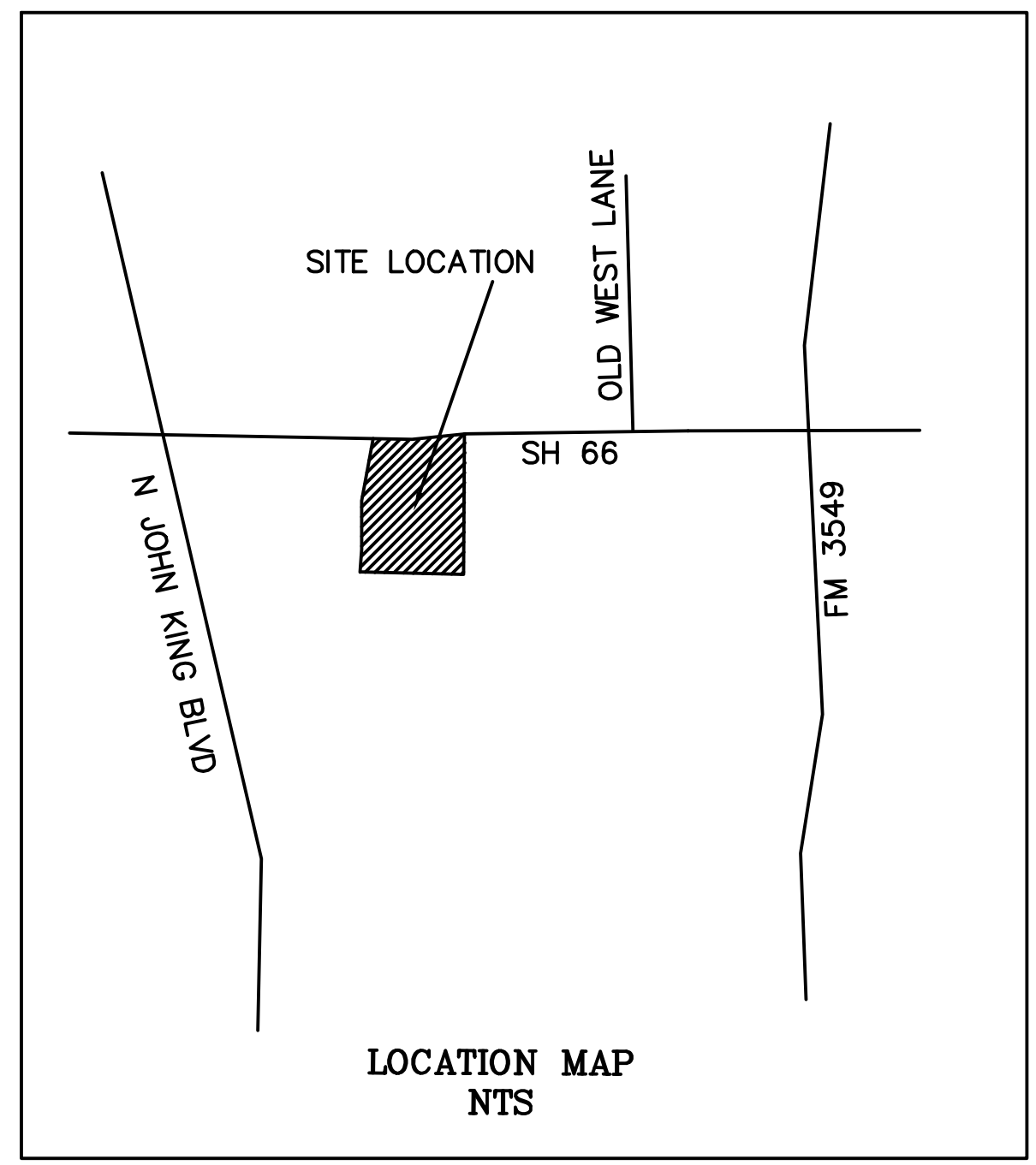
FCP = FENCE CORNER POST
 OHETL = OVERHEAD ELECTRIC TRANSMISSION LINE
 ○ = 5' DIA. CONC. BASE OF ELECTRIC TOWER
 MON = TXDOT RIGHT-OF-WAY MONUMENTS

$\Delta = 713'52"$
 $R = 990.00'$
 $L = 124.94'$
 CHORD:
 $N 82'32'21" E$
 $124.86'$

$\Delta = 11'05'24"$
 $R = 905.00'$
 $L = 175.17'$
 CHORD:
 $N 84'41'23" E$
 $174.90'$



TOTAL FLOOD ZONE NET = 6.15 AC X .5 = 3.08 AC
 TOTAL OPEN SPACE OUTSIDE FLOOD ZONE = 4.78 AC
 NOTE: TOTAL NET OPEN SPACE = 3.08 + 4.78 = 7.86 AC
 TOTAL PERCENTAGE NET OPEN SPACE = 7.86/25.41 = 30.93%



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY THE STATE OF TEXAS, LICENSE NO. 60102, EXPIRES ON DATE: NOV 2, 2022.

DOUPHRATE & ASSOCIATES, INC.
 ENGINEERING PROJECT MANAGEMENT SURVEYING
 2235 RIDGE RD., # 200 ROCKWALL, TEXAS 75087
 PHONE: (972)771-9004 FAX: (972)771-9005

CONCEPT PLAN W/ LOT LAYOUT
 CAIN SH 66 25 ACRE PLANNED DEVELOPMENT
 CITY OF ROCKWALL
 ROCKWALL COUNTY, TEXAS

REVISION	WLD.
CHECKED	GCW.
DRAWN	
SCALE	1" = 80' H 1" = 1" V
DATE	NOV 4, 2022
PROJECT	21007 SITE PL.
	20

CASE NO. Z2022-053

STATE OF TEXAS:

COUNTY OF ROCKWALL:

FIELD NOTES:

BEING a 25.41 acre tract of land situated in the David Harr Survey, Abstract No. 102 and being the same tract of land as described in a Warranty Deed from J. Diane Folzenlogen to the Cain Revocable Family Trust as recorded in Volume 3537, Page 162 of the Deed Records of Rockwall, County, Texas and being more particularly described as follows:

BEGINNING at the northeast corner of the Lot 1, Block A of the Widboom Addition, an addition to the City of Rockwall as recorded in Cabinet J, Slide 375 of the Plat Records of Rockwall County, Texas, said point being on the south right-of-way line of S.H. 66 (a 60' wide right-of-way);

THENCE along the south line of said S.H. 66 and along a curve to the left having a central angle of $7^{\circ}13'52''$, a radius of 990.00' and a chord that bears North $82^{\circ}52'21''$ East a distance of 124.86';

THENCE along said curve an arc distance of 124.94' to a TXDOT concrete monument with an aluminum cap stamped "1453";

THENCE North $79^{\circ}08'41''$ East a distance of 127.20' to a TXDOT concrete monument with an aluminum cap stamped "1455", said point being the beginning of a curve to the right having a central angle of $11^{\circ}05'24''$, a radius of 905.00' and a chord that bears North $84^{\circ}41'23''$ East a distance of 174.90';

THENCE along said right-of-way line an arc distance of 175.17' to a busted TXDOT monument found;

THENCE South $89^{\circ}41'47''$ East along said right-of-way line, a distance of 323.43' to a point for a corner, said point being the northwest corner of Tract 2 of a tract of land conveyed to Cain Family Partnership, Ltd. as recorded in Rockwall File Clerk's No. 20170000009797 of the Real Property Records of Rockwall County, Texas (R.P.R.R.C.T.);

THENCE South $00^{\circ}05'21''$ West along the west line of said Tract 2, a distance of 1341.99' to a $\frac{1}{2}$ " iron rod found at the southwest base of a wood fence corner post, said point being the northwest corner of Lot 10 of the revised Final Plat of Rolling Meadows Estates addition, an addition to Rockwall County, Texas as recorded in Cabinet D, Slide 59 of the Plat Records of Rockwall, County, Texas, said point also being the easterly northeast corner of a tract of land conveyed to Donya Beatrice Sellers as recorded in Instrument No. 20170000020261 of the Real Property Records of Rockwall County, Texas;

THENCE South $89^{\circ}34'34''$ West along the north line of said Sellers Tract, a distance of 906.59' to a wooden fence corner post being an "ell" corner of said Sellers tract;

THENCE North $06^{\circ}39'29''$ East along the east line of said Sellers Tract, a distance of 220.86' to a $\frac{1}{2}$ " iron pipe found, said point being the southeast corner of a tract of land conveyed to Gary S. Ryan as recorded in Instrument No. 20170000021114 R.P.R.R.C.T.;

THENCE North $03^{\circ}25'15''$ West a distance of 153.31' to a point for a corner, said point being the northeast corner of said Ryan Tract and the southeast corner of a tract of land conveyed to Alyssa Mock as recorded in Instrument No. 20200000013993 R.P.R.R.C.T.;

THENCE North 05°32'26" East a distance of 135.26' to a point for a corner, said point being the northeast corner of said Mock Tract and the southeast corner of a tract of land conveyed to Mark Dailey as recorded in Volume 2242, Page 276 of the Deed Records of Rockwall County, Texas;

THENCE North 20°09'09" East a distance of 154.69' to a ½" iron rod found for the northeast corner of said Dailey Tract and the southeast corner of a tract of land conveyed to Joseph W. Rinkevich as recorded in Volume 6147, Page 28 of the Deed Records of Rockwall County, Texas;

THENCE North 06°55'10" East a distance of 161.51' to a ½" iron rod found for a corner;

THENCE North 06°48'25" East a distance of 112.14' to a 3/8" iron rod found for the northeast corner of said Rinkevich Tract and the southeast corner of said Widboom Addition;

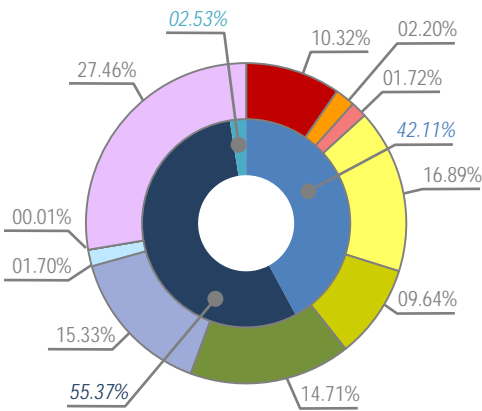
THENCE North 07°10'37" East a distance of 373.75' to the POINT OF BEGINNING and containing 25.41 acres or 1,107,008 square feet of land.

01 CENTRAL DISTRICT DISTRICT STRATEGIES

DISTRICT DESCRIPTION

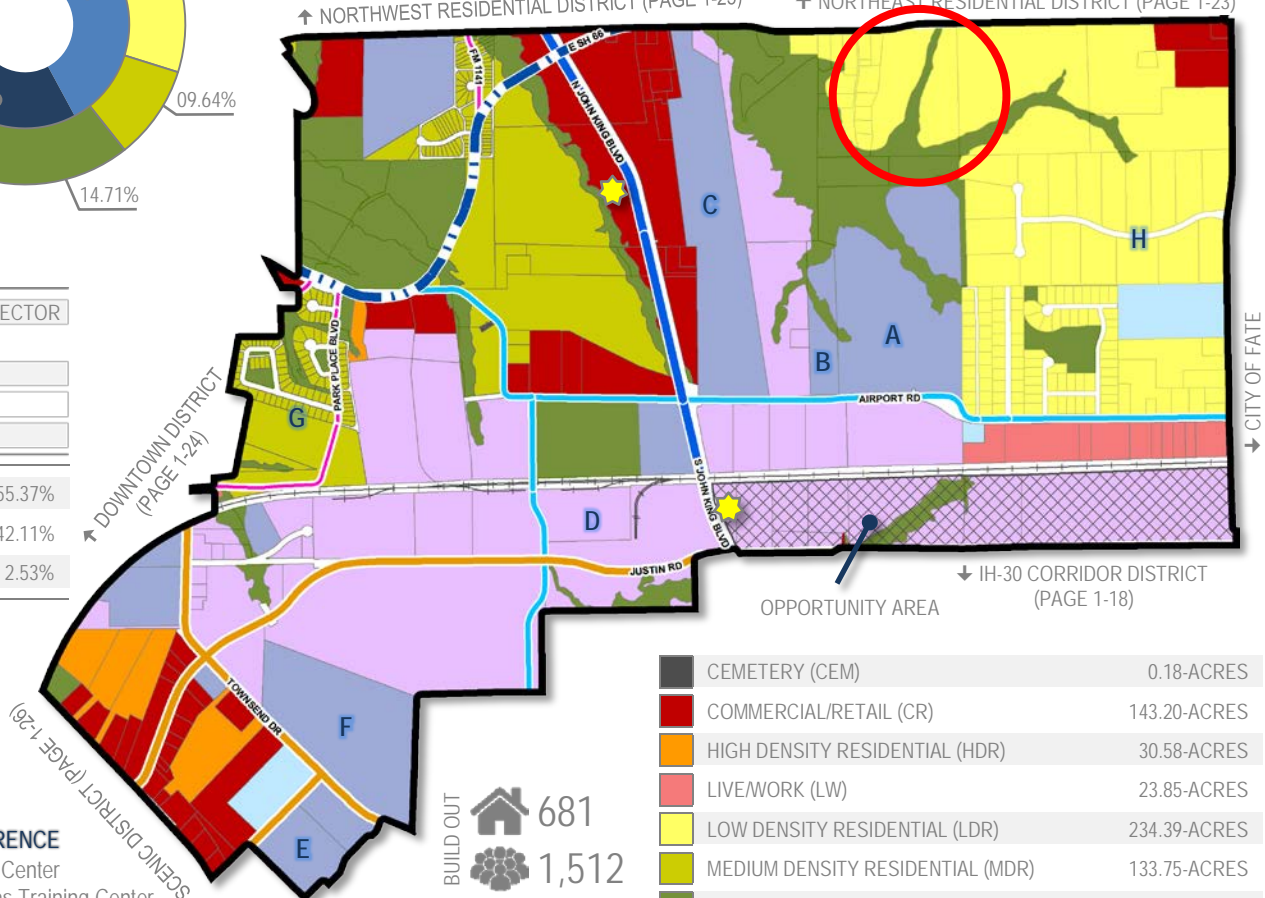
The *Central District* is composed of a wide range of land uses that vary from single-family to industrial. The district's residential areas consist of suburban residential (e.g. *Park Place*), estate and rural residential (e.g. *Rolling Meadows Subdivision*), and higher density residential developments (e.g. *Evergreen Senior Living*). The *Central District* also incorporates a high volume of industrial land uses adjacent to the *Union Pacific/Dallas Garland and Northeastern Rail Road* line that bisects the district -- and *City* -- in an east/west direction. The *Ralph Hall Municipal Airport* and several other large public/school facilities are also located within the boundaries of this district.

 John King Boulevard Trail Plan
Rest Stop/Trailblazer Pylon



Color	Category	Percentage
Black	COMMERCIAL	55.37%
Blue	RESIDENTIAL	42.11%
Light Blue	MIXED USE	2.53%
Light Green	MINOR COLLECTOR	
Light Blue	M4U	
Light Green	M4D	
Light Blue	P6D	
Light Green	TXDOT 4D	

↑ NORTHWEST RESIDENTIAL DISTRICT (PAGE 1-25) ↑ NORTHEAST RESIDENTIAL DISTRICT (PAGE 1-23)





Color	Category	Area
Black	CEMETERY (CEM)	0.18-ACRES
Red	COMMERCIAL/RETAIL (CR)	143.20-ACRES
Orange	HIGH DENSITY RESIDENTIAL (HDR)	30.58-ACRES
Light Red	LIVE/WORK (LW)	23.85-ACRES
Yellow	LOW DENSITY RESIDENTIAL (LDR)	234.39-ACRES
Light Green	MEDIUM DENSITY RESIDENTIAL (MDR)	133.75-ACRES
Dark Green	PARKS AND OPEN SPACE (OS)	204.05-ACRES
Light Blue	PUBLIC (P)	212.77-ACRES
Light Green	QUASI-PUBLIC (QP)	23.65-ACRES
Light Red	SPECIAL COMMERCIAL CORRIDOR (SC)	0.08-ACRES
Light Blue	TECHNOLOGY/EMPLOYMENT CENTER (TEC)	381.07-ACRES




POINTS OF REFERENCE

- A. Animal Adoption Center
- B. Regional Firearms Training Center
- C. Ralph Hall Municipal Airport
- D. Leon Tuttle Athletic Complex
- E. Rockwall County Courthouse
- F. Utley Middle School
- G. Park Place Subdivision
- H. Rolling Meadows Subdivision




BUILD OUT

-  681
-  1,512

% OF ROCKWALL

-  1.10%
-  3.91%
-  0.82%

CURRENT

-  220
-  71
-  488

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR GENERAL RETAIL (GR) DISTRICT AND SINGLE-FAMILY 1 (SF-1) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 25.87-ACRE TRACT OF LAND IDENTIFIED AS TRACT 14 OF THE D. HARR SURVEY, ABSTRACT NO. 102, 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 Dub Douphrate of Douphrate and Associates, Inc. on behalf of Dewayne Cain for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses, on a 25.87-acre tract of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located on the southside of SH-66 east of the intersection of SH-66 and Davis Drive, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 20-02*] should be amended as follows:

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

SECTION 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 2. That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, depicted in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 3. That development of the *Subject Property* shall generally be in accordance with

the *Density and Development Standards*, outlined in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*,

SECTION 4. That 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 'B'* 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 (Residential Only)*
 - (2) *Master Plat (Residential Only)*
 - (3) *Preliminary Plat (Residential Only)*
 - (4) *PD Development Plan (Non-Residential Only)*
 - (5) *PD Site Plan*
 - (6) *Final Plat*
- (c) *Master Parks and Open Space Plan*. A *Master Parks and Open Space Plan* for the *Subject Property*, as depicted in *Exhibit 'B'* 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 'B'* 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 'B'* 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 'B'* 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 6TH DAY OF FEBRUARY, 2023.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 17, 2023

2nd Reading: February 6, 2023

Exhibit 'A':
Survey

BEING a 25.41 acre tract of land situated in the David Harr Survey, Abstract No. 102 and being the same tract of land as described in a Warranty Deed from J. Diane Folzenlogen to the Cain Revocable Family Trust as recorded in Volume 3537, Page 162 of the Deed Records of Rockwall, County, Texas and being more particularly described as follows:

BEGINNING at the northeast corner of the Lot 1, Block A of the Widboom Addition, an addition to the City of Rockwall as recorded in Cabinet J, Slide 375 of the Plat Records of Rockwall County, Texas, said point being on the south right-of-way line of S.H. 66 (a 60' wide right-of-way);

THENCE along the south line of said S.H. 66 and along a curve to the left having a central angle of 7°13'52", a radius of 990.00' and a chord that bears North 82°52'21" East a distance of 124.86';

THENCE along said curve an arc distance of 124.94' to a TXDOT concrete monument with an aluminum cap stamped "1453";

THENCE North 79°08'41" East a distance of 127.20' to a TXDOT concrete monument with an aluminum cap stamped "1455", said point being the beginning of a curve to the right having a central angle of 11°05'24", a radius of 905.00' and a chord that bears North 84°41'23" East a distance of 174.90';

THENCE along said right-of-way line an arc distance of 175.17' to a busted TXDOT monument found;

THENCE South 89°41'47" East along said right-of-way line, a distance of 323.43' to a point for a corner, said point being the northwest corner of Tract 2 of a tract of land conveyed to Cain Family Partnership, Ltd. as recorded in Rockwall File Clerk's No. 2017000009797 of the Real Property Records of Rockwall County, Texas (R.P.R.R.C.T.);

THENCE South 00°05'21" West along the west line of said Tract 2, a distance of 1341.99' to a 1/2" iron rod found at the southwest base of a wood fence corner post, said point being the northwest corner of Lot 10 of the revised Final Plat of Rolling Meadows Estates addition, an addition to Rockwall County, Texas as recorded in Cabinet D, Slide 59 of the Plat Records of Rockwall, County, Texas, said point also being the easterly northeast corner of a tract of land conveyed to Donya Beatrice Sellers as recorded in Instrument No. 20170000020261 of the Real Property Records of Rockwall County, Texas;

THENCE South 89°34'34" West along the north line of said Sellers Tract, a distance of 906.59' to a wooden fence corner post being an "ell" corner of said Sellers tract;

THENCE North 06°39'29" East along the east line of said Sellers Tract, a distance of 220.86' to a 1/2" iron pipe found, said point being the southeast corner of a tract of land conveyed to Gary S. Ryan as recorded in Instrument No. 20170000021114 R.P.R.R.C.T.;

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THENCE North 20°09'09" East a distance of 154.69' to a 1/2" iron rod found for the northeast corner of said Dailey Tract and the southeast corner of a tract of land conveyed to Joseph W. Rinkevich as recorded in Volume 6147, Page 28 of the Deed Records of Rockwall County, Texas;

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THENCE North 06°48'25" East a distance of 112.14' to a 3/8" iron rod found for the northeast corner of said Rinkevich Tract and the southeast corner of said Widboom Addition;

THENCE North 07°10'37" East a distance of 373.75' to the *POINT OF BEGINNING* and containing 25.41 acres or 1,107,008 square feet of land.

Exhibit 'C':
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 General Retail (GR) District and Single-Family 1 (SF-1) 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*.
- (a) Residential Land Uses. Residential land uses shall be allowed only within the area designated for residential lots as depicted on the *Concept Plan* in *Exhibit 'B'* of this ordinance. These areas are limited to those uses permit by-right or by Specific Use Permit (SUP) for the Single-Family 1 (SF-1) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC).
- (b) Non-Residential Land Uses. Non-residential land uses shall be allowed only within the area designated for *General Retail* land uses as depicted on the *Concept Plan* in *Exhibit 'B'* of this ordinance. These areas are limited to those uses permitted *by-right* or by Specific Use Permit (SUP) for the General Retail (GR) District as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) and subject to the approval of a *PD Development Plan* and *PD Site Plan* in accordance with the Planned Development District regulations contained in Article 10, *Planned Development District Regulations*, of the Unified Development Code (UDC); however, the subject property shall be subject to the following:

The following land uses shall be permitted by-right:

- Commercial Freestanding Antenna

The following uses shall be expressly prohibited:

- Animal Boarding/Kennel without Outside Pens
- Animal Hospital or Clinic
- Convent, Monastery, or Temple
- Commercial Parking Garage
- Limited-Service, Full-Service, and/or Residence Hotel
- Motel
- Cemetery/Mausoleum
- Church/House of Worship
- Congregate Care Facility/Elderly Housing
- Emergency Ground Ambulance Services
- Hospital
- Mortuary or Funeral Chapel
- Financial Institution with Drive-Through
- Temporary Carnival, Circus, or Amusement
- Outdoor Commercial Amusement/Recreation
- Private Country Club
- Golf-Driving Range
- Temporary Fundraising Events by Non-Profit
- Indoor Gun Club with Skeet or Target Range
- Private Club, Lodge or Fraternal Organization

Exhibit 'C':
Density and Development Standards

- Tennis Courts
- Banquet Facility/Event Hall
- Brew Pub
- Private Sports Arena, Stadium, and or Track
- Portable Beverage Service Facility
- Temporary Christmas Tree Sales Lot and/or Similar Uses
- Copy Center
- Incidental Display
- Food Trucks/Trailers
- Garden Supply/Plant Nursery
- Self Service Laundromat
- Night Club, Discotheque, or Dance Hall
- Pawn Shop
- Restaurant with less/more than 2,000 SF with a Drive-Through or Drive-In
- Rental Store without Outside Storage and/or Display
- Retail Store with Gasoline Sales that has less/more than Two (2) Dispensers
- Trade School
- Minor Auto Repair Garage
- Full Service Car Wash and Auto Detail
- Self Service Car Wash
- Non-Commercial Parking Lot
- Service Station
- Temporary Asphalt or Concrete Batch Plant
- Mining and Extraction of Sand, Gravel, Oil and/or Other Materials
- Helipad
- Railroad Yard or Shop
- Transit Passenger Facility

(2) Density and Dimensional Requirements. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated for the *Subject Property* shall be as follows:

(a) Residential. Except as provided by this Planned Development District ordinance, the residential land uses on the *Subject Property* shall be required to meet the development standards for the Single-Family 1 (SF-1) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC). The maximum permissible density for the *Subject Property* shall not exceed 0.23 dwelling units per gross acre of land; however, in no case should the proposed development exceed 6 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>Minimum Lot Width ⁽¹⁾</i>	70'
<i>Minimum Lot Depth</i>	100'
<i>Minimum Lot Area</i>	43,560 SF
<i>Minimum Front Yard Setback ⁽²⁾</i>	20'
<i>Minimum Side Yard Setback</i>	6'
<i>Minimum Length of Driveway Pavement</i>	25'
<i>Maximum Height ⁽³⁾</i>	36'
<i>Minimum Rear Yard Setback ⁽⁴⁾</i>	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	3,000 SF

Exhibit 'C':
Density and Development Standards

Maximum Lot Coverage

45%

General Notes:

- ¹: The *Minimum Lot Width* shall be measured from the *Front Yard Setback*.
- ²: The location of the *Front Yard Building Setback* as measured from the front property line. The front yard building setback shall be increased to a minimum of 50-feet adjacent to homes along SH-66.
- 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.

(b) *Non-Residential*. Except as modified by this Planned Development District ordinance, the non-residential land uses on the *Subject Property* shall be required to meet the development standards stipulated by the *General Overlay District Standards*, *General Commercial District Standards*, and the standards required for the General Retail (GR) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC). In addition, the *Commercial* area shall be designed to be pedestrian-oriented and easily accessible to the adjacent residential neighborhoods, and be constructed to be integrated with the adjacent uses, not be separated from them by screening walls or other physical barriers. This will be accomplished by creating paths from the adjacent development into the *Commercial* area and through the use of landscaping buffers utilizing a berm and three (3) tiered screening (*i.e.* [1] *a small to mid-sized shrub*, [2] *large shrubs or accent trees*, and [3] *canopy trees on 20-foot centers*), and building design and other urban design elements to create compatibility with the surrounding residential neighborhood.

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

(a) *Masonry Requirement*. The minimum masonry requirement for the exterior façade of all buildings shall be 90.00% (*excluding dormers and walls over roof areas*). For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard (*e.g. HardiBoard or Hardy Plank*) in a horizontal lap-siding, *board-and-batten* siding, or a decorative pattern (*see examples below*) may be used for up to 50.00% of the masonry requirement; however, administrative approval from the Director of Planning and Zoning may be requested for housing plans that utilize cementitious fiberboard in excess of 50.00% of the masonry requirement on a *case-by-case* basis.

FIGURE 1: EXAMPLES OF CEMENTITIOUS FIBERBOARD



Exhibit 'C':
Density and Development Standards

FIGURE 2: EXAMPLES OF BOARD AND BATTEN



FIGURE 3: EXAMPLES OF HORIZONTAL LAP



- (b) ***Roof Pitch.*** A minimum of an 8:12 roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a 4:12 roof pitch.
- (c) ***Garage Orientation and Garage Doors.*** Garages shall be oriented in a traditional swing (or j-swing) or recessed front entry (i.e. the garage door may be oriented toward the street as long as it is setback a minimum of 20-feet behind the front façade of the primary structure). All garage doors shall be required to have upgraded finishes (e.g. divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be approved by staff):

Continued on Next Page ...

