



# 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) <sup>1</sup>

Preliminary Plat (\$200.00 + \$15.00 Acre) <sup>1</sup>

Final Plat (\$300.00 + \$20.00 Acre) <sup>1</sup>

Replat (\$300.00 + \$20.00 Acre) <sup>1</sup>

Amending or Minor Plat (\$150.00)

Plat Reinstatement Request (\$100.00)

**Site Plan Application Fees:**

Site Plan (\$250.00 + \$20.00 Acre) <sup>1</sup>

Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

**Zoning Application Fees:**

Zoning Change (\$200.00 + \$15.00 Acre) <sup>1</sup> (\$4,940.00)

Specific Use Permit (\$200.00 + \$15.00 Acre) <sup>1</sup>

PD Development Plans (\$200.00 + \$15.00 Acre) <sup>1</sup>

**Other Application Fees:**

Tree Removal (\$75.00)

Variance Request (\$100.00)

**Notes:**

<sup>1</sup> In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

## PROPERTY INFORMATION [PLEASE PRINT]

Address	Highway 276		
Subdivision	Discovery Lakes PD-78	Lot	Block
General Location	315 acres at the northeast corner of Hwy 276 and Rojhell Road		

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning	Discovery Lakes PD-78	Current Use	Ag		
Proposed Zoning	PD	Proposed Use	Residential		
Acreage	316.315 Acres	Lots [Current]	507	Lots [Proposed]	428

**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]

<input type="checkbox"/> Owner	Discovery Lakes, LLC	<input checked="" type="checkbox"/> Applicant	Teague Nall & Perkins
Contact Person	Nick DiGiuseppe	Contact Person	Chris Cuny, P.E.
Address	15400 Knoll Trail Ste 230	Address	2 Horizon Court Ste 500
City, State & Zip	Dallas, Texas 75248	City, State & Zip	Heath, Texas 87032
Phone	214-803-3783	Phone	972-965-1541
E-Mail	southbrookinvestments@outlook.com	E-Mail	ccuny@tnpinc.com

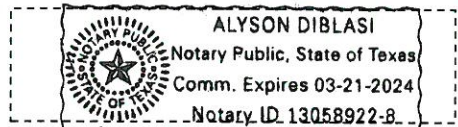
## NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Nick DiGiuseppe [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 \$4,940.00 to cover the cost of this application, has been paid to the City of Rockwall on this the 18<sup>th</sup> day of June, 2020. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

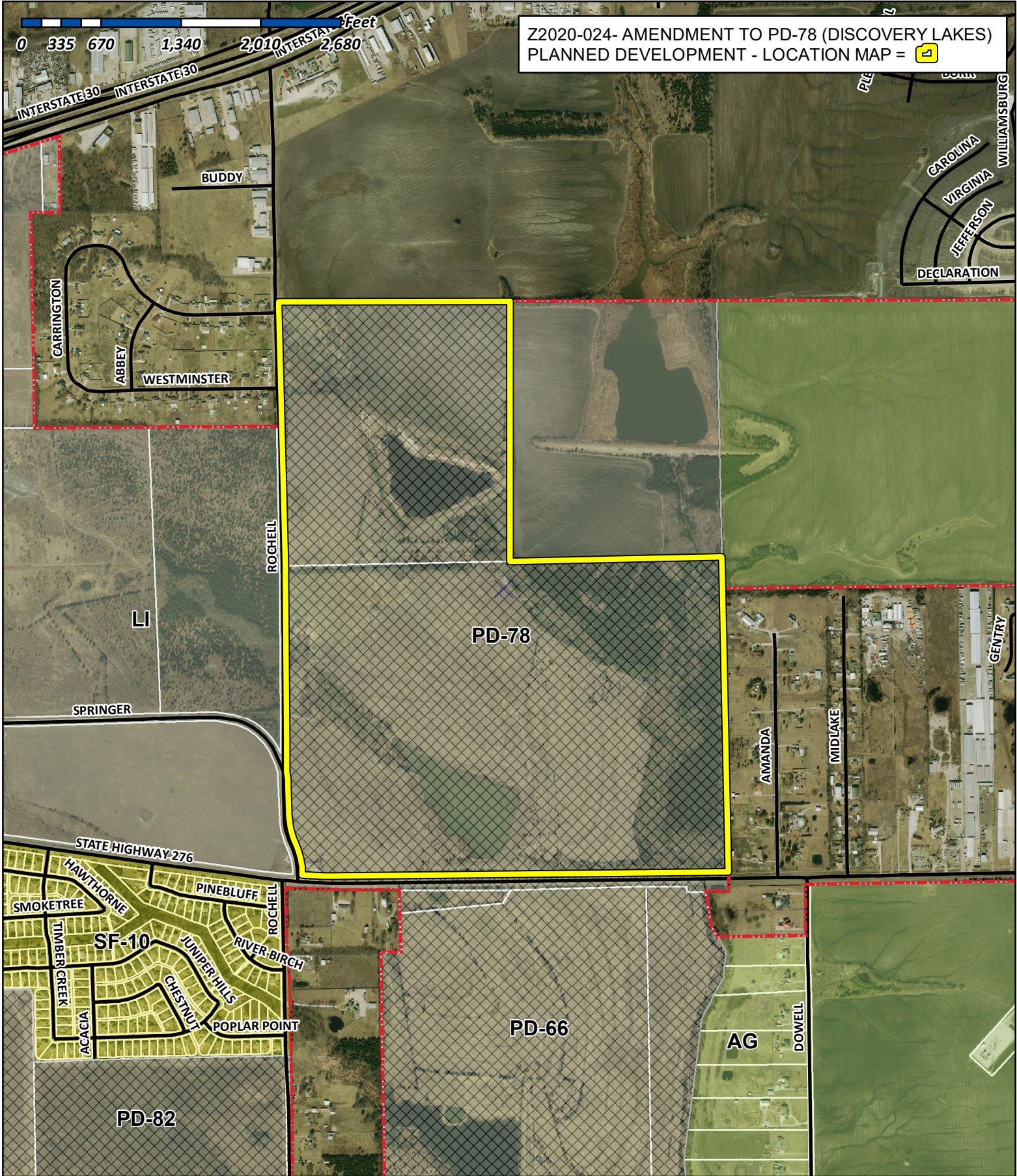
Given under my hand and seal of office on this the 18<sup>th</sup> day of June, 2020.

Owner's Signature [Signature]  
Notary Public in and for the State of Texas Alyson DiBlasi



My Commission Expires 03-21-2024





Z2020-024- AMENDMENT TO PD-78 (DISCOVERY LAKES)  
 PLANNED DEVELOPMENT - LOCATION MAP = [icon]



# City of Rockwall

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

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





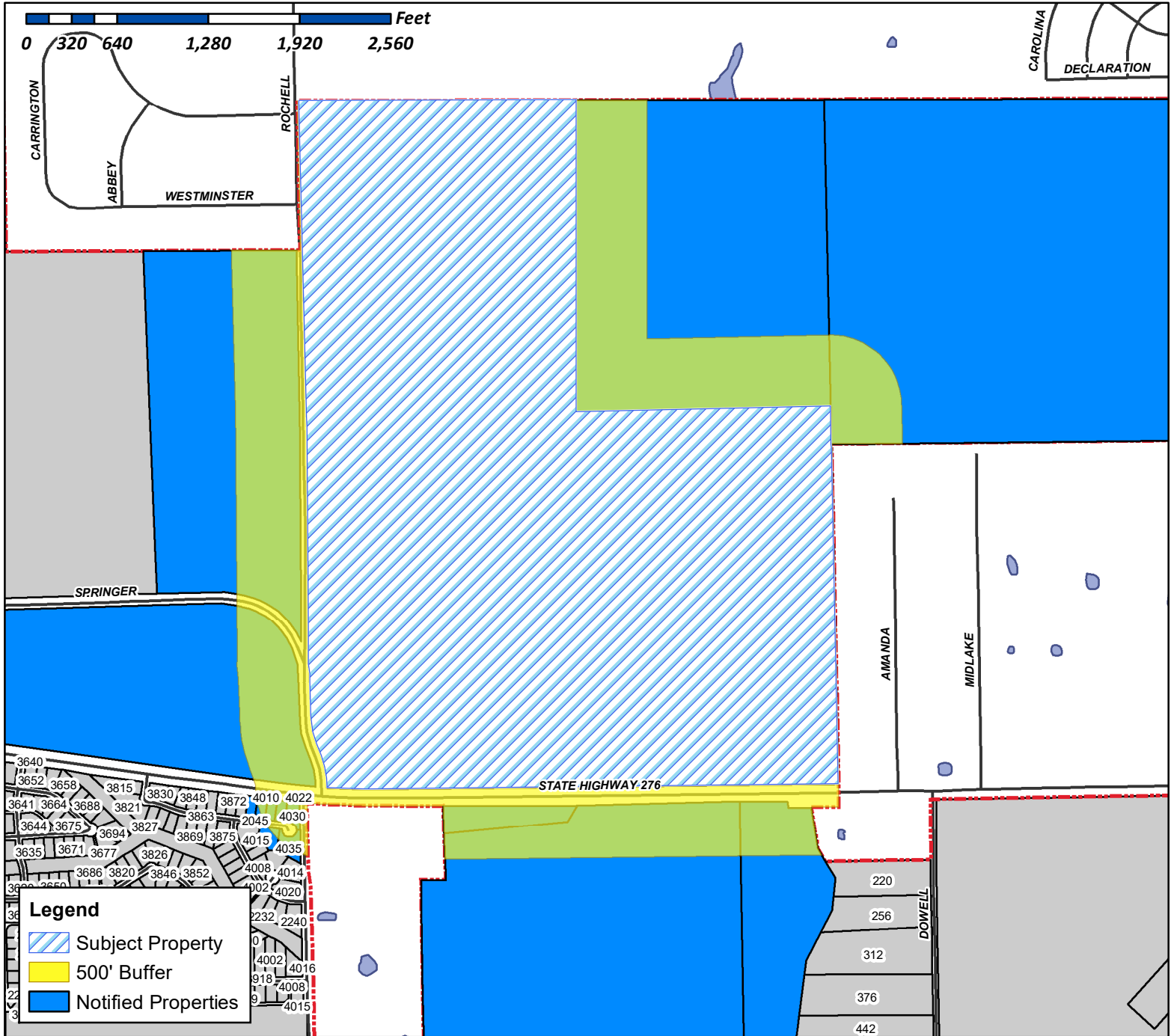




# City of Rockwall

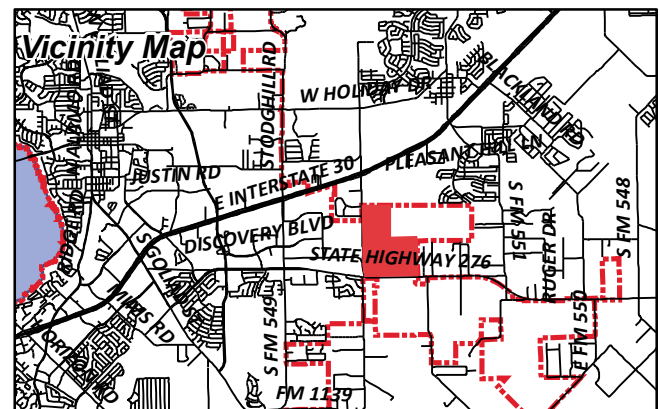
Planning & Zoning Department  
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**Case Number:** Z2020-024  
**Case Name:** Amendment to PD-78  
**Case Type:** Zoning  
**Zoning:** PD-78  
**Case Address:** NEC of Rochelle Road & SH-276

**Date Created:** 6/19/2020  
**For Questions on this Case Call** (972) 771-7745





# PUBLIC NOTICE



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

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

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

**Case No. Z2020-024: Amendment to Planned Development District 78 (PD-78)**

Hold a public hearing to discuss and consider a request by Chris Cuny, PE of Teague, Nall & Perkins on behalf of the Nick DiGiuseppe of Discovery Lakes, LLC for the approval of a Zoning Amendment to Planned Development District 78 (PD-78) [*Ordinance No. 15-24*] for the purpose of changing the concept plan and development standards on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100 and Tract 2 of the R. K. Brisco Survey, Abstract No. 16, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for General Retail (GR) District and Single-Family 10 (SF-10) District, generally located at the northeast corner of the intersection of SH-276 and Rochelle Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, July 14, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, July 20, 2020 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

**Ryan Miller**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

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

Your comments must be received by Monday, July 20, 2020 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



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

PLEASE RETURN THE BELOW FORM

**Case No. Z2020-024: Amendment to Planned Development District 78 (PD-78)**

Please place a check mark on the appropriate line below:

- I am in favor of the request for the reasons listed below.
- I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



CITY OF ROCKWALL

ORDINANCE NO. 15-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT FOR SINGLE FAMILY 10 (SF-10) AND GENERAL RETAIL (GR) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 316.315-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE M. E. HAWKINS SURVEY, ABSTRACT NO. 100, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' & EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request by the Stacy McVey of Double Eagle Properties, LLC on behalf of the owner 308 ON 276, LP for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) and General Retail (GR) District land uses, on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas and more fully described in Exhibit 'A' & Exhibit 'B' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

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

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



**Section 4.** That a *Master Parks and Open Space Plan* for the *Subject Property*, shall be prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan* depicted in *Exhibit 'C'* of this ordinance, and that the *Master Parks and Open Space Plan* shall be considered for approval by the City Council following a recommendation by 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(f) below*), shall be the exclusive procedures applicable to the subdivision and platting of the Property.
- (b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for an *Open Space Master Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.
  - (1) Open Space Master Plan
  - (2) Master Plat
  - (3) PD Development Plan (*Required for Retail Areas Only*)
  - (4) PD Site Plan
  - (5) Preliminary Plat
  - (6) Final Plat
- (c) A *PD Development Plan* must be approved for the area designated on the *Planned Development Concept Plan* as *Retail* prior to submittal of a *PD Site Plan* application and/or preliminary plat application. No *Master Plat* is required for the area designated on the *Concept Plan* as *Retail*. A traffic impact analysis for the retail tract shall be submitted with the *PD Development Plan* to determine the extent and timing of any recommended facilities and/or improvements to the surrounding roadway network. The traffic impact analysis may be updated with each *PD Site Plan* for each retail development.
- (d) *PD Site Plan*. A *PD Site Plan* covering all of the *Subject Property* shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Preliminary Plat Application* for the development.
- (e) *Preliminary Plat*. A *Preliminary Plat* covering all of the *Subject Property* shall be submitted and shall include a *Treescape Plan*. A *Preliminary Plat Application* may be processed by the City concurrently with a *PD Site Plan Application* for the development.
- (f) *Final Plat*. Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, for all of the *Subject Property* shall be submitted for approval.

