



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22021-014

**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 S FM 549, Rockwall, TX

Subdivision Ramsey Survey Abstract-186

Lot N/A Block N/A

General Location NEC of S FM 549 and FM 1139

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

Current Zoning AG

Current Use Agricultural

Proposed Zoning PD - Single Family

Proposed Use Single Family Residential Subdivision

Acreage 198.52

Lots [Current] N/A

Lots [Proposed] 555

**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 Klutts Farm, LLC

Applicant Skorburg Company

Contact Person Ben Klutts, Jr

Contact Person Kevin Harrell

Address 1604 N Hills Dr

Address 8214 Westchester

Suite 900

City, State & Zip Rockwall, TX 75087

City, State & Zip Dallas, TX 75225

Phone 972-771-5755

Phone 214-888-8859

E-Mail BKluttsjr@att.net

E-Mail KHarrell@SkorburgCompany.com

## NOTARY VERIFICATION [REQUIRED]

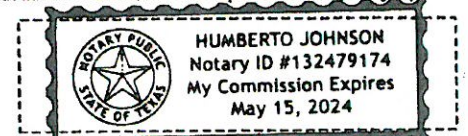
Before me, the undersigned authority, on this day personally appeared Ben Klutts [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"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 18<sup>th</sup> day of March, 20 21. 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."

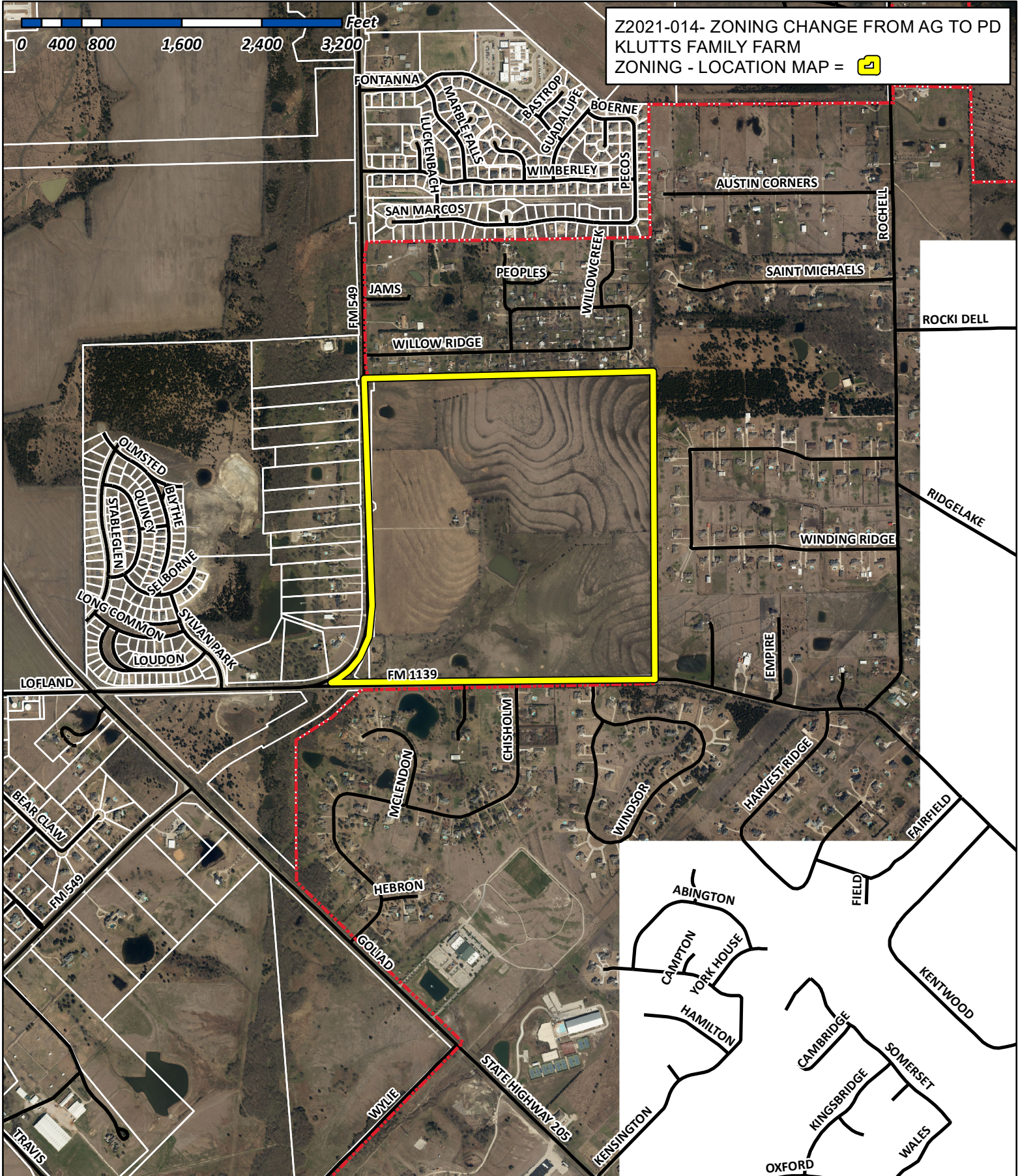
Given under my hand and seal of office on this the 18<sup>th</sup> day of March, 20 21.