Exhibit 'C':
Density and Development Standards

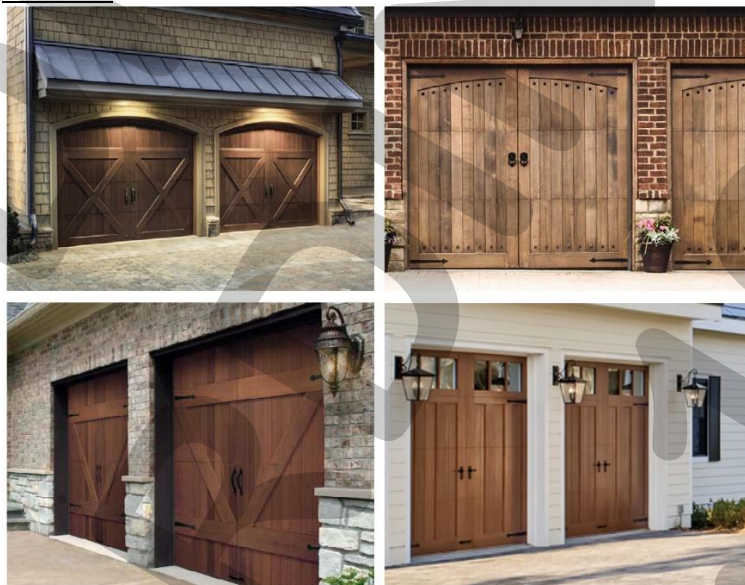
FIGURE 4: EXAMPLES OF ENHANCED WOOD GARAGE DOOR



FIGURE 5: EXAMPLES OF UPGRADED FINISHES



FIGURE 6: EXAMPLES OF UPGRADED GARAGES



- (4) Anti-Monotony Restrictions. The development shall adhere to the following *Anti-Monotony* standards:
- (a) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on

Exhibit 'C':
Density and Development Standards

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. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
 - (1) Number of Stories
 - (2) Roof Type and Layout
 - (3) Articulation of the Front Façade
 - (c) 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*).
- (5) 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) Wrought Iron/Tubular Steel. All lots shall utilize fencing materials that shall be open in nature and not to exceed six (6) feet in height. Fences that extend beyond the front building line of any structure shall be required to be pipe-rail or similar fencing. No chain-link or wooden fencing shall be allowed.
 - (b) Lots with Floodplain. No fences shall be permitted within the floodplain.
- (6) 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. All shrubs shall be a minimum of five (5) gallons in size. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall be required to plant an additional row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).
 - (b) Landscape Buffer and Sidewalks (State Highway 66). A minimum of a 30-foot landscape buffer shall be provided along SH-66 (*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. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-linear feet of frontage. A meandering six (6) foot trail shall be constructed within the 30-foot landscape buffer.
 - (c) Landscape Buffer (Adjacent to Residential Properties). A minimum of a 50-landscape buffer with a minimum of a 48-inch berm and three (3) tiered screening (*i.e. [1] a small to mid-sized shrub, [2] large shrubs or accent trees, and [3] canopy trees on 20-foot centers*) along the entire adjacency.

Exhibit 'C':
Density and Development Standards

- (d) 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 that are less than ten (10) inches and ten (10) feet from public water, sanitary sewer and storm lines that are greater than ten (10) inches. All street trees shall be reviewed with the *PD Site Plan*.
- (e) Residential Lot Landscaping. Prior to the issuance of a Certificate of Occupancy (CO), all residential lots depicted on *Exhibit 'B'* shall be landscaped with a minimum of two (2), four (4) inch caliper canopy trees (as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]) within the front yard. In addition, corner lots shall be required to add a minimum of two (2), four (4) inch caliper canopy trees (as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]) within the side yard facing the street.
- (f) 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).
- (g) Hardscape. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.
- (7) Street. All streets (excluding drives, fire lanes and private parking areas) shall be built according to the City's standards.
- (8) 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.
- (9) 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.
- (10) Buried Utilities. New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.
- (11) Neighborhood Signage and Enhancements. Permanent subdivision identification signage shall be required 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*.

Exhibit 'C':
Density and Development Standards

- (12) Homeowner's Association (HOA). A Homeowner's Association (HOA) 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. These areas are required to be delineated on the *PD Site Plan*.
- (13) On-Site Sewage Facilities. Septic Systems are permitted on all lots within this subdivision pending conformance to the following standards:
- (a) All *Septic Systems* shall be designed by a licensed *On-Site Sewage Facility (OSSF)* professional (e.g. *licensed engineer, sanitarian, and etcetera*).
 - (b) A stamped and signed copy of the *Septic System* plans indicating the full limits of the septic field shall be submitted to the city at the time of building permit on a *lot-by-lot* basis.
 - (c) All *Septic Systems* shall be inspected and approved by the City's chosen inspector.
- (14) 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: February 14, 2023
APPLICANT: Dub Douphrate; *Douphrate & Associates, Inc.*
CASE NUMBER: Z2022-057; *Zoning Change from Agricultural (AG) District to Planned Development District*

SUMMARY

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates, Inc. for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development (PD) District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses on a 25.87-acre tract of land identified as parcel of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH66 Overlay (E. SH-66 OV) District, generally located southside of SH-66 east of the intersection of SH-66 and Davis Drive, and take any action necessary.

BACKGROUND

The subject property was annexed on March 16, 1998 by *Ordinance No. 98-10 [Case No. A1998-001]*. At the time of annexation the subject property was zoned Agricultural (AG) District. This designation has not changed since annexation, and the subject property has remained vacant.

PURPOSE

On December 12, 2022 the applicant -- *Dub Douphrate of Douphrate & Associates, Inc.* -- submitted an application requesting to change the zoning of the subject property from an Agricultural (AG) District to a Planned Development District for General Retail (GR) District and Single-Family 10 (SF-10) District land uses.

ADJACENT LAND USES AND ACCESS

The subject property is generally located in between N. John King Boulevard and N. Stodghill Road, south of SH-66. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is SH-66, which is identified as a TXDOT4D (*i.e. Texas Department of Transportation, four [4] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 55.08-acre tract of land zoned Agricultural (AG) District. Following this is a 14.219-acre tract of land zoned Agricultural (AG) District and Planned Development District 93 (PD-93) for Single-Family 10 (SF-10) District land uses.

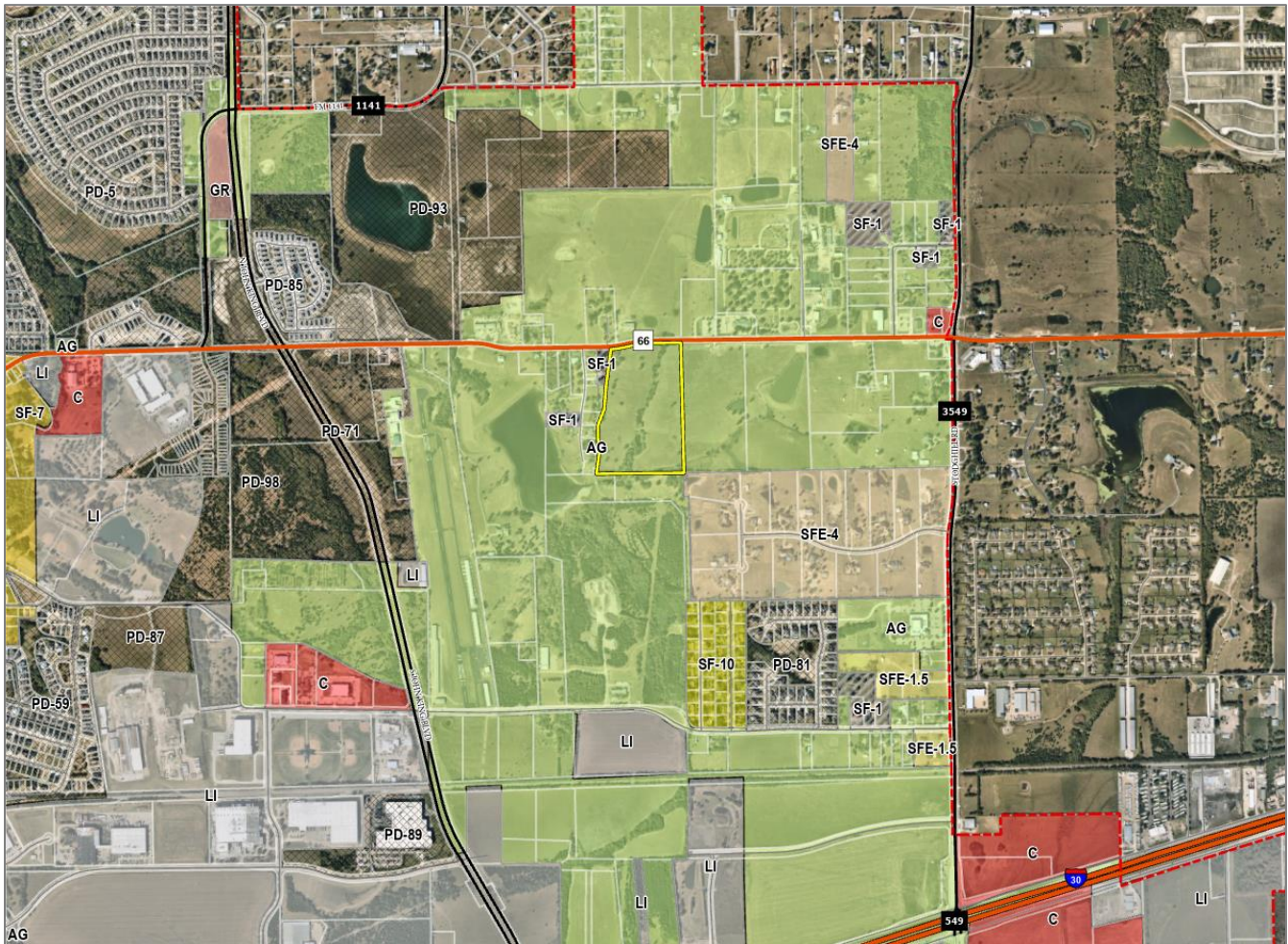
South: Directly south of the subject property are two (2) vacant tracts of land [*i.e. Tracts 17 & 17-1 of the D. H. Survey Abstract No. 102*] zoned Agricultural District. Beyond this is a 64.514-acre tract of land developed with the City of Rockwall's Animal Shelter and Gun Range, which is zoned Agricultural (AG) District.

East: Directly east of the subject property are two (2) vacant tracts of land [*i.e. Tracts 9 & 9-01 of the E. M. E. Survey Abstract No. 77*] zoned Agricultural (AG) District. Beyond this are six (6) tracts of land, four (4) of which are developed with single-family homes [*i.e. 2755 E. SH-66 and 1110 and 1226 N. Stodghill Road*], one (1) of which is vacant [*i.e. Tract 29-2 of the E. M. E. Survey Abstract 77*], and is the last tract being developed with an *Animal Clinic [i.e. 2897 E. SH-66]*. All of these properties are zoned Agricultural (AG) District.

West: Directly west of the subject property are several properties developed with single-family homes that are zoned Agricultural (AG) District and Single-Family 1 (SF-1) District. Beyond this is a 47.89-acre parcel of land developed with the Ralph M. Hall Airport, which is zoned Agricultural (AG) District.

MAP 1: LOCATION MAP

YELLOW: SUBJECT PROPERTY



CHARACTERISTICS OF THE REQUEST

The applicant has submitted a concept plan and development standards for the proposed residential subdivision and non-residential tracts of land. The concept plan shows that the 25.87-acre subject property will consist of six (6) residential lots on 9.49-acres and a 1.68-acre *General Retail* lot. The applicant has submitted a letter requesting that the City Council approve *On-Site Sewage Facilities (OSSF)* [or *septic systems*] for all lots (*i.e. both the residential lots and general retail lot*). The purpose of this request is due to the proximity of the subject property to the City's existing sanitary sewer facilities, and the fact that five (5) of the six (6) lots are less than 1.50-acres in size. The proposed number of residential lots translates to a gross density of 0.23 dwelling units per gross acre (*i.e. six [6] lots/25.87-acres = 0.2319 dwelling units per gross acre*). The minimum dwelling unit size will be 3,000 SF (*i.e. air-condition space*). With regard to the proposed housing product, staff has incorporated anti-monotony and masonry standards into the proposed Planned Development District ordinance; however, the applicant has indicated that these lots will most likely be custom homes built on an individual lot basis. With regard to the anti-monotony and masonry standards, the ordinance will require a minimum of 90% masonry, and be subject to the City's upgraded anti-monotony standards. In addition, the Planned Development District ordinance will incorporate a provision that allows up to 50.00% cementitious fiberboard utilized in a horizontal lap-siding, *board-and-batten* siding, or decorative pattern to allow a variation in the materials throughout the six (6) residential lots. The following are some of the examples showing horizontal lap-siding, *board-and-batten* siding, or decorative patterns that are contained within the Planned Development District ordinance:

FIGURE 1: EXAMPLES OF CEMENTITIOUS FIBERBOARD



FIGURE 2: EXAMPLES OF BOARD AND BATTEN



FIGURE 3: EXAMPLES OF HORIZONTAL LAP



Looking at the garage orientation proposed for the development, the garage doors will be oriented in a *J-Swing* (or a *Traditional Swing*) configuration or *Recessed Front Entry* configuration (i.e. where the garage door is situated a minimum of 20-feet behind the front façade). In addition, the applicant is proposing to incorporate upgraded finishes on all garage doors that include: [1] divided garage bay doors, [2] carriage style hardware and lighting, and [3] decorative wood doors or wood overlays on insulated metal doors. On the following page are some of the examples of the upgrades required in the Planned Development District ordinance.

FIGURE 4: EXAMPLES OF ENHANCED WOOD GARAGE DOOR



FIGURE 5: EXAMPLES OF UPGRADED FINISHES



DIVIDED BAYS



CARRIAGE HARDWARE



CEDAR CLADDING



ORNAMENTAL PAVING

FIGURE 6: EXAMPLES OF UPGRADED GARAGES



The proposed subdivision will be subject to the land uses and density and dimensional requirements stipulated for properties within a Single-Family 1 (SF-1) District unless otherwise specified 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: RESIDENTIAL LOT DIMENSIONAL REQUIREMENTS

Minimum Lot Width ⁽¹⁾	70'
Minimum Lot Depth	100'
Minimum Lot Area (SF)	43,560 SF
Minimum Front Yard Setback ⁽²⁾	20'
Minimum Side Yard Setback	6'
Minimum Side Yard Setback (Adjacent to a Street)	20'
Minimum Length of Driveway Pavement	25'
Maximum Height ⁽³⁾	36'
Minimum Rear Yard Setback ⁽⁴⁾	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]	3,000 SF
Maximum Lot Coverage	45%

General Notes:

- ^{1:} The *Minimum Lot Width* shall be measured from the *Front Yard Setback*.
- ^{2:} The location of the *Front Yard Building Setback* as measured from the front property line. The front yard building setback shall be increased to a minimum of 50-feet adjacent to homes along SH-66.
- ^{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.

The proposed concept plan shows that the development will consist of a total of 10.93-acres of open space (*i.e.* 4.78-acres outside of the floodplain and 6.15-acres situated within the floodplain), which equates to an open space percentage of 30.38% (*i.e.* $[6.15\text{-acres}/2] + 4.78\text{-acres}/25.87\text{-acres} = 0.30382$ or 30.38%). In addition, the applicant has incorporated a trail system on the concept plan that shows a six (6) foot hike and bike trail will be provided that will bisect the subject property from north to south. Staff should note that this trail is currently indicated on the City’s Master Trail Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

With regard to the proposed 1.68-acre *General Retail* lot depicted on the concept plan, this property will be subject to the density and development standards required for the General Retail (GR) District and the East SH-66 Overlay (E. SH-66 OV) District. These standards are summarized as follows:

TABLE 2: GENERAL RETAIL (GR) DISTRICT LOT DIMENSIONAL REQUIREMENTS

<i>Ordinance Provisions</i>	<i>Zoning District Standards</i>
Minimum Lot Area	6,000 SF
Minimum Lot frontage	60-Feet
Minimum Lot Depth	100-Feet
Minimum Front Yard Setback	15-Feet
Minimum Rear Yard Setback	20-Feet
Minimum Side Yard Setback	10-Feet
Maximum Building Height ⁽¹⁾	36-Feet
Max Building/Lot Coverage	40%
Minimum Landscaping Percentage	20%
Maximum Impervious Coverage	85%-90%

General Notes:

- ^{1:} The *Maximum Height* permitted through a Specific Use Permit (SUP) shall be 110-feet for a *Commercial Freestanding Antenna*.

In addition to the residential and commercial land uses proposed by the applicant, the applicant has included a proposed cell tower easement within the General Retail (GR) District lot. The applicant has requested the *Commercial Freestanding Antenna* land use be permitted through a Specific Use Permit (SUP). Staff should point out that the proposed location for the *Commercial Freestanding Antenna* has direct adjacency to an existing single-family home, which is located directly west of the subject property. Staff has included a note within the General Retail (GR) District *Density and Dimensional Requirements*, contained in the draft ordinance, that a *Commercial Freestanding Antenna* can only be approved by Specific Use Permit (SUP) and is capped at 110-feet in height. Typically, these types of facilities are discouraged from locating directly adjacent to or within the City’s

residential areas; however, this aspect of the applicant's request will be discretionary to the City Council pending a recommendation from the Planning and Zoning Commission.

INFRASTRUCTURE

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

- (1) Roadways. According to the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan SH-66 is required to be a TXDOT4D (*i.e. a Texas Department of Transportation, four [4] lane, divided roadway*), which requires a 120-foot right-of-way. The applicant will be required to dedicate a minimum of 60-feet of right-of-way from the current centerline of SH-66 and provide a reserve for any additional ROW above and beyond the 120-feet for the future expansion of SH-66.
- (2) Water. The applicant will be required to construct a 12-inch waterline in the future right-of-way of SH-66.
- (3) Wastewater. Each lot will be required to be at a minimum of 1.50-acres for *On-Site Sanitary Facilities (OSSF)* unless the City Council grants the applicant's request to allow these facilities on lots less than 1.50-acres. A 20-foot wide sewer easement must be dedicated per the Master Wastewater Plan.
- (4) Drainage. Detention will be required and sized per the required detention study. The applicant will also be required to perform a Flood Study and a Wetlands and Waters of the United States (WOTUS) Study for the existing ponds and floodplain on the subject property.

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), the Municipal Code of Ordinances, 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) On-Site Sewage Facility (OSSF). Section 44-243, *On-Site Sewage Facility*, of Chapter 44, *Utilities*, of the Municipal Code of Ordinances states that, "(n)o permit for the installation of an on-site sewage facility (OSSF) will be issued for property of less than 1½ acres."

Applicant's Response to (1) & (2): According to the applicant's letter they are requesting the waiver to the alleyways due to the size of the proposed lots. The applicant is also requesting to allow OSSF on lots less than 1.50-acres in size due to the availability of sewer to the subject property.

Staff Response to (1) & (2): The City Council and Planning and Zoning Commission have granted a waiver to the alleyway requirements on similar projects that have incorporated similar concessions (*i.e. conforming garage configurations, upgraded garage doors, and other improvements*) with regard to garage orientation. The City Council has granted *On-Site Sewage Facilities (OSSF)* for residential projects that have incorporated lot sizes less than 1.50-acres, but typically that are larger than one (1) acre. The City Council has not granted OSSF for any non-residential lots in a Planned Development District; however, this is a discretionary decision for the City Council pending a recommendation from 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 Central District and is designated for Low Density Residential land uses. The plan defines Low Density Residential land uses as "... residential subdivisions that are greater than two (2) units per gross acre or less; however, a density of up to two and one-half (2½) units per gross acre may be permitted for developments that incorporate increased amenity and a mix of land uses." In this case, the applicant is proposing a total density of 0.23 dwelling units per acre. In addition, the applicant is proposing to incorporate 10.93-acres of open space, a 50-foot landscape buffer between the proposed *General Retail* and residential land uses, and a hike and bike trail. Based on this, the applicant's request is in conformance with the Low Density Residential designation indicated for the subject property; however, the proposed *General Retail* land use will require the City Council to change the future land use map from a Low Density Residential designation to a Commercial/Retail land use designation for the 1.68-acre portion of the subject property. Based on this the applicant's request is discretionary to the City Council and Planning and Zoning Commission.

According to the *District Strategies for Suburban Residential* in the Central District, "... many of the larger tracts in this area are not large enough to support a master planned community ... any 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* lots in this district, but should be comparable in size to newer developments ..." In this case, the proposed residential lots are large lots that are comparable to the existing surrounding housing. Based on this, the applicant's request appears to be in conformance with the *District Strategies* for the Central District.

With regard to the policies and goals for residential development contained in the Comprehensive Plan, the applicant's request incorporates the majority of these policies and goals; however, staff did identify the following non-conformities on the original concept plan. Based on these non-conformities, staff provided the below recommendations to the applicant. These recommendations are followed by the applicant's response to each recommendation.

RED: NOT INCORPORATED INTO THE PLANNED DEVELOPMENT DISTRICT ORDINANCE.

BLUE: INCORPORATED INTO THE PLANNED DEVELOPMENT DISTRICT ORDINANCE.

- (1) [CH. 7; Goal #2 | Policy #3 \(Page 7-1\)](#). Continue to develop and plan for an interconnected trail and sidewalk system that promotes connectivity and access to all areas of the City.
- (2) [CH. 1; Section 2.03; Goal #2 | Policy #4 \(Page 1-2\)](#). Commercial developments should be constructed with logical connections and extensions to the City's existing and proposed hike and bike trail.

Staff Response: Staff requested the applicant provide a hike and bike trail to connect the commercial and residential land uses. [The applicant has shown a six \(6\) foot hike/bike trail along the east side of the proposed subdivision that extends the entire length of the subject property.](#)

- (3) [CH. 1; Section 2.03; Goal #2 | Policy #2 \(Page 1-2\)](#). Commercial/retail shopping centers should be screened from residential areas utilizing landscape buffers that are composed of berms, landscaping, and trees.

Staff Response: Staff requested that the applicant provide a 50-foot landscape buffer with a berm, ground cover, shrubs, and canopy trees. [The applicant has shown a 50-foot landscape buffer that will include three \(3\) tiered landscaping. This includes a berm, shrubs, accent trees, and canopy trees.](#)

Taking all of this into account, the applicant's concept plan and proposed density and development standards appear to conform with the majority of the OURHometown Vision 2040 Comprehensive Plan; however, the addition and location of the proposed *Commercial Freestanding Antenna* and the proposed changes to the *Future Land Use Map* make this request a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On December 14, 2022, staff mailed 36 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Rolling Meadows Estates Homeowner's Association (HOA), which is the only HOA/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) Five (5) property owner notifications from three (3) property owners who are in favor of the applicant's request. Staff should note that two (2) of the notices are from the property owner of the subject property for this zoning case.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request to rezone the subject property from an Agricultural (AG) District to a Planned Development District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the concept plan and development standards contained in the Planned Development District ordinance.
- (2) The approval of this case will change the area of the proposed General Retail (GR) District and the *Commercial Freestanding Antenna* on the Future Land Use Map from a Low Density Residential land use designation to a Commercial/Retail land use designation.
- (3) The 50-foot landscape buffer that incorporates the three (3) tiered landscaping shall be extended along the western property line of the General Retail (GR) District lot adjacent to the adjoining residential property.
- (4) 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&2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

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.
²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS *Parcel situated in David Harr Survey Abs. 102*

SUBDIVISION *25.41 Cain Revocable Trust Property*

LOT

BLOCK

GENERAL LOCATION *located east of W.D Boom Add. adjacent to and south of SH 66 centered between J. King Blvd. & 9549*

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING *AG*

CURRENT USE *AG*

PROPOSED ZONING *PD*

PROPOSED USE *PD*

ACREAGE *25.41*

LOTS [CURRENT]

LOTS [PROPOSED]

- 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 *Dewayne Cain*

APPLICANT *Douphrate & Assoc. Inc*

CONTACT PERSON
ADDRESS *305 Stonebridge Dr*

CONTACT PERSON
ADDRESS *2235 Ridge Rd*

CITY, STATE & ZIP *Rockwall, TX 75087*

CITY, STATE & ZIP *Rockwall, TX 75087*

PHONE *214.533.8641*

PHONE *972.742.2210*

E-MAIL *dewaynecain25@outlook.com*

E-MAIL *wldouphrate@douphrate.com*

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED *Dewayne Cain* [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 \$ *581.15* TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE *16* DAY OF *December*, 20*12* 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."

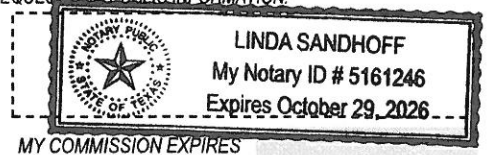
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE *12* DAY OF *Dec*, 20*21*.

OWNER'S SIGNATURE

Dewayne Cain

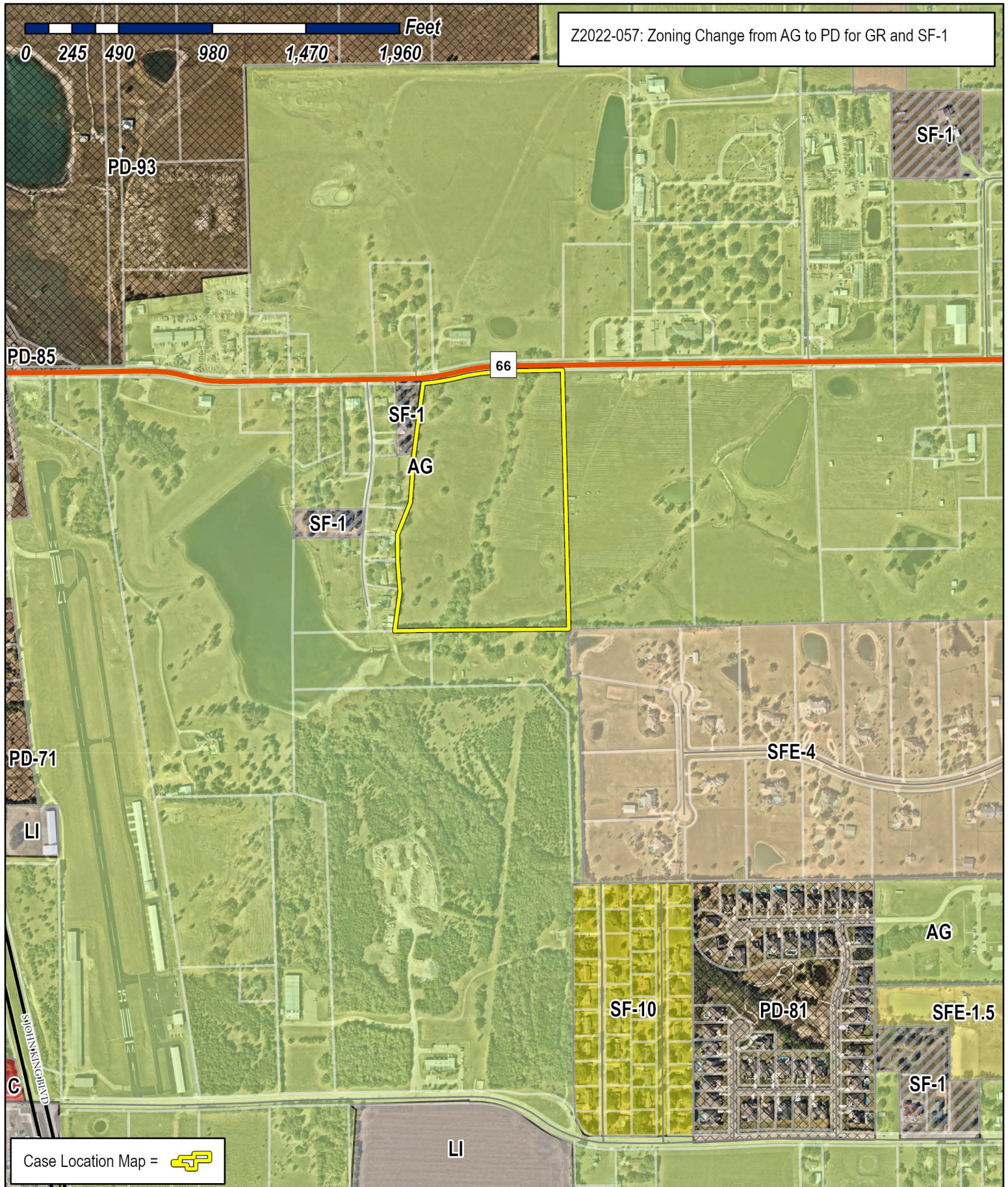
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Linda Sandhoff