**Section 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;

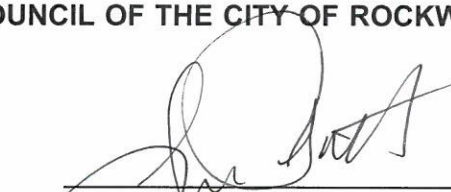


**Section 7.** That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this 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 and the publication of the caption of said ordinance as the law in such cases provides;

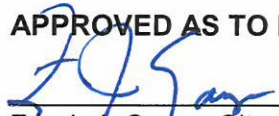
**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 17<sup>TH</sup> DAY OF AUGUST, 2015.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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



1<sup>st</sup> Reading: 08-03-2015

2<sup>nd</sup> Reading: 08-17-2015



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

Field notes for a 316.315-acre (13,778,691 square foot) tract of land situated in the M. E. Hawkins Survey, Abstract No. 100, and the Robert K. Briscoe Survey, Abstract No. 16 in the City of Rockwall, Rockwall County, Texas, and being all of that certain called 308.52-acre tract of land described in a Special Warranty Deed to 308 ON 276, L.P., as recorded in Volume 03662, Page 00315, of the Office Public Records of Rockwall County, Texas (O.P.R.R.C.T.) with said 316.315-acre (13, 778,691 square feet) tract of land being more particularly described by metes and bounds as follows:

*BEGINNING* a railroad spike set in asphalt marking the northwest corner of said 308 on 276, L.P. tract and the common southwest corner of that certain called 21. 935 acre tract of land described as Tract One in a Warranty Deed to Rockwall Fund I, L.L.C., as recorded in Volume 1 110, Page 190, of the Deed Records of Rockwall County, Texas (D.R.R.C.T.), said point being in the approximate center of Rochell Road, a county road with an unspecified right-of- way (R. O. W.) width;

*THENCE* North 89 degrees 00 minutes 24 seconds East (South 89 degrees 12 minutes 02 seconds East - deed call), along the common northerly line of said 308 ON 276, L.P. tract and the common southerly line of said Tract One, passing at a distance of 30. 00 feet, a 5/8 inch iron rod set with a yellow plastic cap stamped "THE WALLACE GROUP " ("cap ") for reference, continuing along said common line, passing at a distance of 1,799. 04-feet, a ½-inch iron rod found marking the southeast corner of said Tract One, being common with the south west corner of that certain called 59.71-acre tract of land described in a Special Warranty Deed to Fate I- 30, L.P., as recorded in Volume 03542, Page 00039, O.P.R.R.C.T., continuing along the common northerly line of said 308 on 276, L.P. tract and the southerly line of said Fate I-30, L.P. tract, a total distance of 1,966.04 feet ( 1,902 .80 feet - deed call) to a 1/ 2 inch iron rod found marking the common most northerly northeast corner of said 308 on 276, L.P. tract and the north west corner of that certain coiled 85.479 acre tract of land described as Tract Two in the aforementioned Warranty Deed to Rockwall Fund I, L.L.C., as recorded in Volume 1 110, Page 190, O.R.R.C.T.;

*THENCE* South 01 degrees 59 minutes 29 seconds East (South 00 degrees 08 minutes 06 seconds West - deed call), along the common easterly line of said 308 ON 276, L.P. tract and the westerly line said Tract Two, a distance of 2,204.26-feet ( 2,166.70-feet - deed call) to a 1/ 2 inch iron rod found marking an ell corner of said 308 ON 276, L.P. tract and the southwest corner of said Tract Two;

*THENCE* North 87 degrees 20 minutes 20 seconds East (North 89 degrees 12 minutes 02 seconds East - deed call), continuing along the common northerly line of said 308 on 276, L.P. tract and the southerly line said Tract Two, a distance of 1,691. 90 feet ( 1,782.53 feet - deed call) to a 5/8 inch iron rod set with "cap " marking the common most easterly northeast corner of said 308 on 276, L.P. tract and the southeast corner of said Tract Two, from which a ½-inch iron rod found bears North 87 degrees 20 minutes 20 seconds East at 10. 49 feet, said 5/8-inch iron rod set being on the west line of that certain called 212. 25 acre tract of land described in a Special Warranty Deed to South Rock wall Holdings, L.P., as recorded in Volume 03625, Page 00034, O.P.R.R.C.T.;

*THENCE* South 01 degrees 34 minutes 35 seconds East, along the common easterly line of said 308 ON 276, L.P. tract and the westerly line said South Rock wall Holdings tract, a distance of 309.68-feet to a 5/8-inch iron rod set with "cap " marking the southwest corner of said South Rock wall Holdings tract, being common with the northwest corner of Lot 8, Equestrian Estates, according to the plot thereof recorded in Cabinet A, Page 19 7, of the Plot Records of Rock wall County, Texas (P.R.R.C.T.);

*THENCE* South 00 degrees 50 minutes 42 seconds East, along the common easterly line of said 308 ON 276, L.P. tract and the westerly line said Equestrian Estates, a distance of 2,301.71 feet (South 00 degrees 06 minutes 38 seconds West, a distance of 2,580 . 60 feet - overall deed call) to a 5/8 inch iron rod set with "cap " marking the common southeast corner of said 308 ON 276, L.P. tract and on ell corner of the north R.O.W. line of State Highway No. 276 (having a variable width R.O.W.);

*THENCE* South 89 degrees 29 minutes 00 seconds West (North 89 degrees 29 minutes 07 seconds West - deed call), along the common southerly line of said 308 ON 2 76, L.P. tract and said north R.O.W. line of State Highway No. 276, passing at a distance of 1.66 feet a found TxDOT concrete monument, continuing along said common line for a tot al distance of 117.50-feet (115.83-feet - deed call) to a 5/8-inch iron rod set with "cap " marking the common ell corner of said 308 ON 276, L.P. tract and the most easterly southeast corner of that certain called 2.503-acre tract of land described as on Easement for Highway Purposes to the State of Texas, recorded in Volume 82, Page 583 of the Real Property Records of Rockwall County, Texas (R.P.R.R.C.T.);

*THENCE* North 00 degrees 31 minutes 03 seconds West (North 00 degrees 30 Minutes 13 seconds East - deed call), along a common interior line of said 308 on 2 76, L.P. tract and the easterly line of said Easement for Highway Purposes tract, a distance of 50.31-feet (50-feet - deed call) to a 5/8-inch iron rod set with "cap " marking the common ell corner of said 308 ON 276, L.P. tract and the north east corner of said Easement for Highway Purposes tract;

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

*THENCE* South 89 degrees 28 minutes 57 seconds West (North 89 degrees 29 minutes 47 seconds West - deed call), along the common southerly line of said 308 on 276, L.P. tract and the northerly line of said Easement for Highway Purposes tract, a distance of 543.40-feet (543.73-feet - deed call) to a 5/8-inch iron rod set with "cap " for corner;

*THENCE* South 89 degrees 13 minutes 58 seconds West (South 89 degrees 48 minutes 55 seconds West - deed call), continuing along the common southerly line of said 308 ON 276, L.P. tract and the northerly line of said Easement for Highway Purposes tract, a distance of 757. 25-feet (756.93-feet - deed call) to a 5/8-inch iron rod found marking a common ell corner of said 308 ON 276, L.P. tract and the northwest corner of said Easement for Highway Purposes tract;

*THENCE* South 00 degrees 46 minutes 03 seconds East (South 00 degrees 11 minutes 05 seconds East - deed call), along a common interior line of said 308 ON 276, L.P. tract and the westerly line of said Easement for Highway Purposes tract, a distance of 90.30-feet (87.44-feet - deed call) to a 5/8-inch iron rod set with "cap " marking a common ell corner of said 308 ON 276, L.P. tract and the southwest corner of said Easement for Highway Purposes tract, said point being on said north R.O.W. line of State Highway No. 276;

*THENCE* South 89 degrees 13 minutes 57 seconds West (North 89 degrees 53 minutes 27 seconds West - deed call), along the common southerly line of said 308 ON 276, L.P. tract and said north R.O.W. line of State Highway No. 276, passing at a distance of 1,667.76-feet a 5/8-inch iron rod set with "cap " for reference, continuing along said common line for a total distance of 1,917.07-feet (1,917.34-feet - deed call) to a found TxDOT concrete monument, marking the transitional R.O.W. line from said north R.O.W. line of State Highway No. 276 to the east R.O.W. line of Springer Lane, on 80-foot wide R.O.W., (formerly F.M. No. 1143), said point being the beginning of a non-tangent curve to the right, with the radius point being situated North 21 degrees 40 minutes 52 seconds East, a distance of 533.69-feet;

*THENCE* Northerly along the common curving westerly line of said 308 ON 276, L.P. tract and said curving east R.O.W. line of Springer Lane, with said non-tangent curve to the right, through a central angle of 67 degrees 33 minutes 20 seconds (48 degrees 33 minutes 57 seconds - deed call), having a radius of 533. 69-feet (613.69-feet - deed call), a tangent distance of 356.97-feet, a chord bearing North 34 degrees 32 minutes 28 seconds West (North 40 degrees 41 minutes 57 seconds West - deed call), at 593.43-feet, and an arc distance of 629.26-feet (520.18-feet - deed call) to a 5/8-inch iron rod set with "cap" at the end of said non-tangent curve;

*THENCE* North 00 degrees 53 minutes 56 seconds West (North 00 degrees 43 minutes 17 seconds West - deed call), continuing along the common westerly line of said 308 on 276, L.P. tract and said east R.O.W. line of Springer Lane, a distance of 294.21-feet (430.56-feet - deed call) to an axle found for the beginning of a non-tangent curve to the left , with the radius point being situated South 89 degrees 08 minutes 07 seconds West, a distance of 612.96-feet;

*THENCE* Northerly continuing along the common curving westerly line of said 308 ON 276, L.P. tract and said curving east R.O.W. line of Springer Lane, with said non-tangent curve to the left, through a central angle of 17 degrees 26 minutes 00 seconds (12 degrees 25 minutes 52 seconds - deed call), having a radius of 612.96-feet (613.69-feet - deed call), a tangent distance of 93.98 feet, a chord bearing North 09 degrees 34 minutes 53 seconds West at 185.78-feet, and an arc distance of 186.50-feet (133.15 feet - deed call) to a 5/8-inch iron rod set with "cap" at the end of said non-tangent curve, said point marking the transition from said east R.O.W. line of Springer Lane to the approximate center of the aforementioned Rochell Road;

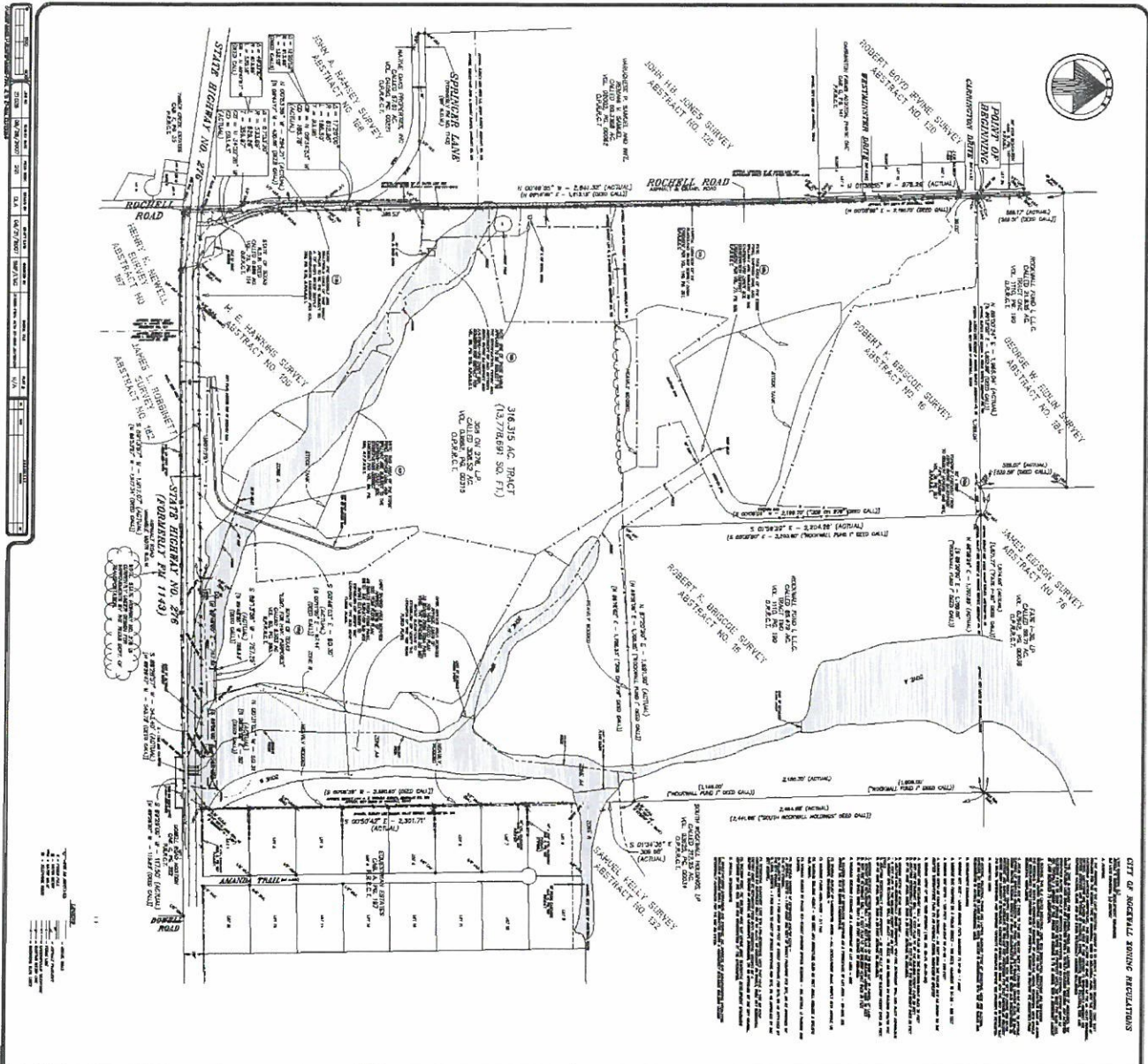
*THENCE* North 00 degrees 49 minutes 05 seconds West (North 00 degrees 10 minutes 49 seconds East - deed call), along the common westerly line of said 308 ON 276, L.P. tract and said approximate center of Rochell Road, passing at a distance of 386.53-feet a ½-inch iron rod found marking the southeast corner of that certain called 60.3368-acre tract of land described in a Cash Warranty Deed to Varughese P. Samuel and wife, Remoni V. Samuel, as recorded in Volume 02002, Page 00062, O.P.R.R.C.T., then continuing along said common line with the easterly line of said Samuel tract, a total distance of 2,841.3-feet (1,613.15-feet - deed call) to a ½-inch iron rod found marking the northeast corner of said Samuel tract;

*THENCE* North 01 degrees 38 minutes 55 seconds West (North 00 degrees 08 minutes 06 seconds East - deed call), along the common westerly line of said 308 ON 276, L.P. tract and said approximate center of Rochell Road, a distance of 976.29-feet (2,166.70-feet - deed call) to the *POINT OF BEGINNING*.