Owner's Signature

Notary Public in and for the State of Texas



My Commission Expires



# City of Rockwall

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

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

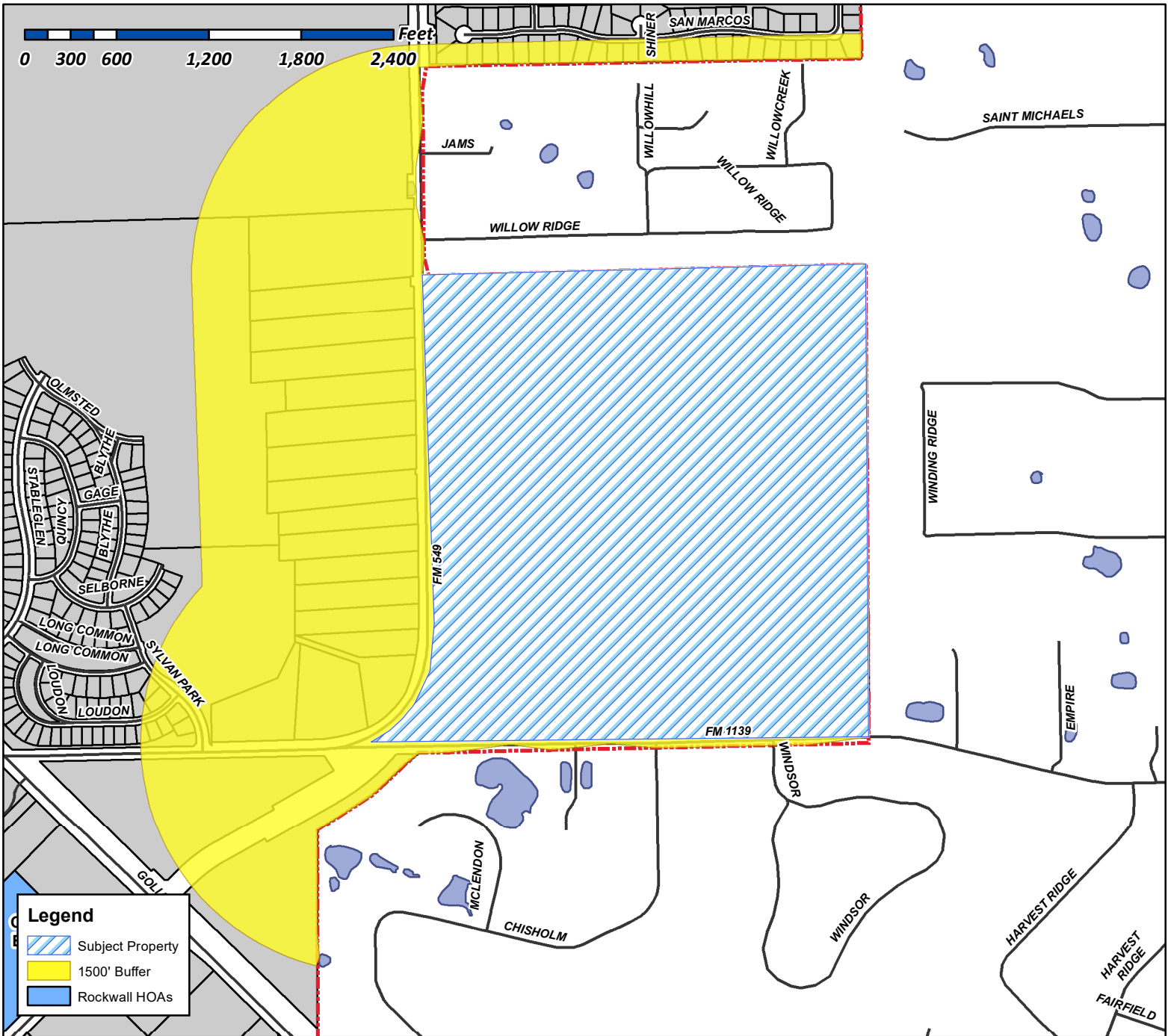




# City of Rockwall

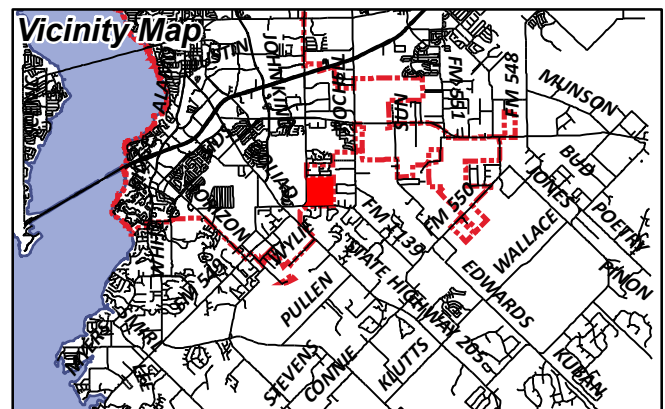
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