MY COMMISSION EXPIRES

Z2022-057: Zoning Change from AG to PD for GR and SF-1



Case Location Map = 



City of Rockwall

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

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

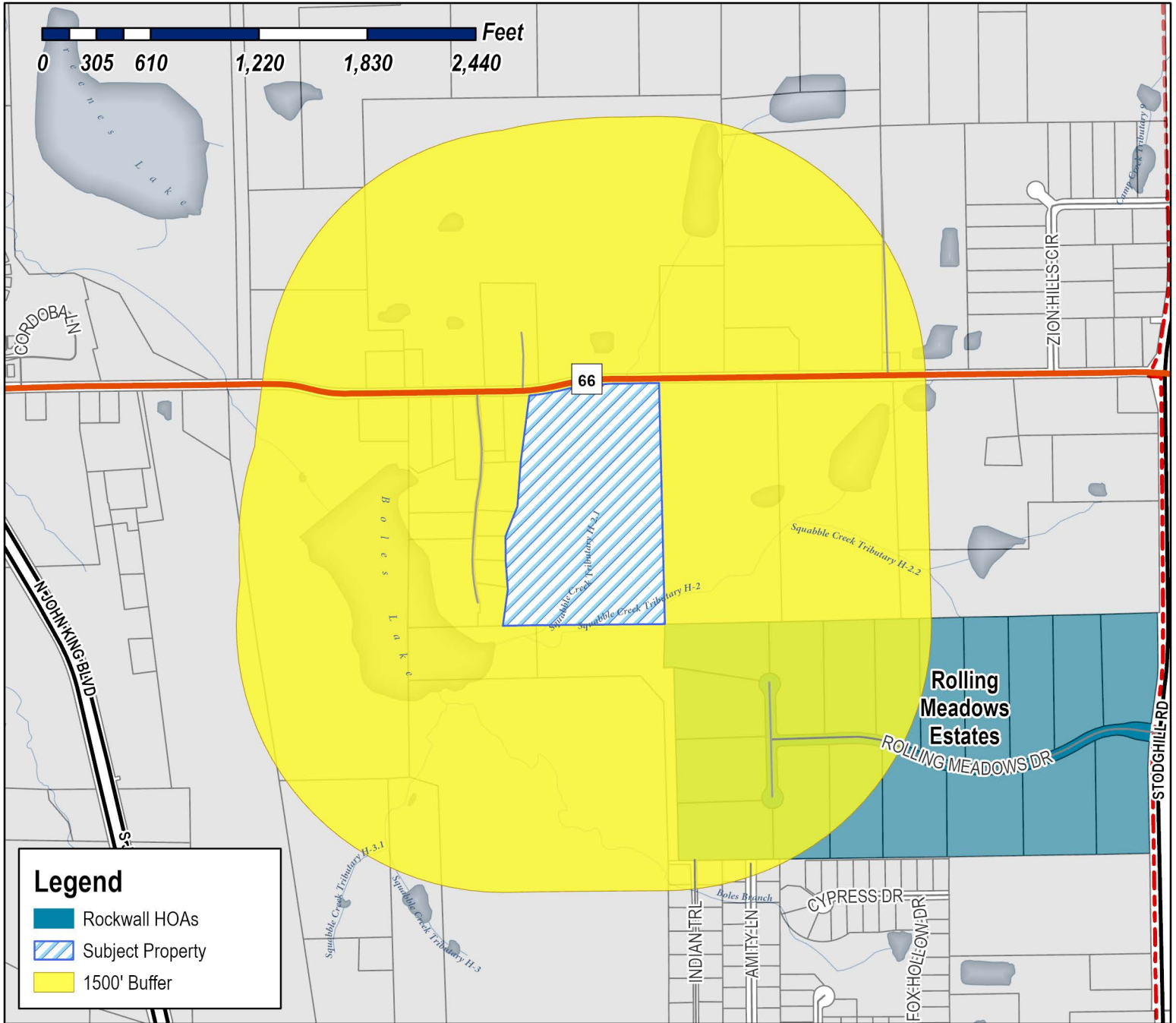




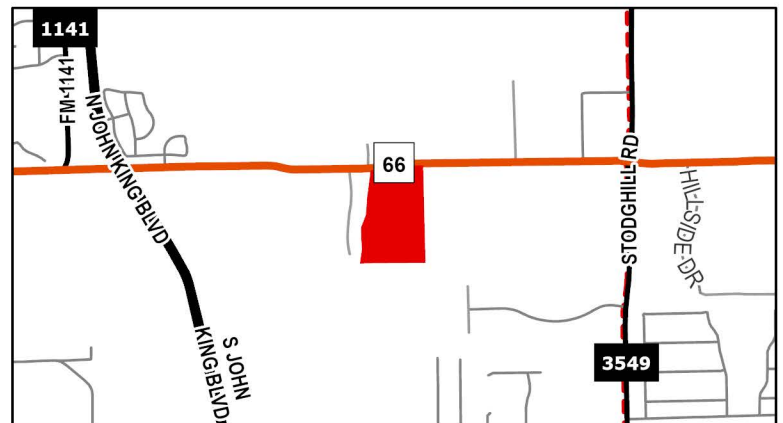
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2022-057
Case Name: Zoning Change from AG to PD
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: SE of HWY 66 & John King Blvd



Date Saved: 12/12/2022
 For Questions on this Case Call (972) 771-7745

Lee, Henry

From: Guevara, Angelica
Sent: Wednesday, December 14, 2022 3:02 PM
Cc: Miller, Ryan; Ross, Bethany; Chapin, Sarah; Lee, Henry
Subject: Neighborhood Notification Program [Z2022-057]
Attachments: Public Notice Z2022-057.pdf; HOA Map (12.12.2022).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 16, 2022*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, January 10, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, January 17, 2023 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>.

Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates, Inc. for the approval of a *Zoning Change* from an Agricultural (AG) District to a Planned Development (PD) District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses on a 25.87-acre tract of land identified as parcel of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located southside of SH-66 east of the intersection of SH-66 and Davis Drive, and take any action necessary.

Thank you,

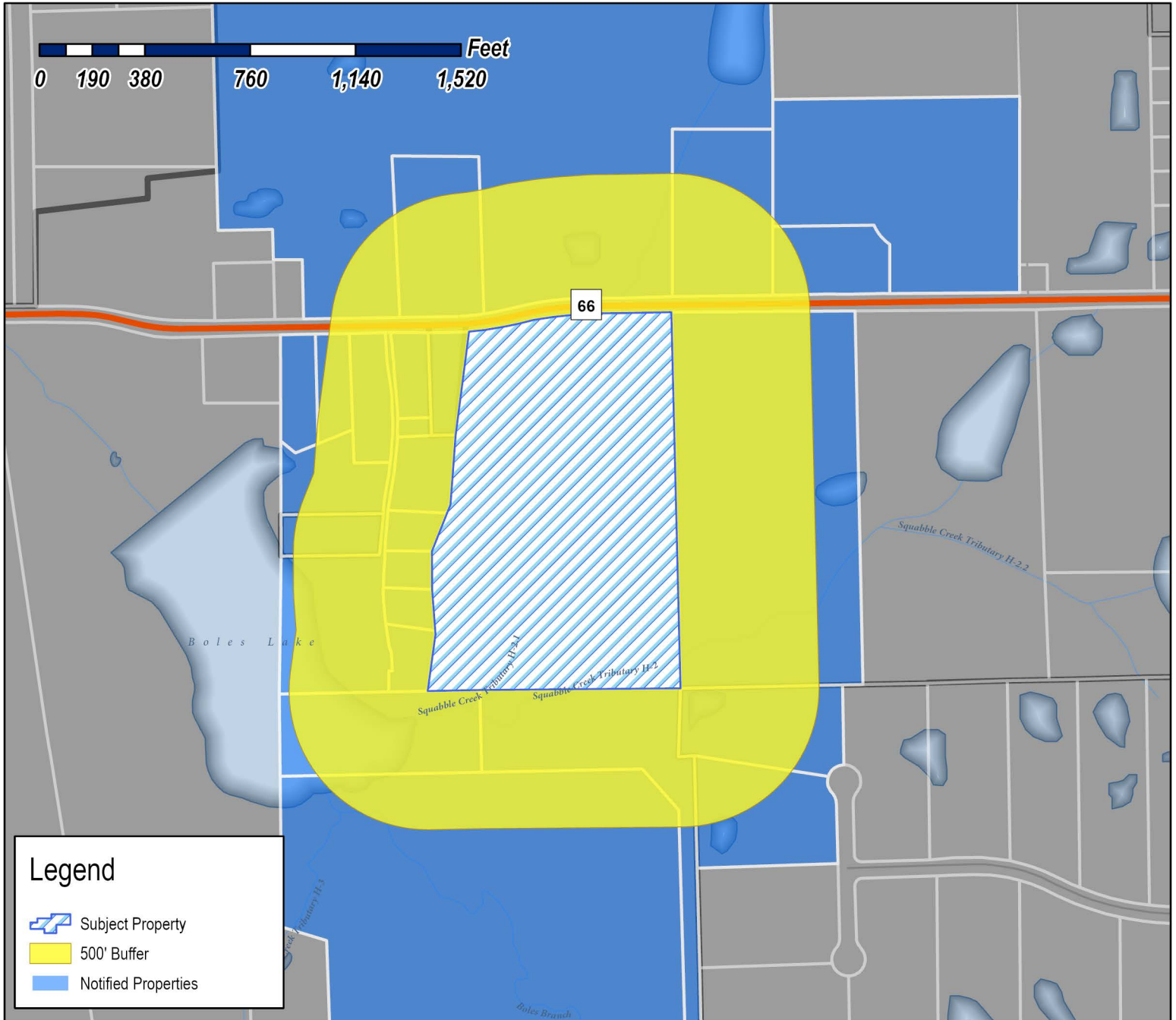
Angelica Guevara
Planning Technician
City of Rockwall Planning & Zoning
385 S. Goliad Street
Rockwall, TX 75087
Office: 972-771-7745
Direct: 972-772-6438



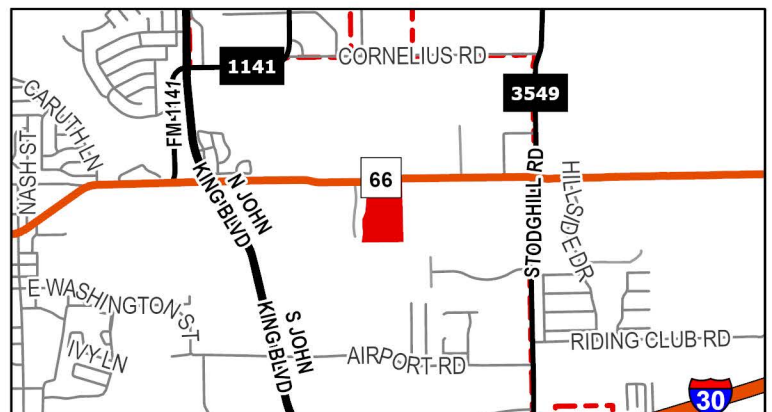
City of Rockwall

Planning & Zoning Department
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Rockwall, Texas 75087
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Case Number: Z2022-057
Case Name: Zoning Change from AG to PD
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: SE of HWY 66 & John King Blvd



Date Saved: 12/12/2022

For Questions on this Case Call: (972) 771-7746

NELSON MARC J & MICHELLE L
135 ROLLING MEADOWS CIR
ROCKWALL, TX 75087

152 HILL LN
ROCKWALL, TX 75087

CUMMINGS JOHN & LORI
1770 E HWY66
ROCKWALL, TX 75087

COLLIER JUDY KAY AND
THERESA ROBBINS
1780 WILLIAMS ST
ROCKWALL, TX 75087

MCILRATH PROPERTIES LLC
1790 WILLIAMS ST
ROCKWALL, TX 75087

RYAN BILL K
1800 WILLIAMS ST
ROCKWALL, TX 75087

CITY OF ROCKWALL
1815 AIRPORT RD
ROCKWALL, TX 75087

SULLIVAN BRETT D & EDNA
195 ROLLING MEADOWS CIR
ROCKWALL, TX 75087

CITY OF ROCKWALL
205 W RUSK ST
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD
2294 E STATE HIGHWAY 66
ROCKWALL, TX 75087

CARRIAGE MANAGEMENT INC
2500 HWY66
ROCKWALL, TX 75087

CARRIAGE MANAGEMENT INC
3040 POST OAK BLVD SUITE 300
HOUSTON, TX 77056

CARRIAGE MANAGEMENT INC
3040 POST OAK BLVD SUITE 300
HOUSTON, TX 77056

CAIN FAMILY PARTNERSHIP LTD
305 STONEBRIDGE DR
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD
305 STONEBRIDGE DR
ROCKWALL, TX 75087

CUMMINGS JOHN & LORI
308 STONEBRIDGE DR
ROCKWALL, TX 75087

RYAN BILL K
330 VZ CR 2207
CANTON, TX 75103

RYAN GARY S AND CONSTANCE E
502 WILLIAMS ST
ROCKWALL, TX 75087

MCILRATH PROPERTIES LLC
636 GRISHAM DR
ROCKWALL, TX 75087

SELLERS DONYA BEATRICE
700 DAVIS DR
ROCKWALL, TX 75087

SELLERS DONYA BEATRICE
700 DAVIS DR
ROCKWALL, TX 75087

SELLERS DONYA BEATRICE
700 DAVIS DR
ROCKWALL, TX 75087

RYAN GARY S AND CONSTANCE E
710 DAVIS DR
ROCKWALL, TX 75087

MOCK ALYSSA
720 DAVIS DR
ROCKWALL, TX 75087

MA MICHAEL D AND CAROLINE J G MOORE
725 DAVIS DR
ROCKWALL, TX 75087

DAILEY MARK L
730 DAVIS DR
ROCKWALL, TX 75087

SARACAY JOSELIN E LANDAVERDE AND
JOSE ANTONIO LANDAVERDE
735 DAVIS DRIVE
ROCKWALL, TX 75087

RINKEVICH FAMILY LIVING TRUST
JOSEPH W RINKEVICH- TRUSTEE
740 DAVIS DR
ROCKWALL, TX 75087

RAINES SHERYL
745 DAVIS DR
ROCKWALL, TX 75087

COOK SHERRY LYNN
760 DAVIS DRIVE
ROCKWALL, TX 75087

WIDBOOM ROBBY AND KYLIE
770 DAVIS DR
ROCKWALL, TX 75087

CAIN REVOCABLE FAMILY TRUST AND
CREDIT SHELTER TRUST AND SURVIVORS TRUST
DEWAYNE CAIN TRUSTEE 305 STONEBRIDGE DR
ROCKWALL, TX 75087

CAIN CEMETARY CORP
N/A HWY66
ROCKWALL, TX 75087

CAIN CEMETARY CORP
PO BOX 1119
ROCKWALL, TX 75087

RAINES SHERYL
PO BOX 412
ROCKWALL, TX 75087

, 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:

Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates, Inc. for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development (PD) District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses on a 25.87-acre tract of land identified as parcel of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located southside of SH-66 east of the intersection of SH-66 and Davis Drive, 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 10, 2023 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 17, 2023 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Henry Lee
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Tuesday, January 17, 2023 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. Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

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](#)

PUBLIC NOTICE



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

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Ryan Miller, AICP
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PLEASE RETURN THE BELOW FORM

Case No. Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

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: Cain Family Partnership (Across St. Hwy 66 From The Zoning Change)
Address: 305 Stonebridge Dr.

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.

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PUBLIC NOTICE



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

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Henry Lee
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385 S. Goliad Street
Rockwall, TX 75087

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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. Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

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: Cain Family Partnership (Property Adjacent To Zoning Change)

Address: 305 Stonebridge Dr.

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

Chapin, Sarah

From: Donya Sellers <donyasellers@yahoo.com>
Sent: Wednesday, January 4, 2023 11:57 AM
To: Planning
Subject: Case Z2022-057 Zoning Change

I am in favor of the request as this SF land division is the least intrusive to my property

Donya Sellers-Horton
700 Davis Dr, Rockwall TX 75087

[Sent from Yahoo Mail on Android](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Case No. Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

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: *Hesli Johnson, Rest Haven Funeral Home*

Address: *2500 State Hwy 66 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

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: *Lesli Johnson, Rest Haven Memorial Park*
Address: *2500 Stat Hwy Leb 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

Lee, Henry

From: Miller, Ryan
Sent: Monday, February 6, 2023 1:46 PM
To: Lee, Henry
Subject: FW: Zoning Change

For Dewayne's case. Thanks.



RYAN C. MILLER, AICP

DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

[HELPFUL LINKS](#) | [CITY OF ROCKWALL WEBSITE](#) | [PLANNING & ZONING DIVISION WEBSITE](#) | [MUNICIPAL CODE WEBSITE](#)
[GIS DIVISION WEBSITE](#) | [UNIFIED DEVELOPMENT CODE](#)

NOTES:

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

From: David Rakow <drakow152@sbcglobal.net>
Sent: Monday, February 6, 2023 1:43 PM
To: Miller, Ryan <RMiller@rockwall.com>
Subject: Zoning Change

Mr. Miller,

My name is David Rakow and I live at 152 Hill LN in Rockwall. I am in favor of the proposed residential development, which includes a retail zoned area where a cell tower would be constructed, directly across the street from my personal residence. I am happy to see that the residential lots are much larger than are currently being approved in our area. My only request is that the cell tower is no higher than the Oncor transmission tower that is on my property and that proper screening is provided. The tower is needed because currently our cell reception is minimal and calls are frequently dropped in this area. It would be great if whichever company installs a cell tower would provide 5G cellular home internet. Currently, everyone in this area can only receive DSL although Spectrum ran a fiber optic line to accommodate the city court building but no one else. AT&T has fiber optic up to the funeral home then stopping and not starting up again until John King Boulevard intersection. Verizon has recently allowed some to use their 5G home cellular internet but it is limited due to the amount of towers they currently have. Needless to say I'm very frustrated that living in the city limits of Rockwall and the best internet I can get is 2 mbps on DSL.

Thanks,

David Rakow

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

November 10, 2022

City of Rockwall

Planning and Zoning Department

385 S. Goliad Street

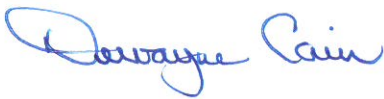
Rockwall, TX 75087

Dear Sirs:

I am requesting a Planned Development on a 25.41-acre tract of land my family trust owns. The property is in the David Harr Survey Abstract #102 and is adjacent to State Highway 66. The property falls within the Rockwall City Limits. The PD will be a mixed-use development consisting of residential lots that are larger than most currently being developed in Rockwall. As a buffer, the front of the property adjacent to State Highway 66 will be zoned commercial.

Respectfully submitted,

Cain Family Revocable Trust

A handwritten signature in blue ink that reads "Dewayne Cain". The signature is written in a cursive style with a large initial "D" and a long, sweeping underline.

Dewayne Cain, Trustee

December 5, 2022

Ryan Miller
Director of Planning
City of Rockwall, Texas

Re: Request for On-Site Sewage Facilities for the SH -66 Cain PD Zoning Case Z2022-053

Dear Ryan,

On behalf of Mr. Dewayne Cain, please allow this letter to serve as a formal request to allow on-site sewage facilities for the proposed residential and general retail lots since all the lots exceed the minimum 1.5-acre requirement. We request this waiver due to the size of the general retail and residential estate size lots proposed in this zoning application.

Should you have any questions regarding this request please let me know.

Sincerely,

W.L. Douphrate II

W.L. Douphrate II, P.E.

December 2, 2022

Ryan Miller
Director of Planning
City of Rockwall, Texas

Re: Request for Waiver of Alleys for the SH -66 Cain PD Zoning Case Z2022-053

Dear Ryan,

On behalf of Mr. Dewayne Cain, please allow this letter to serve as a formal request to waive the residential alley requirements as outlined in the City of Rockwall's Standards of Design and Construction Manual. We request this waiver due to the size of the estate size lots proposed in this zoning application.

Should you have any questions regarding this request please let me know.

Sincerely,

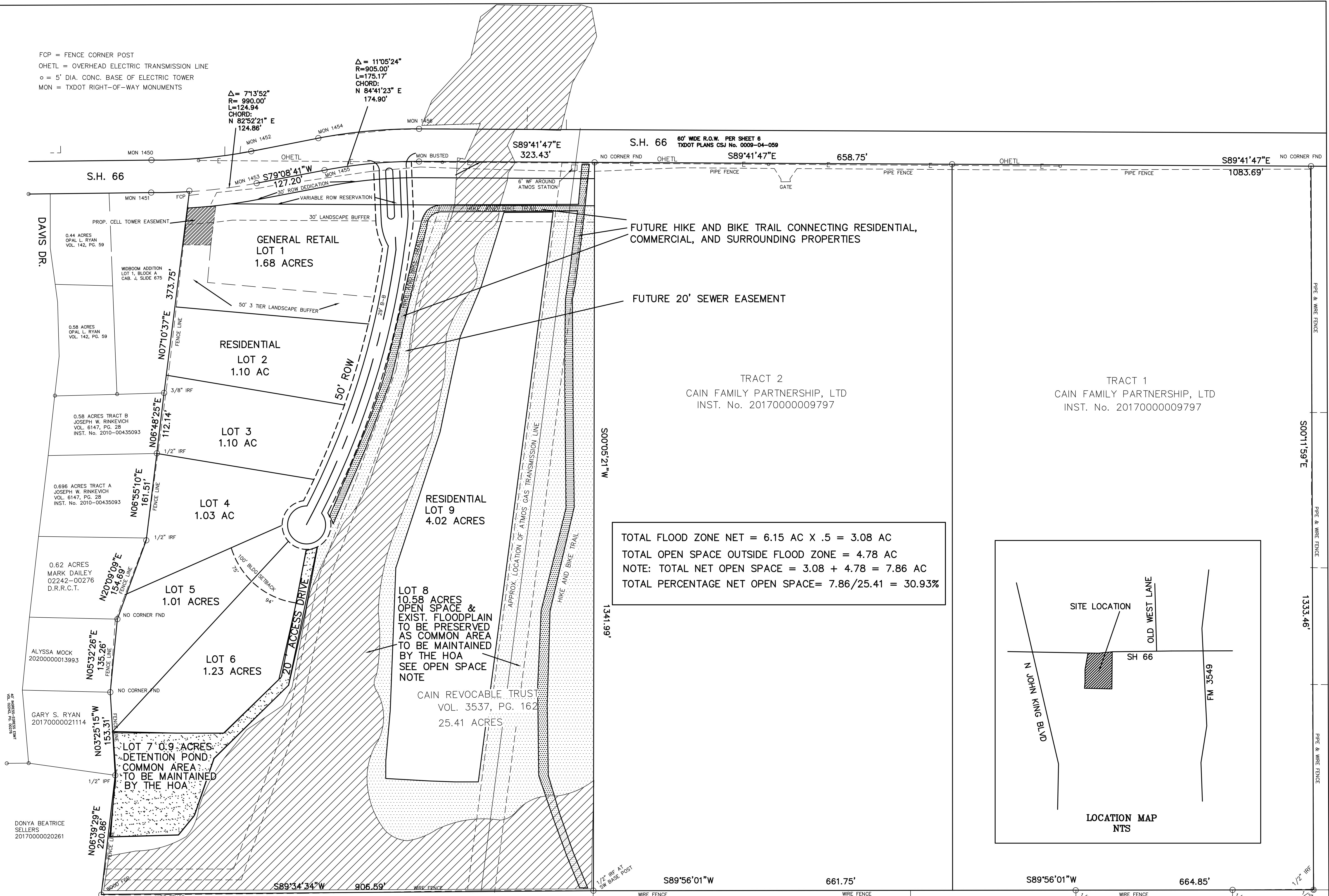
W.L. Douphrate II

W.L. Douphrate II, P.E.

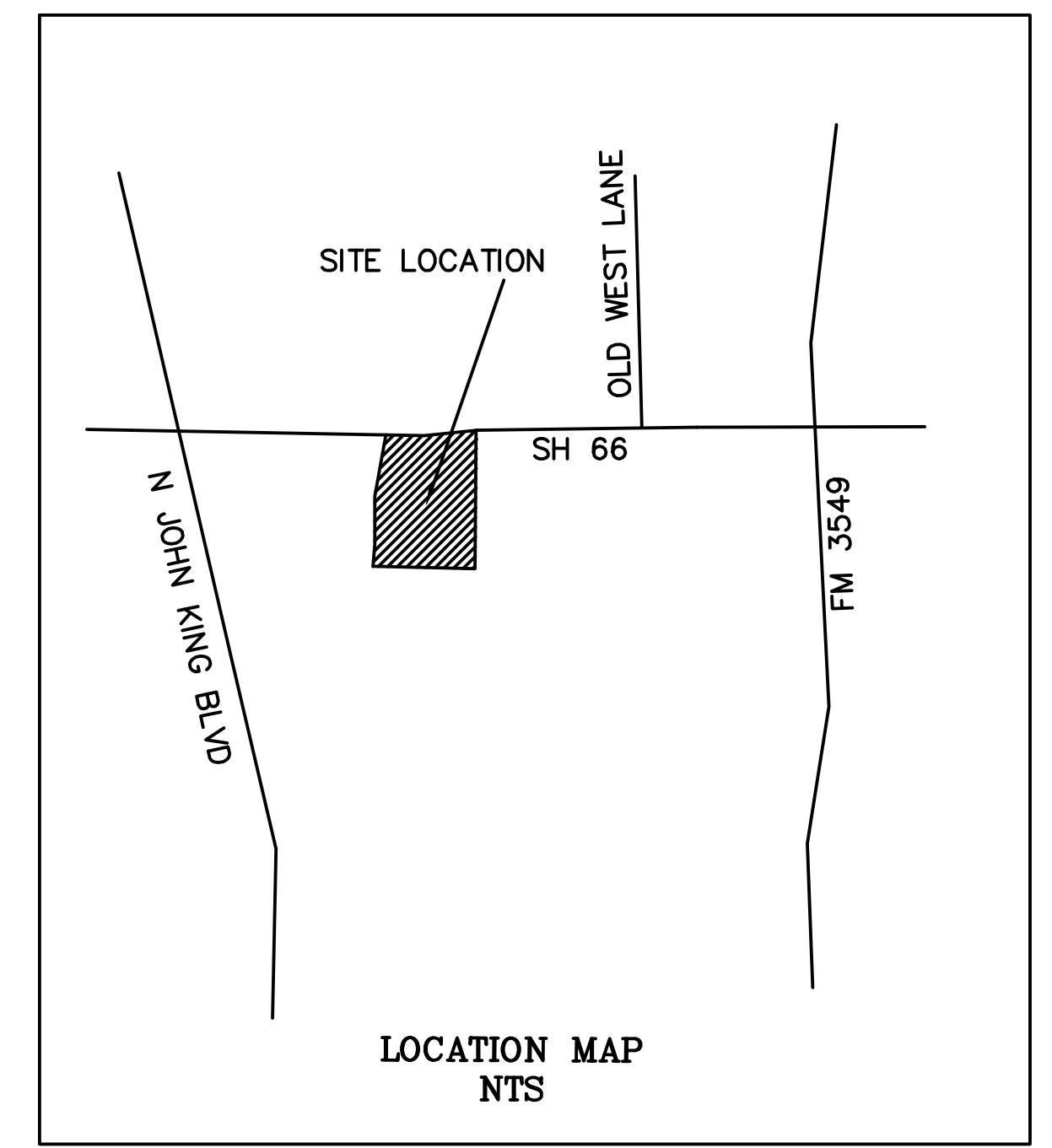
FCP = FENCE CORNER POST
 OHETL = OVERHEAD ELECTRIC TRANSMISSION LINE
 o = 5' DIA. CONC. BASE OF ELECTRIC TOWER
 MON = TXDOT RIGHT-OF-WAY MONUMENTS

$\Delta = 713'52"$
 $R = 990.00'$
 $L = 124.94'$
 CHORD:
 $N 82'52'21" E$
 $124.86'$

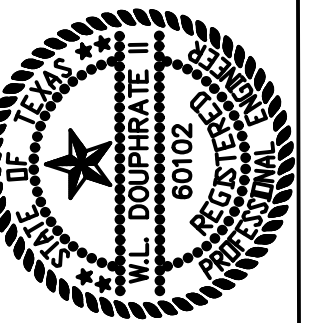
$\Delta = 11'05'24"$
 $R = 905.00'$
 $L = 175.17'$
 CHORD:
 $N 84'41'23" E$
 $174.90'$



TOTAL FLOOD ZONE NET = 6.15 AC X .5 = 3.08 AC
 TOTAL OPEN SPACE OUTSIDE FLOOD ZONE = 4.78 AC
 NOTE: TOTAL NET OPEN SPACE = 3.08 + 4.78 = 7.86 AC
 TOTAL PERCENTAGE NET OPEN SPACE = 7.86/25.41 = 30.93%



ROLLING MEADOWS ESTATES
 CABINET D, SLIDE 59
 P.R.R.C.T. 10



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY W.L. DOUPHRATE II TEXAS P.E. NO. 60102, EXPIRES ON DATE: NOV 2, 2022.