*CONTAINING* within the metes recited 316.315-acres (13,778,692 square feet) of land, more or less, of which a portion lies within Rochell Road.



Exhibit 'B':  
Survey



**LEGAL DESCRIPTION**  
 316.315 AC. TRACT (13,278,691 SQ. FT.)  
 ROBERT E. BRIDGES SURVEY  
 ABSTRACT NO. 190  
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

**ADJACENT LAND TITLE SURVEY**  
 STATE HIGHWAY NO. 276  
 ROBERT E. BRIDGES SURVEY, ABSTRACT NO. 190  
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

**THE WALLACE GROUP, INC.**  
 11111 WALLACE DRIVE, SUITE 100  
 ROCKWALL, TEXAS 75087  
 (972) 961-1111

**SWAYNOR'S CERTIFICATE**  
 I, the undersigned, being a duly qualified and licensed Surveyor in the State of Texas, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the person claiming to be the owner of the same, and that the same is in accordance with the original survey as shown to me by the person claiming to be the owner of the same.

**FIELD NOTES**  
 The survey was made on the 15th day of August, 2015, at Rockwall, Texas. The survey was made by the undersigned and the following persons: [List of names]

**ADJACENT SURVEYS**  
 STATE HIGHWAY NO. 276  
 ROBERT E. BRIDGES SURVEY, ABSTRACT NO. 190  
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

**LEGAL DESCRIPTION**  
 316.315 AC. TRACT (13,278,691 SQ. FT.)  
 ROBERT E. BRIDGES SURVEY  
 ABSTRACT NO. 190  
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

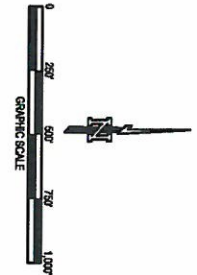


Exhibit 'C':  
Concept Plan



OPEN SPACE CALCULATION		
OPEN AREA / PARK AREA	1/2 FEMA FLOOD PLAIN AREA	
41.9 ACRES	54.7 ACRES	96.6 ACRES
OPEN SPACE RATIO =	96.6 / 307.0	31.5%

RESIDENTIAL PROJECT AREA = 307.0 ACRES  
 LOT DENSITY: .507 / 307.0 = 1.65 Lots per Acre



LEGEND

- TYPE A LOT
- TYPE B LOT
- TYPE C LOT
- COMMERCIAL ± 9.0 AC.
- OPEN AREA ± 30.9 AC
- PARK ± 11.0 AC
- OPEN AREA/FLOODPLAIN TO BE DEDICATED TO THE PUBLIC ± 44.2 AC
- COMMUNITY CENTER ± 1.2 ACRES
- REMAINING FEMA FLOODPLAIN ± 85.2 AC
- WALKING TRAIL ± 3.8 MILES

GENERAL LOT INFORMATION

- TYPE A - 121 LOTS - 80'x120' (MIN) - 9,600 SF
- TYPE B - 127 LOTS - 70'x110' (MIN) - 7,700 SF
- TYPE C - 259 LOTS - 80'x110' (MIN) - 6,800 SF
- 15' LANDSCAPE BUFFER ALONG DISCOVERY BOULEVARD
- 20' LANDSCAPE BUFFER ALONG ROCHELL ROAD
- 25' LANDSCAPE BUFFER ALONG HIGHWAY 276

507 LOTS

"THIS SITE PLAN SHOULD BE CONSIDERED PRELIMINARY AND CONCEPTUAL AND IS NOT BASED ON FINAL DATA OR TO BE CONSIDERED AS A COMPLETE DUE DILIGENCE INVESTIGATION FROM THE GOVERNING JURISDICTION. LOT POSITION MAY VARY AS PLAN IS REFINED. PLAN WILL NOT EXCEED 507 LOTS. IT SHOULD NOT BE USED FOR LEASE AGREEMENTS, PERMIT APPROVAL OR ANY OTHER BINDING AGREEMENTS."



**Exhibit 'D':**  
*PD Development Standards*

**A. PURPOSE**

The Discovery Lakes Subdivision is located at the northeast corner of the intersection of SH-276 and Rochell Road. The *Subject Property* is a short walk or bike ride from the Rockwall Technology Park. The Discovery Lakes Subdivision will be a master planned residential neighborhood that will incorporate two (2) lakes, several acres of open space and ~3.8-miles of hiking/jogging/biking trails. The master plan calls for 507 single-family homes. There will be several view corridors strategically placed within the subdivision along with *front loaded* lots to provide for the enjoyment of the open space. A boulevard with 85-feet of right-of-way will connect SH-276 and Discovery Boulevard. The boulevard will have a 14-foot landscape median and a 25-foot travel lane on each side of the street.

The residential streets will be 29-feet back-to-back, with a 10½-foot parkway on each side for a total of 50-feet of right-of-way. A *Community Center* with a pool will be provided to add increased amenity for the subdivision. Additionally, the proposed development will incorporate nine (9) acres of commercial space that will be located at the hard corner of SH-276 and Rochell Road. This area will allow for neighborhood service types of uses and eating establishments. A maximum of one (1) hotel planned to service the needs of the subdivision and the Rockwall Technology Park. A 55-acre area adjacent to the northern lake will be dedicated as public parkland to serve Park District No. 31.

The Discovery Lakes Subdivision will be a benefit to the community, allowing citizens of all ages the opportunity to live, work, and play in a connected master planned community.

**B. GENERAL REQUIREMENTS**

***Development Standards.***

1. *Permitted Uses.* The following uses are permitted on the *Subject Property* in accordance with the *Concept Plan* depicted in *Exhibit 'C'* of this ordinance.

(a) *Residential Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 10 (SF-10) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), shall be allowed for areas designated as *residential* on the *Concept Plan*.

(b) *Non-Residential.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the General Retail (GR) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), shall be allowed for areas designated as *commercial* on the *Concept Plan*; however, the following conditions shall apply:

- (i) The following additional uses shall be permitted as *by-right* uses on the *Subject Property*:

- Hotel, Hotel (*Full Service*) or Motel (*With a Maximum Height of Four [4] Stories*) <sup>1</sup>
- Restaurant (*with Drive-Through or Drive-In*) <sup>2</sup>
- Retail Store (*with more than two [2] Gasoline Dispensers*)

*Notes:*

<sup>1</sup>: A maximum of one (1) hotel/motel shall be permitted with this Planned Development District. The height requirement of four (4) stories is permitted to exceed 36-feet, but in no case shall exceed 60-feet.

<sup>2</sup>: A maximum of three (3) restaurants (despite the size of the restaurant) shall be permitted within this Planned Development District.

**Exhibit 'D':**  
*PD Development Standards*

(ii) The following uses shall be prohibited on the *Subject Property*:

- Convent or Monastery
- Hotel, Residence
- Cemetery/Mausoleum
- Mortuary of Funeral Chapel
- Social Service Provider
- Billiard Parlor or Pool Hall
- Carnival, Circus, or Amusement Ride
- Commercial Amusement/Recreation (*Outside*)
- Gun Club, Skeet or Target Range (*Indoor*)
- Astrologer, Hypnotist, or Psychic Art and Science
- Garden Supply /Plant Nursery
- Night Club, Discotheque, or Dance Hall
- Secondhand Dealer
- Car Wash, Self Service
- Mining and Extraction (Sand, Gravel, Oil and/or Other)
- Helipad
- Railroad Yard or Shop
- Transit Passenger Facility

2. *Non-Residential Development.* The area designated as *commercial* on the *Concept Plan* depicted in *Exhibit 'C'* of this ordinance shall be designed to be pedestrian-oriented, easily accessible, and integrated into the general design scheme of the adjacent neighborhood. This can be accomplished by removing the traditional barriers utilized to separate commercial and residential developments (*e.g. screening walls*) and incorporating landscape buffers/elements (*e.g. greenspace, parkways, and etcetera*) and urban design elements (*e.g. pathways, pergolas, and etcetera*) that can create compatibility with the adjacent single-family neighborhood. To better achieve this goal and in addition to the requirements of Section 4.1, *General Commercial District Standards*, and Section 6.14, *SH-276 Corridor Overlay (SH-276 OV) District*, of Article V, *District Development Standards*, of the Unified Development Code, all commercial development shall be required to adhere to the following supplemental standards:

(a) *Retail Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All Canopy/Shade Trees planted within the retail 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 unless otherwise provided within this document.

(b) *Retail Landscape Buffers.* All landscape and plantings located within the buffers shall be maintained by the property owner.

(1) *Landscape Buffer (Residential Adjacency).* Where residential and retail uses share a direct adjacency, a minimum of a 30-foot landscape buffer shall be provided by the retail property adjacent to the residential property. This area shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the adjacency. This area should also incorporate pedestrian-oriented design elements (*e.g. pathways*) that allow access between the two (2) uses. Shrubby utilized in this area shall have a minimum height of 30-inches and a maximum height of 48-inches. Additionally, trees should be incorporated in this area to break up the façades of any commercial buildings.

(2) *Landscape Buffer and Sidewalks (SH-276).* A minimum of a 15-foot landscape buffer shall be provided along the frontage of SH-276, and shall incorporate ground cover,



**Exhibit 'D':**  
*PD Development Standards*

a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. All buffer-strip planting requirements shall conform to the requirements of Section 6.14, *SH-276 Corridor Overlay (SH-276 OV) District*, of Article V, *District Development Standards*, of the Unified Development Code.

(3) *Landscape Buffer (Rochell Road Retail)*. A minimum of a 20-foot landscape buffer shall be provided along the frontage of Rochell Road (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage.

(c) *Sidewalks*.

i) *Sidewalk Adjacent to Rochell Road and SH-276*. The developer shall be responsible for the construction of a five (5) foot sidewalk that meanders through the required 20-foot landscape buffer adjacent to Rochell Road and SH-276.

3. *Residential Development Standards*. Except as modified by these *Development Standards*, the residential uses depicted in *Exhibit 'C'* of this ordinance shall be subject to the development standards for a Single Family 10 (SF-10) District as stipulated by Section 3.1, *General Residential District Standards*; Section 3.4, *Single-Family Residential (SF-10) District*; and Section 6.14, *SH-276 Corridor Overlay (SH-276 OV) District*, of Article V, *District Development Standards*, of the Unified Development Code. In addition, all residential development shall adhere to the following standards:

(a) *Lot Composition and Layout*. The lot layout and composition of the *Subject Property* shall generally conform to the *Concept Plan* depicted in *Exhibit 'C'* and stated in *Table 1* below. Allowances for changes to the quantity and locations of each lot type are permitted in conformance with the requirements listed below; however, in no case shall the proposed development exceed 507 units.

Table 1: Lot Composition

<i>Lot Type</i>	<i>Minimum Lot Size (FT)</i>	<i>Minimum Lot Size (SF)</i>	<i>Dwelling Units (#)</i>	<i>Dwelling Units (%)</i>
A	80' x 120'	9,600 SF	121	23.87%
B	70' x 110'	7,700 SF	127	25.05%
C	60' x 110'	6,600 SF	259	51.08%
<i>Maximum Permitted Units:</i>			507	100.00%

The allocation of single-family dwellings among lot types may deviate from *Table 1* provided that the proposed lot composition meets the following criteria:

- (1) The total number of lots does not exceed 525 units; and,
- (2) The average lot size for the total development is not less than 7,500 SF (*i.e. total square footage of all lots/total number of lots*); and,
- (3) *Lot Type "A"* shall not be decrease below 115 lots; and,
- (4) *Lot Type "B"* shall not be decreased below 23% of the total 507 lots; and,
- (5) *Lot Type "C"* shall not be increased beyond 55% of the total 507 lots.

**Exhibit 'D':**  
*PD Development Standards*

(b) *Density and Dimensional Requirements.* The maximum permissible density for the *Subject Property* shall not exceed 1.70 dwelling units per gross acre of land; however, in no case should the proposed development exceed 507 units. All lots shall conform to the standards depicted in *Table 2* below and generally conform to *Exhibit 'C'* of this ordinance.