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



**Case Number:** Z2021-014  
**Case Name:** Zoning Change from AG to PD  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** FM 549 and FM 1139

**Date Created:** 5/13/2021  
**For Questions on this Case Call** (972) 771-7745

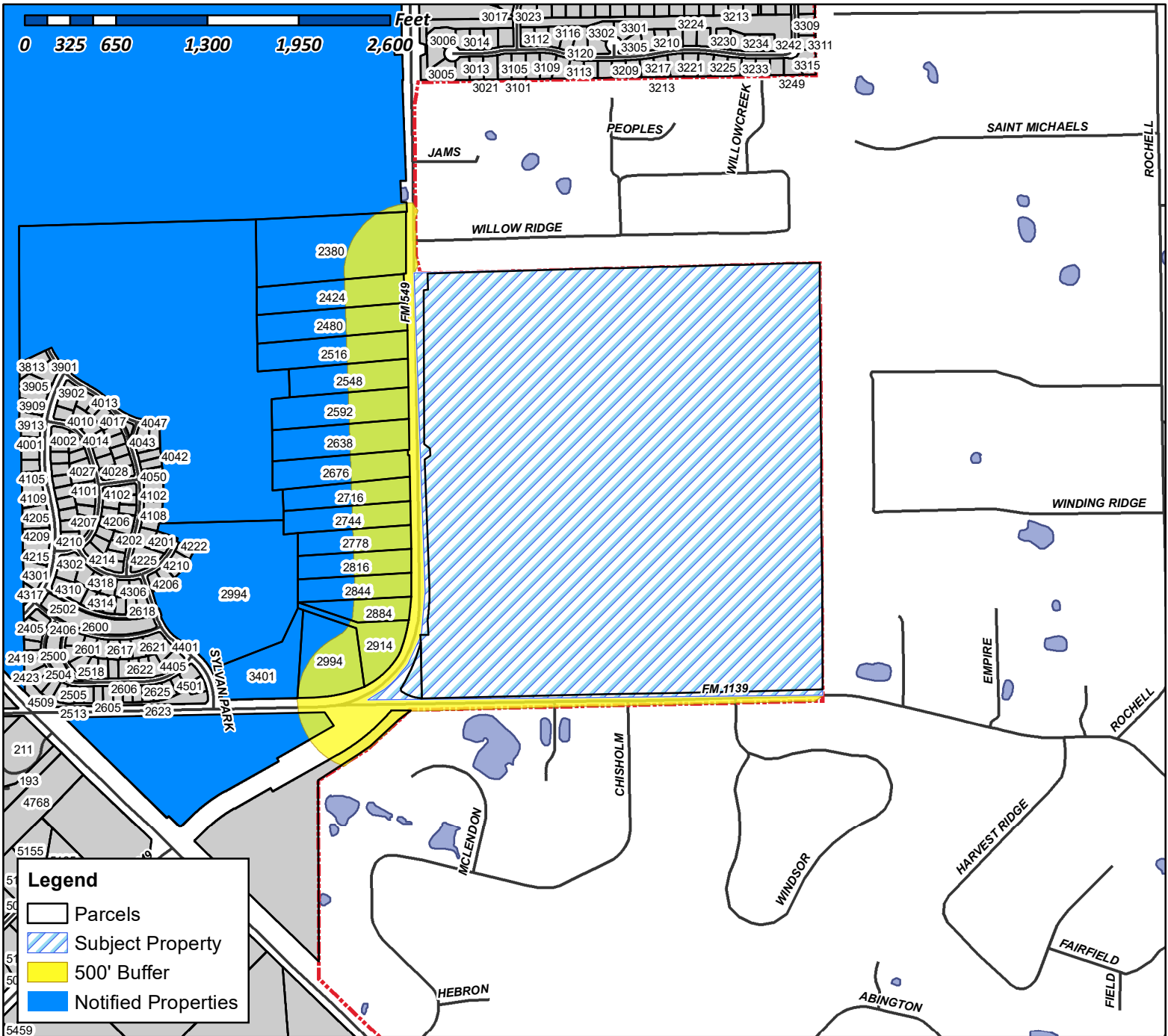
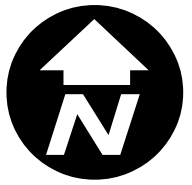




