



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 2020-045

**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>
- 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 1447 FM 1141, Rockwall, TX 75087

Subdivision J. M. Glass Survey

Lot N/A

Block N/A

General Location Southeast corner of FM 552 and FM 1141

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

Current Zoning NS and SF-16

Current Use AG

Proposed Zoning PD - SF - 7

Proposed Use Residential subdivision

Acreage 121.16

Lots [Current] 109

Lots [Proposed] 264

**SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

## OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

Owner Unison Investment, a California LP

Applicant Michael Joyce Properties, LLC

Contact Person JEN-LIANG WU, General Partner

Contact Person Ryan Joyce

Address 23545 Crenshaw Blvd  
Ste 201

Address 1189 Waters Edge Dr

City, State & Zip Torrance, CA 90505

City, State & Zip Rockwall, TX 75087

Phone 310-325-0300

Phone 512-965-6280

E-Mail Uniiinv@aol.com

E-Mail Ryan@michaeljoyceproperties.com

## NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Jen-Liang Wu [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ \_\_\_\_\_, to cover the cost of this application, has been paid to the City of Rockwall on this the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 14 day of October, 20 20.

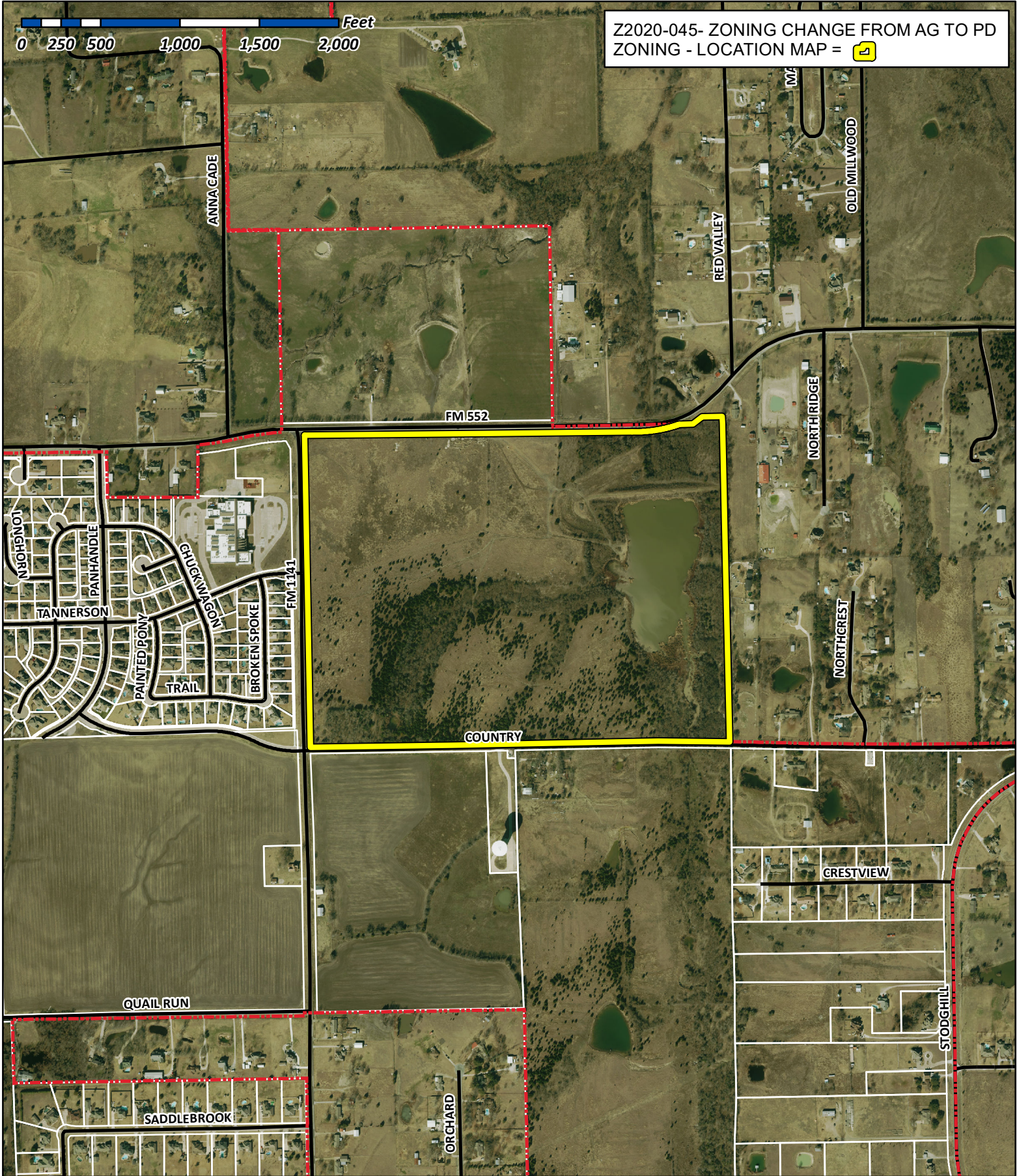
Owner's Signature

Notary Public in and for the State of California



My Commission Expires sep. 23, 2024





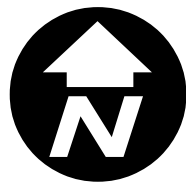
Z2020-045- ZONING CHANGE FROM AG TO PD  
 ZONING - LOCATION MAP =



# 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.







## Miller, Ryan

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**From:** Gamez, Angelica  
**Sent:** Wednesday, October 21, 2020 2:20 PM  
**Cc:** Miller, Ryan; Gonzales, David; Lee, Henry  
**Subject:** Neighborhood Notification Program  
**Attachments:** Public Notice (10.20.2020).pdf; HOA Map Z2020-045.pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that was published in the Rockwall Herald Banner on *Friday, October 23, 2020*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, November 10, 2020 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, November 16, 2020 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