DOUPHRATE & ASSOCIATES, INC.
 ENGINEERING PROJECT MANAGEMENT SURVEYING
 2235 RIDGE RD., # 200 ROCKWALL, TEXAS 75087
 PHONE: (972)771-9004 FAX: (972)771-9005

CONCEPT PLAN W/ LOT LAYOUT
CAIN SH 66 25 ACRE PLANNED DEVELOPMENT
 CITY OF ROCKWALL
 ROCKWALL COUNTY, TEXAS

REVISION	W.L.D.
CHECKED	G.C.W.
DRAWN	
SCALE	1" = 80' H 1" = 40' V
DATE	NOV 4, 2022
PROJECT	2007 SITE PL
	20

CASE NO. Z2022-053

STATE OF TEXAS:

COUNTY OF ROCKWALL:

FIELD NOTES:

BEING a 25.41 acre tract of land situated in the David Harr Survey, Abstract No. 102 and being the same tract of land as described in a Warranty Deed from J. Diane Folzenlogen to the Cain Revocable Family Trust as recorded in Volume 3537, Page 162 of the Deed Records of Rockwall, County, Texas and being more particularly described as follows:

BEGINNING at the northeast corner of the Lot 1, Block A of the Widboom Addition, an addition to the City of Rockwall as recorded in Cabinet J, Slide 375 of the Plat Records of Rockwall County, Texas, said point being on the south right-of-way line of S.H. 66 (a 60' wide right-of-way);

THENCE along the south line of said S.H. 66 and along a curve to the left having a central angle of $7^{\circ}13'52''$, a radius of 990.00' and a chord that bears North $82^{\circ}52'21''$ East a distance of 124.86';

THENCE along said curve an arc distance of 124.94' to a TXDOT concrete monument with an aluminum cap stamped "1453";

THENCE North $79^{\circ}08'41''$ East a distance of 127.20' to a TXDOT concrete monument with an aluminum cap stamped "1455", said point being the beginning of a curve to the right having a central angle of $11^{\circ}05'24''$, a radius of 905.00' and a chord that bears North $84^{\circ}41'23''$ East a distance of 174.90';

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THENCE North $03^{\circ}25'15''$ West a distance of 153.31' to a point for a corner, said point being the northeast corner of said Ryan Tract and the southeast corner of a tract of land conveyed to Alyssa Mock as recorded in Instrument No. 20200000013993 R.P.R.R.C.T.;

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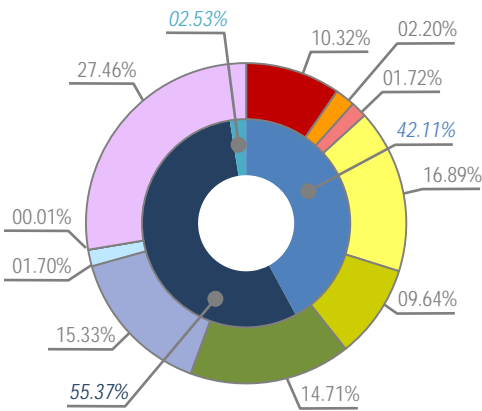
THENCE North 07°10'37" East a distance of 373.75' to the POINT OF BEGINNING and containing 25.41 acres or 1,107,008 square feet of land.

01 CENTRAL DISTRICT DISTRICT STRATEGIES

DISTRICT DESCRIPTION

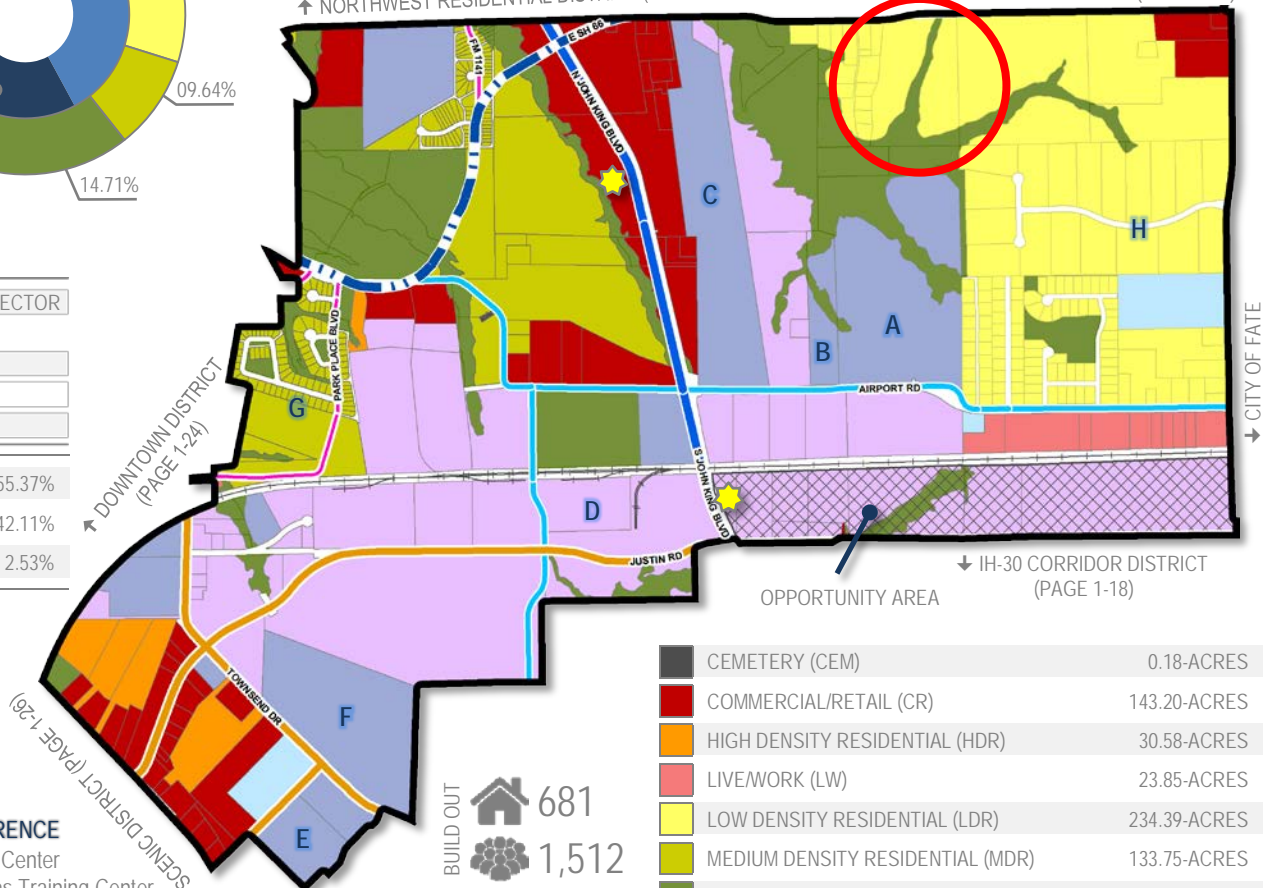
The *Central District* is composed of a wide range of land uses that vary from single-family to industrial. The district's residential areas consist of suburban residential (e.g. *Park Place*), estate and rural residential (e.g. *Rolling Meadows Subdivision*), and higher density residential developments (e.g. *Evergreen Senior Living*). The *Central District* also incorporates a high volume of industrial land uses adjacent to the *Union Pacific/Dallas Garland and Northeastern Rail Road* line that bisects the district -- and *City* -- in an east/west direction. The *Ralph Hall Municipal Airport* and several other large public/school facilities are also located within the boundaries of this district.

John King Boulevard Trail Plan
Rest Stop/Trailblazer Pylon



Color	Category	Percentage
Black	COMMERCIAL	55.37%
Blue	RESIDENTIAL	42.11%
Light Blue	MIXED USE	2.53%
Light Green	MINOR COLLECTOR	
Light Blue	M4U	
Light Green	M4D	
Light Blue	P6D	
Light Green	TXDOT 4D	

↑ NORTHWEST RESIDENTIAL DISTRICT (PAGE 1-25) ↑ NORTHEAST RESIDENTIAL DISTRICT (PAGE 1-23)



Color	Category	Acres
Black	CEMETERY (CEM)	0.18-ACRES
Red	COMMERCIAL/RETAIL (CR)	143.20-ACRES
Orange	HIGH DENSITY RESIDENTIAL (HDR)	30.58-ACRES
Light Red	LIVE/WORK (LW)	23.85-ACRES
Yellow	LOW DENSITY RESIDENTIAL (LDR)	234.39-ACRES
Light Green	MEDIUM DENSITY RESIDENTIAL (MDR)	133.75-ACRES
Dark Green	PARKS AND OPEN SPACE (OS)	204.05-ACRES
Light Blue	PUBLIC (P)	212.77-ACRES
Light Green	QUASI-PUBLIC (QP)	23.65-ACRES
Light Blue	SPECIAL COMMERCIAL CORRIDOR (SC)	0.08-ACRES
Light Green	TECHNOLOGY/EMPLOYMENT CENTER (TEC)	381.07-ACRES

POINTS OF REFERENCE

- A. Animal Adoption Center
- B. Regional Firearms Training Center
- C. Ralph Hall Municipal Airport
- D. Leon Tuttle Athletic Complex
- E. Rockwall County Courthouse
- F. Utley Middle School
- G. Park Place Subdivision
- H. Rolling Meadows Subdivision

BUILD OUT

- House icon: 681
- Tree icon: 1,512

% OF ROCKWALL

- House icon: 1.10%
- Tree icon: 0.82%

CURRENT

- House icon: 220
- Tree icon: 488

- 1 Live/Work.** The live/work designation in this district is intended to provide flexibility for land owners, adjacent to the railroad tracks, to transition their properties -- *when appropriate* -- to low intensity office/retail land uses that are similar in scale and scope to the adjacent residential properties.
- 2 Suburban Residential.** While many of the larger tracts in this area are not large enough to support a master planned community (*which is characteristic of Northern Estates and Northwest Residential Districts*), any 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* lots in this district, but should be comparable in size to newer developments (*i.e. Ridgecrest Subdivision*). In addition, newer subdivisions adjacent to existing larger lot subdivisions should provide a transition (*e.g. larger lots or a large landscape buffer*) adjacent to the existing subdivision.
- 3 Commercial/Retail Centers.** The commercial/retail centers in this district are intended to support existing and proposed residential developments, and should be compatible in scale with adjacent residential structures (*i.e. are more characteristic of neighborhood/convenience centers*); however, areas adjacent to John King Boulevard should be capable of accommodating mid to large-scale commercial users. All commercial developments should incorporate appropriate screening (*e.g. berms, landscaping and large buffers*) to transition uses.
- 4 Industrial/Special Commercial Corridor Opportunity Area.** The area south of the railroad tracks that is indicated by a crosshatched pattern represents an opportunity area in the City of Rockwall. Due to its adjacency to the railroad tracks, the land is naturally suitable for *Technology/Industrial* land uses; however, due to the land's adjacency to strategically located parcels along IH-30 the land could be utilized as part of a larger development in the *Special Commercial Corridor*.
- 5 John King Boulevard Trail Plan.** A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in *Appendix 'B'* of this Comprehensive Plan.

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR GENERAL RETAIL (GR) DISTRICT AND SINGLE-FAMILY 1 (SF-1) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 25.87-ACRE TRACT OF LAND IDENTIFIED AS TRACT 14 OF THE D. HARR SURVEY, ABSTRACT NO. 102, 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 Dub Douphrate of Douphrate and Associates, Inc. on behalf of Dewayne Cain for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses, on a 25.87-acre tract of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located on the southside of SH-66 east of the intersection of SH-66 and Davis Drive, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 20-02*] should be amended as follows:

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

SECTION 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 2. That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, depicted in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 3. That development of the *Subject Property* shall generally be in accordance with

the *Density and Development Standards*, outlined in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*,

SECTION 4. That 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 'B'* 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 (Residential Only)*
 - (2) *Master Plat (Residential Only)*
 - (3) *Preliminary Plat (Residential Only)*
 - (4) *PD Development Plan (Non-Residential Only)*
 - (5) *PD Site Plan*
 - (6) *Final Plat*
- (c) *Master Parks and Open Space Plan*. A *Master Parks and Open Space Plan* for the *Subject Property*, as depicted in *Exhibit 'B'* 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 'B'* 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 'B'* 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 'B'* 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 6TH DAY OF MARCH, 2023.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: February 21, 2023

2nd Reading: March 6, 2023

Exhibit 'A':
Survey

BEING a 25.41 acre tract of land situated in the David Harr Survey, Abstract No. 102 and being the same tract of land as described in a Warranty Deed from J. Diane Folzenlogen to the Cain Revocable Family Trust as recorded in Volume 3537, Page 162 of the Deed Records of Rockwall, County, Texas and being more particularly described as follows:

BEGINNING at the northeast corner of the Lot 1, Block A of the Widboom Addition, an addition to the City of Rockwall as recorded in Cabinet J, Slide 375 of the Plat Records of Rockwall County, Texas, said point being on the south right-of-way line of S.H. 66 (a 60' wide right-of-way);

THENCE along the south line of said S.H. 66 and along a curve to the left having a central angle of 7°13'52", a radius of 990.00' and a chord that bears North 82°52'21" East a distance of 124.86';

THENCE along said curve an arc distance of 124.94' to a TXDOT concrete monument with an aluminum cap stamped "1453";

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Exhibit 'B': Concept Plan

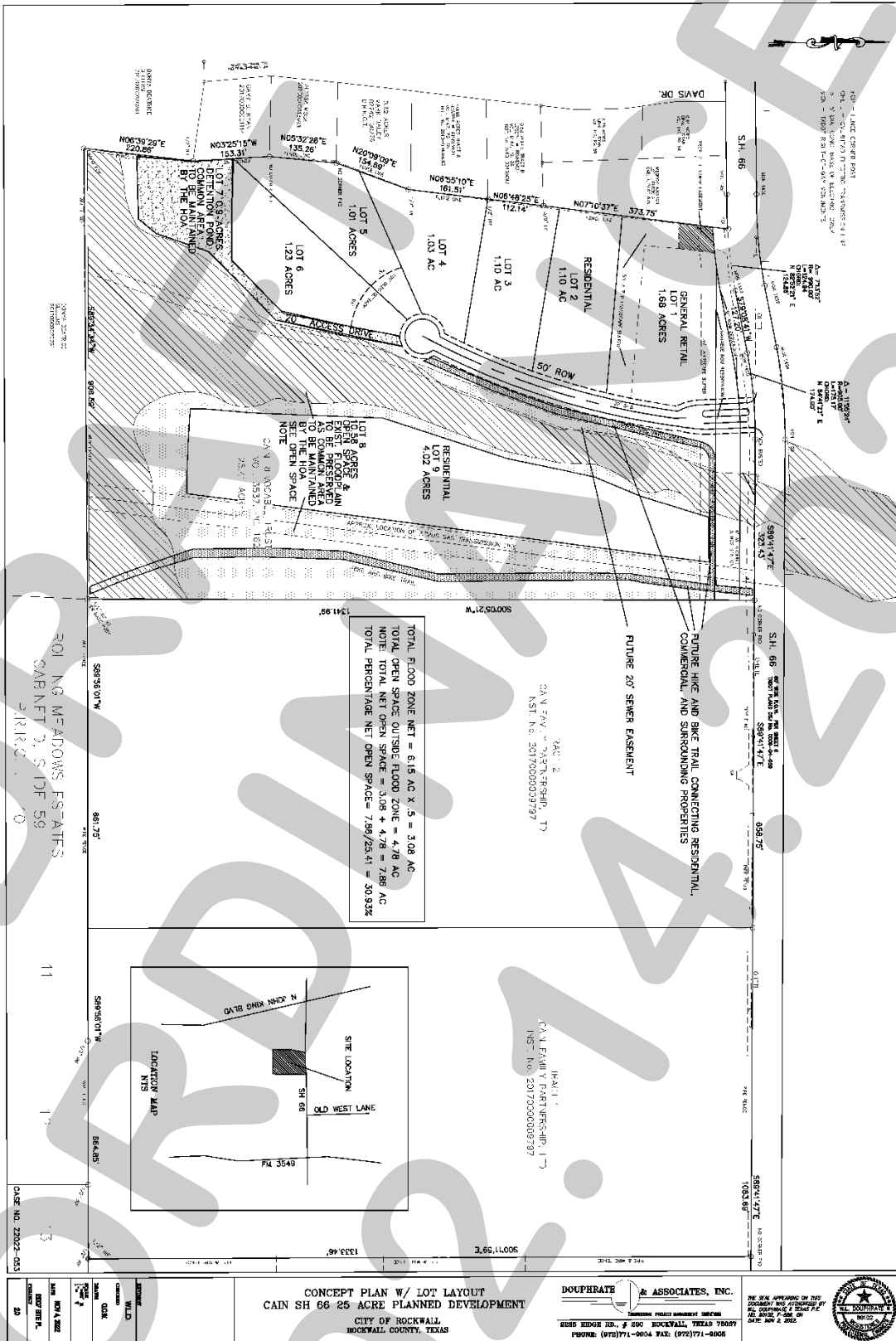


Exhibit 'C':
Density and Development Standards

DENSITY AND DEVELOPMENT STANDARDS.

(1) Permitted Uses. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the General Retail (GR) District and Single-Family 1 (SF-1) 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*.

(a) Residential Land Uses. Residential land uses shall be allowed only within the area designated for residential lots as depicted on the *Concept Plan* in *Exhibit 'B'* of this ordinance. These areas are limited to those uses permit by-right or by Specific Use Permit (SUP) for the Single-Family 1 (SF-1) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

(b) Non-Residential Land Uses. Non-residential land uses shall be allowed only within the area designated for *General Retail* land uses as depicted on the *Concept Plan* in *Exhibit 'B'* of this ordinance. These areas are limited to those uses permitted *by-right* or by Specific Use Permit (SUP) for the General Retail (GR) District as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) and subject to the approval of a *PD Development Plan* and *PD Site Plan* in accordance with the Planned Development District regulations contained in Article 10, *Planned Development District Regulations*, of the Unified Development Code (UDC); however, the subject property shall be subject to the following:

(1) The following land uses shall be allowed through a Specific Use Permit (SUP):

- Freestanding Commercial Antenna (*a Maximum of 110-Feet in Total Height*)

(2) The following land uses shall be expressly prohibited:

- Animal Boarding/Kennel without Outside Pens
- Animal Hospital or Clinic
- Convent, Monastery, or Temple
- Commercial Parking Garage
- Limited-Service, Full-Service, and/or Residence Hotel
- Motel
- Cemetery/Mausoleum
- Church/House of Worship
- Congregate Care Facility/Elderly Housing
- Emergency Ground Ambulance Services
- Hospital
- Mortuary or Funeral Chapel
- Financial Institution with Drive-Through
- Temporary Carnival, Circus, or Amusement
- Outdoor Commercial Amusement/Recreation
- Private Country Club
- Golf-Driving Range
- Temporary Fundraising Events by Non-Profit
- Indoor Gun Club with Skeet or Target Range
- Private Club, Lodge or Fraternal Organization
- Tennis Courts
- Banquet Facility/Event Hall

Exhibit 'C':
Density and Development Standards

- Brew Pub
- Private Sports Arena, Stadium, and or Track
- Portable Beverage Service Facility
- Temporary Christmas Tree Sales Lot and/or Similar Uses
- Copy Center
- Incidental Display
- Food Trucks/Trailers
- Garden Supply/Plant Nursery
- Self Service Laundromat
- Night Club, Discotheque, or Dance Hall
- Pawn Shop
- Restaurant with less/more than 2,000 SF with a Drive-Through or Drive-In
- Rental Store without Outside Storage and/or Display
- Retail Store with Gasoline Sales that has less/more than Two (2) Dispensers
- Trade School
- Minor Auto Repair Garage
- Full Service Car Wash and Auto Detail
- Self Service Car Wash
- Non-Commercial Parking Lot
- Service Station
- Temporary Asphalt or Concrete Batch Plant
- Mining and Extraction of Sand, Gravel, Oil and/or Other Materials
- Helipad
- Railroad Yard or Shop
- Transit Passenger Facility

(2) *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development District ordinance, the development standards stipulated for the *Subject Property* shall be as follows:

(a) *Residential.* Except as provided by this Planned Development District ordinance, the residential land uses on the *Subject Property* shall be required to meet the development standards for the Single-Family 1 (SF-1) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC). The maximum permissible density for the *Subject Property* shall not exceed 0.23 dwelling units per gross acre of land; however, in no case should the proposed development exceed 6 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>Minimum Lot Width</i> ⁽¹⁾	70'
<i>Minimum Lot Depth</i>	100'
<i>Minimum Lot Area</i>	43,560 SF
<i>Minimum Front Yard Setback</i> ⁽²⁾	20'
<i>Minimum Side Yard Setback</i>	6'
<i>Minimum Length of Driveway Pavement</i>	25'
<i>Maximum Height</i> ⁽³⁾	36'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	3,000 SF
<i>Maximum Lot Coverage</i>	45%

General Notes:

- ¹: The *Minimum Lot Width* shall be measured from the *Front Yard Setback*.
- ²: The location of the *Front Yard Building Setback* as measured from the front property line. The front yard building setback shall be increased to a minimum of 50-feet adjacent to homes along SH-66.
- 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.

Exhibit 'C':
Density and Development Standards

- (b) *Non-Residential.* Except as modified by this Planned Development District ordinance, the non-residential land uses on the *Subject Property* shall be required to meet the development standards stipulated by the *General Overlay District Standards*, *General Commercial District Standards*, and the standards required for the General Retail (GR) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC). In addition, the *Commercial* area shall be designed to be pedestrian-oriented and easily accessible to the adjacent residential neighborhoods, and be constructed to be integrated with the adjacent uses, not be separated from them by screening walls or other physical barriers. This will be accomplished by creating paths from the adjacent development into the *Commercial* area and through the use of landscaping buffers utilizing a berm and three (3) tiered screening (*i.e.* [1] *a small to mid-sized shrub*, [2] *large shrubs or accent trees*, and [3] *canopy trees on 20-foot centers*), and building design and other urban design elements to create compatibility with the surrounding residential neighborhood.
- (3) *Building Standards for Residential.* All development shall adhere to the following building standards:
- (a) *Masonry Requirement.* The minimum masonry requirement for the exterior façade of all buildings shall be 90.00% (*excluding dormers and walls over roof areas*). For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard (*e.g. HardyBoard or Hardy Plank*) in a horizontal lap-siding, *board-and-batten* siding, or a decorative pattern (*see examples below*) may be used for up to 20.00% of the total exterior of the home; however, administrative approval from the Director of Planning and Zoning may be requested for housing plans that utilize cementitious fiberboard in excess of 20.00% of the masonry requirement on a *case-by-case* basis.

FIGURE 1: EXAMPLES OF CEMENTITIOUS FIBERBOARD



Continued on Next Page ...

Exhibit 'C':
Density and Development Standards

FIGURE 2: EXAMPLES OF BOARD AND BATTEN



FIGURE 3: EXAMPLES OF HORIZONTAL LAP



- (b) **Roof Pitch.** A minimum of an 8:12 roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a 4:12 roof pitch.
- (c) **Garage Orientation and Garage Doors.** Garages shall be oriented in a traditional swing (or j-swing) or recessed front entry (i.e. the garage door may be oriented toward the street as long as it is setback a minimum of 20-feet behind the front façade of the primary structure). All garage doors shall be required to have upgraded finishes (e.g. divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be approved by staff):

Continued on Next Page ...

Exhibit 'C':
Density and Development Standards

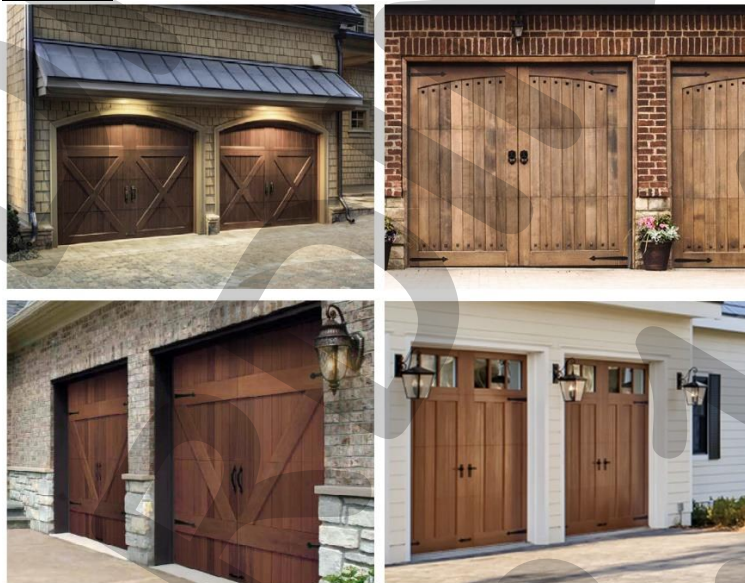
FIGURE 4: EXAMPLES OF ENHANCED WOOD GARAGE DOOR



FIGURE 5: EXAMPLES OF UPGRADED FINISHES



FIGURE 6: EXAMPLES OF UPGRADED GARAGES



- (4) Anti-Monotony Restrictions. The development shall adhere to the following *Anti-Monotony* standards:
- (a) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on

Exhibit 'C':
Density and Development Standards

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. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
 - (1) Number of Stories
 - (2) Roof Type and Layout
 - (3) Articulation of the Front Façade
 - (c) 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*).
- (5) 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) Wrought Iron/Tubular Steel. All lots shall utilize fencing materials that shall be open in nature and not to exceed six (6) feet in height. Fences that extend beyond the front building line of any structure shall be required to be pipe-rail or similar fencing. No chain-link or wooden fencing shall be allowed.
 - (b) Lots with Floodplain. No fences shall be permitted within the floodplain.
- (6) 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. All shrubs shall be a minimum of five (5) gallons in size. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall be required to plant an additional row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).
 - (b) Landscape Buffer and Sidewalks (State Highway 66). A minimum of a 30-foot landscape buffer shall be provided along SH-66 (*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. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-linear feet of frontage. A meandering six (6) foot trail shall be constructed within the 30-foot landscape buffer.
 - (c) Landscape Buffer (Adjacent to Residential Properties). A minimum of a 50-landscape buffer with a minimum of a 48-inch berm and three (3) tiered screening (*i.e. [1] a small to mid-sized shrub, [2] large shrubs or accent trees, and [3] canopy trees on 20-foot centers*) along the entire adjacency.

Exhibit 'C':
Density and Development Standards

- (d) 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 that are less than ten (10) inches and ten (10) feet from public water, sanitary sewer and storm lines that are greater than ten (10) inches. All street trees shall be reviewed with the *PD Site Plan*.
- (e) Residential Lot Landscaping. Prior to the issuance of a Certificate of Occupancy (CO), all residential lots depicted on *Exhibit 'B'* shall be landscaped with a minimum of two (2), four (4) inch caliper canopy trees (as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]) within the front yard. In addition, corner lots shall be required to add a minimum of two (2), four (4) inch caliper canopy trees (as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]) within the side yard facing the street.
- (f) 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).
- (g) Hardscape. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.
- (7) Street. All streets (excluding drives, fire lanes and private parking areas) shall be built according to the City's standards.
- (8) 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.
- (9) 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.
- (10) Buried Utilities. New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.
- (11) Neighborhood Signage and Enhancements. Permanent subdivision identification signage shall be required 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*.

Exhibit 'C':
Density and Development Standards

- (12) Homeowner's Association (HOA). A Homeowner's Association (HOA) 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. These areas are required to be delineated on the *PD Site Plan*.
- (13) On-Site Sewage Facilities. Septic Systems are permitted on all lots within this subdivision pending conformance to the following standards:
- (a) All *Septic Systems* shall be designed by a licensed *On-Site Sewage Facility (OSSF)* professional (e.g. *licensed engineer, sanitarian, and etcetera*).
 - (b) A stamped and signed copy of the *Septic System* plans indicating the full limits of the septic field shall be submitted to the city at the time of building permit on a *lot-by-lot* basis.
 - (c) All *Septic Systems* shall be inspected and approved by the City's chosen inspector.
- (14) 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 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: February 21, 2023
APPLICANT: Dub Douphrate; *Douphrate & Associates, Inc.*
CASE NUMBER: Z2022-057; *Zoning Change from Agricultural (AG) District to Planned Development District*

SUMMARY

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates, Inc. for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development (PD) District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses on a 25.87-acre tract of land identified as parcel of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH66 Overlay (E. SH-66 OV) District, generally located southside of SH-66 east of the intersection of SH-66 and Davis Drive, and take any action necessary.