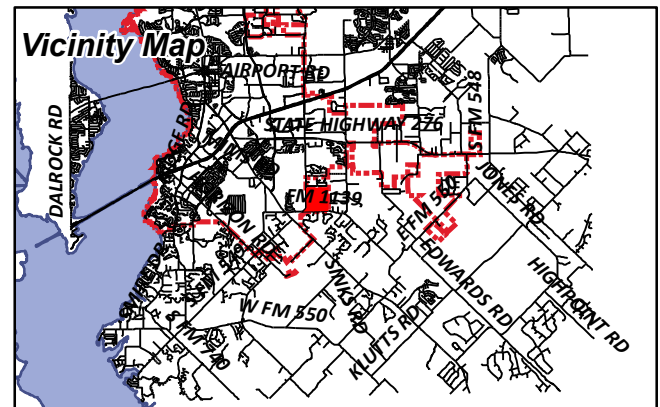
# City of Rockwall

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

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



**Case Number:** Z2021-014  
**Case Name:** Zoning Change from AG to PD  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** FM 549 and FM 1139



**Date Created:** 5/13/2021  
**For Questions on this Case Call (972) 771-7745**

ROCKWALL 205 INVESTORS LLC  
1 CANDLELITE TRAIL  
HEATH, TX 75032

LOFLAND N L EST  
1 CARMARTHEN CT  
DALLAS, TX 75225

CHERRY BRUCE  
1111 CAMBRIDGE CT  
ROCKWALL, TX 75032

NELLER GARY K & HELEN COMEAU  
148 HARVEST HILL DR  
ROCKWALL, TX 75032

KLUTTS FARM LLC  
1604 NORTH HILLS DR  
ROCKWALL, TX 75087

NELLER GARY K & HELEN COMEAU  
2380 FM 549  
ROCKWALL, TX 75032

HENSON RICHARD W & SHARON ES  
2424 FM5 49  
ROCKWALL, TX 75032

ACOSTA ANTHONY  
2480 S FM 549  
ROCKWALL, TX 75032

DUGGAN CHRISTOPHER W & SHERRI L  
2516 S FM 549  
ROCKWALL, TX 75032

DUGGAN CHRISTOPHER W & SHERRI L  
2548 FM 549  
ROCKWALL, TX 75032

CHERRY BRUCE  
2592 FM 549  
ROCKWALL, TX 75032

LEE RICHARD V & GLORIA J  
2638 S FM 549  
ROCKWALL, TX 75032

MCCANN KEVIN J AND ERIN M  
2676 FM 549  
ROCKWALL, TX 75032

POWERS FAMILY TRUST  
JAMES DWAIN & PATRICIA ANNETTE POWERS  
CO TRUSTEES  
2716 FM549  
ROCKWALL, TX 75032

OHMANN THOMAS J & CAROL J  
2744 S FM 549  
ROCKWALL, TX 75032

HOLLON GREGORY D  
2778 S FM 549  
ROCKWALL, TX 75032

HERRERA AARON J AND JENNIFER R AND  
FOREHAND DALE A AND AMELIA A  
2816 FM 549  
ROCKWALL, TX 75032

WELCH CASEY K AND CATHARINE  
2844 S FM 549  
ROCKWALL, TX 75032

PETTIFORD SEAN AND BRANDI  
2884 FM 549  
ROCKWALL, TX 75032

SOLIS CARLOS HERIBERTO AND CRYSTAL GARZA-  
SOLIS  
2914 FM 549  
ROCKWALL, TX 75032

JONES DOUGLAS A  
2994 FM 549  
ROCKWALL, TX 75032

HENSON RICHARD W & SHARON ES  
PO BOX 1091  
ROCKWALL, TX 75087

POWERS FAMILY TRUST  
JAMES DWAIN & PATRICIA ANNETTE POWERS  
CO TRUSTEES  
PO BOX 850  
ROCKWALL, TX 75087



Skorburg Company  
8214 Westchester Dr., Ste.  
900  
Dallas, TX 75225  
Phone: 214/522-4945  
Fax: 214/522-7244

May 14, 2021

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

Dear Mr. Miller,