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

### **Z2020-045 Zoning Change from SF-16 & NS to PD**

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

Thank you,

*Angelica Gamez*

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

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

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

OLIVER MICHAEL  
1832 TRAIL DRIVE  
ROCKWALL, TX 75087

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

FOSTER BRIAN AND DEIDRE  
1834 TRAIL DRIVE  
ROCKWALL, TX 75087

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

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

REAMSBOTTOM DELAYNE  
1837 TRAIL DRIVE  
ROCKWALL, TX 75087

STOVALL KEVIN  
1847 TANNERSON DRIVE  
ROCKWALL, TX 75087

ROCKWALL I S D  
1880 TANNERSON  
ROCKWALL, TX 75087

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

CITY OF ROCKWALL  
205 W RUSK ST  
ROCKWALL, TX 75087

UNISON INVESTMENT  
23545 CRENSHAW BLVD STE 201  
TORRANCE, CA 90505

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

KIM BUNNA  
2908 BROKEN SPOKE LN  
ROCKWALL, TX 75087

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

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

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

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

CONFIDENTIAL  
2914 CHUCK WAGON DR  
ROCKWALL, TX 75087

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

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

LOGWOOD DANA CELESTE  
2916 CHUCK WAGON DR  
ROCKWALL, TX 75087

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

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

DORROUGH JEFFREY  
2918 CHUCK WAGON DR  
ROCKWALL, TX 75087

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

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

BOYD JOEY D  
2920 CHUCK WAGON DR  
ROCKWALL, TX 75087

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

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

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

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

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

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

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

PEARCE CAROL ALLEY  
721 N COUNTRY LN  
ROCKWALL, TX 75087

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

# PUBLIC NOTICE



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

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

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

**Case No. Z2020-045: Zoning Change from SF-16 & NS to PD**

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

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, November 10, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, November 16, 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, November 16, 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. Z2020-045: Zoning Change from SF-16 & NS to PD**

**Please place a check mark on the appropriate line below:**

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

[Redacted area]

Name: [Redacted]  
Address: [Redacted]

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

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



October 16, 2020

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

Dear Mr. Miller,

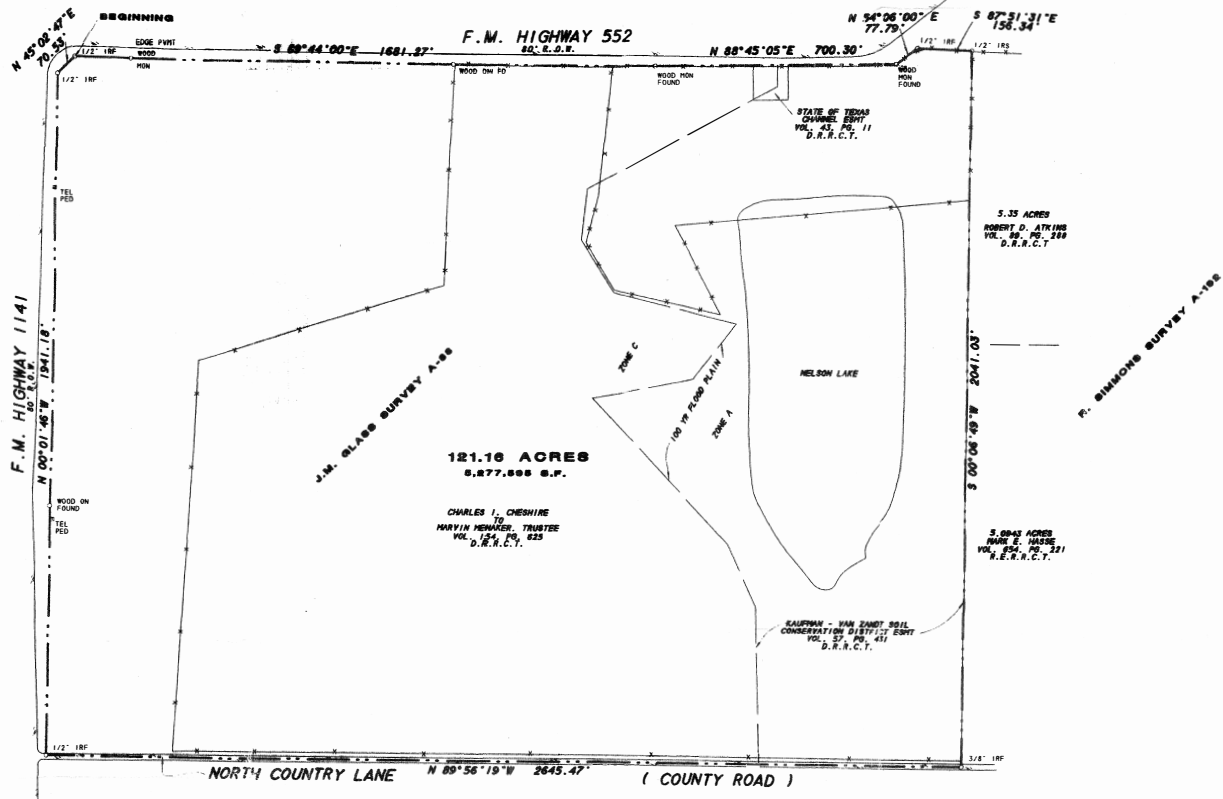
Michael Joyce Properties, LLC is requesting that our project be taken to the November 10<sup>th</sup>, 2020 Planning and Zoning Meeting. This project is the development of 121.16 Acres in the J.M. Glass Survey, Tract 2 Abstract 88, City of Rockwall, Rockwall County, located at the Southeast corner of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