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ►	A	B	C
<i>Minimum Lot Width</i> <sup>(1) &amp; (5) &amp; (7)</sup>	80'	70'	60'
<i>Minimum Lot Depth</i>	120'	110'	110'
<i>Minimum Lot Area</i>	9,600 SF	7,700 SF	6,600 SF
<i>Minimum Front Yard Setback</i> <sup>(2) &amp; (6)</sup>	20'	20'	20'
<i>Minimum Side Yard Setback</i>	6'	5'	5'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> <sup>(2)</sup>	15'	15'	15'
<i>Minimum Length of Driveway Pavement</i>	20'	20'	20'
<i>Maximum Height</i> <sup>(3)</sup>	36'	36'	36'
<i>Minimum Rear Yard Setback</i> <sup>(4)</sup>	15'	10'	10'
<i>Minimum Area/Dwelling Unit (SF) [Air Conditioned Space]</i>	2,800 SF	2,250 SF	2,000 SF
<i>Garage Orientation</i>	<i>J-Swing or Front</i>	<i>J-Swing or Front</i>	<i>J-Swing or Front</i>
<i>Maximum Number of Front Entry Garages Permitted</i>	48	42	173
<i>Maximum Lot Coverage</i>	65%	65%	65%

General Notes:

- <sup>1</sup>: The minimum lot width shall be measured at the *Front Yard Building Setback*.
- <sup>2</sup>: The location of the *Front Yard Building Setback* as measured from the front property line.
- <sup>3</sup>: The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single family home.
- <sup>4</sup>: As measured from the rear yard property line.
- <sup>5</sup>: Lots fronting onto a curvilinear street, cul-de-sac or eyebrow may have the lot width reduced by up to 20% as measured at the front property line provided that the lot width is met at the front building line. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows maybe reduced by up to ten (10%) percent, but shall meet the minimum lot size for each lot type.
- <sup>6</sup>: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the Front Yard Building Setback by up to ten (10) feet for any property that increases the Front Yard Building Setback to 20-feet; however, the encroachment shall not exceed five (5) feet on Side Yard Setbacks (Adjacent to a Street) and shall not encroach into public right-of-way [a Sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces].
- <sup>7</sup>: All lots with a *J-Swing* or *Traditional Swing* driveway require a minimum of a 65-foot lot width.

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

- (1) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all buildings shall be 80%. For the purposes of this ordinance the masonry requirement shall be limited to full width brick, natural stone, and cultured stone. Cementaceous fiberboard horizontal lap-siding (e.g. *HardiBoard* or *Hardy Plank*) and/or stucco (i.e. *three [3] part stucco* or a comparable -- to be determined by staff) shall be permitted to be used to meet up to 50% of the masonry requirement.
- (2) *Roof Pitch.* A minimum of an 8:12 roof pitch is required on all structures with the exception of porches, which shall have a minimum of a 4:12 roof pitch.
- (3) *Garage Orientation.* Garages shall be provided as stipulated by *Table 2: Lot Dimensional Requirements*. Garages permitted for front entry maybe oriented



**Exhibit 'D':**  
*PD Development Standards*

toward the street; however, the front façade of the garage must be situated a minimum of 20-feet off the front property line. All front entry garages shall incorporate an architectural element or feature separating the individual garage openings. *Swing, Traditional Swing* or *J-Swing* garages are permitted to have a second single garage door facing the street as long as it is behind the width of the double garage door situated in the *Swing* configuration.

- (d) *Anti-Monotony Restrictions.* The development shall adhere to the Anti-Monotony Matrix depicted in Table 3 below (for spacing requirements see the illustration on the following page).

Table 3 : Anti-Monotony Matrix

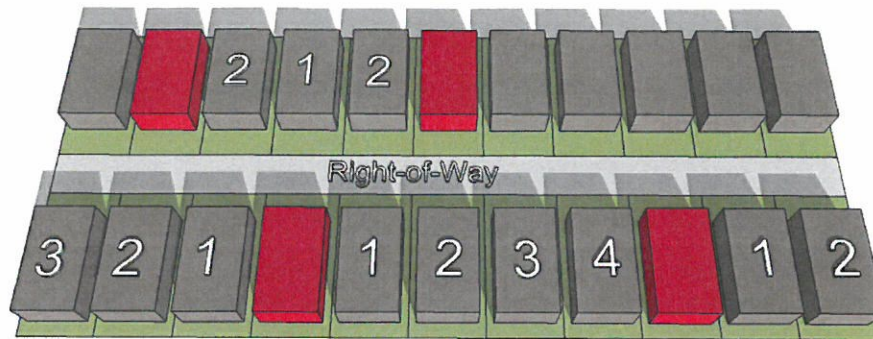
<i>Lot Type</i>	<i>Minimum Lot Size</i>	<i>Elevation Features</i>
A	80' x 120'	(1), (2), (3)
B	70' x 110'	(1), (2), (3)
C	60' x 110'	(1), (2), (3)

- (1) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least four (4) intervening homes of differing materials on the same side of the street beginning with the adjacent property and two (2) intervening homes of differing materials on the opposite side of the street.
- (2) Front building elevations shall not repeat along any block face without at least four (4) intervening homes of differing appearance on the same side of the street and two (2) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on SH-276 shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
  - (a) Number of Stories
  - (b) Permitted Encroachment Type and Layout
  - (c) Roof Type and Layout
  - (d) Articulation of the Front Façade
- (3) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

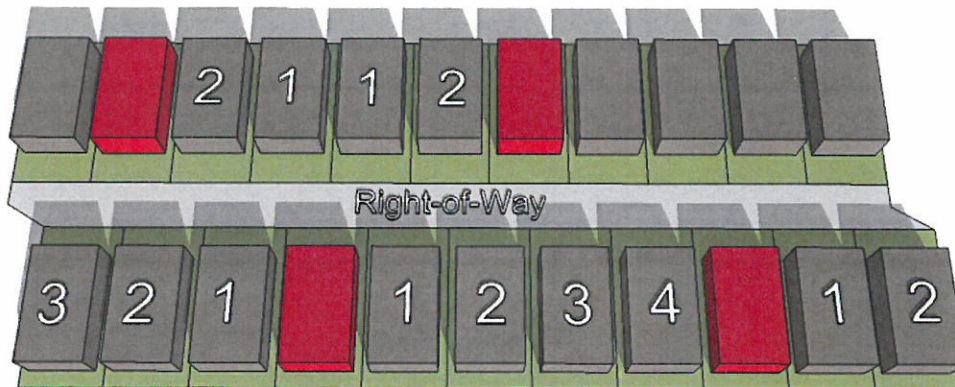
*See the Illustrations on the following page.*

**Exhibit 'D':**  
*PD Development Standards*

*Illustration 1: Properties line up on the opposite side of the street. Where RED are the same.*



*Illustration 2: Properties do not line up on opposite side of the street. Where RED are the same.*



(e) *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:

- (1) *Wood Fences.* All wood fences shall be constructed of a standard fencing material (*minimum of ½" thickness or better; spruce fencing will not be allowed*), and use fasteners that are hot dipped galvanized or stainless steel. Wood fences facing onto a street shall be painted and/or stained and sealed with all pickets being placed on the *public side* facing the street. All wood fences shall be smooth-finished, free of burs and splinters, and be a maximum of eight (8) feet in height.
- (2) *Wrought Iron/Tubular Steel.* Lots located along the perimeter of roadways, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of eight (8) feet in height.
- (3) *Corner Lots.* Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of eight (8) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.
- (4) *Solid Fences (including Wood Fences).* All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.



**Exhibit 'D':**  
*PD Development Standards*

(f) *Landscape and Hardscape Standards.*

- (1) *Residential Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within the residential development shall be a minimum of three (3) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height unless otherwise provided within this document.
- (2) *Single Family Landscaping.* Prior to the issuance of a Certificate of Occupancy (CO) all single-family lots shall conform to the following:

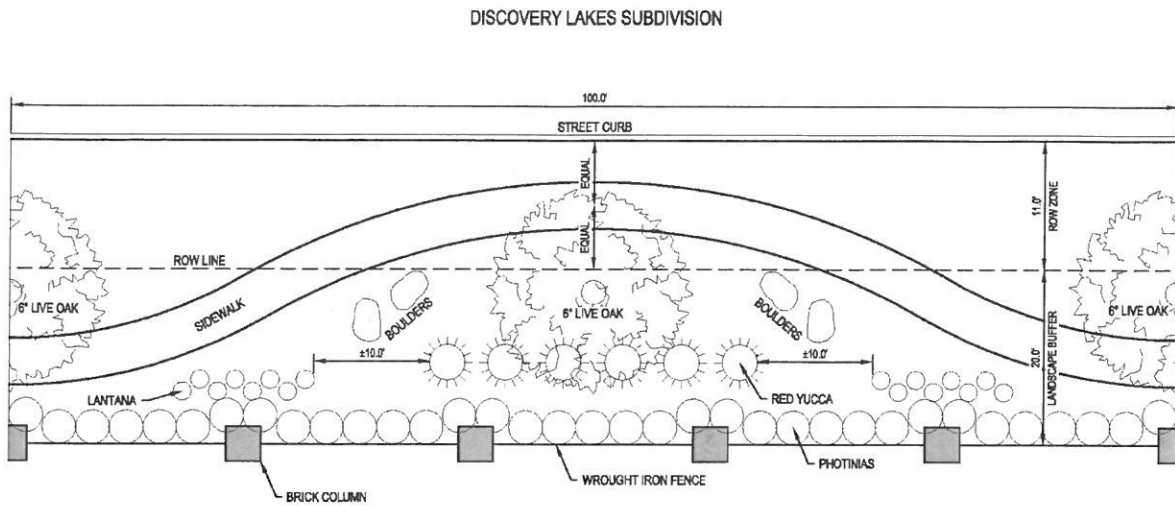
- i) *Interior Lots.* All interior lots shall include a minimum of two (2) trees with a diameter at breast height (dbh) [*i.e. the diameter in inches of a tree as measured through the main trunk at a point of four and one-half (4½) inches above the natural ground level*] of three (3) inches shall be planted in the front yard, and two (2) additional trees of the same caliper inch shall be planted in the side yard facing the street for corner lots.

*Note: For the purposes of this section only, the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.*

- ii) *Corner Lots.* All corner lots shall include a minimum of two (2) trees with a diameter at breast height (dbh) [*i.e. the diameter in inches of a tree as measured through the main trunk at a point of four and one-half (4½) inches above the natural ground level*] of three (3) inches shall be planted in the front yard of an interior lot.
- (3) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).
    - (a) *Landscape Buffer and Sidewalks (Discovery Boulevard).* A minimum of a 15-foot landscape buffer shall be provided along the frontage of Discovery Boulevard, and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least one (1) canopy tree shall be planted per 30-feet of linear frontage.
    - (b) *Landscape Buffer (Rochell Road).* A minimum of a 20-foot landscape buffer shall be provided along the frontage of Rochell Road (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Shrubby shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The landscape buffer along Rochell Road shall general conform to the following illustration [*i.e. Illustration 3*].

**Exhibit 'D':**  
*PD Development Standards*

*Illustration 3: Landscape Buffer along Rochell Road.*



- (c) *Landscape Buffer (SH-276)*. A minimum of a 25-foot landscape buffer shall be provided along the frontage of SH-276, and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. In addition, all buffer-strip planting requirements shall conform to the requirements of Section 6.14, *SH-276 Corridor Overlay (SH-276 OV) District*, of Article V, *District Development Standards*, of the Unified Development Code (*i.e. minimum four [4] inch caliper trees required*).
- (4) *Irrigation Requirements*. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association (HOA).
- (5) *Hardscape*. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the PD Site Plan.
- (g) *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.
- (h) *Sidewalks*.
- i) *Internal Sidewalks*. All sidewalks adjacent to an interior residential street shall begin 5½-feet from the back of curb and be five (5) feet in overall width.



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- ii) *Sidewalks Adjacent to Rochell Road and Discovery Boulevard.* All sidewalks adjacent Rochell Road and Discovery Boulevard shall begin two (2) feet inside the right-of-way line and be five (5) feet in overall width.
  
  - (i) *Open Space.* The development shall consist of a minimum of 20% open space as calculated from the gross land area, and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. Existing floodplain shall be counted at a rate of ½-acre for every acre provided (e.g., 10-acres of floodplain would count as 5-acres of open space). The Homeowner's Association (HOA) shall maintain all open space areas.
  
  - (j) *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.
  
  - (k) *Community Center.* A site plan, landscape plan and building elevations shall be required for the proposed *Community Center* and shall be subject to site plan approval by the Planning and Zoning Commission prior to construction.
  
  - (l) *Homeowner's Association (HOA).* A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the Subdivision Regulations contained within the *Municipal Code of Ordinances* of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, amenity centers, screening fences associated with this development.
4. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*3-phase lines*), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.
5. *Variances.* The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

## Planned Development (PD-78) City ordinance 15-24 - Discovery Lakes

### Proposed Zoning Changes

#### Background:

Discovery Lakes, LLC (Owner) received approval from the City of Rockwall (City) for PD-78 on August 17, 2015. Since that time, the costs for bringing utilities to the site, specifically sanitary sewer, have increased dramatically from what the Owner understood would be required and have proven to be cost prohibitive. Since the fall of 2019 the Owner and the City have been working on plans to provide sanitary sewer service to the site by constructing a line and necessary lift stations and force mains to the Sabine Creek WWTP owned and operated by NTMWD and located in the city of Fate. This system will ultimately provide sewer capacity for the entire development and other unserved areas in the City of Rockwall and Rockwall's ETJ. Studies by NTMWD are underway to determine the ultimate route, size and preliminary cost. Cost participation by the City and the Owner will be negotiated at the conclusion of the NTMWD studies.

Since the period between the approval of PD-78 and now, the Owner has incurred significant expenses including property taxes, finance and interest costs, and maintenance and operation expenses on the property. The Owner is seeking ways to help offset these recurring costs as well as to provide a benefit to the City of Rockwall. These benefits would include developing a unique phase of the development that is currently not provided for in PD-78 but will provide overall lower density, a more timely development and the associated higher ad valorem property tax base on a higher end custom home product we believe the city will find desirable. This zoning change, when approved, would allow the development of this phase to proceed immediately following the appropriate approvals of plats and engineering. This would allow the project to begin and move forward with a smaller initial phase while the NTMWD study is completed and plans and ultimate construction of the sewer system takes place.

#### Proposed Zoning Change Highlights:

The Owner is seeking a zoning change that would increase the size of the Type "A" lots from 9,600 square feet to 43,560 square feet (one acre) and provide a location for this revised category of lot in the southeastern portion of the project which would contain up to 50 one-acre minimum lots. These lots would be located along the Brushy Creek floodplain and would not encroach or allow development into the floodplain boundaries or erosion hazard setback areas. The total number of lots would decrease from 507 to 428 and density per acre would decrease from 1.65 lots per acre to 1.39 lots per acre.