Upon receiving a 4-1 favorable vote from the Planning & Zoning Commission on May 11, 2021 that our revised concept plan fulfills the requirements of a Substantial Change, the Skorburg Company is submitting a revised zoning application and respectfully requests that our project (the "Homestead") be taken to the May 25, 2021 Planning & Zoning Commission Meeting (Work Session) and June 15<sup>th</sup>, 2021 Planning and Zoning Commission Meeting (Action Meeting). The Homestead consists of ±196 Acres in the J. A. Ramsey Survey, City of Rockwall, Rockwall County, located at the Northeast corner of F.M. 549 and FM 1139.

The property is currently zoned AG. Our proposed development allows for a maximum of 490 single-family detached residential homes on lots ranging from a minimum of 7,440 SF to 12,000 SF, which equates to a maximum density of 2.49 units per acre (compliant with the City's Comprehensive Plan). This community will feature high quality homes as featured in other high quality Skorburg communities like Stone Creek Estates, Breezy Hill Estates, and Gideon Grove.

This zoning request fully conforms to the City's Comprehensive Plan with no variances being requested. Over and above complying with the City's Comprehensive Plan, this ordinance also makes voluntary commitments to high quality construction materials such as a 90% minimum masonry requirement and enhanced garaged doors.

Featuring an extensive 33% open space (well over the 20% open space requirement), this unique development also includes an extensive list of amenities:

- an amenity center with an enclosed clubhouse with restrooms, pool, and parking
- enhanced entry monumentation
- strategically located trails with high quality trail head in a centralized open space
- a dog park; and
- a proposed 50-acre contiguous tract of land to be dedicated to the City of Rockwall for a Regional City Park that will add beauty, quality of life, and increase property values for future and existing residents of the surrounding area, which has been affirmed as being desired by the City's Park Board and would fulfill a need of the Park Board's Comprehensive Plan.

From the onset of this zoning process, the Skorburg Company and landowner have worked collaboratively, professionally, and in good faith and taken to heart the desires and inputs of adjacent residents, particularly from the neighbors to the west along FM 549. To illustrate this, **Exhibit “A”** attached to this letter contains an e-mail from Mr. Richard Henson to Adam Buczek dated April 16, 2021. While we tried, we were unable to satisfy his demands at the April 19, 2021 council meeting.