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

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

Cordially Yours,

Ryan Joyce



**DESCRIPTION**

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

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

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

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

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

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

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

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

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

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

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

**NOTES**

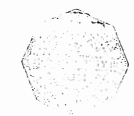
1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 480543 0035 B, dated SEPT 17, 1980, this property lies in Zones A & C. Part of this property does appear to be within a 100-year flood plain.

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

**SURVEYOR'S CERTIFICATE**

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

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







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

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

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

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

Kaufman Van Zandt Soil Conservation District  
Soil Conservation District

BY Frank Springer  
 Chairman, Board of Supervisors

THE STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

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

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

Notary Public in and for \_\_\_\_\_

SEAL  
 My Commission Expires: 6-1-57 County, \_\_\_\_\_

THE STATE OF Texas

COUNTY OF Rockwall

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

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

Frank Springer  
 Notary Public in and for Rockwall  
Rockwall County Texas

SEAL  
 My Commission Expires: June 1, 1957

THE STATE OF Texas

COUNTY OF \_\_\_\_\_

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

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

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

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

SEAL:  
My commission expires: June 19, 1957

THE STATE OF Texas

COUNTY OF Bosque

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

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

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

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

SEAL:  
My commission expires:

WIFE'S SEPARATE ACKNOWLEDGMENT

THE STATE OF TEXAS, }  
COUNTY OF Rockwall }

BEFORE ME, the undersigned, a Notary Public,

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

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

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

THE STATE OF Texas

COUNTY OF \_\_\_\_\_

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

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

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

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

A. D. 1957.

Gayle C. Wright  
Notary Public in and for Dallas  
County \_\_\_\_\_

SEAL:

My commission expires: 6/1/57

THE STATE OF Texas

COUNTY OF \_\_\_\_\_

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

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

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

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

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

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

SEAL

My commission expires: 6-1-57



THE STATE OF Texas  
COUNTY OF Rockwall

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

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

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

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

SEAL  
THE STATE OF TEXAS  
COUNTY OF ROCKWALL

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

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

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

SIGNED: James R. Dudley  
SIGNED: Joan Nell Dudley

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

SEAL  
My commission expires: 6-1-1957

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

THE STATE OF Texas  
COUNTY OF Rockwall

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

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

Frank Springer  
Notary Public in and for  
Rockwall County Texas

SEAL  
My Commission Expires: 6-1-1957

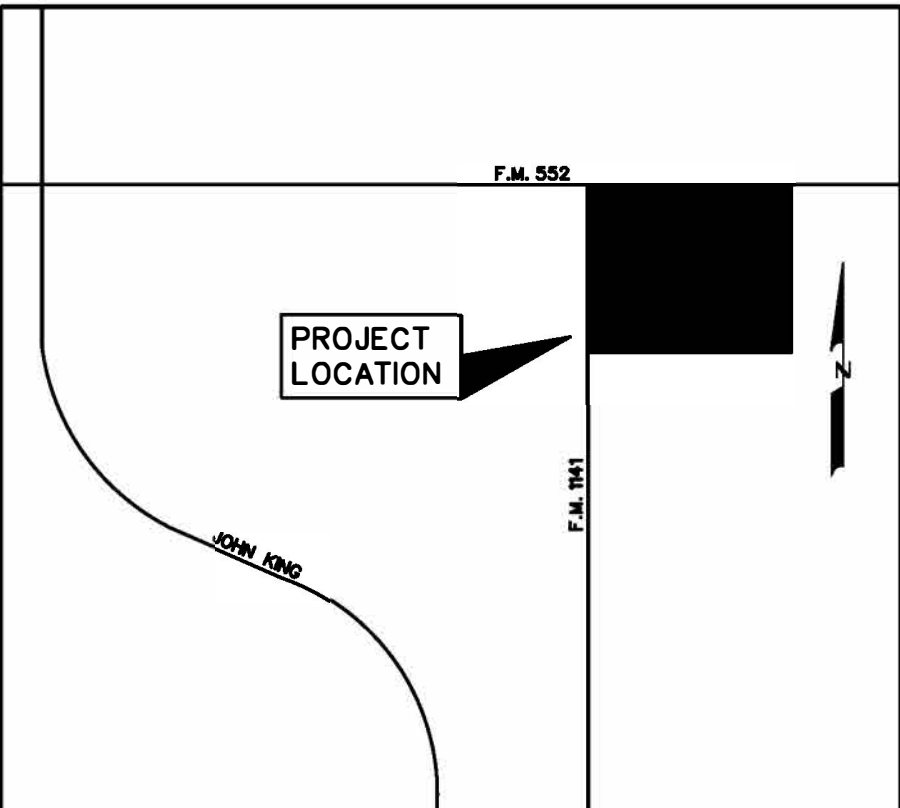
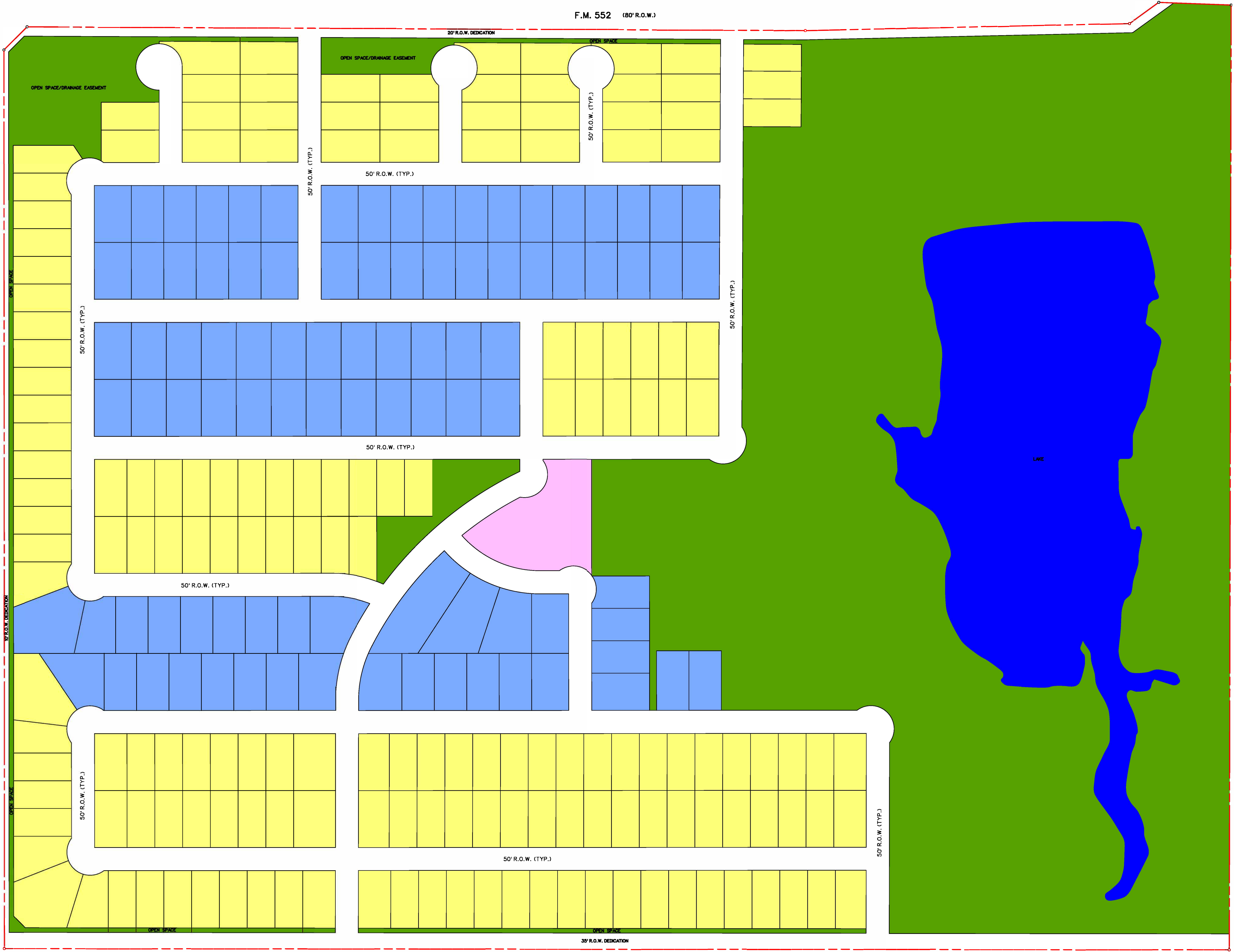
FILED FOR RECORD 16 DAY OF April A.D. 1958, AT 2-30 M.

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

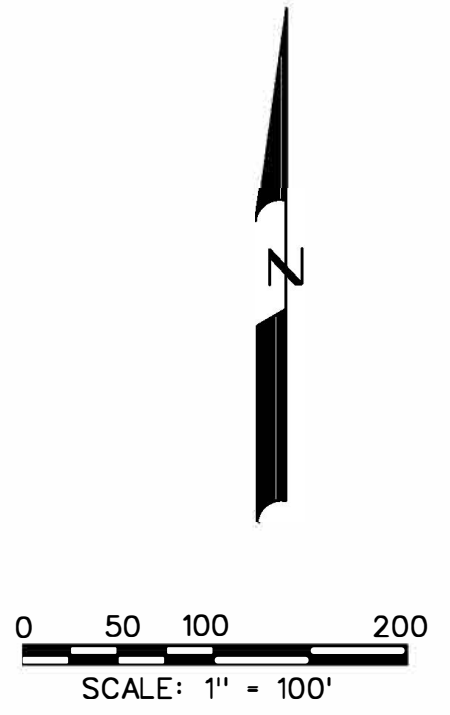
Deborah Wimpee  
DERWOOD WIMPEE, CLERK COUNTY COURT, ROCKWALL COUNTY, TEXAS.