BACKGROUND

The subject property was annexed on March 16, 1998 by *Ordinance No. 98-10 [Case No. A1998-001]*. At the time of annexation the subject property was zoned Agricultural (AG) District. This designation has not changed since annexation, and the subject property has remained vacant.

PURPOSE

On December 12, 2022 the applicant -- *Dub Douphrate of Douphrate & Associates, Inc.* -- submitted an application requesting to change the zoning of the subject property from an Agricultural (AG) District to a Planned Development District for General Retail (GR) District and Single-Family 10 (SF-10) District land uses.

ADJACENT LAND USES AND ACCESS

The subject property is generally located in between N. John King Boulevard and N. Stodghill Road, south of SH-66. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is SH-66, which is identified as a TXDOT4D (*i.e. Texas Department of Transportation, four [4] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 55.08-acre tract of land zoned Agricultural (AG) District. Following this is a 14.219-acre tract of land zoned Agricultural (AG) District and Planned Development District 93 (PD-93) for Single-Family 10 (SF-10) District land uses.

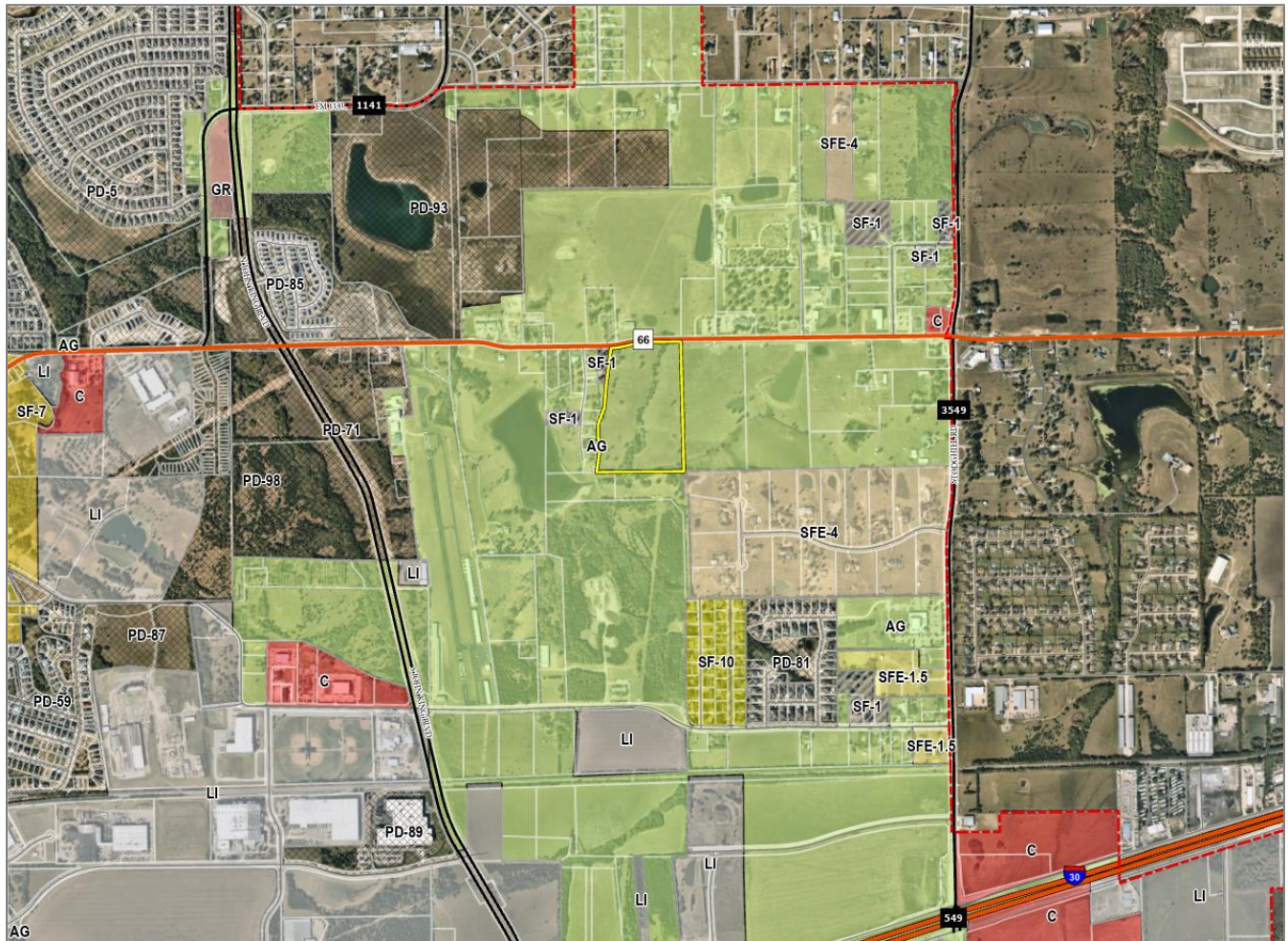
South: Directly south of the subject property are two (2) vacant tracts of land [*i.e. Tracts 17 & 17-1 of the D. H. Survey Abstract No. 102*] zoned Agricultural District. Beyond this is a 64.514-acre tract of land developed with the City of Rockwall's Animal Shelter and Gun Range, which is zoned Agricultural (AG) District.

East: Directly east of the subject property are two (2) vacant tracts of land [*i.e. Tracts 9 & 9-01 of the E. M. E. Survey Abstract No. 77*] zoned Agricultural (AG) District. Beyond this are six (6) tracts of land, four (4) of which are developed with single-family homes [*i.e. 2755 E. SH-66 and 1110 and 1226 N. Stodghill Road*], one (1) of which is vacant [*i.e. Tract 29-2 of the E. M. E. Survey Abstract 77*], and is the last tract being developed with an *Animal Clinic [i.e. 2897 E. SH-66]*. All of these properties are zoned Agricultural (AG) District.

West: Directly west of the subject property are several properties developed with single-family homes that are zoned Agricultural (AG) District and Single-Family 1 (SF-1) District. Beyond this is a 47.89-acre parcel of land developed with the Ralph M. Hall Airport, which is zoned Agricultural (AG) District.

MAP 1: LOCATION MAP

YELLOW: SUBJECT PROPERTY



CHARACTERISTICS OF THE REQUEST

The applicant has submitted a concept plan and development standards for the proposed residential subdivision and non-residential tracts of land. The concept plan shows that the 25.87-acre subject property will consist of six (6) residential lots on 9.49-acres and a 1.68-acre *General Retail* lot. The applicant has submitted a letter requesting that the City Council approve *On-Site Sewage Facilities (OSSF) [or septic systems]* for all lots (i.e. both the residential lots and general retail lot). The purpose of this request is due to the proximity of the subject property to the City's existing sanitary sewer facilities, and the fact that five (5) of the six (6) lots are less than 1.50-acres in size. The proposed number of residential lots translates to a gross density of 0.23 dwelling units per gross acre (i.e. six [6] lots/25.87-acres = 0.2319 dwelling units per gross acre). The minimum dwelling unit size will be 3,000 SF (i.e. air-condition space). With regard to the proposed housing product, staff has incorporated anti-monotony and masonry standards into the proposed Planned Development District ordinance; however, the applicant has indicated that these lots will most likely be custom homes built on an individual lot basis. With regard to the anti-monotony and masonry standards, the ordinance will require a minimum of 90% masonry, and be subject to the City's upgraded anti-monotony standards. In addition, the Planned Development District ordinance will incorporate a provision that allows up to 50.00% cementitious fiberboard utilized in a horizontal lap-siding, *board-and-batten* siding, or decorative pattern to allow a variation in the materials throughout the six (6) residential lots. The following are some of the examples showing horizontal lap-siding, *board-and-batten* siding, or decorative patterns that are contained within the Planned Development District ordinance:

FIGURE 1: EXAMPLES OF CEMENTITIOUS FIBERBOARD



FIGURE 2: EXAMPLES OF BOARD AND BATTEN



FIGURE 3: EXAMPLES OF HORIZONTAL LAP



Looking at the garage orientation proposed for the development, the garage doors will be oriented in a *J-Swing* (or a *Traditional Swing*) configuration or *Recessed Front Entry* configuration (i.e. where the garage door is situated a minimum of 20-feet behind the front façade). In addition, the applicant is proposing to incorporate upgraded finishes on all garage doors that include: [1] divided garage bay doors, [2] carriage style hardware and lighting, and [3] decorative wood doors or wood overlays on insulated metal doors. On the following page are some of the examples of the upgrades required in the Planned Development District ordinance.

FIGURE 4: EXAMPLES OF ENHANCED WOOD GARAGE DOOR



FIGURE 5: EXAMPLES OF UPGRADED FINISHES



DIVIDED BAYS



CARRIAGE HARDWARE



CEDAR CLADDING



ORNAMENTAL PAVING

FIGURE 6: EXAMPLES OF UPGRADED GARAGES



The proposed subdivision will be subject to the land uses and density and dimensional requirements stipulated for properties within a Single-Family 1 (SF-1) District unless otherwise specified 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: RESIDENTIAL LOT DIMENSIONAL REQUIREMENTS

Minimum Lot Width ⁽¹⁾	70'
Minimum Lot Depth	100'
Minimum Lot Area (SF)	43,560 SF
Minimum Front Yard Setback ⁽²⁾	20'
Minimum Side Yard Setback	6'
Minimum Side Yard Setback (Adjacent to a Street)	20'
Minimum Length of Driveway Pavement	25'
Maximum Height ⁽³⁾	36'
Minimum Rear Yard Setback ⁽⁴⁾	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]	3,000 SF
Maximum Lot Coverage	45%

General Notes:

- ^{1:} The *Minimum Lot Width* shall be measured from the *Front Yard Setback*.
- ^{2:} The location of the *Front Yard Building Setback* as measured from the front property line. The front yard building setback shall be increased to a minimum of 50-feet adjacent to homes along SH-66.
- ^{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.

The proposed concept plan shows that the development will consist of a total of 10.93-acres of open space (*i.e.* 4.78-acres outside of the floodplain and 6.15-acres situated within the floodplain), which equates to an open space percentage of 30.38% (*i.e.* $[6.15\text{-acres}/2] + 4.78\text{-acres}/25.87\text{-acres} = 0.30382$ or 30.38%). In addition, the applicant has incorporated a trail system on the concept plan that shows a six (6) foot hike and bike trail will be provided that will bisect the subject property from north to south. Staff should note that this trail is currently indicated on the City’s Master Trail Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

With regard to the proposed 1.68-acre *General Retail* lot depicted on the concept plan, this property will be subject to the density and development standards required for the General Retail (GR) District and the East SH-66 Overlay (E. SH-66 OV) District. These standards are summarized as follows:

TABLE 2: GENERAL RETAIL (GR) DISTRICT LOT DIMENSIONAL REQUIREMENTS

Ordinance Provisions	Zoning District Standards
Minimum Lot Area	6,000 SF
Minimum Lot frontage	60-Feet
Minimum Lot Depth	100-Feet
Minimum Front Yard Setback	15-Feet
Minimum Rear Yard Setback	20-Feet
Minimum Side Yard Setback	10-Feet
Maximum Building Height ⁽¹⁾	36-Feet
Max Building/Lot Coverage	40%
Minimum Landscaping Percentage	20%
Maximum Impervious Coverage	85%-90%

General Notes:

- ^{1:} The *Maximum Height* permitted through a Specific Use Permit (SUP) shall be 110-feet for a *Commercial Freestanding Antenna*.

In addition to the residential and commercial land uses proposed by the applicant, the applicant has included a proposed cell tower easement within the General Retail (GR) District lot. The applicant has requested the *Commercial Freestanding Antenna* land use be permitted through a Specific Use Permit (SUP). Staff should point out that the proposed location for the *Commercial Freestanding Antenna* has direct adjacency to an existing single-family home, which is located directly west of the subject property. Staff has included a note within the General Retail (GR) District *Density and Dimensional Requirements*, contained in the draft ordinance, that a *Commercial Freestanding Antenna* can only be approved by Specific Use Permit (SUP) and is capped at 110-feet in height. Typically, these types of facilities are discouraged from locating directly adjacent to or within the City’s

residential areas; however, this aspect of the applicant's request will be discretionary to the City Council pending a recommendation from the Planning and Zoning Commission.

INFRASTRUCTURE

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

- (1) Roadways. According to the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan SH-66 is required to be a TXDOT4D (*i.e. a Texas Department of Transportation, four [4] lane, divided roadway*), which requires a 120-foot right-of-way. The applicant will be required to dedicate a minimum of 60-feet of right-of-way from the current centerline of SH-66 and provide a reserve for any additional ROW above and beyond the 120-feet for the future expansion of SH-66.
- (2) Water. The applicant will be required to construct a 12-inch waterline in the future right-of-way of SH-66.
- (3) Wastewater. Each lot will be required to be at a minimum of 1.50-acres for *On-Site Sanitary Facilities (OSSF)* unless the City Council grants the applicant's request to allow these facilities on lots less than 1.50-acres. A 20-foot wide sewer easement must be dedicated per the Master Wastewater Plan.
- (4) Drainage. Detention will be required and sized per the required detention study. The applicant will also be required to perform a Flood Study and a Wetlands and Waters of the United States (WOTUS) Study for the existing ponds and floodplain on the subject property.

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), the Municipal Code of Ordinances, 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) On-Site Sewage Facility (OSSF). Section 44-243, *On-Site Sewage Facility*, of Chapter 44, *Utilities*, of the Municipal Code of Ordinances states that, "(n)o permit for the installation of an on-site sewage facility (OSSF) will be issued for property of less than 1½ acres."

Applicant's Response to (1) & (2): According to the applicant's letter they are requesting the waiver to the alleyways due to the size of the proposed lots. The applicant is also requesting to allow OSSF on lots less than 1.50-acres in size due to the availability of sewer to the subject property.

Staff Response to (1) & (2): The City Council and Planning and Zoning Commission have granted a waiver to the alleyway requirements on similar projects that have incorporated similar concessions (*i.e. conforming garage configurations, upgraded garage doors, and other improvements*) with regard to garage orientation. The City Council has granted *On-Site Sewage Facilities (OSSF)* for residential projects that have incorporated lot sizes less than 1.50-acres, but typically that are larger than one (1) acre. The City Council has not granted OSSF for any non-residential lots in a Planned Development District; however, this is a discretionary decision for the City Council pending a recommendation from 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 Central District and is designated for Low Density Residential land uses. The plan defines Low Density Residential land uses as "... residential subdivisions that are greater than two (2) units per gross acre or less; however, a density of up to two and one-half (2½) units per gross acre may be permitted for developments that incorporate increased amenity and a mix of land uses." In this case, the applicant is proposing a total density of 0.23 dwelling units per acre. In addition, the applicant is proposing to incorporate 10.93-acres of open space, a 50-foot landscape buffer between the proposed *General Retail* and residential land uses, and a hike and bike trail. Based on this, the applicant's request is in conformance with the Low Density Residential designation indicated for the subject property; however, the proposed *General Retail* land use will require the City Council to change the future land use map from a Low Density Residential designation to a Commercial/Retail land use designation for the 1.68-acre portion of the subject property. Based on this the applicant's request is discretionary to the City Council and Planning and Zoning Commission.

According to the *District Strategies for Suburban Residential* in the Central District, "... many of the larger tracts in this area are not large enough to support a master planned community ... any 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* lots in this district, but should be comparable in size to newer developments ..." In this case, the proposed residential lots are large lots that are comparable to the existing surrounding housing. Based on this, the applicant's request appears to be in conformance with the *District Strategies* for the Central District.

With regard to the policies and goals for residential development contained in the Comprehensive Plan, the applicant's request incorporates the majority of these policies and goals; however, staff did identify the following non-conformities on the original concept plan. Based on these non-conformities, staff provided the below recommendations to the applicant. These recommendations are followed by the applicant's response to each recommendation.

RED: NOT INCORPORATED INTO THE PLANNED DEVELOPMENT DISTRICT ORDINANCE.

BLUE: INCORPORATED INTO THE PLANNED DEVELOPMENT DISTRICT ORDINANCE.

- (1) CH. 7; Goal #2 | Policy #3 (Page 7-1). Continue to develop and plan for an interconnected trail and sidewalk system that promotes connectivity and access to all areas of the City.
- (2) CH. 1; Section 2.03; Goal #2 | Policy #4 (Page 1-2). Commercial developments should be constructed with logical connections and extensions to the City's existing and proposed hike and bike trail.

Staff Response: Staff requested the applicant provide a hike and bike trail to connect the commercial and residential land uses. The applicant has shown a six (6) foot hike/bike trail along the east side of the proposed subdivision that extends the entire length of the subject property.

- (3) CH. 1; Section 2.03; Goal #2 | Policy #2 (Page 1-2). Commercial/retail shopping centers should be screened from residential areas utilizing landscape buffers that are composed of berms, landscaping, and trees.

Staff Response: Staff requested that the applicant provide a 50-foot landscape buffer with a berm, ground cover, shrubs, and canopy trees. The applicant has shown a 50-foot landscape buffer that will include three (3) tiered landscaping. This includes a berm, shrubs, accent trees, and canopy trees.

Taking all of this into account, the applicant's concept plan and proposed density and development standards appear to conform with the majority of the OURHometown Vision 2040 Comprehensive Plan; however, the addition and location of the proposed *Commercial Freestanding Antenna* and the proposed changes to the *Future Land Use Map* make this request a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On December 14, 2022, staff mailed 36 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Rolling Meadows Estates Homeowner's Association (HOA), which is the only HOA/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) Five (5) property owner notifications from three (3) property owners who are in favor of the applicant's request. Staff should note that two (2) of the notices are from the property owner of the subject property for this zoning case.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request to rezone the subject property from an Agricultural (AG) District to a Planned Development District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the concept plan and development standards contained in the Planned Development District ordinance.
- (2) The approval of this case will change the area of the proposed General Retail (GR) District and the *Commercial Freestanding Antenna* on the Future Land Use Map from a Low Density Residential land use designation to a Commercial/Retail land use designation.
- (3) The 50-foot landscape buffer that incorporates the three (3) tiered landscaping shall be extended along the western property line of the General Retail (GR) District lot adjacent to the adjoining residential property.
- (4) 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 February 14, 2023, the Planning and Zoning Commission approved a motion to approve the Zoning Change by a vote of 7-0.



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&2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

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.
²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS *Parcel situated in David Harr Survey Abs. 102*

SUBDIVISION *25.41 Cain Revocable Trust Property*

LOT _____

BLOCK _____

GENERAL LOCATION *located east of W.D Boom Add. adjacent to and south of SH 66 centered between J. King Blvd. & 9549*

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING *AG*

CURRENT USE *AG*

PROPOSED ZONING *PD*

PROPOSED USE *PD*

ACREAGE *25.41*

LOTS [CURRENT] _____

LOTS [PROPOSED] _____

- 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 *Dewayne Cain*

APPLICANT *Douphrate & Assoc. Inc*

CONTACT PERSON _____
ADDRESS *305 Stonebridge Dr*

CONTACT PERSON *Bob Douphrate*
ADDRESS *2235 Ridge Rd*

CITY, STATE & ZIP *Rockwall, TX 75087*

CITY, STATE & ZIP *Rockwall, TX 75087*

PHONE *214.533.8641*

PHONE *972.742.2210*

E-MAIL *dewaynecain25@outlook.com*

E-MAIL *wldouphrate@douphrate.com*

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED *Dewayne Cain* [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 \$ *581.15* TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE *16* DAY OF *December*, 20*12* 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."

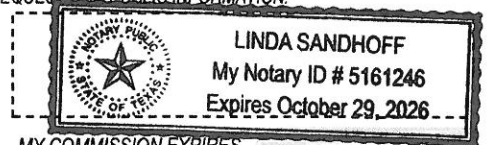
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE *12* DAY OF *Dec*, 20*21*.

OWNER'S SIGNATURE

Dewayne Cain

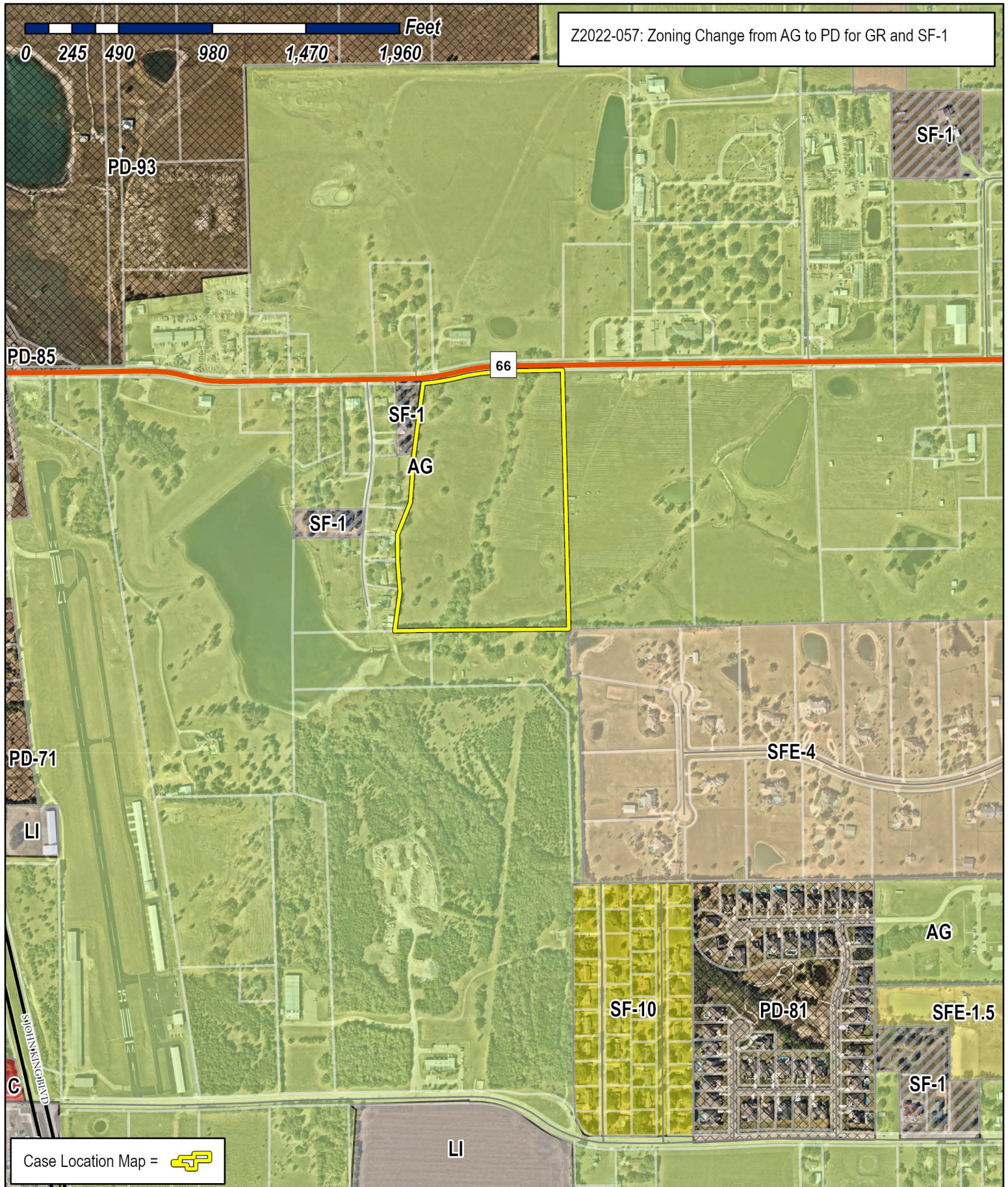
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Linda Sandhoff



MY COMMISSION EXPIRES

Z2022-057: Zoning Change from AG to PD for GR and SF-1



Case Location Map =



City of Rockwall

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

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

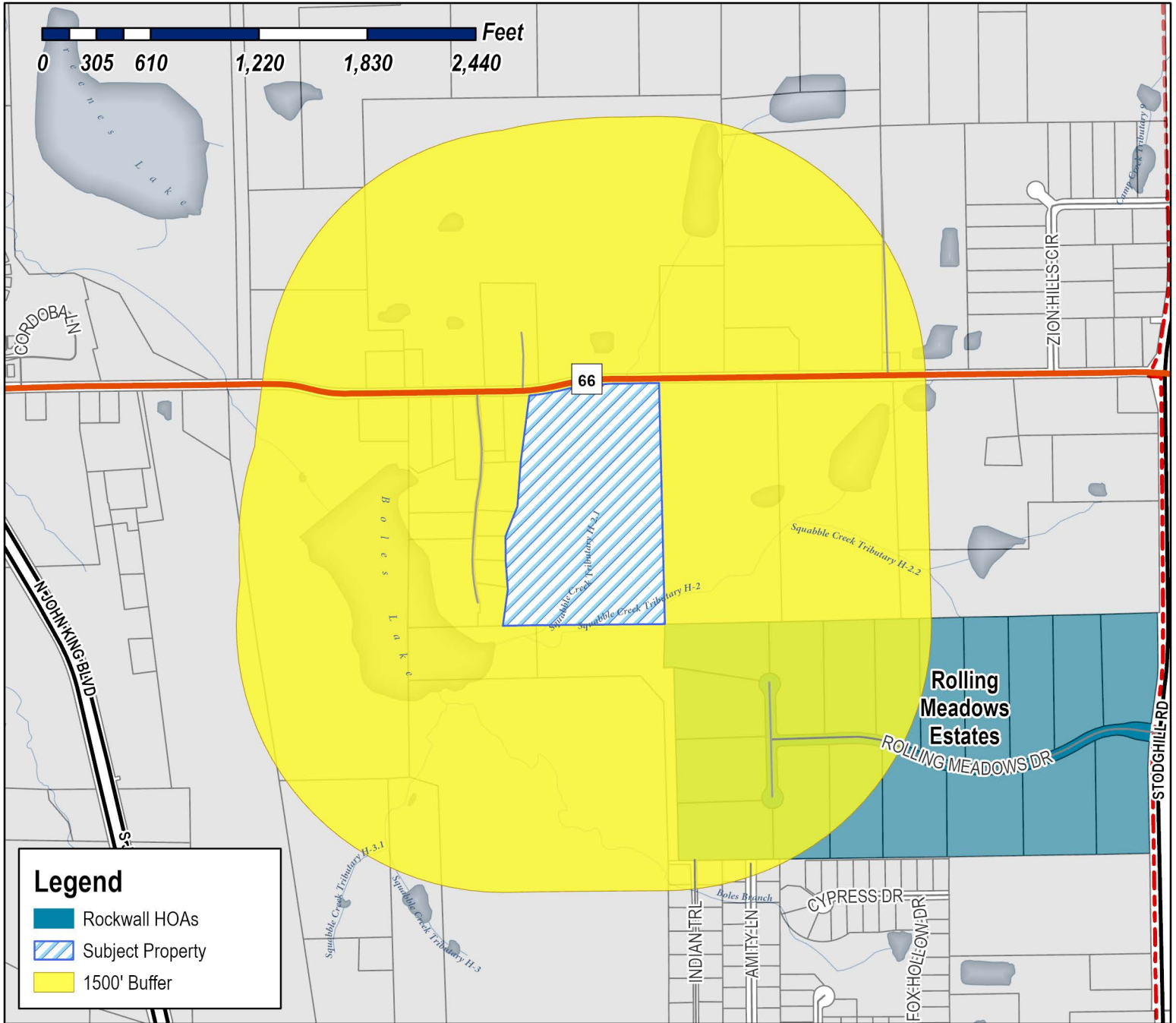




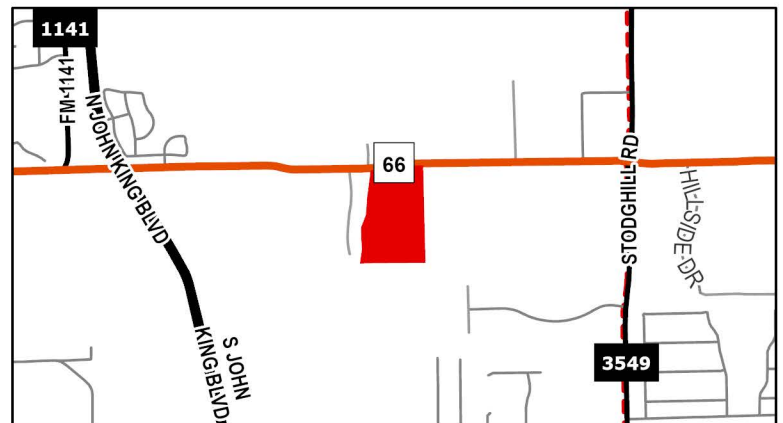
City of Rockwall

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Case Number: Z2022-057
Case Name: Zoning Change from AG to PD
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: SE of HWY 66 & John King Blvd



Date Saved: 12/12/2022
 For Questions on this Case Call (972) 771-7745

Lee, Henry

From: Guevara, Angelica
Sent: Wednesday, December 14, 2022 3:02 PM
Cc: Miller, Ryan; Ross, Bethany; Chapin, Sarah; Lee, Henry
Subject: Neighborhood Notification Program [Z2022-057]
Attachments: Public Notice Z2022-057.pdf; HOA Map (12.12.2022).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 16, 2022*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, January 10, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, January 17, 2023 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>.

Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates, Inc. for the approval of a *Zoning Change* from an Agricultural (AG) District to a Planned Development (PD) District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses on a 25.87-acre tract of land identified as parcel of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located southside of SH-66 east of the intersection of SH-66 and Davis Drive, and take any action necessary.

Thank you,

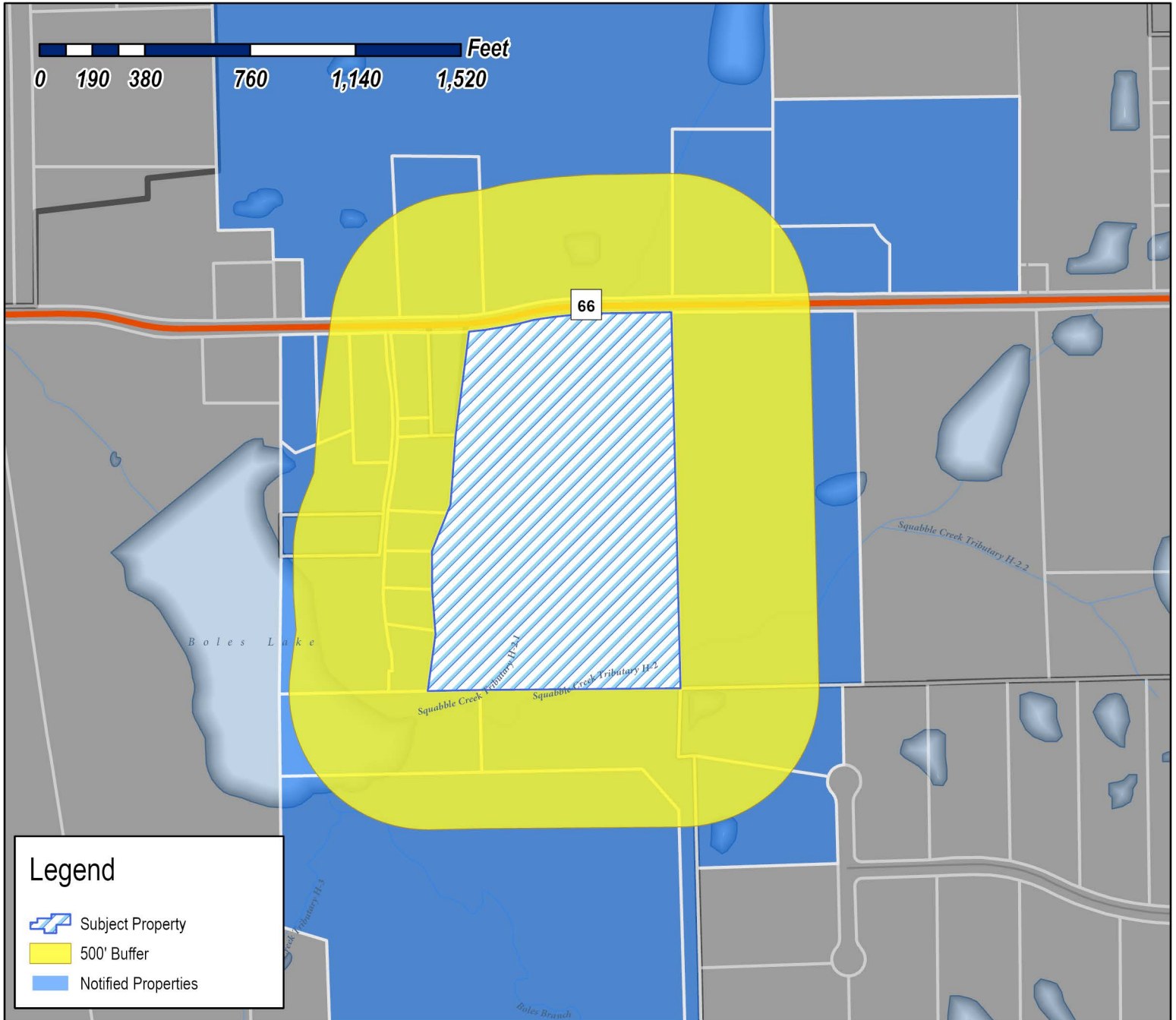
Angelica Guevara
Planning Technician
City of Rockwall Planning & Zoning
385 S. Goliad Street
Rockwall, TX 75087
Office: 972-771-7745
Direct: 972-772-6438



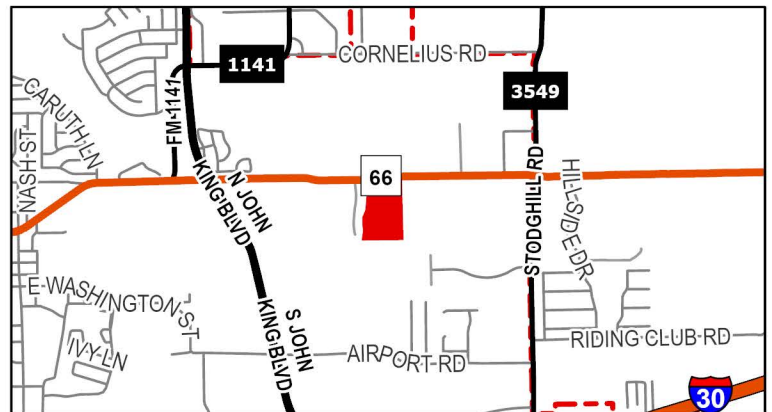
City of Rockwall

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Case Number: Z2022-057
Case Name: Zoning Change from AG to PD
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: SE of HWY 66 & John King Blvd



Date Saved: 12/12/2022

For Questions on this Case Call: (972) 771-7746

NELSON MARC J & MICHELLE L
135 ROLLING MEADOWS CIR
ROCKWALL, TX 75087

152 HILL LN
ROCKWALL, TX 75087

CUMMINGS JOHN & LORI
1770 E HWY66
ROCKWALL, TX 75087

COLLIER JUDY KAY AND
THERESA ROBBINS
1780 WILLIAMS ST
ROCKWALL, TX 75087

MCILRATH PROPERTIES LLC
1790 WILLIAMS ST
ROCKWALL, TX 75087

RYAN BILL K
1800 WILLIAMS ST
ROCKWALL, TX 75087

CITY OF ROCKWALL
1815 AIRPORT RD
ROCKWALL, TX 75087

SULLIVAN BRETT D & EDNA
195 ROLLING MEADOWS CIR
ROCKWALL, TX 75087

CITY OF ROCKWALL
205 W RUSK ST
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD
2294 E STATE HIGHWAY 66
ROCKWALL, TX 75087

CARRIAGE MANAGEMENT INC
2500 HWY66
ROCKWALL, TX 75087

CARRIAGE MANAGEMENT INC
3040 POST OAK BLVD SUITE 300
HOUSTON, TX 77056

CARRIAGE MANAGEMENT INC
3040 POST OAK BLVD SUITE 300
HOUSTON, TX 77056

CAIN FAMILY PARTNERSHIP LTD
305 STONEBRIDGE DR
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD
305 STONEBRIDGE DR
ROCKWALL, TX 75087

CUMMINGS JOHN & LORI
308 STONEBRIDGE DR
ROCKWALL, TX 75087

RYAN BILL K
330 VZ CR 2207
CANTON, TX 75103

RYAN GARY S AND CONSTANCE E
502 WILLIAMS ST
ROCKWALL, TX 75087

MCILRATH PROPERTIES LLC
636 GRISHAM DR
ROCKWALL, TX 75087

SELLERS DONYA BEATRICE
700 DAVIS DR
ROCKWALL, TX 75087

SELLERS DONYA BEATRICE
700 DAVIS DR
ROCKWALL, TX 75087

SELLERS DONYA BEATRICE
700 DAVIS DR
ROCKWALL, TX 75087

RYAN GARY S AND CONSTANCE E
710 DAVIS DR
ROCKWALL, TX 75087

MOCK ALYSSA
720 DAVIS DR
ROCKWALL, TX 75087

MA MICHAEL D AND CAROLINE J G MOORE
725 DAVIS DR
ROCKWALL, TX 75087

DAILEY MARK L
730 DAVIS DR
ROCKWALL, TX 75087

SARACAY JOSELIN E LANDAVERDE AND
JOSE ANTONIO LANDAVERDE
735 DAVIS DRIVE
ROCKWALL, TX 75087

RINKEVICH FAMILY LIVING TRUST
JOSEPH W RINKEVICH- TRUSTEE
740 DAVIS DR
ROCKWALL, TX 75087

RAINES SHERYL
745 DAVIS DR
ROCKWALL, TX 75087

COOK SHERRY LYNN
760 DAVIS DRIVE
ROCKWALL, TX 75087

WIDBOOM ROBBY AND KYLIE
770 DAVIS DR
ROCKWALL, TX 75087

CAIN REVOCABLE FAMILY TRUST AND
CREDIT SHELTER TRUST AND SURVIVORS TRUST
DEWAYNE CAIN TRUSTEE 305 STONEBRIDGE DR
ROCKWALL, TX 75087

CAIN CEMETARY CORP
N/A HWY66
ROCKWALL, TX 75087

CAIN CEMETARY CORP
PO BOX 1119
ROCKWALL, TX 75087

RAINES SHERYL
PO BOX 412
ROCKWALL, TX 75087

, 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:

Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates, Inc. for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development (PD) District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses on a 25.87-acre tract of land identified as parcel of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located southside of SH-66 east of the intersection of SH-66 and Davis Drive, 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 10, 2023 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 17, 2023 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Henry Lee
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Tuesday, January 17, 2023 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. Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

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](#)

PUBLIC NOTICE



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PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
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PLEASE RETURN THE BELOW FORM

Case No. Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

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: Cain Family Partnership (Across St. Hwy 66 From The Zoning Change)
Address: 305 Stonebridge Dr.

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.

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PUBLIC NOTICE



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

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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. Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

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: Cain Family Partnership (Property Adjacent To Zoning Change)
Address: 305 Stonebridge Dr.

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

Chapin, Sarah

From: Donya Sellers <donyasellers@yahoo.com>
Sent: Wednesday, January 4, 2023 11:57 AM
To: Planning
Subject: Case Z2022-057 Zoning Change

I am in favor of the request as this SF land division is the least intrusive to my property

Donya Sellers-Horton
700 Davis Dr, Rockwall TX 75087

[Sent from Yahoo Mail on Android](#)

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Case No. Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

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.

Blank lines for providing reasons for support or opposition.

Name: *Hesli Johnson, Rest Haven Funeral Home*

Address: *2500 State Hwy 66 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

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: *Lesli Johnson, Rest Haven Memorial Park*
Address: *2500 Stat Hwy Leb 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

Lee, Henry

From: Miller, Ryan
Sent: Monday, February 6, 2023 1:46 PM
To: Lee, Henry
Subject: FW: Zoning Change

For Dewayne's case. Thanks.



RYAN C. MILLER, AICP

DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

[HELPFUL LINKS](#) | [CITY OF ROCKWALL WEBSITE](#) | [PLANNING & ZONING DIVISION WEBSITE](#) | [MUNICIPAL CODE WEBSITE](#)
[GIS DIVISION WEBSITE](#) | [UNIFIED DEVELOPMENT CODE](#)

NOTES:

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

From: David Rakow <drakow152@sbcglobal.net>
Sent: Monday, February 6, 2023 1:43 PM
To: Miller, Ryan <RMiller@rockwall.com>
Subject: Zoning Change

Mr. Miller,

My name is David Rakow and I live at 152 Hill LN in Rockwall. I am in favor of the proposed residential development, which includes a retail zoned area where a cell tower would be constructed, directly across the street from my personal residence. I am happy to see that the residential lots are much larger than are currently being approved in our area. My only request is that the cell tower is no higher than the Oncor transmission tower that is on my property and that proper screening is provided. The tower is needed because currently our cell reception is minimal and calls are frequently dropped in this area. It would be great if whichever company installs a cell tower would provide 5G cellular home internet. Currently, everyone in this area can only receive DSL although Spectrum ran a fiber optic line to accommodate the city court building but no one else. AT&T has fiber optic up to the funeral home then stopping and not starting up again until John King Boulevard intersection. Verizon has recently allowed some to use their 5G home cellular internet but it is limited due to the amount of towers they currently have. Needless to say I'm very frustrated that living in the city limits of Rockwall and the best internet I can get is 2 mbps on DSL.

Thanks,

David Rakow

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

November 10, 2022

City of Rockwall

Planning and Zoning Department

385 S. Goliad Street

Rockwall, TX 75087

Dear Sirs:

I am requesting a Planned Development on a 25.41-acre tract of land my family trust owns. The property is in the David Harr Survey Abstract #102 and is adjacent to State Highway 66. The property falls within the Rockwall City Limits. The PD will be a mixed-use development consisting of residential lots that are larger than most currently being developed in Rockwall. As a buffer, the front of the property adjacent to State Highway 66 will be zoned commercial.

Respectfully submitted,

Cain Family Revocable Trust

A handwritten signature in blue ink that reads "Dewayne Cain". The signature is written in a cursive style with a large initial 'D'.

Dewayne Cain, Trustee

December 5, 2022

Ryan Miller
Director of Planning
City of Rockwall, Texas

Re: Request for On-Site Sewage Facilities for the SH -66 Cain PD Zoning Case Z2022-053

Dear Ryan,

On behalf of Mr. Dewayne Cain, please allow this letter to serve as a formal request to allow on-site sewage facilities for the proposed residential and general retail lots since all the lots exceed the minimum 1.5-acre requirement. We request this waiver due to the size of the general retail and residential estate size lots proposed in this zoning application.

Should you have any questions regarding this request please let me know.

Sincerely,

W.L. Douphrate II

W.L. Douphrate II, P.E.

December 2, 2022

Ryan Miller
Director of Planning
City of Rockwall, Texas

Re: Request for Waiver of Alleys for the SH -66 Cain PD Zoning Case Z2022-053

Dear Ryan,

On behalf of Mr. Dewayne Cain, please allow this letter to serve as a formal request to waive the residential alley requirements as outlined in the City of Rockwall's Standards of Design and Construction Manual. We request this waiver due to the size of the estate size lots proposed in this zoning application.

Should you have any questions regarding this request please let me know.

Sincerely,

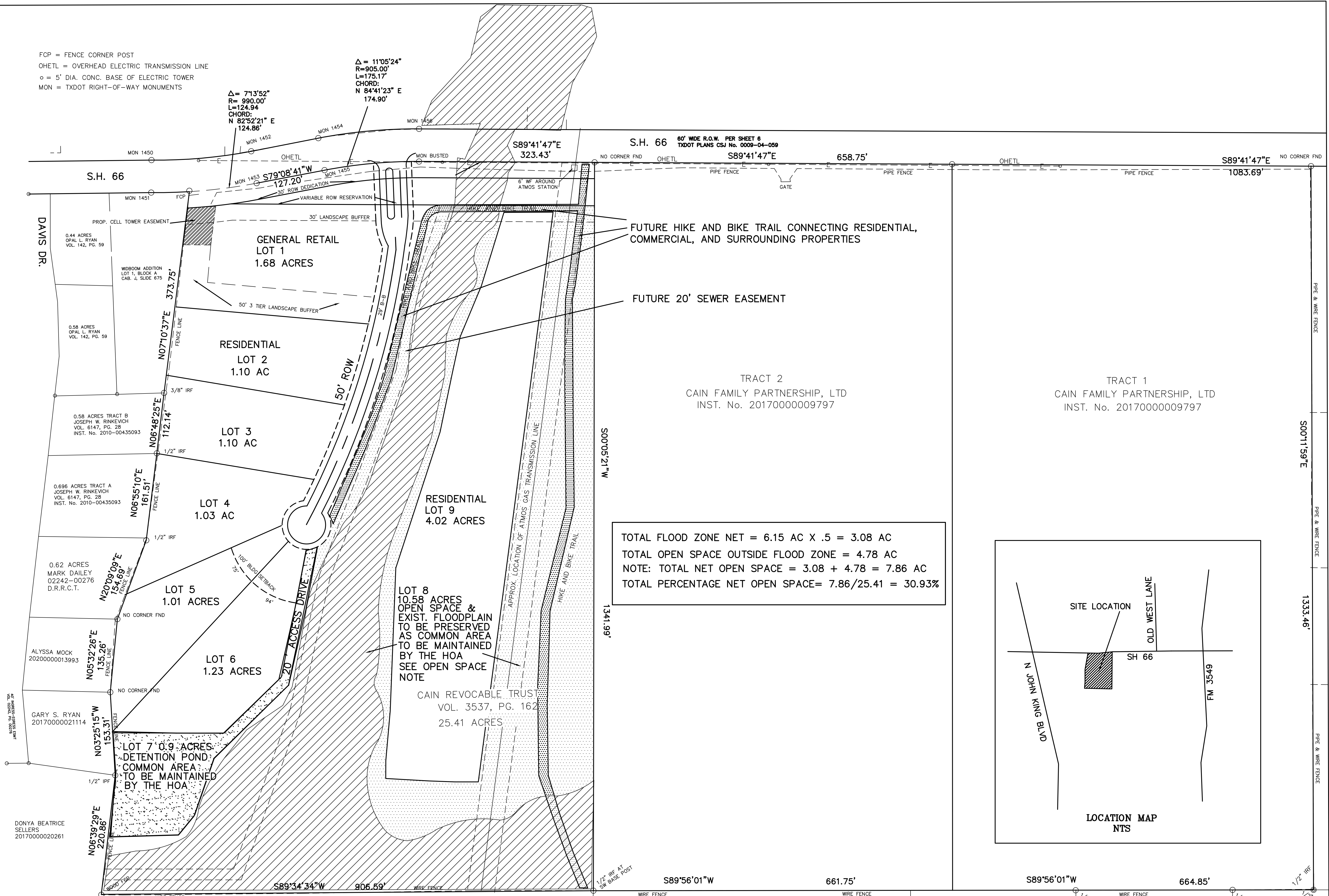
W.L. Douphrate II

W.L. Douphrate II, P.E.

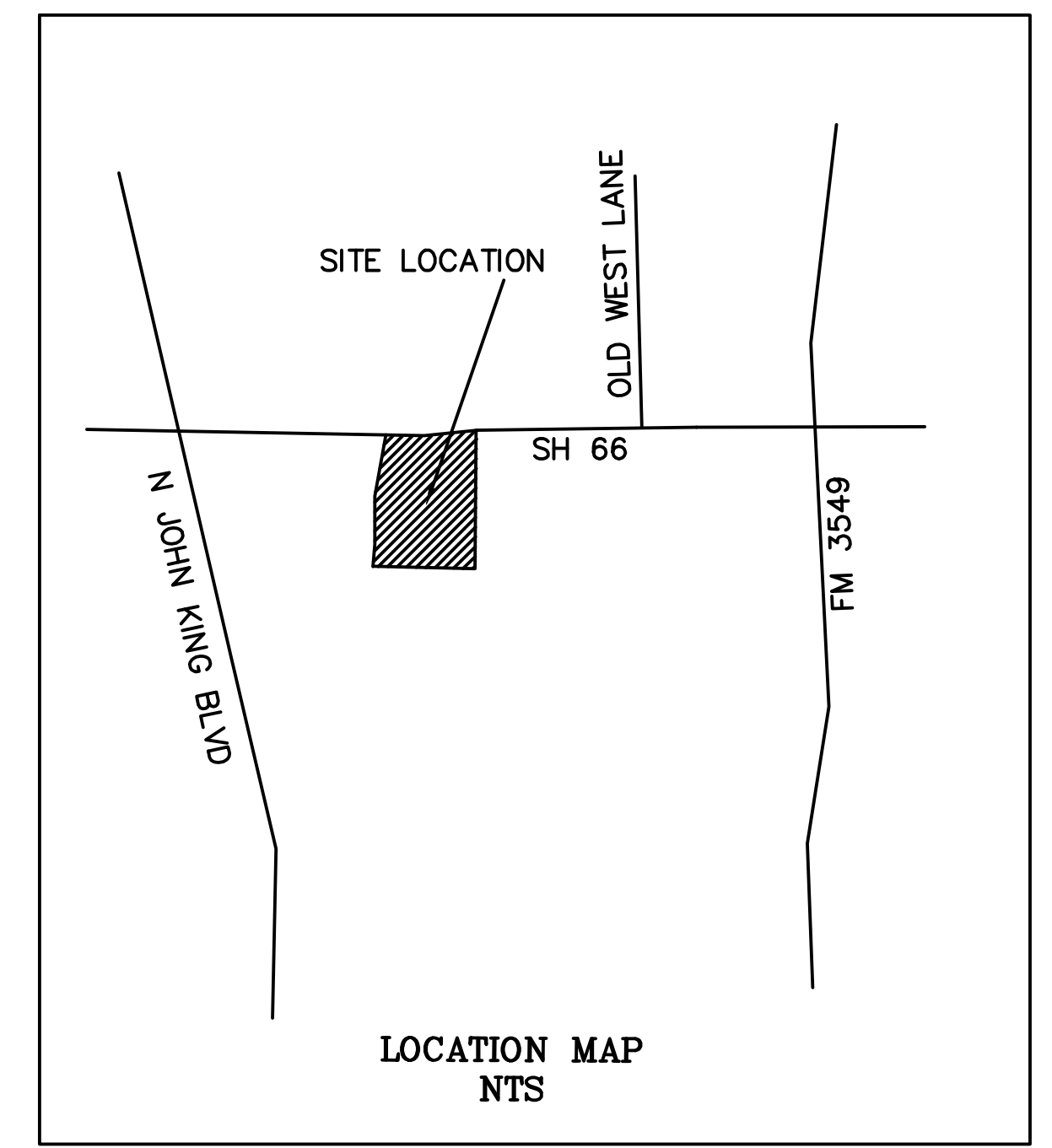
FCP = FENCE CORNER POST
 OHETL = OVERHEAD ELECTRIC TRANSMISSION LINE
 o = 5' DIA. CONC. BASE OF ELECTRIC TOWER
 MON = TXDOT RIGHT-OF-WAY MONUMENTS

$\Delta = 713'52"$
 $R = 990.00'$
 $L = 124.94'$
 CHORD:
 $N 82'52'21" E$
 $124.86'$

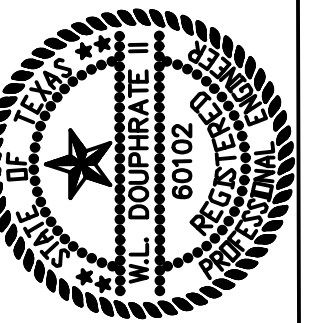
$\Delta = 11'05'24"$
 $R = 905.00'$
 $L = 175.17'$
 CHORD:
 $N 84'41'23" E$
 $174.90'$



TOTAL FLOOD ZONE NET = 6.15 AC X .5 = 3.08 AC
 TOTAL OPEN SPACE OUTSIDE FLOOD ZONE = 4.78 AC
 NOTE: TOTAL NET OPEN SPACE = 3.08 + 4.78 = 7.86 AC
 TOTAL PERCENTAGE NET OPEN SPACE = 7.86/25.41 = 30.93%



ROLLING MEADOWS ESTATES
 CABINET D, SLIDE 59
 P.R.R.C.T. 10



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY W.L. DOUPHRATE II TEXAS P.E. NO. 60102, EXPIRES ON DATE: NOV 2, 2022.

DOUPHRATE & ASSOCIATES, INC.
 ENGINEERING PROJECT MANAGEMENT SURVEYING
 2235 RIDGE RD., # 200 ROCKWALL, TEXAS 75087
 PHONE: (972)771-9004 FAX: (972)771-9005

CONCEPT PLAN W/ LOT LAYOUT
CAIN SH 66 25 ACRE PLANNED DEVELOPMENT
 CITY OF ROCKWALL
 ROCKWALL COUNTY, TEXAS

REVISION	W.L.D.
CHECKED	G.C.W.
DRAWN	
SCALE	1" = 80' H 1" = 40' V
DATE	NOV 4, 2022
PROJECT	2007 SITE PL
	20

CASE NO. Z2022-053

STATE OF TEXAS:

COUNTY OF ROCKWALL:

FIELD NOTES:

BEING a 25.41 acre tract of land situated in the David Harr Survey, Abstract No. 102 and being the same tract of land as described in a Warranty Deed from J. Diane Folzenlogen to the Cain Revocable Family Trust as recorded in Volume 3537, Page 162 of the Deed Records of Rockwall, County, Texas and being more particularly described as follows:

BEGINNING at the northeast corner of the Lot 1, Block A of the Widboom Addition, an addition to the City of Rockwall as recorded in Cabinet J, Slide 375 of the Plat Records of Rockwall County, Texas, said point being on the south right-of-way line of S.H. 66 (a 60' wide right-of-way);

THENCE along the south line of said S.H. 66 and along a curve to the left having a central angle of $7^{\circ}13'52''$, a radius of 990.00' and a chord that bears North $82^{\circ}52'21''$ East a distance of 124.86';

THENCE along said curve an arc distance of 124.94' to a TXDOT concrete monument with an aluminum cap stamped "1453";

THENCE North $79^{\circ}08'41''$ East a distance of 127.20' to a TXDOT concrete monument with an aluminum cap stamped "1455", said point being the beginning of a curve to the right having a central angle of $11^{\circ}05'24''$, a radius of 905.00' and a chord that bears North $84^{\circ}41'23''$ East a distance of 174.90';

THENCE along said right-of-way line an arc distance of 175.17' to a busted TXDOT monument found;

THENCE South $89^{\circ}41'47''$ East along said right-of-way line, a distance of 323.43' to a point for a corner, said point being the northwest corner of Tract 2 of a tract of land conveyed to Cain Family Partnership, Ltd. as recorded in Rockwall File Clerk's No. 20170000009797 of the Real Property Records of Rockwall County, Texas (R.P.R.R.C.T.);

THENCE South $00^{\circ}05'21''$ West along the west line of said Tract 2, a distance of 1341.99' to a $\frac{1}{2}$ " iron rod found at the southwest base of a wood fence corner post, said point being the northwest corner of Lot 10 of the revised Final Plat of Rolling Meadows Estates addition, an addition to Rockwall County, Texas as recorded in Cabinet D, Slide 59 of the Plat Records of Rockwall, County, Texas, said point also being the easterly northeast corner of a tract of land conveyed to Donya Beatrice Sellers as recorded in Instrument No. 20170000020261 of the Real Property Records of Rockwall County, Texas;

THENCE South $89^{\circ}34'34''$ West along the north line of said Sellers Tract, a distance of 906.59' to a wooden fence corner post being an "ell" corner of said Sellers tract;

THENCE North $06^{\circ}39'29''$ East along the east line of said Sellers Tract, a distance of 220.86' to a $\frac{1}{2}$ " iron pipe found, said point being the southeast corner of a tract of land conveyed to Gary S. Ryan as recorded in Instrument No. 20170000021114 R.P.R.R.C.T.;

THENCE North $03^{\circ}25'15''$ West a distance of 153.31' to a point for a corner, said point being the northeast corner of said Ryan Tract and the southeast corner of a tract of land conveyed to Alyssa Mock as recorded in Instrument No. 20200000013993 R.P.R.R.C.T.;

THENCE North 05°32'26" East a distance of 135.26' to a point for a corner, said point being the northeast corner of said Mock Tract and the southeast corner of a tract of land conveyed to Mark Dailey as recorded in Volume 2242, Page 276 of the Deed Records of Rockwall County, Texas;

THENCE North 20°09'09" East a distance of 154.69' to a ½" iron rod found for the northeast corner of said Dailey Tract and the southeast corner of a tract of land conveyed to Joseph W. Rinkevich as recorded in Volume 6147, Page 28 of the Deed Records of Rockwall County, Texas;

THENCE North 06°55'10" East a distance of 161.51' to a ½" iron rod found for a corner;

THENCE North 06°48'25" East a distance of 112.14' to a 3/8" iron rod found for the northeast corner of said Rinkevich Tract and the southeast corner of said Widboom Addition;

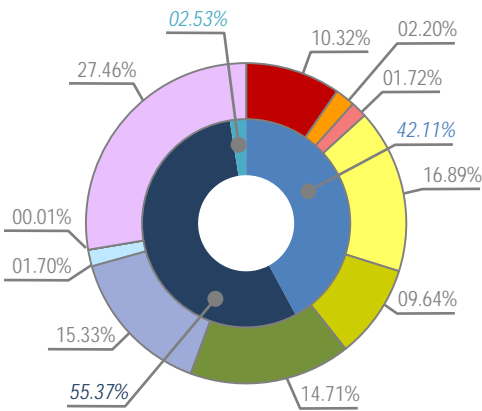
THENCE North 07°10'37" East a distance of 373.75' to the POINT OF BEGINNING and containing 25.41 acres or 1,107,008 square feet of land.