The one-acre lots in this phase would have separate faux guard gated entry features. These entry features would be unmanned but may contain video equipment to record traffic in and out of this phase. These entry features would not have actual gates or traffic control devices. These lots would be marketed and sold to custom builders with prices averaging in the \$200,000.00 range with home values expected to be in the \$750,000.00 to \$1.0 Million + range. These lots would have a minimum of ½ acre (22,000 sf) of land located outside of any Floodplain boundary and erosion hazard setback line, but would be deeded/platted to allow use of the floodplain per individual resident for open space, recreation. No construction or permanent improvements would be permitted in this area.



**Sewer Service Would Be Provided In A Two-Stage Process:**

- Stage 1 consists of construction of individual onsite sanitary sewer systems (OSSF's) that would be aerobic systems with drip irrigation versus spray systems. The drip systems require less land for the lines and drastically reduce potential odors and issues associated with spray (sprinkler) type systems. Our engineer has used these on multiple projects throughout Rockwall County and Texas. All systems would be designed by a State of Texas licensed Professional Engineer to Texas Commission on Environmental Quality (TCEQ) standards and oversight of installation would be arranged by a third party instead of the County's inspectors if required or desired by the City of Rockwall. The land area outside of any floodplain boundary necessary for these in ground drip irrigation systems is typically 0.5 acres or less. During the engineering design phase and prior to submission of the preliminary plat, site specific engineering, and soil investigation of this proposed phase will be conducted and results submitted to the City's engineering department for review. In addition to these OSSF's for each lot, the Owner will install appropriately sized sewer mains and lateral services at the time of development of this phase to allow the homes within this phase to connect to the City sewer system when it is ultimately constructed and brought to the development.
- Stage 2 includes the connection to the sanitary sewer system by each resident and abandonment in place of the OSSF's as per the city of Rockwall's ordinance requiring connection to City Sewer when it becomes available. The cost to disconnect from the OSSF and connect to the City's system shall be at the sole cost of the homeowner, and an appropriate disclosure regarding this potential obligation and cost shall be a part of all real-estate contracts between developer, homebuilder and homeowner.

The Proposed PD 78 Language and concept plan revisions are attached on the following pages:

**The remaining sections of this page were intentionally left blank**

~~CITY OF ROCKWALL~~

~~ORDINANCE NO. 15-XX~~

~~AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT FOR SINGLE FAMILY 10 (SF-10) AND GENERAL RETAIL (GR) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 316.315-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE M. E. HAWKINS SURVEY, ABSTRACT NO. 100, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' & EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.~~

~~WHEREAS, the City has received a request by the Stacy McVey of Double Eagle Properties, LLC on behalf of the owner 308 ON 276, LP for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) and General Retail (GR) District land uses, on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas and more fully described in Exhibit 'A' & Exhibit 'B' of this ordinance, which hereinafter shall be referred to as the Subject Property and incorporated by reference herein; and~~

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

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

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

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

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

~~Section 4. That a Master Parks and Open Space Plan for the Subject Property, shall be prepared in accordance with this ordinance and consistent with the Planned Development~~



~~Concept Plan depicted in Exhibit 'C' of this ordinance, and that the Master Parks and Open Space Plan shall be considered for approval by the City Council following a recommendation by 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(f) below)~~, shall be the exclusive procedures applicable to the subdivision and platting of the Property.

(b) ~~\_\_\_\_\_~~ The following plans and plats shall be required in the order listed below ~~(except as set forth below with regard to simultaneous processing and approvals)~~. The City Council shall act on an application for an ~~Open Space Master Plan~~ in accordance with the time period specified in Section 212.009 of the ~~Texas Local Government Code~~.

- (1) ~~\_\_\_\_\_~~ Open Space Master Plan
- (2) ~~\_\_\_\_\_~~ Master Plat
- (3) ~~\_\_\_\_\_~~ PD Development Plan ~~(Required for Retail Areas Only)~~
- (4) ~~\_\_\_\_\_~~ PD Site Plan
- (5) ~~\_\_\_\_\_~~ Preliminary Plat
- (6) ~~\_\_\_\_\_~~ Final Plat

(c) ~~\_\_\_\_\_~~ A ~~PD Development Plan~~ must be approved for the area designated on the ~~Planned Development Concept Plan~~ as ~~Retail~~ prior to submittal of a ~~PD Site Plan~~ application and/or preliminary plat application. No ~~Master Plat~~ is required for the area designated on the ~~Concept Plan~~ as ~~Retail~~. A traffic impact analysis for the retail tract shall be submitted with the ~~PD Development Plan~~ to determine the extent and timing of any recommended facilities and/or improvements to the surrounding roadway network. The traffic impact analysis may be updated with each ~~PD Site Plan~~ for each retail development.

(d) ~~\_\_\_\_\_~~ ~~PD Site Plan~~. A ~~PD Site Plan~~ covering all of the ~~Subject Property~~ shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A ~~PD Site Plan~~ application may be processed by the City concurrently with a ~~Preliminary Plat Application~~ for the development.

(e) ~~\_\_\_\_\_~~ ~~Preliminary Plat~~. A ~~Preliminary Plat~~ covering all of the ~~Subject Property~~ shall be submitted and shall include a ~~Treescape Plan~~. A ~~Preliminary Plat Application~~ may be processed by the City concurrently with a ~~PD Site Plan Application~~ for the development.

(f) ~~\_\_\_\_\_~~ ~~Final Plat~~. Prior to the issuance of any building permits, a ~~Final Plat~~, conforming to the ~~Preliminary Plat~~, for all of the ~~Subject Property~~ shall be submitted for approval.

**Section 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 and the publication of the caption of said ordinance as the law in such cases provides;~~

~~**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 20<sup>TH</sup> DAY OF JULY, 2015.**~~

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

**ATTEST:**

\_\_\_\_\_  
Kristy Ashberry, City Secretary

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: \_\_\_\_\_ July 20, 2015

2<sup>nd</sup> Reading: \_\_\_\_\_ August 3, 2015



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

Field notes for a 316.315-acre (13,778,691 square foot) tract of land situated in the M. E. Hawkins Survey, Abstract No. 100, and the Robert K. Briscoe Survey, Abstract No. 16 in the City of Rockwall, Rockwall County, Texas, and being all of that certain called 308.52-acre tract of land described in a Special Warranty Deed to 308 ON 276, L.P., as recorded in Volume 03662, Page 00315, of the Office Public Records of Rockwall County, Texas (O.P.R.R.C.T.) with said 316.315-acre (13, 778,691 square feet) tract of land being more particularly described by metes and bounds as follows:

*BEGINNING* a railroad spike set in asphalt marking the northwest corner of said 308 on 276, L.P. tract and the common southwest corner of that certain called 21. 935 acre tract of land described as Tract One in a Warranty Deed to Rockwall Fund I, L.L.C., as recorded in Volume 1 110, Page 190, of the Deed Records of Rockwall County, Texas (D.R.R.C.T.) , said point being in the approximate center of Rochell Road, a county road with an unspecified right-of- way (R. O. W.) width;

*THENCE* North 89 degrees 00 minutes 24 seconds East (South 89 degrees 12 minutes 02 seconds East - deed call), along the common northerly line of said 308 ON 276, L.P. tract and the common southerly line of said Tract One, passing at a distance of 30. 00 feet, a 5/8 inch iron rod set with a yellow plastic cap stamped "THE WALLACE GROUP " ( "cap ") for reference, continuing along said common line, passing at a distance of 1,799. 04-fee t, a ½- inch iron rod found marking the southeast corner of said Tract One, being common with the south west corner of that certain called 59.71-acre tract of land described in a Special Warranty Deed to Fate I- 30, L.P., as recorded in Volume 03542, Page 00039, O.P.R.R.C.T., continuing along the common northerly line of said 308 on 276, L.P. tract and the southerly line of said Fate I-30, L.P. tract, a total distance of 1,966.04 feet ( 1,902 .80 feet - deed call) to a 1/ 2 inch iron rod found marking the common most northerly northeast corner of said 308 on 276, L.P. tract and the north west corner of that certain coiled 85.479 acre tract of land described as Tract Two in the aforementioned Warranty Deed to Rockwall Fund I, L.L.C., as recorded in Volume 1 110, Page 190, O.R.R.C.T.;

*THENCE* South 01 degrees 59 minutes 29 seconds East (South 00 degrees 08 minutes 06 seconds West - deed call), along the common easterly line of said 308 ON 276, L.P. tract and the westerly line said Tract Two, a distance of 2,204.26-fee t (2,166.70-feet - deed call) to a 1/ 2 inch iron rod found marking an ell corner of said 308 ON 276, L.P. tract and the southwest corner of said Tract Two;

*THENCE* North 87 degrees 20 minutes 20 seconds East (North 89 degrees 12 minutes 02 seconds East - deed call), continuing along the common northerly line of said 308 on 276, L.P. tract and the southerly line said Tract Two, a distance of 1,691. 90 feet ( 1,782.53 feet - deed call) to a 5/8 inch iron rod set with "cap " marking the common most easterly northeast corner of said 308 on 276, L.P. tract and the southeast corner of said Tract Two, from which a ½-inch iron rod found bears North 87 degrees 20 minutes 20 seconds East at 10. 49 feet, said 5/8- inch iron rod set being on the west line of that certain called 212. 25 acre tract of land described in a Special Warranty Deed to South Rock wall Holdings, L.P., as recorded in Volume 03625, Page 00034, O.P.R.R.C.T.;

*THENCE* South 01 degrees 34 minutes 35 seconds East, along the common easterly line of said 308 ON 276, L.P. tract and the westerly line said South Rock wall Holdings tract, a distance of 309.68-feet to a 5/8-inch iron rod set with "cap " marking the southwest corner of said South Rock wall Holdings tract, being common with the northwest corner of Lot 8, Equestrian Estates, according to the plot thereof recorded in Cabinet A, Page 19 7, of the Plot Records of Rock wall County, Texas (P.R.R.C.T.);

*THENCE* South 00 degrees 50 minutes 42 seconds East, along the common easterly line of said 308 ON 276, L.P. tract and the westerly line said Equestrian Estates, a distance of 2,301.71 feet (South 00 degrees 06 minutes 38 seconds West, a distance of 2,580 . 60 feet - overall deed call) to a 5/8 inch iron rod set with "cap " marking the common southeast corner of said 308 ON 276, L.P. tract and on ell corner of the north R.O.W. line of State Highway No. 276 (having a variable width R.O.W.);

*THENCE* South 89 degrees 29 minutes 00 seconds West (North 89 degrees 29 minutes 07 seconds West - deed call), along the common southerly line of said 308 ON 2 76, L.P. tract and said north R.O.W. line of State Highway No. 276, passing at a distance of 1.66 feet a found TxDOT concrete monument, continuing along said common line for a tot al distance of 117.50-feet (115.83-feet - deed call) to a 5/8-inch iron rod set with "cap " marking the common ell corner of said 308 ON 276, L.P. tract and the most easterly southeast corner of that certain called 2.503-acre tract of land described as on Easement for Highway Purposes to the State of Texas, recorded in Volume 82, Page 583 of the Real Property Records of Rockwall County, Texas (R.P.R.R.C.T.);

*THENCE* North 00 degrees 31 minutes 03 seconds West (North 00 degrees 30 Minutes 13 seconds East - deed call), along a common interior line of said 308 on 2 76, L.P. tract and the easterly line of said Easement for Highway Purposes tract, a distance of 50.31-feet (50-feet - deed call) to a 5/8-inch iron rod set with "cap" marking the common ell corner of said 308 ON 276, L.P. tract and the north east corner of said Easement for Highway Purposes tract;

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

*THENCE* South 89 degrees 28 minutes 57 seconds West (North 89 degrees 29 minutes 47 seconds West - deed call), along the common southerly line of said 308 on 276, L.P. tract and the northerly line of said Easement for Highway Purposes tract, a distance of 543.40-feet (543.73-feet - deed call) to a 5/8-inch iron rod set with "cap " for corner;

*THENCE* South 89 degrees 13 minutes 58 seconds West (South 89 degrees 48 minutes 55 seconds West - deed call), continuing along the common southerly line of said 308 ON 276, L.P. tract and the northerly line of said Easement for Highway Purposes tract, a distance of 757. 25-feet (756.93-feet - deed call) to a 5/8-inch iron rod found marking a common ell corner of said 308 ON 276, L.P. tract and the northwest corner of said Easement for Highway Purposes tract;

*THENCE* South 00 degrees 46 minutes 03 seconds East (South 00 degrees 11 minutes 05 seconds East - deed call), along a common interior line of said 308 ON 276, L.P. tract and the westerly line of said Easement for Highway Purposes tract, a distance of 90.30-feet (87.44-feet - deed call) to a 5/8-inch iron rod set with "cap " marking a common ell corner of said 308 ON 276, L.P. tract and the southwest corner of said Easement for Highway Purposes tract, said point being on said north R.O.W. line of State Highway No. 276;

*THENCE* South 89 degrees 13 minutes 57 seconds West (North 89 degrees 53 minutes 27 seconds West - deed call), along the common southerly line of said 308 ON 276, L.P. tract and said north R.O.W. line of State Highway No. 276, passing at a distance of 1,667.76-feet a 5/8-inch iron rod set with "cap " for reference, continuing along said common line for a total distance of 1,917.07-feet (1,917.34-feet - deed call) to a found TxDOT concrete monument, marking the transitional R.O.W. line from said north R.O.W. line of State Highway No. 276 to the east R.O.W. line of Springer Lane, on 80-foot wide R.O.W., (formerly F.M. No. 1143), said point being the beginning of a non-tangent curve to the right, with the radius point being situated North 21 degrees 40 minutes 52 seconds East, a distance of 533.69-feet;

*THENCE* Northerly along the common curving westerly line of said 308 ON 276, L.P. tract and said curving east R.O.W. line of Springer Lane, with said non-tangent curve to the right, through a central angle of 67 degrees 33 minutes 20 seconds (48 degrees 33 minutes 57 seconds - deed call), having a radius of 533.69-feet (613.69-feet - deed call), a tangent distance of 356.97-feet, a chord bearing North 34 degrees 32 minutes 28 seconds West (North 40 degrees 41 minutes 57 seconds West - deed call), at 593.43-feet, and an arc distance of 629.26-feet (520.18-feet - deed call) to a 5/8-inch iron rod set with "cap" at the end of said non-tangent curve;