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

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



LOCATION MAP  
N.T.S.



LEGEND	
TYPICAL LOT SIZES	
<span style="display:inline-block; width:15px; height:15px; background-color:yellow; border:1px solid black;"></span>	- 60' X 123' - 171 LOTS
<span style="display:inline-block; width:15px; height:15px; background-color:blue; border:1px solid black;"></span>	- 70' X 123' - 93 LOTS
<span style="display:inline-block; width:15px; height:15px; background-color:green; border:1px solid black;"></span>	- PUBLIC OPEN SPACE/ LANDSCAPE BUFFER - 48.742 AC.
<span style="display:inline-block; width:15px; height:15px; background-color:pink; border:1px solid black;"></span>	- AMENITY CENTER - 1.006 Ac.

EXHIBIT B - CONCEPT PLAN  
OF  
**NELSON LAKE ESTATES**

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

IN THE  
CITY OF ROCKWALL  
ROCKWALL COUNTY, TEXAS

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

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

NORTH COUNTY LANE

TOTAL ACRES 121.158  
TOTAL RESIDENTIAL LOTS 264  
RESIDENTIAL DENSITY 2.178

**Exhibit 'C':**  
*PD Development Standards*

**A. GENERAL REQUIREMENTS**

***Development Standards.***

1. *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 7 (SF-7) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.
2. *Lot Composition and Layout.* The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* and stated in *Table 1*, which is as follows:

Table 1: Lot Composition

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)
A	70' x 120'	8,400 SF
B	60' x 120'	7,000 SF

3. *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, the development standards stipulated by the Single Family 7(SF-7) District, as specified by Article V, *District Development Standards*, of the Unified Development Code are applicable to all development on the *Subject Property*. The maximum permissible density for the *Subject Property* shall not exceed 3 dwelling units per gross acre of land. All lots shall conform to the standards depicted in *Table 2*, which is as follows:

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ►	A	B
<i>Minimum Lot Width/Frontage</i> <sup>(1)</sup>	70'	60'
<i>Minimum Lot Depth</i>	120'	120'
<i>Minimum Lot Area</i>	8,400 SF	7,000 SF
<i>Minimum Front Yard Setback</i> <sup>(3)</sup>	20'	20'
<i>Minimum Side Yard Setback</i>	5'	5'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i>	10'	10'
<i>Minimum Length of Driveway Pavement</i>	20'	20'
<i>Maximum Height</i>	36'	36'
<i>Minimum Rear Yard Setback</i>	10'	10'
<i>Minimum Area/Dwelling Unit (SF)</i> <sup>(2)</sup>	2,000 SF	2,000 SF
<i>Maximum Lot Coverage</i>	65%	65%

General Notes:

- <sup>1</sup>: Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may have the front lot width reduced by 20% as measured at the front property line provided that the lot width will be met at the front building line. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to 10%, but shall meet the minimum lot size for each lot type as referenced within *Table 1*.
- <sup>2</sup>: A maximum of 20% of the lots may have homes not less than 1,500 SF.
- <sup>3</sup>: The Director of Planning or his designee may grant a reduction in the required 20-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 20-foot front yard building setback would create an undue hardship on the property.



**Exhibit 'C':**  
*PD Development Standards*

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

- (a) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all buildings shall be 80% overall. For the purposes of this ordinance the masonry requirement shall be limited to full width brick, natural stone, cast stone, cementaceous fiberboard horizontal lap-siding (e.g. *HardiBoard* or *Hardy Plank*) and, stucco (i.e. *three [3] part stucco* or a comparable -- to be determined by staff).
- (b) *Roof Pitch.* A minimum of overall 8:12 roof pitch is required on all structures with the exception of sunrooms, covered patios, dormers and porches, which shall have a minimum of a :12 roof pitch. Front and rear elevations may have 6:12 roof pitch.
- (c) *Garage Orientation.* Garages shall be oriented in a front entry configuration. If a front entry garage configuration is utilized that garage shall be located at least 20-feet behind the front building line.
  - a. *Off Street Parking Requirement.* An enclosed garage and a twenty (20) foot driveway shall be considered in meeting the off-street parking requirement.

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

*Table 3 : Anti-Monotony Matrix*

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

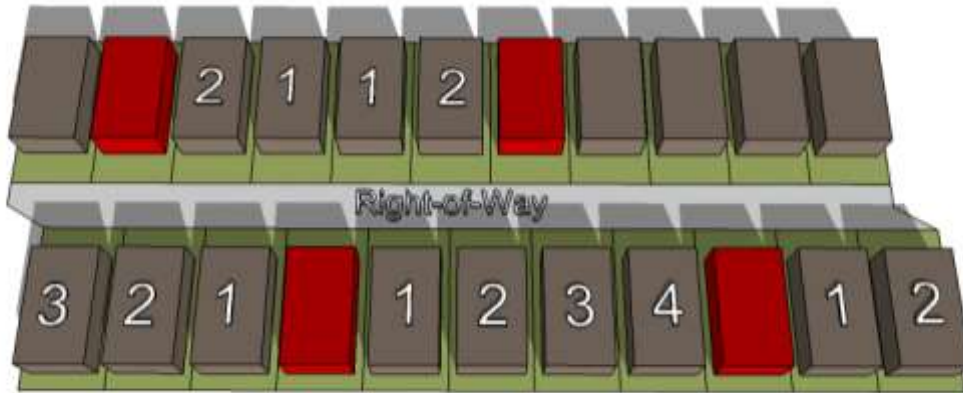
*See the Illustrations on the following page.*

**Exhibit 'C':**  
*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.*



6. **Fencing Standards.** All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:
  - (a) **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. Generally, the Wood Fences shall be cedar, with a minimum height of 6 feet, with metal posts. 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 minimum of six (6) feet in height.