01 CENTRAL DISTRICT DISTRICT STRATEGIES

DISTRICT DESCRIPTION

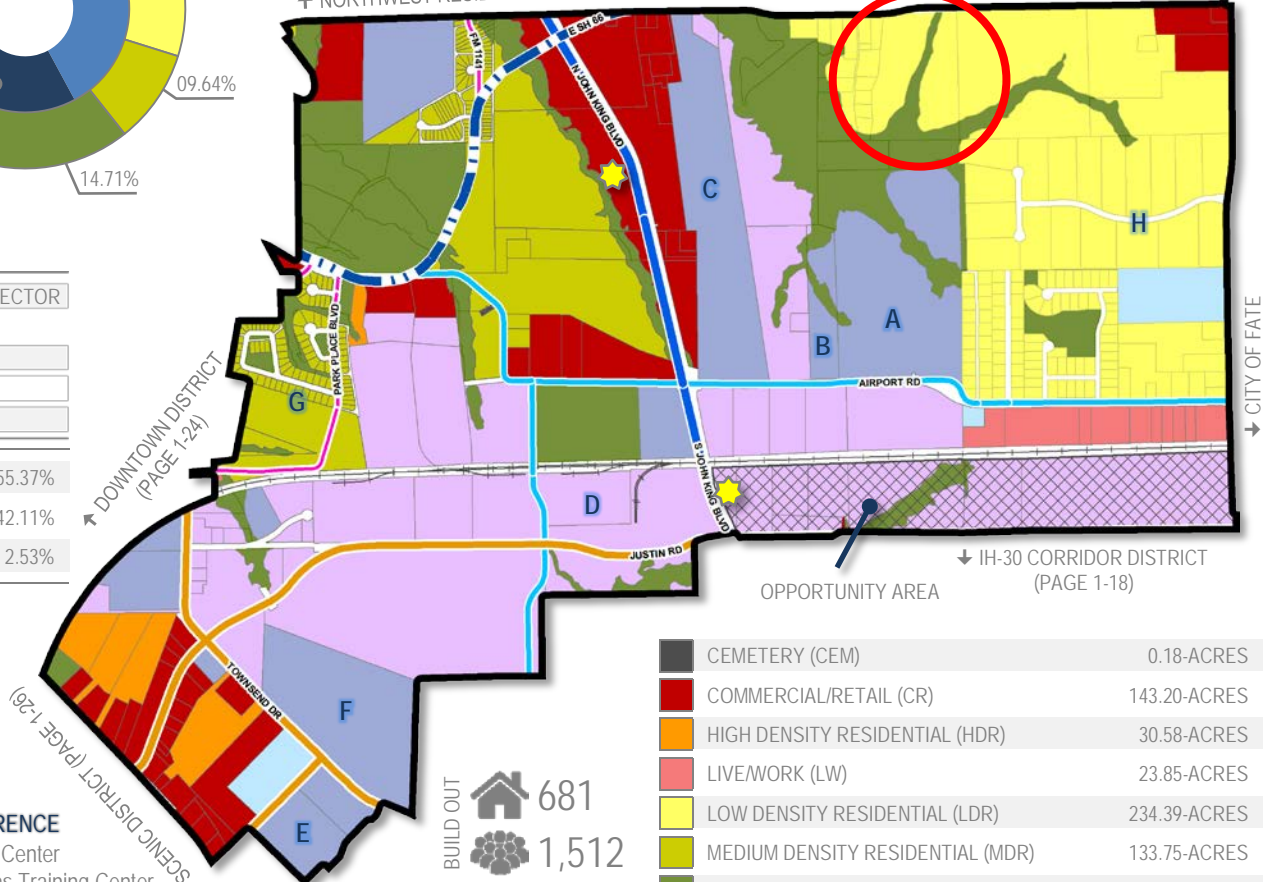
The *Central District* is composed of a wide range of land uses that vary from single-family to industrial. The district's residential areas consist of suburban residential (e.g. *Park Place*), estate and rural residential (e.g. *Rolling Meadows Subdivision*), and higher density residential developments (e.g. *Evergreen Senior Living*). The *Central District* also incorporates a high volume of industrial land uses adjacent to the *Union Pacific/Dallas Garland and Northeastern Rail Road* line that bisects the district -- and *City* -- in an east/west direction. The *Ralph Hall Municipal Airport* and several other large public/school facilities are also located within the boundaries of this district.

John King Boulevard Trail Plan
Rest Stop/Trailblazer Pylon



Color	Category	Percentage
Black	COMMERCIAL	55.37%
Blue	RESIDENTIAL	42.11%
Light Blue	MIXED USE	2.53%
Yellow	MINOR COLLECTOR	
Orange	M4U	
Red	M4D	
Green	P6D	
Dark Blue	TXDOT 4D	

↑ NORTHWEST RESIDENTIAL DISTRICT (PAGE 1-25) ↑ NORTHEAST RESIDENTIAL DISTRICT (PAGE 1-23)



POINTS OF REFERENCE

- A. Animal Adoption Center
- B. Regional Firearms Training Center
- C. Ralph Hall Municipal Airport
- D. Leon Tuttle Athletic Complex
- E. Rockwall County Courthouse
- F. Utley Middle School
- G. Park Place Subdivision
- H. Rolling Meadows Subdivision

CURRENT
 220
 71
 488

BUILD OUT
 681
 1,512
% OF ROCKWALL
 1.10%
 3.91%
 0.82%

CEMETERY (CEM)	0.18-ACRES
COMMERCIAL/RETAIL (CR)	143.20-ACRES
HIGH DENSITY RESIDENTIAL (HDR)	30.58-ACRES
LIVE/WORK (LW)	23.85-ACRES
LOW DENSITY RESIDENTIAL (LDR)	234.39-ACRES
MEDIUM DENSITY RESIDENTIAL (MDR)	133.75-ACRES
PARKS AND OPEN SPACE (OS)	204.05-ACRES
PUBLIC (P)	212.77-ACRES
QUASI-PUBLIC (QP)	23.65-ACRES
SPECIAL COMMERCIAL CORRIDOR (SC)	0.08-ACRES
TECHNOLOGY/EMPLOYMENT CENTER (TEC)	381.07-ACRES

- 1 **Live/Work.** The live/work designation in this district is intended to provide flexibility for land owners, adjacent to the railroad tracks, to transition their properties -- *when appropriate* -- to low intensity office/retail land uses that are similar in scale and scope to the adjacent residential properties.
- 2 **Suburban Residential.** While many of the larger tracts in this area are not large enough to support a master planned community (*which is characteristic of Northern Estates and Northwest Residential Districts*), any 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* lots in this district, but should be comparable in size to newer developments (*i.e. Ridgecrest Subdivision*). In addition, newer subdivisions adjacent to existing larger lot subdivisions should provide a transition (*e.g. larger lots or a large landscape buffer*) adjacent to the existing subdivision.
- 3 **Commercial/Retail Centers.** The commercial/retail centers in this district are intended to support existing and proposed residential developments, and should be compatible in scale with adjacent residential structures (*i.e. are more characteristic of neighborhood/convenience centers*); however, areas adjacent to John King Boulevard should be capable of accommodating mid to large-scale commercial users. All commercial developments should incorporate appropriate screening (*e.g. berms, landscaping and large buffers*) to transition uses.
- 4 **Industrial/Special Commercial Corridor Opportunity Area.** The area south of the railroad tracks that is indicated by a crosshatched pattern represents an opportunity area in the City of Rockwall. Due to its adjacency to the railroad tracks, the land is naturally suitable for *Technology/Industrial* land uses; however, due to the land's adjacency to strategically located parcels along IH-30 the land could be utilized as part of a larger development in the *Special Commercial Corridor*.
- 5 **John King Boulevard Trail Plan.** A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in *Appendix 'B'* of this Comprehensive Plan.

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR GENERAL RETAIL (GR) DISTRICT AND SINGLE-FAMILY 1 (SF-1) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 25.87-ACRE TRACT OF LAND IDENTIFIED AS TRACT 14 OF THE D. HARR SURVEY, ABSTRACT NO. 102, 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 Dub Douphrate of Douphrate and Associates, Inc. on behalf of Dewayne Cain for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses, on a 25.87-acre tract of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located on the southside of SH-66 east of the intersection of SH-66 and Davis Drive, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 20-02*] should be amended as follows:

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

SECTION 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 2. That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, depicted in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 3. That development of the *Subject Property* shall generally be in accordance with

the *Density and Development Standards*, outlined in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*,

SECTION 4. That 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 'B'* 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 (Residential Only)*
 - (2) *Master Plat (Residential Only)*
 - (3) *Preliminary Plat (Residential Only)*
 - (4) *PD Development Plan (Non-Residential Only)*
 - (5) *PD Site Plan*
 - (6) *Final Plat*
- (c) *Master Parks and Open Space Plan*. A *Master Parks and Open Space Plan* for the *Subject Property*, as depicted in *Exhibit 'B'* 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 'B'* 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 'B'* 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 'B'* 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 6TH DAY OF MARCH, 2023.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: February 21, 2023

2nd Reading: March 6, 2023

Exhibit 'A':
Survey

BEING a 25.41 acre tract of land situated in the David Harr Survey, Abstract No. 102 and being the same tract of land as described in a Warranty Deed from J. Diane Folzenlogen to the Cain Revocable Family Trust as recorded in Volume 3537, Page 162 of the Deed Records of Rockwall, County, Texas and being more particularly described as follows:

BEGINNING at the northeast corner of the Lot 1, Block A of the Widboom Addition, an addition to the City of Rockwall as recorded in Cabinet J, Slide 375 of the Plat Records of Rockwall County, Texas, said point being on the south right-of-way line of S.H. 66 (a 60' wide right-of-way);

THENCE along the south line of said S.H. 66 and along a curve to the left having a central angle of $7^{\circ}13'52''$, a radius of 990.00' and a chord that bears North $82^{\circ}52'21''$ East a distance of 124.86';

THENCE along said curve an arc distance of 124.94' to a TXDOT concrete monument with an aluminum cap stamped "1453";

THENCE North $79^{\circ}08'41''$ East a distance of 127.20' to a TXDOT concrete monument with an aluminum cap stamped "1455", said point being the beginning of a curve to the right having a central angle of $11^{\circ}05'24''$, a radius of 905.00' and a chord that bears North $84^{\circ}41'23''$ East a distance of 174.90';

THENCE along said right-of-way line an arc distance of 175.17' to a busted TXDOT monument found;

THENCE South $89^{\circ}41'47''$ East along said right-of-way line, a distance of 323.43' to a point for a corner, said point being the northwest corner of Tract 2 of a tract of land conveyed to Cain Family Partnership, Ltd. as recorded in Rockwall File Clerk's No. 2017000009797 of the Real Property Records of Rockwall County, Texas (R.P.R.R.C.T.);

THENCE South $00^{\circ}05'21''$ West along the west line of said Tract 2, a distance of 1341.99' to a $\frac{1}{2}$ " iron rod found at the southwest base of a wood fence corner post, said point being the northwest corner of Lot 10 of the revised Final Plat of Rolling Meadows Estates addition, an addition to Rockwall County, Texas as recorded in Cabinet D, Slide 59 of the Plat Records of Rockwall, County, Texas, said point also being the easterly northeast corner of a tract of land conveyed to Donya Beatrice Sellers as recorded in Instrument No. 20170000020261 of the Real Property Records of Rockwall County, Texas;

THENCE South $89^{\circ}34'34''$ West along the north line of said Sellers Tract, a distance of 906.59' to a wooden fence corner post being an "ell" corner of said Sellers tract;

THENCE North $06^{\circ}39'29''$ East along the east line of said Sellers Tract, a distance of 220.86' to a $\frac{1}{2}$ " iron pipe found, said point being the southeast corner of a tract of land conveyed to Gary S. Ryan as recorded in Instrument No. 20170000021114 R.P.R.R.C.T.;

THENCE North $03^{\circ}25'15''$ West a distance of 153.31' to a point for a corner, said point being the northeast corner of said Ryan Tract and the southeast corner of a tract of land conveyed to Alyssa Mock as recorded in Instrument No. 20200000013993 R.P.R.R.C.T.;

THENCE North $05^{\circ}32'26''$ East a distance of 135.26' to a point for a corner, said point being the northeast corner of said Mock Tract and the southeast corner of a tract of land conveyed to Mark Dailey as recorded in Volume 2242, Page 276 of the Deed Records of Rockwall County, Texas;

THENCE North $20^{\circ}09'09''$ East a distance of 154.69' to a $\frac{1}{2}$ " iron rod found for the northeast corner of said Dailey Tract and the southeast corner of a tract of land conveyed to Joseph W. Rinkevich as recorded in Volume 6147, Page 28 of the Deed Records of Rockwall County, Texas;

THENCE North $06^{\circ}55'10''$ East a distance of 161.51' to a $\frac{1}{2}$ " iron rod found for a corner;

THENCE North $06^{\circ}48'25''$ East a distance of 112.14' to a $\frac{3}{8}$ " iron rod found for the northeast corner of said Rinkevich Tract and the southeast corner of said Widboom Addition;

THENCE North $07^{\circ}10'37''$ East a distance of 373.75' to the *POINT OF BEGINNING* and containing 25.41 acres or 1,107,008 square feet of land.

Exhibit 'C':
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 General Retail (GR) District and Single-Family 1 (SF-1) 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*.

(a) Residential Land Uses. Residential land uses shall be allowed only within the area designated for residential lots as depicted on the *Concept Plan* in *Exhibit 'B'* of this ordinance. These areas are limited to those uses permit by-right or by Specific Use Permit (SUP) for the Single-Family 1 (SF-1) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

(b) Non-Residential Land Uses. Non-residential land uses shall be allowed only within the area designated for *General Retail* land uses as depicted on the *Concept Plan* in *Exhibit 'B'* of this ordinance. These areas are limited to those uses permitted *by-right* or by Specific Use Permit (SUP) for the General Retail (GR) District as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) and subject to the approval of a *PD Development Plan* and *PD Site Plan* in accordance with the Planned Development District regulations contained in Article 10, *Planned Development District Regulations*, of the Unified Development Code (UDC); however, the subject property shall be subject to the following:

(1) The following land uses shall be allowed through a Specific Use Permit (SUP):

- Freestanding Commercial Antenna (*a Maximum of 110-Feet in Total Height*)

(2) The following land uses shall be expressly prohibited:

- Animal Boarding/Kennel without Outside Pens
- Animal Hospital or Clinic
- Convent, Monastery, or Temple
- Commercial Parking Garage
- Limited-Service, Full-Service, and/or Residence Hotel
- Motel
- Cemetery/Mausoleum
- Church/House of Worship
- Congregate Care Facility/Elderly Housing
- Emergency Ground Ambulance Services
- Hospital
- Mortuary or Funeral Chapel
- Financial Institution with Drive-Through
- Temporary Carnival, Circus, or Amusement
- Outdoor Commercial Amusement/Recreation
- Private Country Club
- Golf-Driving Range
- Temporary Fundraising Events by Non-Profit
- Indoor Gun Club with Skeet or Target Range
- Private Club, Lodge or Fraternal Organization
- Tennis Courts
- Banquet Facility/Event Hall

Exhibit 'C':
Density and Development Standards

- Brew Pub
- Private Sports Arena, Stadium, and or Track
- Portable Beverage Service Facility
- Temporary Christmas Tree Sales Lot and/or Similar Uses
- Copy Center
- Incidental Display
- Food Trucks/Trailers
- Garden Supply/Plant Nursery
- Self Service Laundromat
- Night Club, Discotheque, or Dance Hall
- Pawn Shop
- Restaurant with less/more than 2,000 SF with a Drive-Through or Drive-In
- Rental Store without Outside Storage and/or Display
- Retail Store with Gasoline Sales that has less/more than Two (2) Dispensers
- Trade School
- Minor Auto Repair Garage
- Full Service Car Wash and Auto Detail
- Self Service Car Wash
- Non-Commercial Parking Lot
- Service Station
- Temporary Asphalt or Concrete Batch Plant
- Mining and Extraction of Sand, Gravel, Oil and/or Other Materials
- Helipad
- Railroad Yard or Shop
- Transit Passenger Facility

(2) Density and Dimensional Requirements. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated for the *Subject Property* shall be as follows:

(a) Residential. Except as provided by this Planned Development District ordinance, the residential land uses on the *Subject Property* shall be required to meet the development standards for the Single-Family 1 (SF-1) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC). The maximum permissible density for the *Subject Property* shall not exceed 0.23 dwelling units per gross acre of land; however, in no case should the proposed development exceed 6 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>Minimum Lot Width</i> ⁽¹⁾	70'
<i>Minimum Lot Depth</i>	100'
<i>Minimum Lot Area</i>	43,560 SF
<i>Minimum Front Yard Setback</i> ⁽²⁾	20'
<i>Minimum Side Yard Setback</i>	6'
<i>Minimum Length of Driveway Pavement</i>	25'
<i>Maximum Height</i> ⁽³⁾	36'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	3,000 SF
<i>Maximum Lot Coverage</i>	45%

General Notes:

- ¹: The *Minimum Lot Width* shall be measured from the *Front Yard Setback*.
- ²: The location of the *Front Yard Building Setback* as measured from the front property line. The front yard building setback shall be increased to a minimum of 50-feet adjacent to homes along SH-66.
- 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.

Exhibit 'C':
Density and Development Standards

- (b) *Non-Residential.* Except as modified by this Planned Development District ordinance, the non-residential land uses on the *Subject Property* shall be required to meet the development standards stipulated by the *General Overlay District Standards*, *General Commercial District Standards*, and the standards required for the General Retail (GR) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC). In addition, the *Commercial* area shall be designed to be pedestrian-oriented and easily accessible to the adjacent residential neighborhoods, and be constructed to be integrated with the adjacent uses, not be separated from them by screening walls or other physical barriers. This will be accomplished by creating paths from the adjacent development into the *Commercial* area and through the use of landscaping buffers utilizing a berm and three (3) tiered screening (*i.e.* [1] *a small to mid-sized shrub*, [2] *large shrubs or accent trees*, and [3] *canopy trees on 20-foot centers*), and building design and other urban design elements to create compatibility with the surrounding residential neighborhood.
- (3) *Building Standards for Residential.* All development shall adhere to the following building standards:
- (a) *Masonry Requirement.* The minimum masonry requirement for the exterior façade of all buildings shall be 90.00% (*excluding dormers and walls over roof areas*). For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard (*e.g. HardiBoard or Hardy Plank*) in a horizontal lap-siding, *board-and-batten* siding, or a decorative pattern (see *examples below*) may be used for up to 20.00% of the total exterior of the home; however, administrative approval from the Director of Planning and Zoning may be requested for housing plans that utilize cementitious fiberboard in excess of 20.00% of the masonry requirement on a *case-by-case* basis.

FIGURE 1: EXAMPLES OF CEMENTITIOUS FIBERBOARD



Continued on Next Page ...

Exhibit 'C':
Density and Development Standards

FIGURE 2: EXAMPLES OF BOARD AND BATTEN



FIGURE 3: EXAMPLES OF HORIZONTAL LAP



- (b) **Roof Pitch.** A minimum of an 8:12 roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a 4:12 roof pitch.
- (c) **Garage Orientation and Garage Doors.** Garages shall be oriented in a traditional swing (or j-swing) or recessed front entry (i.e. the garage door may be oriented toward the street as long as it is setback a minimum of 20-feet behind the front façade of the primary structure). All garage doors shall be required to have upgraded finishes (e.g. divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be approved by staff):

Continued on Next Page ...

Exhibit 'C':
Density and Development Standards

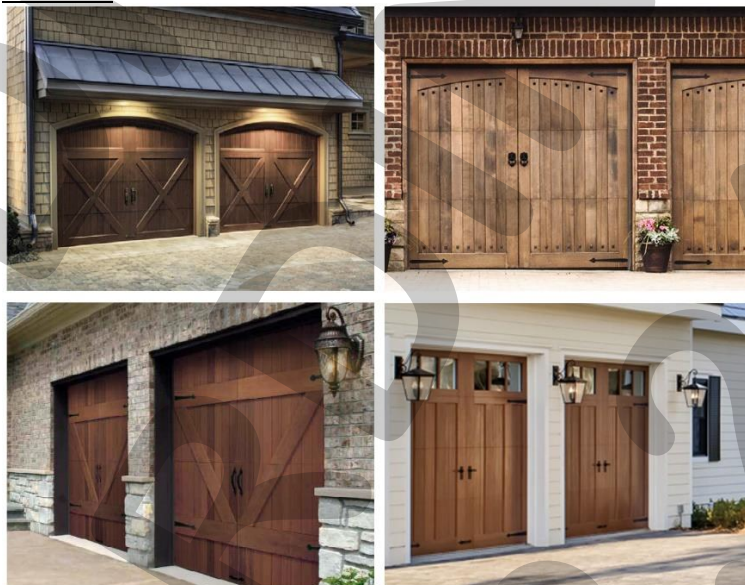
FIGURE 4: EXAMPLES OF ENHANCED WOOD GARAGE DOOR



FIGURE 5: EXAMPLES OF UPGRADED FINISHES



FIGURE 6: EXAMPLES OF UPGRADED GARAGES



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

- (a) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on

Exhibit 'C':
Density and Development Standards

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. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
 - (1) Number of Stories
 - (2) Roof Type and Layout
 - (3) Articulation of the Front Façade
 - (c) 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*).
- (5) 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) Wrought Iron/Tubular Steel. All lots shall utilize fencing materials that shall be open in nature and not to exceed six (6) feet in height. Fences that extend beyond the front building line of any structure shall be required to be pipe-rail or similar fencing. No chain-link or wooden fencing shall be allowed.
 - (b) Lots with Floodplain. No fences shall be permitted within the floodplain.
- (6) 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. All shrubs shall be a minimum of five (5) gallons in size. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall be required to plant an additional row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).
 - (b) Landscape Buffer and Sidewalks (State Highway 66). A minimum of a 30-foot landscape buffer shall be provided along SH-66 (*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. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-linear feet of frontage. A meandering six (6) foot trail shall be constructed within the 30-foot landscape buffer.
 - (c) Landscape Buffer (Adjacent to Residential Properties). A minimum of a 50-landscape buffer with a minimum of a 48-inch berm and three (3) tiered screening (*i.e. [1] a small to mid-sized shrub, [2] large shrubs or accent trees, and [3] canopy trees on 20-foot centers*) along the entire adjacency.

Exhibit 'C':
Density and Development Standards

- (d) 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 that are less than ten (10) inches and ten (10) feet from public water, sanitary sewer and storm lines that are greater than ten (10) inches. All street trees shall be reviewed with the *PD Site Plan*.
- (e) Residential Lot Landscaping. Prior to the issuance of a Certificate of Occupancy (CO), all residential lots depicted on *Exhibit 'B'* shall be landscaped with a minimum of two (2), four (4) inch caliper canopy trees (as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]) within the front yard. In addition, corner lots shall be required to add a minimum of two (2), four (4) inch caliper canopy trees (as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]) within the side yard facing the street.
- (f) 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).
- (g) Hardscape. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.
- (7) Street. All streets (excluding drives, fire lanes and private parking areas) shall be built according to the City's standards.
- (8) 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.
- (9) 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.
- (10) Buried Utilities. New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.
- (11) Neighborhood Signage and Enhancements. Permanent subdivision identification signage shall be required 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*.

Exhibit 'C':
Density and Development Standards

- (12) Homeowner's Association (HOA). A Homeowner's Association (HOA) 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. These areas are required to be delineated on the *PD Site Plan*.
- (13) On-Site Sewage Facilities. Septic Systems are permitted on all lots within this subdivision pending conformance to the following standards:
- (a) All *Septic Systems* shall be designed by a licensed *On-Site Sewage Facility (OSSF)* professional (e.g. *licensed engineer, sanitarian, and etcetera*).
 - (b) A stamped and signed copy of the *Septic System* plans indicating the full limits of the septic field shall be submitted to the city at the time of building permit on a *lot-by-lot* basis.
 - (c) All *Septic Systems* shall be inspected and approved by the City's chosen inspector.
- (14) 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.



DATE: March 16, 2023

TO: Dub Douphrate
Douphrate & Associates, Inc.
2235 Ridge Road
Rockwall, TX 75087

FROM: Henry Lee, AICP
City of Rockwall Planning and Zoning Department
385 S. Goliad Street
Rockwall, TX 75087

SUBJECT: Z2022-057; *Zoning Change from AG to PD*

Dub Douphrate:

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 March 6, 2023. The following is a record of all recommendations, voting records and conditions of approval:

Staff Recommendations

- (1) The applicant shall be responsible for maintaining compliance with the concept plan and development standards contained in the Planned Development District ordinance.
- (2) The approval of this case will change the area of the proposed General Retail (GR) District and the Commercial Freestanding Antenna on the Future Land Use Map from a Low Density Residential land use designation to a Commercial/Retail land use designation.
- (3) The 50-foot landscape buffer that incorporates the three (3) tiered landscaping shall be extended along the western property line of the General Retail (GR) District lot adjacent to the adjoining residential property.
- (4) 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 February 14, 2023, the Planning and Zoning Commission approved a motion to approve the Zoning Change by a vote of 7-0.

City Council

On March 6, 2023, the City Council approved the Zoning Change by a vote of 7-0.

Included with this letter is a copy of *Ordinance No. 23-07*, which is the regulating ordinance adopted with the City Council's approval of this case. Should you have any questions or concerns regarding your zoning case, please feel free to contact me a (972) 771-7745.

Sincerely,



Henry Lee, AICP, Planner
Planning and Zoning Department

CITY OF ROCKWALL

ORDINANCE NO. 23-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 100 (PD-100) FOR GENERAL RETAIL (GR) DISTRICT AND SINGLE-FAMILY 1 (SF-1) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 25.87-ACRE TRACT OF LAND IDENTIFIED AS TRACT 14 OF THE D. HARR SURVEY, ABSTRACT NO. 102, 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 Dub Douphrate of Douphrate and Associates, Inc. on behalf of Dewayne Cain for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses, on a 25.87-acre tract of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located on the southside of SH-66 east of the intersection of SH-66 and Davis Drive, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 20-02*] should be amended as follows:

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

SECTION 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 2. That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, depicted in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 3. That development of the *Subject Property* shall generally be in accordance with

the *Density and Development Standards*, outlined in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 4. That 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 'B'* 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 (Residential Only)*
 - (2) *Master Plat (Residential Only)*
 - (3) *Preliminary Plat (Residential Only)*
 - (4) *PD Development Plan (Non-Residential Only)*
 - (5) *PD Site Plan*
 - (6) *Final Plat*
- (c) *Master Parks and Open Space Plan*. A *Master Parks and Open Space Plan* for the *Subject Property*, as depicted in *Exhibit 'B'* 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 'B'* 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 'B'* 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 'B'* 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.

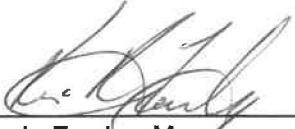
SECTION 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (\$2,000.00) for each offense and each and every day such 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;

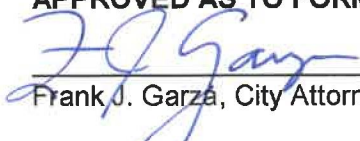
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF MARCH, 2023.