*THENCE* North 00 degrees 53 minutes 56 seconds West (North 00 degrees 43 minutes 17 seconds West - deed call), continuing along the common westerly line of said 308 on 276, L.P. tract and said east R.O.W. line of Springer Lane, a distance of 294.21-feet (430.56-feet - deed call) to an axle found for the beginning of a non-tangent curve to the left , with the radius point being situated South 89 degrees 08 minutes 07 seconds West, a distance of 612.96-feet;

*THENCE* Northerly continuing along the common curving westerly line of said 308 ON 276, L.P. tract and said curving east R.O.W. line of Springer Lane, with said non-tangent curve to the left, through a central angle of 17 degrees 26 minutes 00 seconds (12 degrees 25 minutes 52 seconds - deed call), having a radius of 612.96-feet (613.69-feet - deed call), a tangent distance of 93.98 feet, a chord bearing North 09 degrees 34 minutes 53 seconds West at 185.78-feet, and an arc distance of 186.50-feet (133.15 feet - deed call) to a 5/8-inch iron rod set with "cap" at the end of said non-tangent curve, said point marking the transition from said east R.O.W. line of Springer Lane to the approximate center of the aforementioned Rochell Road;

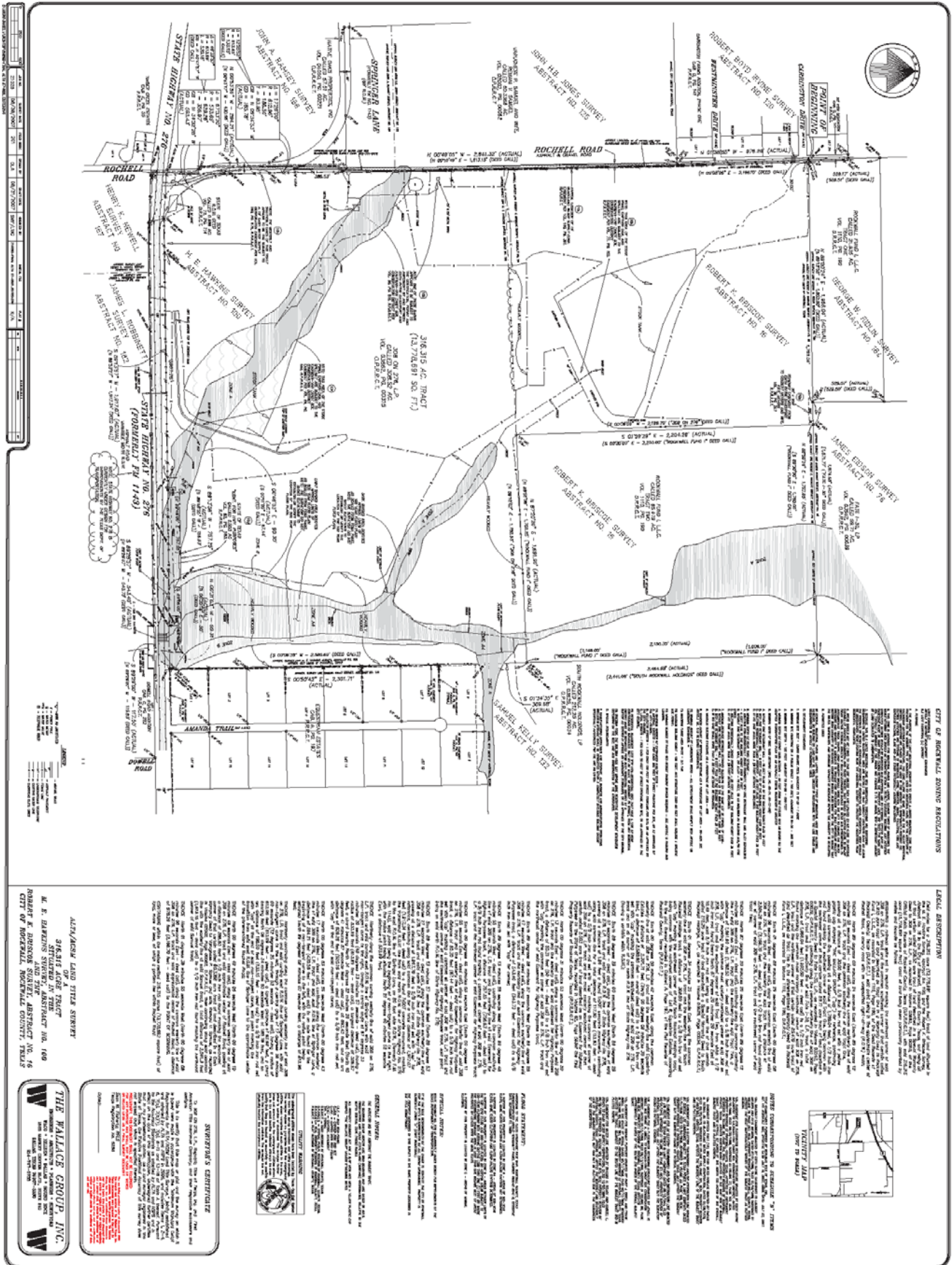
*THENCE* North 00 degrees 49 minutes 05 seconds West (North 00 degrees 10 minutes 49 seconds East - deed call), along the common westerly line of said 308 ON 276, L.P. tract and said approximate center of Rochell Road, passing at a distance of 386.53-feet a ½-inch iron rod found marking the southeast corner of that certain called 60.3368-acre tract of land described in a Cash Warranty Deed to Varughese P. Samuel and wife, Remoni V. Samuel, as recorded in Volume 02002, Page 00062, O.P.R.R.C.T., then continuing along said common line with the easterly line of said Samuel tract, a total distance of 2,841.3-feet (1,613.15-feet - deed call) to a ½-inch iron rod found marking the northeast corner of said Samuel tract;

*THENCE* North 01 degrees 38 minutes 55 seconds West (North 00 degrees 08 minutes 06 seconds East - deed call), along the common westerly line of said 308 ON 276, L.P. tract and said approximate center of Rochell Road, a distance of 976.29-feet (2,166.70-feet - deed call) to the *POINT OF BEGINNING*.

*CONTAINING* within the metes recited 316.315-acres (13,778,692 square feet) of land, more or less, of which a portion lies within Rochell Road.



Exhibit 'B':  
Survey

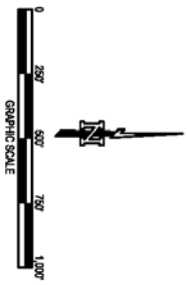


**Exhibit 'C Existing and Proposed'**  
**Concept Plan**



OPEN SPACE CALCULATION		
OPEN AREA / PARK AREA	1/2 FEMA FLOOD PLAIN AREA	
41.9 ACRES	54.7 ACRES	96.6 ACRES
OPEN SPACE RATIO =	96.6 / 307.0	31.5%

RESIDENTIAL PROJECT AREA = 307.0 ACRES  
 LOT DENSITY: 507 / 307.0 = 1.65 Lots per Acre



**LEGEND**

- TYPE A LOT
- TYPE B LOT
- TYPE C LOT
- COMMERCIAL ± 9.0 AC.
- OPEN AREA ± 30.9 AC
- PARK ± 11.0 AC
- OPEN AREA/FLOODPLAIN TO BE DEDICATED TO THE PUBLIC ± 44.2 AC
- COMMUNITY CENTER ± 1.2 ACRES
- REMAINING FEMA FLOODPLAIN ± 85.2 AC
- WALKING TRAIL ± 3.8 MILES

**GENERAL LOT INFORMATION**

- TYPE A - 121 LOTS - 80'x120' (MIN) - 9,600 SF
- TYPE B - 127 LOTS - 70'x110' (MIN) - 7,700 SF
- TYPE C - 259 LOTS - 60'x110' (MIN) - 6,600 SF
- 15' LANDSCAPE BUFFER ALONG DISCOVERY BOULEVARD
- 20' LANDSCAPE BUFFER ALONG ROCHELL ROAD
- 25' LANDSCAPE BUFFER ALONG HIGHWAY 276

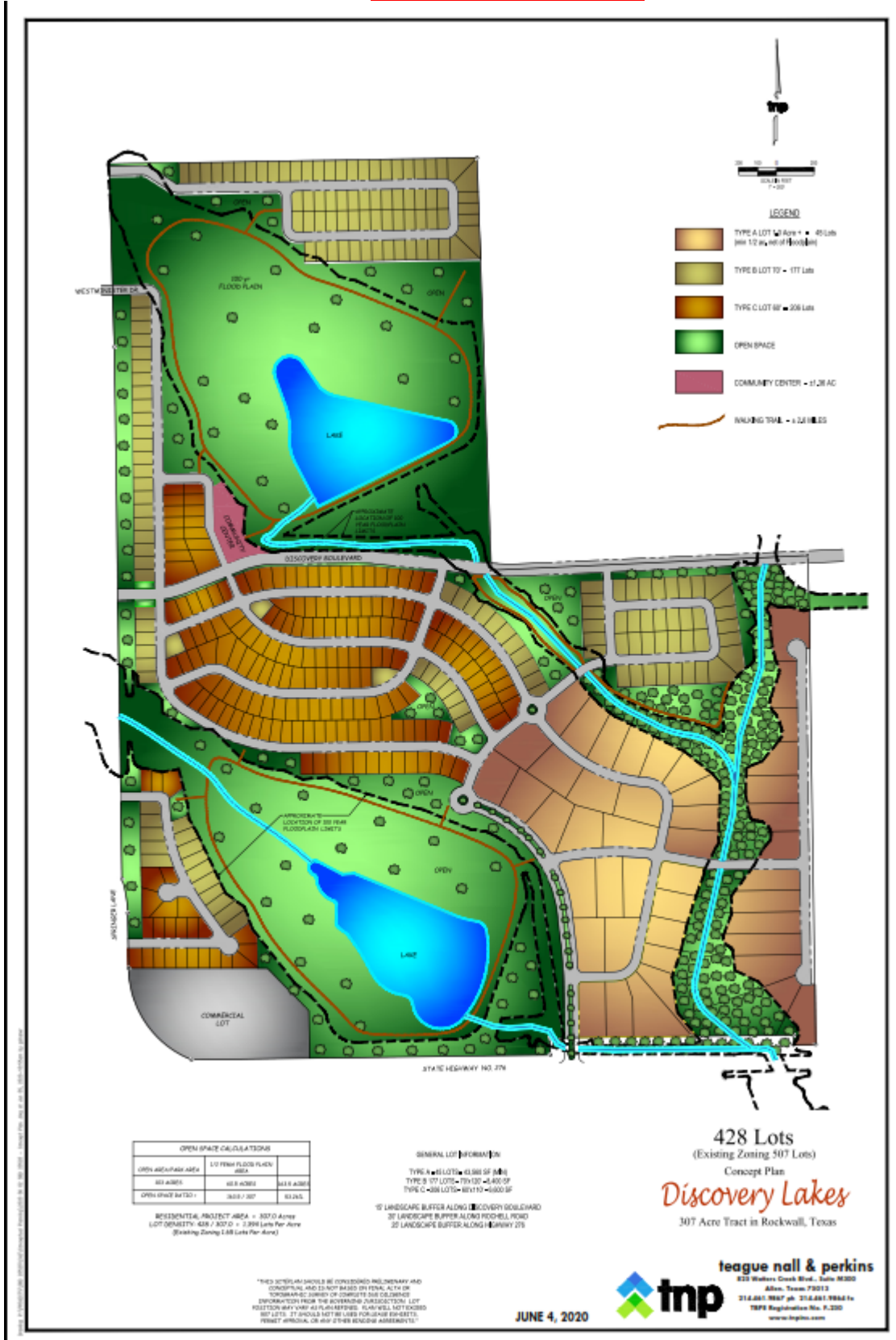
**507 LOTS**

"THIS SITE PLAN SHOULD BE CONSIDERED PRELIMINARY AND CONCEPTUAL AND IS NOT BASED ON FINAL DATA OR TOPOGRAPHIC SURVEY OR ENGINEERING. THE DESIGN AND CONSTRUCTION OF THE PROJECT SHALL BE THE RESPONSIBILITY OF THE OWNER. THE DESIGNER AND ENGINEER SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE OWNER SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE DESIGNER AND ENGINEER SHALL NOT BE RESPONSIBLE FOR ANY DELAYS OR COST INCREASES DUE TO CHANGES OR OMISSIONS BY THE OWNER. THE OWNER SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES."



**Exhibit 'C Existing and Proposed'**  
**Concept Plan**

**Proposed Concept Plan**





**Exhibit 'D':**  
*PD Development Standards*

**A. PURPOSE**

The purpose of this PD Zoning change is to allow for an area located at the southeastern portion of the property to be developed as a high-end custom home phase, with minimum one-acre single family residential lots. It is the desire of the owner to retain all the other non-conflicting entitlements on the property per the existing PD requirements and development standards with exceptions that will be noted throughout this document. The developer recognizes and accepts that the acreage utilized for this proposed custom phase will result in a loss of development density, from 507 single family homes to approximately 428 Single family homes. The owner requests the right and flexibility to replace smaller lot types with the one acre lot type throughout future phases of the development, without the need to re-zone the PD as long as the general intent and layout of the approved revised concept plan is followed and the total number of lots does not increase.

To facilitate review of the proposed PD revisions, sections and development standards that are to be revised as a part of this re-zoning request will be highlighted in yellow throughout the document. All proposed revisions have been incorporated into the attached revised concept plan.

**A.**

The Discovery Lakes Subdivision is located at the northeast corner of the intersection of SH-276 and Rochell Road. The *Subject Property* is a short walk or bike ride from the Rockwall Technology Park. The Discovery Lakes Subdivision will be a master planned residential neighborhood that will incorporate two (2) lakes, several acres of open space and ~~~3.82.6~~ miles of hiking/jogging/biking trails. The master plan calls for ~~507~~428 single-family homes. There will be several view corridors strategically placed within the subdivision along with *front loaded* lots to provide for the enjoyment of the open space. A boulevard with 85-feet of right-of-way will connect SH-276 and be constructed up to the first round-about of the one acre lot phase Discovery Boulevard. The boulevard will have a 14-foot landscape median and a 25-foot travel lane on each side of the street. The residential streets will be 29-foot back-to-back, with a 10½-foot parkway on each side for a total of 50-feet of right-of-way. A *Community Center* with a pool will be provided to add increased amenity for the subdivision. Commencement of the construction of the Community Center and pool will take place at or before the final platting of the 201<sup>st</sup> residential lot. Additionally, the proposed development will incorporate nine (9) acres of commercial space that will be located at the hard corner of SH-276 and Rochell Road. This area will allow for neighborhood service types of uses and eating establishments. A maximum of one (1) hotel planned to service the needs of the subdivision and the Rockwall Technology Park. A 55-acre area adjacent to the northern lake will be dedicated as public parkland to serve Park District No. 31. The Discovery Lakes Subdivision will be a benefit to the community, allowing citizens of all ages the opportunity to live, work, and play in a connected master planned community.