**Exhibit 'C':**  
*PD Development Standards*

7. *Landscape and Hardscape Standards.*

- (1) *Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within this development, unless specifically provided by this PD Ordinance, shall be a minimum of three (3) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of three (3) feet in total height. The following tree species are approved for planting within this subdivision:
  - (a) *Canopy/Shade Trees.* Bald Cypress, Cedar Elm, Texas Red Oak, Homestead Elm, Lace Bark Elm, Alle Elm, Chinese Pistachio, Shumard Oak, Sycamore, and Burr Oak.
  - (b) *Accent/Ornamental/Under-Story Trees.* Texas Redbud, Eve's Necklace, Mexican Plum, Downy Hawthorn, Crepe Myrtle, Texas Mountain Laurel, Vitex, and Desert Willow.
- (2) *Perimeter Fencing and Landscaping.* All Perimeter Fencing will be owned and maintained by the Homeowner's Association (HOA).
  - (a) *Perimeter Fencing.* A minimum six (6) foot Tubular Steel Fence with Masonry Columns will be installed in accordance with the PD site plan.
  - (b) *Perimeter Landscaping.* Perimeter Landscaping will be installed in accordance with the PD site plan.
- (3) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).
  - (a) *Landscape Buffer (N. Country Ln).* A minimum of a 5-foot landscape buffer shall be provided along the frontage of N. Country Ln (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover.
  - (b) *Landscape Buffer (F.M. 1141).* A minimum of a 10-foot landscape buffer shall be provided along the frontage of F.M. 1141 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover.
  - (c) *Landscape Buffer (F.M. 552).* A minimum of a 10-foot landscape buffer shall be provided along the frontage of F.M. 552 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover.
- (4) *Streetscape Landscaping.* Prior to the issuance of a Certificate of Occupancy (CO), all residential, single family lots situated within the proposed subdivision shall be landscaped with canopy trees from the list stipulated by *Section 7(1)* of this ordinance in the following sizes and proportions:
  - (i) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.



**Exhibit 'C':**  
*PD Development Standards*

- (ii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two (2), three (3) inch caliper trees shall be planted in the side yard facing the street.

*Note: For the purposes of this section only [i.e. Section 7(3)], the term "front yard" includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.*

- (5) *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.
  - (6) *Hardscape.* Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the PD Site Plan.
8. *Street.* All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to City street standards.
  9. *Lighting.* Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.
  10. *Sidewalks.* At a minimum, all sidewalks located on lay down curb section streets shall begin four (4) feet behind the back of curb and be four (4) feet in overall width.
  11. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.
  12. *Open Space.* The development shall consist of approximately thirty-nine percent (39%) or 48.7 acres of open space.
  13. *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision and shall generally conform to the signage depicted in *Figures 1 & 2 (below)*. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.
  14. *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.

**Exhibit 'C':**

*PD Development Standards*

15. *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.

CITY OF ROCKWALL

ORDINANCE NO. 20-XX

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

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

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

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

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

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

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

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

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

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

- (a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance [*including Subsections 5(b) through 5(g) below*], shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.
- (b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for a *Master Parks and Open Space Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.
  - (1) Master Parks and Open Space Plan
  - (2) Master Plat
  - (3) Preliminary Plat
  - (4) PD Site Plan
  - (5) Final Plat
- (c) *Master Parks and Open Space Plan*. A *Master Parks and Open Space Plan* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, prepared in accordance with this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.
- (d) *Master Plat*. A *Master Plat* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify the proposed timing of each phase of the proposed development. A *Master Plat* application may be processed by the City concurrently with a *Master Parks and Open Space Plan* application for the development.
- (e) *Preliminary Plat*. A *Preliminary Plat* for each phase of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted in accordance with the phasing plan established by the *Master Plat* and shall include a *Treescape Plan* for the phase being *Preliminary Platted*. A *Preliminary Plat* application may be processed by the City concurrently with a *Master Plat* and an *Master Parks and Open Space Plan* application for the development.
- (f) *PD Site Plan*. A *PD Site Plan* for each phase of the development of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Final Plat* application for the development.
- (g) *Final Plat*. Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, shall be submitted for approval.

**SECTION 6.** That any person, firm, or corporation violating any of the provisions of this



ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

**SECTION 7.** That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

**SECTION 8.** The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

**SECTION 9.** That this ordinance shall take effect immediately from and after its passage;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 7<sup>TH</sup> DAY OF DECEMBER, 2020.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: November 16, 2020

2<sup>nd</sup> Reading: December 7, 2020

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

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

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

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

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

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

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

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

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

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

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

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







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

**Density and Development Standards.**

- (1) Permitted Uses. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 10 (SF-10) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.
- (2) Lot Composition and Layout. The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'C'* and stated in *Table 1*, which is as follows:

Table 1: Lot Composition

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	60' x 120'	7,000 SF	171	64.77%
B	70' x 120'	8,400 SF	93	35.23%
<i>Maximum Permitted Units:</i>			264	100.00%

- (3) Density and Dimensional Requirements. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 10 (SF-10) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) are applicable to all development on the *Subject Property*. The maximum permissible density for the *Subject Property* shall not exceed 2.20 dwelling units per gross acre of land; however, in no case should the proposed development exceed 265 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

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

General Notes:

- 1: Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may have the front lot width reduced by 20% as measured at the front property line provided that the lot width will be met at the *Front Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.
- 2: The location of the *Front Yard Building Setback* as measured from the front property line.
- 3: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- 4: As measured from the rear yard property line.
- 5: Porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*.
- 6: Flat front entry garage configurations are permitted on up to 20% of the total amount of lots provided the front yard building setback is increased to a minimum of 25-feet.