Kevin Fowler, Mayor

ATTEST:


Kristy Teague, City Secretary

APPROVED AS TO FORM:


Frank J. Garza, City Attorney



1st Reading: February 21, 2023

2nd Reading: March 6, 2023

Exhibit 'A':
Survey

BEING a 25.41 acre tract of land situated in the David Harr Survey, Abstract No. 102 and being the same tract of land as described in a Warranty Deed from J. Diane Folzenlogen to the Cain Revocable Family Trust as recorded in Volume 3537, Page 162 of the Deed Records of Rockwall, County, Texas and being more particularly described as follows:

BEGINNING at the northeast corner of the Lot 1, Block A of the Widboom Addition, an addition to the City of Rockwall as recorded in Cabinet J, Slide 375 of the Plat Records of Rockwall County, Texas, said point being on the south right-of-way line of S.H. 66 (a 60' wide right-of-way);

THENCE along the south line of said S.H. 66 and along a curve to the left having a central angle of 7°13'52", a radius of 990.00' and a chord that bears North 82°52'21" East a distance of 124.86';

THENCE along said curve an arc distance of 124.94' to a TXDOT concrete monument with an aluminum cap stamped "1453";

THENCE North 79°08'41" East a distance of 127.20' to a TXDOT concrete monument with an aluminum cap stamped "1455", said point being the beginning of a curve to the right having a central angle of 11°05'24", a radius of 905.00' and a chord that bears North 84°41'23" East a distance of 174.90';

THENCE along said right-of-way line an arc distance of 175.17' to a busted TXDOT monument found;

THENCE South 89°41'47" East along said right-of-way line, a distance of 323.43' to a point for a corner, said point being the northwest corner of Tract 2 of a tract of land conveyed to Cain Family Partnership, Ltd. as recorded in Rockwall File Clerk's No. 20170000009797 of the Real Property Records of Rockwall County, Texas (R.P.R.R.C.T.);

THENCE South 00°05'21" West along the west line of said Tract 2, a distance of 1341.99' to a 1/2" iron rod found at the southwest base of a wood fence corner post, said point being the northwest corner of Lot 10 of the revised Final Plat of Rolling Meadows Estates addition, an addition to Rockwall County, Texas as recorded in Cabinet D, Slide 59 of the Plat Records of Rockwall, County, Texas, said point also being the easterly northeast corner of a tract of land conveyed to Donya Beatrice Sellers as recorded in Instrument No. 20170000020261 of the Real Property Records of Rockwall County, Texas;

THENCE South 89°34'34" West along the north line of said Sellers Tract, a distance of 906.59' to a wooden fence corner post being an "ell" corner of said Sellers tract;

THENCE North 06°39'29" East along the east line of said Sellers Tract, a distance of 220.86' to a 1/2" iron pipe found, said point being the southeast corner of a tract of land conveyed to Gary S. Ryan as recorded in Instrument No. 20170000021114 R.P.R.R.C.T.;

THENCE North 03°25'15" West a distance of 153.31' to a point for a corner, said point being the northeast corner of said Ryan Tract and the southeast corner of a tract of land conveyed to Alyssa Mock as recorded in Instrument No. 20200000013993 R.P.R.R.C.T.;

THENCE North 05°32'26" East a distance of 135.26' to a point for a corner, said point being the northeast corner of said Mock Tract and the southeast corner of a tract of land conveyed to Mark Dailey as recorded in Volume 2242, Page 276 of the Deed Records of Rockwall County, Texas;

THENCE North 20°09'09" East a distance of 154.69' to a 1/2" iron rod found for the northeast corner of said Dailey Tract and the southeast corner of a tract of land conveyed to Joseph W. Rinkevich as recorded in Volume 6147, Page 28 of the Deed Records of Rockwall County, Texas;

THENCE North 06°55'10" East a distance of 161.51' to a 1/2" iron rod found for a corner;

THENCE North 06°48'25" East a distance of 112.14' to a 3/8" iron rod found for the northeast corner of said Rinkevich Tract and the southeast corner of said Widboom Addition;

THENCE North 07°10'37" East a distance of 373.75' to the *POINT OF BEGINNING* and containing 25.41 acres or 1,107,008 square feet of land.

Exhibit 'B': Concept Plan

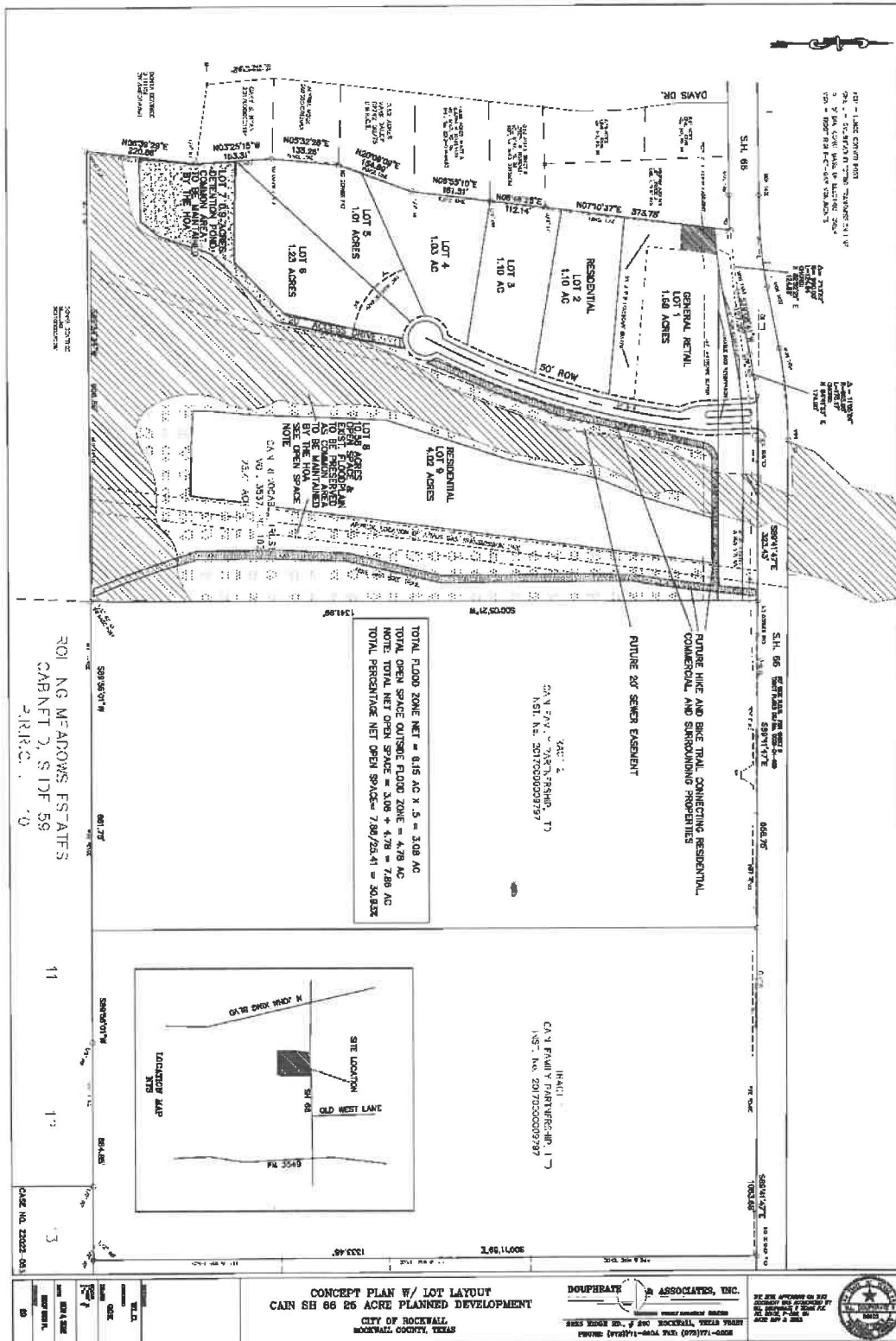


Exhibit 'C':
Density and Development Standards

DENSITY AND DEVELOPMENT STANDARDS.

(1) Permitted Uses. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the General Retail (GR) District and Single-Family 1 (SF-1) 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*.

(a) Residential Land Uses. Residential land uses shall be allowed only within the area designated for residential lots as depicted on the *Concept Plan* in *Exhibit 'B'* of this ordinance. These areas are limited to those uses permit by-right or by Specific Use Permit (SUP) for the Single-Family 1 (SF-1) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

(b) Non-Residential Land Uses. Non-residential land uses shall be allowed only within the area designated for *General Retail* land uses as depicted on the *Concept Plan* in *Exhibit 'B'* of this ordinance. These areas are limited to those uses permitted *by-right* or by Specific Use Permit (SUP) for the General Retail (GR) District as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) and subject to the approval of a *PD Development Plan* and *PD Site Plan* in accordance with the Planned Development District regulations contained in Article 10, *Planned Development District Regulations*, of the Unified Development Code (UDC); however, the subject property shall be subject to the following:

(1) The following land uses shall be allowed through a Specific Use Permit (SUP):

- Freestanding Commercial Antenna (a Maximum of 110-Feet in Total Height)

(2) The following land uses shall be expressly prohibited:

- Animal Boarding/Kennel without Outside Pens
- Animal Hospital or Clinic
- Convent, Monastery, or Temple
- Commercial Parking Garage
- Limited-Service, Full-Service, and/or Residence Hotel
- Motel
- Cemetery/Mausoleum
- Church/House of Worship
- Congregate Care Facility/Elderly Housing
- Emergency Ground Ambulance Services
- Hospital
- Mortuary or Funeral Chapel
- Financial Institution with Drive-Through
- Temporary Carnival, Circus, or Amusement
- Outdoor Commercial Amusement/Recreation
- Private Country Club
- Golf-Driving Range
- Temporary Fundraising Events by Non-Profit
- Indoor Gun Club with Skeet or Target Range
- Private Club, Lodge or Fraternal Organization
- Tennis Courts
- Banquet Facility/Event Hall

Exhibit 'C':
Density and Development Standards

- Brew Pub
- Private Sports Arena, Stadium, and or Track
- Portable Beverage Service Facility
- Temporary Christmas Tree Sales Lot and/or Similar Uses
- Copy Center
- Incidental Display
- Food Trucks/Trailers
- Garden Supply/Plant Nursery
- Self Service Laundromat
- Night Club, Discotheque, or Dance Hall
- Pawn Shop
- Restaurant with less/more than 2,000 SF with a Drive-Through or Drive-In
- Rental Store without Outside Storage and/or Display
- Retail Store with Gasoline Sales that has less/more than Two (2) Dispensers
- Trade School
- Minor Auto Repair Garage
- Full Service Car Wash and Auto Detail
- Self Service Car Wash
- Non-Commercial Parking Lot
- Service Station
- Temporary Asphalt or Concrete Batch Plant
- Mining and Extraction of Sand, Gravel, Oil and/or Other Materials
- Helipad
- Railroad Yard or Shop
- Transit Passenger Facility

(2) Density and Dimensional Requirements. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated for the *Subject Property* shall be as follows:

(a) Residential. Except as provided by this Planned Development District ordinance, the residential land uses on the *Subject Property* shall be required to meet the development standards for the Single-Family 1 (SF-1) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC). The maximum permissible density for the *Subject Property* shall not exceed 0.23 dwelling units per gross acre of land; however, in no case should the proposed development exceed 6 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>Minimum Lot Width</i> ⁽¹⁾	70'
<i>Minimum Lot Depth</i>	100'
<i>Minimum Lot Area</i>	43,560 SF
<i>Minimum Front Yard Setback</i> ⁽²⁾	20'
<i>Minimum Side Yard Setback</i>	6'
<i>Minimum Length of Driveway Pavement</i>	25'
<i>Maximum Height</i> ⁽³⁾	36'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	3,000 SF
<i>Maximum Lot Coverage</i>	45%

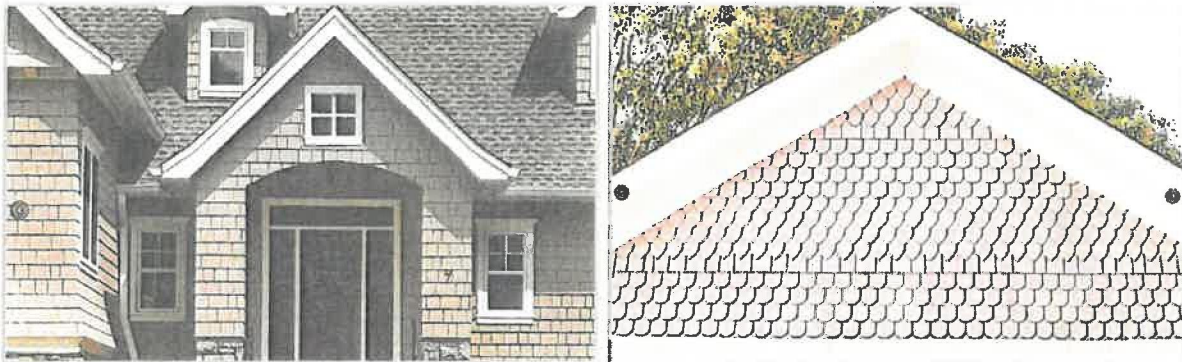
General Notes:

- ¹: The *Minimum Lot Width* shall be measured from the *Front Yard Setback*.
- ²: The location of the *Front Yard Building Setback* as measured from the front property line. The front yard building setback shall be increased to a minimum of 50-feet adjacent to homes along SH-66.
- 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.

Exhibit 'C':
Density and Development Standards

- (b) *Non-Residential*. Except as modified by this Planned Development District ordinance, the non-residential land uses on the *Subject Property* shall be required to meet the development standards stipulated by the *General Overlay District Standards*, *General Commercial District Standards*, and the standards required for the General Retail (GR) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC). In addition, the *Commercial* area shall be designed to be pedestrian-oriented and easily accessible to the adjacent residential neighborhoods, and be constructed to be integrated with the adjacent uses, not be separated from them by screening walls or other physical barriers. This will be accomplished by creating paths from the adjacent development into the *Commercial* area and through the use of landscaping buffers utilizing a berm and three (3) tiered screening (*i.e.* [1] a small to mid-sized shrub, [2] large shrubs or accent trees, and [3] canopy trees on 20-foot centers), and building design and other urban design elements to create compatibility with the surrounding residential neighborhood.
- (3) *Building Standards for Residential*. All development shall adhere to the following building standards:
- (a) *Masonry Requirement*. The minimum masonry requirement for the exterior façade of all buildings shall be 90.00% (*excluding dormers and walls over roof areas*). For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard (*e.g.* *HardiBoard* or *Hardy Plank*) in a horizontal lap-siding, *board-and-batten* siding, or a decorative pattern (*see examples below*) may be used for up to 20.00% of the total exterior of the home; however, administrative approval from the Director of Planning and Zoning may be requested for housing plans that utilize cementitious fiberboard in excess of 20.00% of the masonry requirement on a *case-by-case* basis.

FIGURE 1: EXAMPLES OF CEMENTITIOUS FIBERBOARD



Continued on Next Page ...

Exhibit 'C':
Density and Development Standards

FIGURE 2: EXAMPLES OF BOARD AND BATTEN



FIGURE 3: EXAMPLES OF HORIZONTAL LAP



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

- (c) ***Garage Orientation and Garage Doors.*** Garages shall be oriented in a traditional swing (or j-swing) or recessed front entry (i.e. the garage door may be oriented toward the street as long as it is setback a minimum of 20-feet behind the front façade of the primary structure). All garage doors shall be required to have upgraded finishes (e.g. divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be approved by staff):

Continued on Next Page ...

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

FIGURE 4: EXAMPLES OF ENHANCED WOOD GARAGE DOOR



FIGURE 5: EXAMPLES OF UPGRADED FINISHES

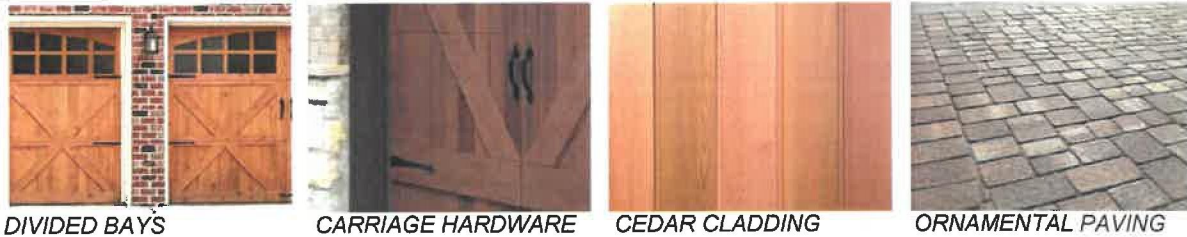
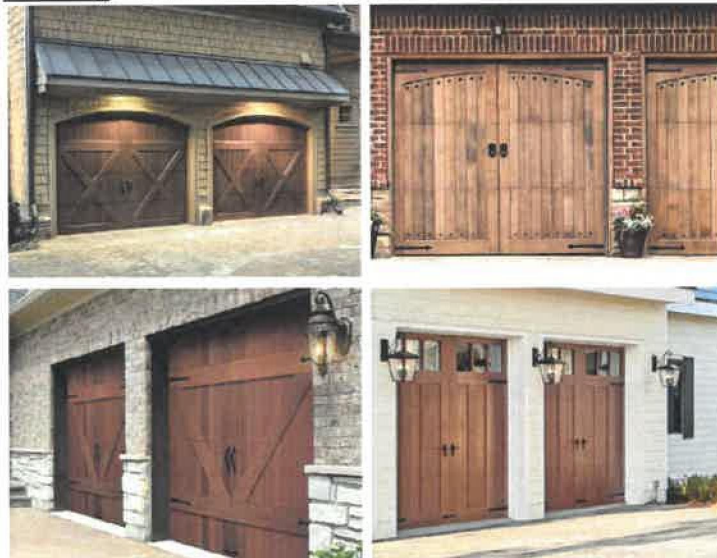


FIGURE 6: EXAMPLES OF UPGRADED GARAGES



- (4) Anti-Monotony Restrictions. The development shall adhere to the following *Anti-Monotony* standards:
- (a) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on

Exhibit 'C':
Density and Development Standards

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. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
 - (1) Number of Stories
 - (2) Roof Type and Layout
 - (3) Articulation of the Front Façade
 - (c) 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*).
- (5) 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) Wrought Iron/Tubular Steel. All lots shall utilize fencing materials that shall be open in nature and not to exceed six (6) feet in height. Fences that extend beyond the front building line of any structure shall be required to be pipe-rail or similar fencing. No chain-link or wooden fencing shall be allowed.
 - (b) Lots with Floodplain. No fences shall be permitted within the floodplain.
- (6) 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. All shrubs shall be a minimum of five (5) gallons in size. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall be required to plant an additional row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).
 - (b) Landscape Buffer and Sidewalks (State Highway 66). A minimum of a 30-foot landscape buffer shall be provided along SH-66 (*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. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-linear feet of frontage. A meandering six (6) foot trail shall be constructed within the 30-foot landscape buffer.
 - (c) Landscape Buffer (Adjacent to Residential Properties). A minimum of a 50-landscape buffer with a minimum of a 48-inch berm and three (3) tiered screening (*i.e. [1] a small to mid-sized shrub, [2] large shrubs or accent trees, and [3] canopy trees on 20-foot centers*) along the entire adjacency.

Exhibit 'C':
Density and Development Standards

- (d) 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 that are less than ten (10) inches and ten (10) feet from public water, sanitary sewer and storm lines that are greater than ten (10) inches. All street trees shall be reviewed with the *PD Site Plan*.
- (e) Residential Lot Landscaping. Prior to the issuance of a Certificate of Occupancy (CO), all residential lots depicted on *Exhibit 'B'* shall be landscaped with a minimum of two (2), four (4) inch caliper canopy trees (*as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]*) within the front yard. In addition, corner lots shall be required to add a minimum of two (2), four (4) inch caliper canopy trees (*as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]*) within the side yard facing the street.
- (f) 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).
- (g) Hardscape. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.
- (7) Street. All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to the City's standards.
- (8) 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.
- (9) 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.
- (10) Buried Utilities. New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.
- (11) Neighborhood Signage and Enhancements. Permanent subdivision identification signage shall be required 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*.

Exhibit 'C':
Density and Development Standards

- (12) Homeowner's Association (HOA). A Homeowner's Association (HOA) 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. These areas are required to be delineated on the *PD Site Plan*.
- (13) On-Site Sewage Facilities. Septic Systems are permitted on all lots within this subdivision pending conformance to the following standards:
- (a) All *Septic Systems* shall be designed by a licensed *On-Site Sewage Facility (OSSF)* professional (*e.g. licensed engineer, sanitarian, and etcetera*).
 - (b) A stamped and signed copy of the *Septic System* plans indicating the full limits of the septic field shall be submitted to the city at the time of building permit on a *lot-by-lot* basis.
 - (c) All *Septic Systems* shall be inspected and approved by the City's chosen inspector.
- (14) 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.

Lee, Henry

From: Lee, Henry
Sent: Tuesday, December 20, 2022 2:11 PM
To: 'Dub Douphrate'
Cc: 'Dewayne Cain'
Subject: Project Comments Z2022-057
Attachments: Project Comments (12.19.2022).pdf; Draft Ordinance (12.27.2022).pdf

Good Afternoon,

Attached are the project comments and draft ordinance for your case. The meeting schedule for this case is as follows:

Planning and Zoning Commission Work Session: December 27, 2022

Planning and Zoning Commission Public Hearing: January 10, 2023

City Council: January 17, 2023 [1st reading], February 6, 2023 [2nd reading]

Please note that all meetings will be held at 6:00 PM at 385 S. Goliad Street in the City Council Chambers. Please also note that a representative is required to be at all meetings. Should you have any questions please let me know.

Thank you,



Henry Lee, AICP
Planner
Planning & Zoning Department
972.772.6434
HLee@rockwall.com
385 S. Goliad Street, Rockwall, TX 75087

Lee, Henry

From: Dub Douphrate <[REDACTED]>
Sent: Monday, December 26, 2022 11:08 AM
To: Lee, Henry
Subject: Cain Concept Plan Draft Revisions
Attachments: CAIN SH 66 CONCEPT PLAN OPTION 6 12-26-22-Model.pdf

Henry , hope you had a great Christmas with your family , this updated concept plan is in draft mode for your comments , I am not sure how it would be best to show the parks trail so feel free to mark up if this needs to be fine tuned more , could we ask for a waiver on the two lots not meeting the 70 ft width rule , possibly requiring a greater setback as shown ? , I added notes regarding the amount of net open space generated in excess of the 20% needed , also I am now showing the future sanitary sewer easement routing along the flood zone , Please review and mark up as needed , lets talk tomorrow if your working

Thanks

Dub

W.L. Douphrate II, P.E.
Douphrate & Associates, Inc.
Texas Registered Engineering Firm F-886
2235 Ridge Road
Rockwall, Texas, 75087



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Lee, Henry

From: Dub Douphrate <[REDACTED]>
Sent: Tuesday, January 10, 2023 4:21 PM
To: Lee, Henry
Cc: 'Dewayne Cain'
Subject: Cain update

Henry , fyi I talked to Dewayne , the cell tower will not be any taller than the existing Oncor poles that are located within the right of way . Brandt Dozier representing AT&T will be present to answer any technical questions about the cell tower. Yes this is a item that we might need to button up before Council.

Also a small item, when we privately met with Donya Sellers (to the south of this tract) her main concern (since she has livestock) was the trail potentially going through her property to the south and ask if the trail could terminate before reaching the south property line and possibly have a small turnaround (cul de sac) so there is no continuation of the trail through her property .

See you at the meeting , we will be there early to discuss more
Thanks
Dub

W.L. Douphrate II, P.E.
Douphrate & Associates, Inc.
Texas Registered Engineering Firm F-886
2235 Ridge Road
Rockwall, Texas, 75087



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Lee, Henry

From: Lee, Henry
Sent: Friday, February 3, 2023 4:30 PM
To: 'Dub Douphrate'
Cc: 'Dewayne Cain'
Subject: RE: Cain PD Concept Plan Revised 1-19-23

Good Afternoon,

I am just reaching out to see if the Cell Provider has indicated the height of the pole for the site. We need to get the maximum height tied down in the PD Ordinance. If you could let me know by some time next week that would be great. Let me know if you have any questions.

Thank you,



Henry Lee, AICP
Planner
Planning & Zoning Department
972.772.6434
HLee@rockwall.com
385 S. Goliad Street, Rockwall, TX 75087

From: Dub Douphrate <[REDACTED]>
Sent: Thursday, January 19, 2023 8:12 AM
To: Miller, Ryan <RMiller@rockwall.com>; Lee, Henry <HLee@rockwall.com>
Cc: 'Dewayne Cain' <[REDACTED]>
Subject: Cain PD Concept Plan Revised 1-19-23

Ryan , Henry , Good Morning , please see attached revised concept plan , I added the 50' side landscape buffer to the GR lot for your use
Please let me know if we need to make any additional adjustments to the concept plan
Thanks for all your help
Dub

W.L. Douphrate II, P.E.
Douphrate & Associates, Inc.
Texas Registered Engineering Firm F-886
2235 Ridge Road
Rockwall, Texas, 75087
[REDACTED]



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Lee, Henry

From: Dub Douphrate <[REDACTED]>
Sent: Saturday, February 4, 2023 10:16 AM
To: Lee, Henry
Cc: 'Dewayne Cain'
Subject: RE: Cain PD Concept Plan Revised 1-19-23

Henry , Good Morning , yes we will verify the height and respond back to you first of next week
Thanks
Dub

From: Lee, Henry <HLee@rockwall.com>
Sent: Friday, February 3, 2023 4:30 PM
To: 'Dub Douphrate' <[REDACTED]>
Cc: 'Dewayne Cain' <[REDACTED]>
Subject: RE: Cain PD Concept Plan Revised 1-19-23

Good Afternoon,

I am just reaching out to see if the Cell Provider has indicated the height of the pole for the site. We need to get the maximum height tied down in the PD Ordinance. If you could let me know by some time next week that would be great. Let me know if you have any questions.

Thank you,



Henry Lee, AICP
Planner
Planning & Zoning Department
972.772.6434
HLee@rockwall.com
385 S. Goliad Street, Rockwall, TX 75087

From: Dub Douphrate <[REDACTED]>
Sent: Thursday, January 19, 2023 8:12 AM
To: Miller, Ryan <RMiller@rockwall.com>; Lee, Henry <HLee@rockwall.com>
Cc: 'Dewayne Cain' <[REDACTED]>
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Ryan , Henry , Good Morning , please see attached revised concept plan , I added the 50' side landscape buffer to the GR lot for your use
Please let me know if we need to make any additional adjustments to the concept plan
Thanks for all your help
Dub

W.L. Douphrate II, P.E.
Douphrate & Associates, Inc.
Texas Registered Engineering Firm F-886

2235 Ridge Road
Rockwall, Texas, 75087



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Lee, Henry

From: Miller, Ryan
Sent: Monday, February 6, 2023 1:46 PM
To: Lee, Henry
Subject: FW: Zoning Change

For Dewayne's case. Thanks.



RYAN C. MILLER, AICP

DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

[HELPFUL LINKS](#) | [CITY OF ROCKWALL WEBSITE](#) | [PLANNING & ZONING DIVISION WEBSITE](#) | [MUNICIPAL CODE WEBSITE](#)
[GIS DIVISION WEBSITE](#) | [UNIFIED DEVELOPMENT CODE](#)

NOTES:

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

From: David Rakow <[REDACTED]>
Sent: Monday, February 6, 2023 1:43 PM
To: Miller, Ryan <RMILLER@rockwall.com>
Subject: Zoning Change

Mr. Miller,

My name is David Rakow and I live at 152 Hill LN in Rockwall. I am in favor of the proposed residential development, which includes a retail zoned area where a cell tower would be constructed, directly across the street from my personal residence. I am happy to see that the residential lots are much larger than are currently being approved in our area. My only request is that the cell tower is no higher than the Oncor transmission tower that is on my property and that proper screening is provided. The tower is needed because currently our cell reception is minimal and calls are frequently dropped in this area. It would be great if whichever company installs a cell tower would provide 5G cellular home internet. Currently, everyone in this area can only receive DSL although Spectrum ran a fiber optic line to accommodate the city court building but no one else. AT&T has fiber optic up to the funeral home then stopping and not starting up again until John King Boulevard intersection. Verizon has recently allowed some to use their 5G home cellular internet but it is limited due to the amount of towers they currently have. Needless to say I'm very frustrated that living in the city limits of Rockwall and the best internet I can get is 2 mbps on DSL.

Thanks,

David Rakow

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