**B. GENERAL REQUIREMENTS**

***Development Standards.***

1. *Permitted Uses.* The following uses are permitted on the *Subject Property* in accordance with the Revised Concept Plan depicted in *Exhibit 'C'* of this ordinance.
  - (a) *Residential Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 10 (SF-10) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), shall be allowed for areas designated as *residential* on the *Concept Plan*.

**Exhibit 'D':**  
*PD Development Standards*

(b) *Non-Residential*. Unless specifically provided by this Planned Development ordinance, only those uses permitted within the General Retail (GR) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), shall be allowed for areas designated as *commercial* on the *Concept Plan*; however, the following conditions shall apply:

(i) The following additional uses shall be permitted as *by-right* uses on the *Subject Property*:

- Hotel, Hotel (*Full Service*) or Motel (*With a Maximum Height of Four [4] Stories*) <sup>1</sup>
- Restaurant (*with Drive-Through or Drive-In*) <sup>2</sup>
- Retail Store (*with more than two [2] Gasoline Dispensers*)

*Notes:*

<sup>1</sup>: A maximum of one (1) hotel/motel shall be permitted with this Planned Development District. The height requirement of four (4) stories is permitted to exceed 36-feet, but in no case shall exceed 60-feet.

<sup>2</sup>: A maximum of three (3) restaurants (despite the size of the restaurant) shall be permitted within this Planned Development District.

(ii) The following uses shall be prohibited on the *Subject Property*:

- Convent or Monastery
- Hotel, Residence
- Cemetery/Mausoleum
- Mortuary or Funeral Chapel
- Social Service Provider
- Billiard Parlor or Pool Hall
- Carnival, Circus, or Amusement Ride
- Commercial Amusement/Recreation (*Outside*)
- Gun Club, Skeet or Target Range (*Indoor*)
- Astrologer, Hypnotist, or Psychic Art and Science
- Garden Supply /Plant Nursery
- Night Club, Discotheque, or Dance Hall
- Secondhand Dealer
- Car Wash, Self Service
- Mining and Extraction (Sand, Gravel, Oil and/or Other)
- Helipad
- Railroad Yard or Shop
- Transit Passenger Facility

2. *Non-Residential Development*. The area designated as *commercial* on the Revised *Concept Plan* depicted in *Exhibit 'C'* of this ordinance shall be designed to be pedestrian-oriented, easily accessible, and integrated into the general design scheme of the adjacent neighborhood. This can be accomplished by removing the traditional barriers utilized to separate commercial and residential developments (e.g. *screening walls*) and incorporating landscape buffers/elements (e.g. *greenspace, parkways, and etcetera*) and urban design elements (e.g. *pathways, pergolas, and etcetera*) that can create compatibility with the adjacent single-family neighborhood. To better achieve this goal and in addition to the requirements of Section 4.1, *General Commercial District Standards*, and Section 6.14, *SH-276 Corridor Overlay (SH-276 OV) District*, of Article V, *District Development Standards*, of the Unified Development Code, all commercial development shall be required to adhere to the following supplemental standards:

**Exhibit 'D':**  
*PD Development Standards*

(a) *Retail Landscape*. Landscaping shall be reviewed and approved with the PD Site Plan. All Canopy/Shade Trees planted within the retail 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 unless otherwise provided within this document.

(b) *Retail Landscape Buffers*. All landscape and plantings located within the buffers shall be maintained by the property owner.

(1) *Landscape Buffer (Residential Adjacency)*. Where residential and retail uses share a direct adjacency, a minimum of a 30-foot landscape buffer shall be provided by the retail property adjacent to the residential property. This area shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the adjacency. This area should also incorporate pedestrian-oriented design elements (*e.g. pathways*) that allow access between the two (2) uses. Shrubby utilized in this area shall have a minimum height of 30-inches and a maximum height of 48-inches. Additionally, trees should be incorporated in this area to break up the façades of any commercial buildings.

(2) *Landscape Buffer and Sidewalks (SH-276)*. A minimum of a 15-foot landscape buffer shall be provided along the frontage of SH-276, and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. All buffer-strip planting requirements shall conform to the requirements of Section 6.14, *SH-276 Corridor Overlay (SH-276 OV) District*, of Article V, *District Development Standards*, of the Unified Development Code.

(3) *Landscape Buffer (Rochell Road Retail)*. A minimum of a 20-foot landscape buffer shall be provided along the frontage of Rochell Road (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage.

(c) *Sidewalks*.

i) *Sidewalk Adjacent to Rochell Road and SH-276*. The developer shall be responsible for the construction of a five (5) foot sidewalk that meanders through the required 20-foot landscape buffer adjacent to Rochell Road and SH-276.

3. *Residential Development Standards*. Except as modified by these *Development Standards*, the residential uses depicted in *Exhibit 'C'* of this ordinance shall be subject to the development standards for a Single Family 10 (SF-10) District as stipulated by Section 3.1, *General Residential District Standards*; Section 3.4, *Single-Family Residential (SF-10) District*; and Section 6.14, *SH-276 Corridor Overlay (SH-276 OV) District*, of Article V, *District Development Standards*, of the Unified Development Code. In addition, all residential development shall adhere to the following standards:

(a) *Lot Composition and Layout*. The lot layout and composition of the *Subject Property* shall generally conform to the Revised *Concept Plan* depicted in *Exhibit 'C'* and stated in



**Exhibit 'D':**  
**PD Development Standards**

Table 1 below. Allowances for changes to the quantity and locations of each lot type are permitted in conformance with the requirements listed below; however, in no case shall the proposed development exceed ~~435507~~ units.

**Table 1: Lot Composition**

Lot Type	Minimum Lot Size Dimensions (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	80' x <del>200</del> 120'	<del>9,600</del> 43,560 SF	<del>42</del> 145	<del>23.87</del> 10.51%
B	70' x 110'	7,700 SF	<del>42</del> 7177	<del>25.05</del> 41.36%
C	60' x 110'	6,600 SF	<del>259</del> 206	<del>51.08</del> 48.13%

Maximum Permitted Units: ~~507~~428 100.00%

The allocation of single-family dwellings among lot types may deviate from Table 1 provided that the proposed lot composition meets the following criteria:

- (1) The total number of lots does not exceed ~~435525~~ units; and,
- (2) The average lot size for the total development is not less than 7,500 SF (i.e. total square footage of all lots/total number of lots); and,
- (3) Lot Type "A" shall not be decrease below ~~115~~40 lots; and,
- (4) Lot Type "B" shall not be decreased below ~~38~~23% of the total ~~428~~507 lots; and,
- ~~(5)~~ Lot Type "C" shall not be increased beyond 55% of the total ~~507~~428 lots.

(b) **Density and Dimensional Requirements.** The maximum permissible density for the Subject Property shall not exceed 1.70 dwelling units per gross acre of land; however, in no case should the proposed development exceed ~~507~~435 units. All lots shall conform to the standards depicted in Table 2 below and generally conform to the Revised Exhibit 'C' of this ordinance.

**Table 2: Lot Dimensional Requirements**

Lot Type (see Concept Plan) ▶	A	B	C
Minimum Lot Width <sup>(1)</sup> & <sup>(5)</sup> & <sup>(7)</sup>	80'	70'	60'
Minimum Lot Depth	<del>120</del> 200'	110'	110'
Minimum Lot Area <sup>(8)</sup>	<del>9,600</del> 43,560 SF	7,700 SF	6,600 SF
Minimum Front Yard Setback <sup>(2)</sup> & <sup>(6)</sup>	<del>20</del> 25'	20'	20'
Minimum Side Yard Setback	<del>6</del> 10'	5'	5'
Minimum Side Yard Setback (Adjacent to a Street) <sup>(2)</sup>	<del>15</del> 20'	15'	15'
Minimum Length of Driveway Pavement	<del>20</del> 25'	20'	20'
Maximum Height <sup>(3)</sup>	36'	36'	36'
Minimum Rear Yard Setback <sup>(4)</sup>	<del>15</del> 20'	10'	10'
Minimum Area/Dwelling Unit (SF) [Air Conditioned Space]	<del>2,800</del> 3,200 SF	2,250 SF	2,000 SF
Garage Orientation	J-Swing or Front	J-Swing or Front	J-Swing or Front
Maximum Number of Front Entry Garages Permitted	<del>48</del> 15	42	173
Maximum Lot Coverage	65%	65%	65%

**General Notes:**

- 1: The minimum lot width shall be measured at the Front Yard Building Setback.
- 2: The location of the Front Yard Building Setback as measured from the front property line.
- 3: The Maximum Height shall be measured to the eave or top plate (whichever is greater) of the single family home.
- 4: As measured from the rear yard property line.
- 5: Lots fronting onto a curvilinear street, cul-de-sac or eyebrow may have the lot width reduced by up to

**Exhibit 'D':**  
*PD Development Standards*

20% as measured at the front property line provided that the lot width is met at the front building line. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows maybe reduced by up to ten (10%) percent, but shall meet the minimum lot size for each lot type.

6. Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the Front Yard Building Setback by up to ten (10) feet for any property that increases the Front Yard Building Setback to 20-feet; however, the encroachment shall not exceed five (5) feet on Side Yard Setbacks (Adjacent to a Street) and shall not encroach into public right-of-way [a Sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces].
7. All lots with a *J-Swing* or *Traditional Swing* driveway require a minimum of a 65-foot lot width.
8. All Type "A" lots shall have a minimum of 22,000 SF outside the limits of the 100 year Floodplain and the city's erosion hazard setback. Area within the floodplain that is contiguous to the 22,000 sf lot area and extends along the projected property line boundaries to the centerline of the floodplain area shall be restricted to recreational use only and no permanent structures, improvements, excavation or placement of fill are allowed in the floodplain or erosion hazard setback area. Trees in the designated flood area are to be left in a natural state and can only be removed if disease or significant damage has occurred to the trees.

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

- (1) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all buildings shall be 80%. For the purposes of this ordinance the masonry requirement shall be limited to full width brick, natural stone, and cultured stone. Cementaceous fiberboard horizontal lap-siding (e.g. *HardiBoard* or *Hardy Plank*) and/or stucco (i.e. *three [3] part stucco* or a comparable -- to be determined by staff) shall be permitted to be used to meet up to 50% of the masonry requirement.

- (2) *Roof Pitch.* A minimum of an 8:12 roof pitch is required on all structures with the exception of porches, which shall have a minimum of a 4:12 roof pitch **for all Type B&C Lots.- Type A lots may have variable pitch roofs that may vary from the minimum standards if they conform to a specific architectural theme as submitted and approved by the developer and or the HOA.**

- (3) *Garage Orientation.* Garages shall be provided as stipulated by *Table 2: Lot Dimensional Requirements*. Garages permitted for front entry maybe oriented toward the street; however, the front façade of the garage must be situated a minimum of 20-feet off the front property line. All front entry garages shall incorporate an architectural element or feature separating the individual garage openings. *Swing, Traditional Swing* or *J-Swing* garages are permitted to have a second single garage door facing the street as long as it is behind the width of the double garage door situated in the *Swing* configuration.

- ~~(3)~~(4) *Onsite Sanitary Sewer Facilities (OSSF's).* OSSF's shall be allowed on Type "A" lots only, and must contain a minimum of 22,000 SF outside of any floodplain boundary and City of Rockwall's erosion hazard setback line. OSSF's shall be designed by a State of Texas registered Professional Engineer, and each design shall specify an aerobic type system with drip (underground) irrigation systems. All systems shall meet the standards of the Texas Commission on Environmental Quality (TCEQ) and each installed system shall be inspected and by a third party licensed Inspector and paid for by the developer. Operation and maintenance of each individual OSSF shall be the responsibility of the homeowner and the city shall take no responsibility whatsoever as to the proper design, installation, operation and maintenance of the system. In addition to the installation of OSSF's for the Type "A" lots, each constructed home must provide a secondary connection that will

**Exhibit 'D':**  
*PD Development Standards*

allow the resident to disconnect and abandon the OSSF and connect to the City provided sanitary sewer system, if and when it becomes available. The Developer, during the development of any phase that contains any Type "A" lots will be responsible to construct properly sized underground sanitary sewer mains with appropriate sewer laterals to allow for connection to Type "A" homes when and if the City provides City Sanitary Sewer service to the development. The cost to disconnect from the OSSF and connect to the City's system shall be at the sole cost of the homeowner, and an appropriate disclosure regarding this potential obligation and cost shall be a part of all real-estate contracts between developer, homebuilder and homeowner.

- (d) *Anti-Monotony Restrictions.* The development shall adhere to the Anti-Monotony Matrix depicted in Table 3 below (for spacing requirements see the illustration on the following page).

Table 3 : Anti-Monotony Matrix

<i>Lot Type</i>	<i>Minimum Lot Size</i>	<i>Elevation Features</i>
A	80' x <del>200</del> 120'	(1), (2), (3)
B	70' x 110'	(1), (2), (3)
C	60' x 110'	(1), (2), (3)

- (1) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least four (4) intervening homes of differing materials on the same side of the street beginning with the adjacent property and two (2) intervening homes of differing materials on the opposite side of the street.
- (2) Front building elevations shall not repeat along any block face without at least four (4) intervening homes of differing appearance on the same side of the street and two (2) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on SH-276 shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
  - (a) Number of Stories
  - (b) Permitted Encroachment Type and Layout
  - (c) Roof Type and Layout
  - (d) Articulation of the Front Façade
- (3) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*). Type A lots may use slate, imitation slate, tile, concrete tile or other imitation tile, standing seam metal, or other high-end type roof materials as approved by the developer.