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

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

- (a) *Masonry Requirement*. The minimum masonry requirement for the exterior façades of all buildings shall be 90% on each facade, with front façades being 100% masonry. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementaceous fiberboard horizontal lap-siding (e.g. *HardiBoard* or *Hardy Plank*) and stucco (i.e. *three [3] part stucco* or a comparable -- to be determined by staff) may be used for up to 50% of the masonry requirement; however, stucco (i.e. *three [3] part stucco* or a comparable -- to be determined by staff) shall be permitted through a Specific Use Permit (SUP) only. Siding products (e.g. *HardiBoard* or *Hardy Plank*) shall not be visible from any major thoroughfare (i.e. *FM-552 and FM-1141 as shown on Exhibit 'C' of this ordinance*).
- (b) *Roof Pitch*. A minimum of an 8:12 roof pitch is required on all structures with the exception of porches, which shall have a minimum of a 4:12 roof pitch.
- (c) *Garage Orientation*. Garages shall be oriented in a *traditional swing* (or *j-swing*) or in a flat front entry configuration (i.e. *even with the front façade of the primary structure*). Garages utilizing a *traditional swing* (or *j-swing*) are permitted to have a second garage door facing the street that is behind the front façade of the primary structure. Garages configured in a flat front entry configuration shall be allowed on a maximum of 20% of the lots provided that the front yard building setback is increased to 25-feet. All garage doors shall be required to have upgraded finishes (e.g. *divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be approved by staff*) [examples of acceptable garage configurations are depicted in Figures 1 & 2]. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).

Figure 1. Examples of Upgraded Finishes



*Divided Bays*

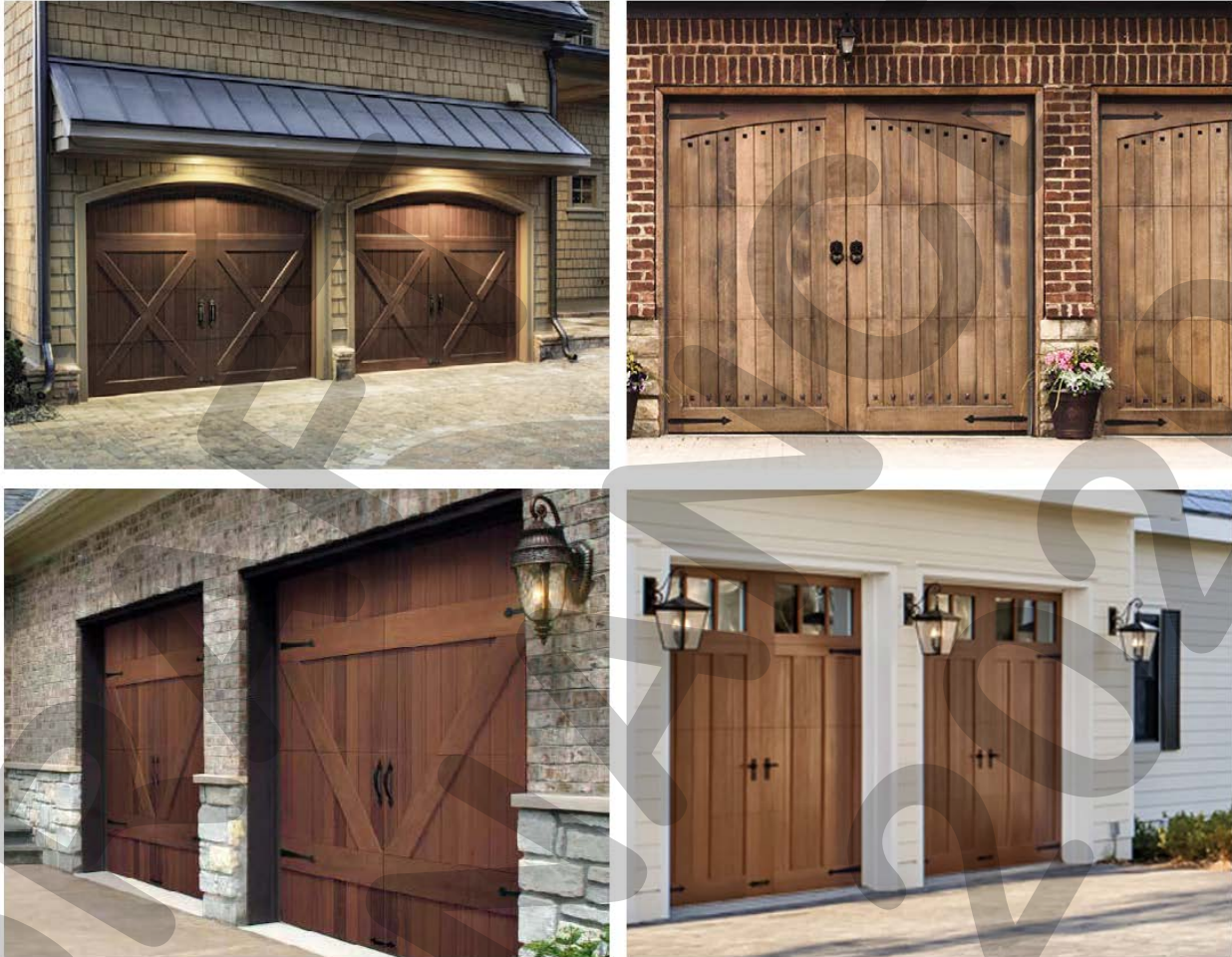
*Carriage Hardware*

*Cedar Cladding*

*Continued on Next Page ...*

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

*Figure 2. Examples of Acceptable Garage Enhancements*



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

Table 3: Anti-Monotony Matrix

<u>Lot Type</u>	<u>Minimum Lot Size</u>	<u>Elevation Features</u>
A	60' x 120'	(1), (2), (3)
B	70' x 130'	(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 five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.
- (2) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces, FM-552, FM-1141, or North Country Lane shall not repeat without at least five (5) intervening homes of differing



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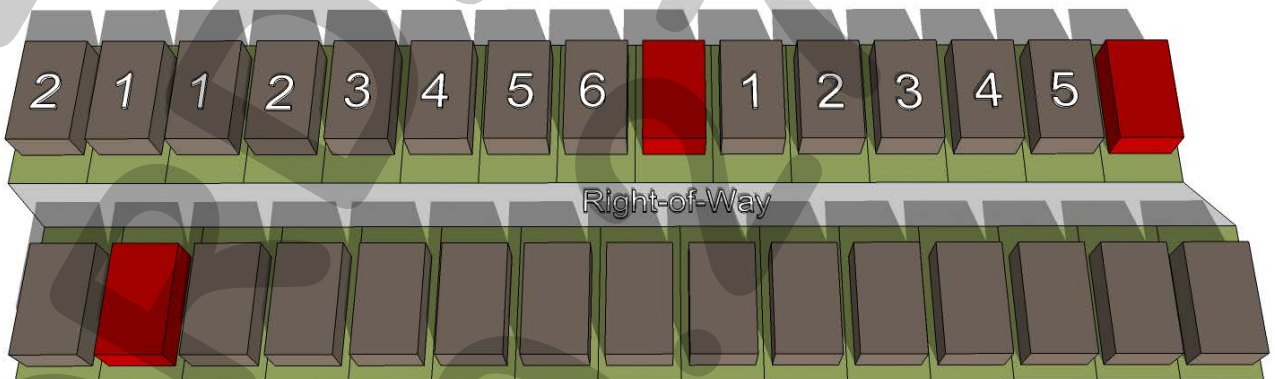
appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

- (a) Number of Stories
  - (b) Permitted Encroachment Type and Layout
  - (c) Roof Type and Layout
  - (d) Articulation of the Front Façade
- (3) Permitted encroachment (*i.e. porches*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.
- (4) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

Figure 3: Properties line up on the opposite side of the street. Where **RED** is the subject property.



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



- (6) Fencing Standards. All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:

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

- (a) Front Yard Fences. Front yard fences shall be prohibited.
- (b) Wood Fences. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.
- (c) Wrought Iron/Tubular Steel. Lots located along the perimeter of roadways (*i.e. SH-205, FM-549 and Wylie Lane*), abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height.
- (d) Corner Lots. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.
- (e) Solid Fences (including Wood Fences). All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

(7) Landscape and Hardscape Standards.

- (a) Landscape. Landscaping shall be reviewed and approved with the *PD Site Plan*. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height.
- (b) Landscape Buffers. All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).
  - (1) Landscape Buffer and Sidewalks (FM-552). A minimum of a 30-foot landscape buffer shall be provided along FM-552 (*outside of and beyond any required right-of-way dedication*), that shall incorporate ground cover, a *built-up* berm and/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, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.



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- (2) Landscape Buffer and Sidewalks (FM-1141). A minimum of a 30-foot landscape buffer shall be provided along FM-1141 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/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, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.
- (3) Landscape Buffers (North Country Lane). A minimum of a 30-foot landscape buffer shall be provided along North Country Lane (*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, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.
- (c) Street Trees. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-foot vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.
- (d) Irrigation Requirements. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association (HOA).
- (e) Hardscape. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.
- (8) Street. All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to City street standards.
- (9) Lighting. Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.
- (10) Sidewalks. All sidewalks adjacent to a street shall be a maximum of two (2) feet inside the right-of-way line and be five (5) feet in overall width.
- (11) Buried Utilities. New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject*

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*Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

- (12) Open Space. The development shall consist of a minimum of 20% open space (or a minimum of 24.232-acres -- as calculated by the formula stipulated in the *Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. All open space areas (*including landscape buffers*) shall be maintained by the Homeowner's Association (HOA).
- (13) Neighborhood Signage and Enhancements. Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.
- (14) Homeowner's Association (HOA). A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all private neighborhood parks, trails, open space and common areas (*including drainage facilities*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development.
- (15) Variances. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.