*See the Illustrations on the following page.*



**Exhibit 'D':**  
*PD Development Standards*

*Illustration 1: Properties line up on the opposite side of the street. Where RED are the same.*



*Illustration 2: Properties do not line up on opposite side of the street. Where RED are the same.*



(e) *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:

- (1) *Wood Fences.* All wood fences shall be constructed of a standard fencing material (*minimum of ½" thickness or better; spruce fencing will not be allowed*), and use fasteners that are hot dipped galvanized or stainless steel. Wood fences facing onto a street shall be painted and/or stained and sealed with all pickets being placed on the *public side* facing the street. All wood fences shall be smooth-finished, free of burs and splinters, and be a maximum of eight (8) feet in height.
- (2) *Wrought Iron/Tubular Steel.* Lots located along the perimeter of roadways, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of eight (8) feet in height.

**Exhibit 'D':**  
*PD Development Standards*

- (3) *Corner Lots.* Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of eight (8) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.
- (4) *Solid Fences (including Wood Fences).* All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

(f) *Landscape and Hardscape Standards.*

- (1) *Residential Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within the residential development shall be a minimum of three (3) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height unless otherwise provided within this document.
- (2) *Single Family Landscaping.* Prior to the issuance of a Certificate of Occupancy (CO) all single-family lots shall conform to the following:

- i) *Interior Lots.* All interior lots shall include a minimum of two (2) trees with a diameter at breast height (dbh) [*i.e. the diameter in inches of a tree as measured through the main trunk at a point of four and one-half (4½) inches above the natural ground level*] of three (3) inches shall be planted in the front yard, and two (2) additional trees of the same caliper inch shall be planted in the side yard facing the street for corner lots.

*Note: For the purposes of this section only, the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.*

- ii) *Corner Lots.* All corner lots shall include a minimum of two (2) trees with a diameter at breast height (dbh) [*i.e. the diameter in inches of a tree as measured through the main trunk at a point of four and one-half (4½) inches above the natural ground level*] of three (3) inches shall be planted in the front yard of an interior lot.
- (3) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

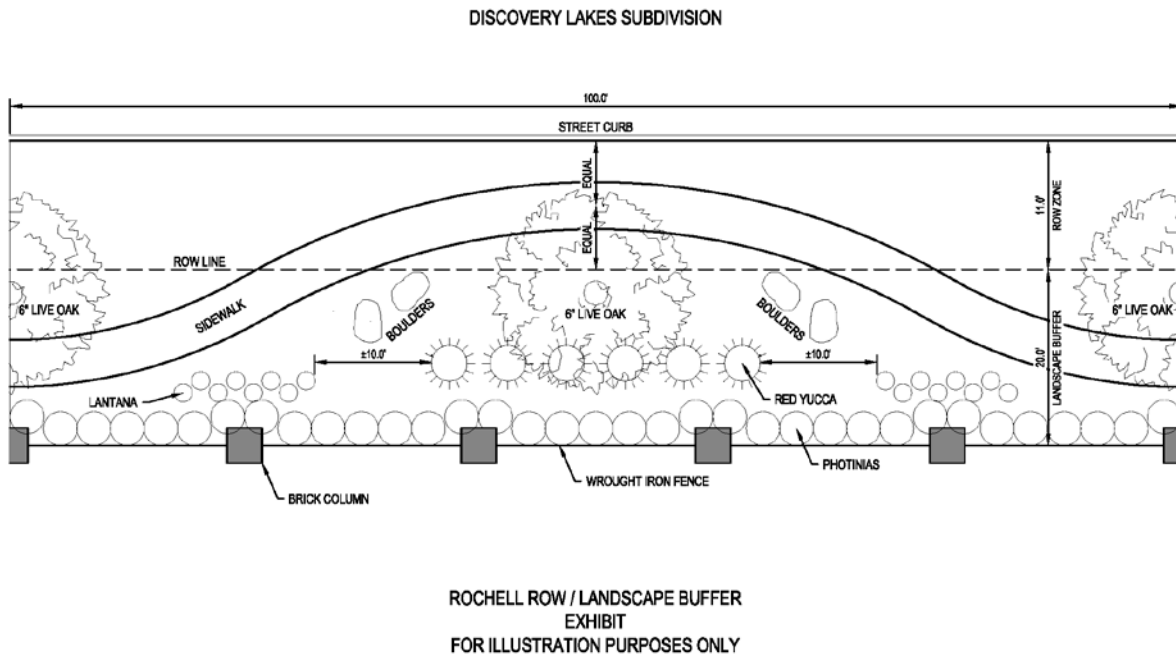
- (a) *Landscape Buffer and Sidewalks (Discovery Boulevard).* A minimum of a 15-foot landscape buffer shall be provided along the frontage of Discovery Boulevard, and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least one (1) canopy tree shall be planted per 30-feet of linear frontage.

- (b) *Landscape Buffer (Rochell Road).* A minimum of a 20-foot landscape buffer shall be provided along the frontage of Rochell Road (*outside of and beyond*

**Exhibit 'D':**  
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any required right-of-way dedication), and shall incorporate ground cover, a built-up berm and/or shrubbery or a combination thereof along the entire length of the frontage. Shrubby shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The landscape buffer along Rochell Road shall general conform to the following illustration [i.e. Illustration 3].

*Illustration 3: Landscape Buffer along Rochell Road.*



(c) *Landscape Buffer (SH-276)*. A minimum of a 25-foot landscape buffer shall be provided along the frontage of SH-276, and shall incorporate ground cover, a built-up berm and/or shrubbery or a combination thereof along the entire length of the frontage. Shrubby shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, at least three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. In addition, all buffer-strip planting requirements shall conform to the requirements of Section 6.14, *SH-276 Corridor Overlay (SH-276 OV) District*, of Article V, *District Development Standards*, of the Unified Development Code (i.e. minimum four [4] inch caliper trees required).

(4) *Irrigation Requirements*. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner’s Association (HOA).

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



**Exhibit 'D':**  
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~~(5)(6)~~ Faux Guard entry feature for Type "A" lot Phase. A faux guard entry with video monitoring shall be allowed at one or more of the entrances of the Type "A" lot phase. These guard entry features will be unmanned but may contain a video recording device of traffic into and out of this phase. Guard entry feature plans and associated landscaping shall be reviewed and approved with the PD Site Plan.

(g) *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.

(h) *Sidewalks.*

i) *Internal Sidewalks.* All sidewalks adjacent to an interior residential street shall begin 5½-feet from the back of curb and be five (5) feet in overall width.

ii) *Sidewalks Adjacent to Rochell Road and Discovery Boulevard.* All sidewalks adjacent Rochell Road and Discovery Boulevard shall begin two (2) feet inside the right-of-way line and be five (5) feet in overall width.

(i) *Open Space.* The development shall consist of a minimum of 20% open space as calculated from the gross land area, and generally conform to the *Concept Plan* contained in the Revised Exhibit 'C' of this ordinance. Existing floodplain shall be counted at a rate of ½-acre for every acre provided (*e.g., 10-acres of floodplain would count as 5-acres of open space*). The Homeowner's Association (HOA) shall maintain all open space areas.

(j) *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.

(k) *Community Center.* A site plan, landscape plan and building elevations shall be required for the proposed *Community Center* and shall be subject to site plan approval by the Planning and Zoning Commission prior to construction. Commencement of the construction of the Community Center and pool will take place at or before the final platting of the 201<sup>st</sup> residential lot.

(l) *Homeowner's Association (HOA).* A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the Subdivision Regulations contained within the *Municipal Code of Ordinances* of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, amenity centers, screening fences associated with this development.

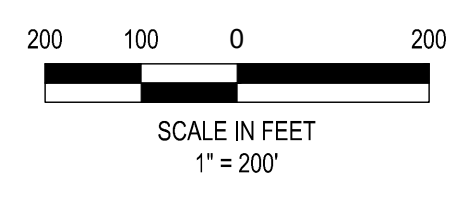
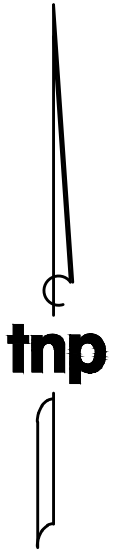
4. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*3-phase lines*), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be

**Exhibit 'D':**  
*PD Development Standards*

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.

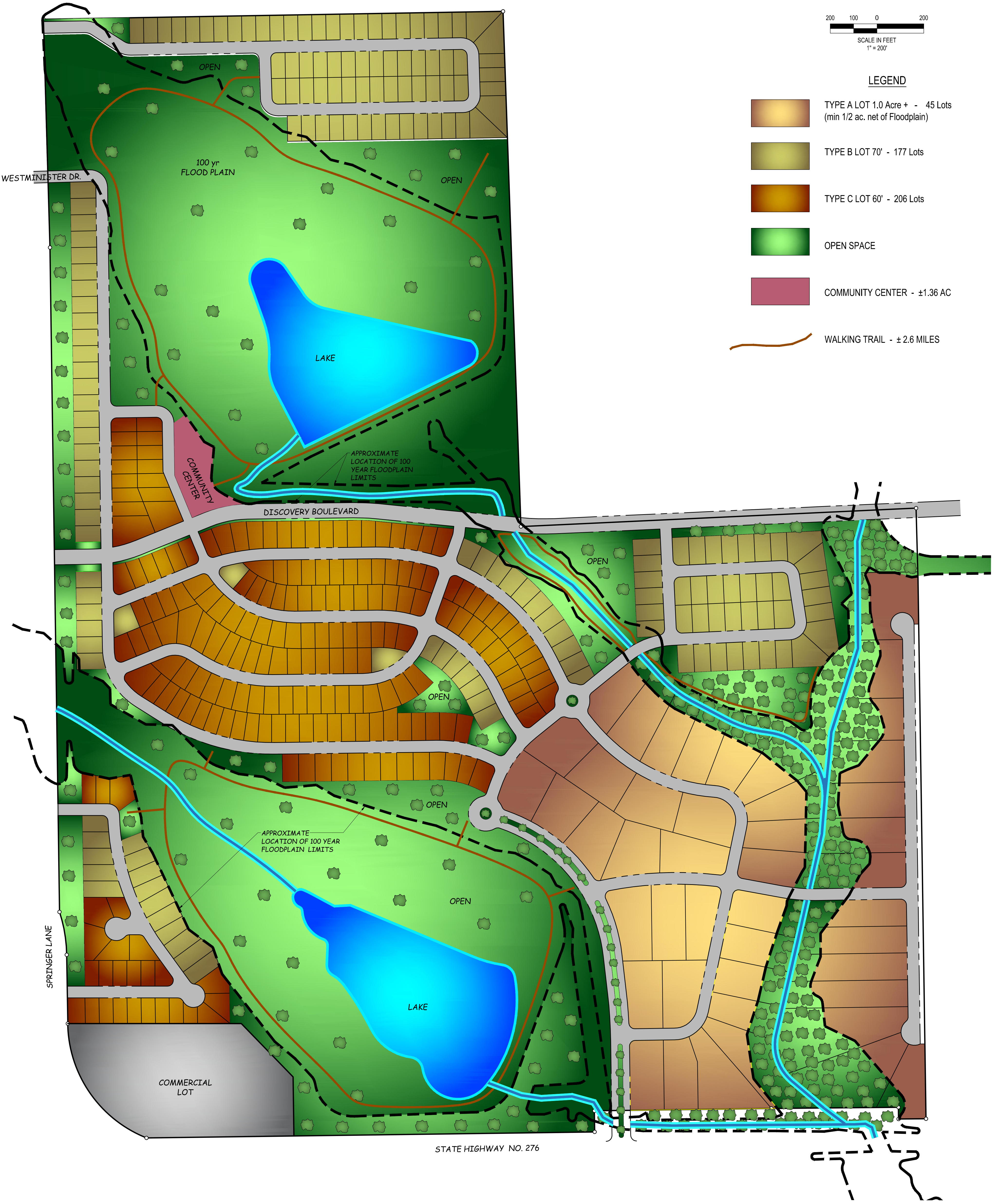
5. *Variances.* The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.





**LEGEND**

- TYPE A LOT 1.0 Acre + - 45 Lots (min 1/2 ac. net of Floodplain)
- TYPE B LOT 70' - 177 Lots
- TYPE C LOT 60' - 206 Lots
- OPEN SPACE
- COMMUNITY CENTER - ±1.36 AC
- WALKING TRAIL - ± 2.6 MILES



OPEN SPACE CALCULATIONS		
OPEN AREA/PARK AREA	1/2 FEMA FLOOD PLAIN AREA	
103 ACRES	60.5 ACRES	163.5 ACRES
OPEN SPACE RATIO =	163.5 / 307	53.26%

RESIDENTIAL PROJECT AREA = 307.0 Acres  
 LOT DENSITY: 428 / 307.0 = 1.394 Lots Per Acre  
 (Existing Zoning 1.65 Lots Per Acre)

**GENERAL LOT INFORMATION**

TYPE A - 45 LOTS - 43,560 SF (MIN)  
 TYPE B 177 LOTS - 70'x120' - 8,400 SF  
 TYPE C - 206 LOTS - 60'x110' - 6,600 SF

15' LANDSCAPE BUFFER ALONG DISCOVERY BOULEVARD  
 20' LANDSCAPE BUFFER ALONG ROCHELL ROAD  
 25' LANDSCAPE BUFFER ALONG HIGHWAY 276

**428 Lots**  
 (Existing Zoning 507 Lots)

Concept Plan

*Discovery Lakes*

307 Acre Tract in Rockwall, Texas

"THIS SITEPLAN SHOULD BE CONSIDERED PRELIMINARY AND CONCEPTUAL AND IS NOT BASED ON FINAL ALTA OR TOPOGRAPHIC SURVEY OF COMPLETE DUE DILIGENCE INFORMATION FROM THE GOVERNING JURISDICTION. LOT POSITION MAY VARY AS PLAN REFINED. PLAN WILL NOT EXCEED 507 LOTS. IT SHOULD NOT BE USED FOR LEASE EXHIBITS, PERMIT APPROVAL OR ANY OTHER BINDING AGREEMENTS."

JUNE 4, 2020



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Drawing: P:\PROJECTS\880\_2020\01\Conceptual Planning\2020\_06\_02\_S80\_2020\_05\_2020-10-15.dwg at Jun 05, 2020 - 10:55am by gshane