However, after being denied by City Council at the April 19, 2021 meeting on the basis of density (which has now been satisfied as this revised zoning request conforms to the Comprehensive Plan), the property owner and Skorburg went back to the drawing board pivoting off of Mr. Henson’s commitment which required enormous concessions from us and our landowner. In comparing Mr. Henson’s counter proposal on Page 4 of Exhibit “A”, it is evident that our revised Concept Plan materially conforms to his expectations to not oppose our zoning request, and in fact, our plan contains ten (10) fewer lots than he requested.

We look forward to working with the City to make The Homestead a reality and an asset for the Rockwall community to enjoy for many decades to come.

Cordially Yours,

Kevin Harrell  
Land Acquisition Manager



# DEVELOPMENT APPLICATION SUBMITTAL REQUIREMENTS

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

## PLATTING APPLICATION SUBMITTAL REQUIREMENTS [ALL PLAT TYPES]

PLAT TYPE.

- MINOR/AMENDING PLAT.
- MASTER PLAT.
- PRELIMINARY PLAT.
- FINAL PLAT.
- REPLAT.
- VACATION PLAT.

Staff requires two (2), 18" x 24" copies be submitted at the time the application is submitted. See *Folding Requirements* in this development packet.

DIGITAL COPY OF THE PLAT. The following is required with all plat submittals:

- ONE (1) PDF COPY OF THE PLAT
- ONE (1) SURVEY BOUNDARY CLOSURE REPORT.

\* AFTER APPROVAL STAFF WILL REQUIRE ONE (1) AUTOCAD/ESRI (DWG, DXF, OR SHP FILE FORMAT) FILE

- TREESCAPE PLAN [IF APPLICABLE].
- LANDSCAPE PLAN [IF APPLICABLE].
- APPLICATION AND APPLICATION FEE.

## SITE PLAN APPLICATION SUBMITTAL REQUIREMENTS

PLAN SET. A plan set is composed of the following items (failure to submit all of the items required shall constitute an incomplete application):

- SITE PLAN.
- LANDSCAPE PLAN.
- TREESCAPE PLAN.
- PHOTOMETRIC PLAN.
- BUILDING ELEVATIONS.

Staff requires the submittal of two (2) complete plan sets and one (1) digital copy in .pdf format with a site plan application. All sheets submitted to staff shall be 24" x 36", arranged into sets, and be folded to a 9" x 12" *Tri-Fold* with the project title or identifier facing out.

PHYSICAL BUILDING MATERIAL SAMPLE BOARD (11" x 17"). See the *Material Sample Board Design Guidelines* in this development packet. Individual material samples or sample boards that are larger than 11" x 17" will not be accepted.

VARIANCE REQUEST LETTER. The letter must indicate the variance being requested, the reason for the variance, and the two (2) required compensatory measures being offered to off-set the variance in accordance with the requirements of the UDC.

APPLICATION AND APPLICATION FEE.

## ZONING CHANGE APPLICATION SUBMITTAL REQUIREMENTS

LEGAL DESCRIPTION. A legal description consists of written words that delineate a specific piece of real property. A legal description may be a metes and bounds description or, if the property is platted, a copy of the plat may be submitted to verify the lot and block survey system.

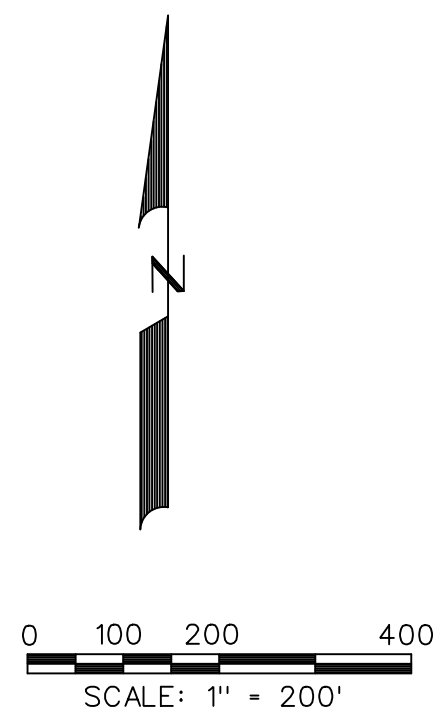
ZONING EXHIBIT OR CONCEPT PLAN. A zoning exhibit is generally a survey, plat, concept plan or other visual description of the property [Specific Use Permit (SUP) exhibits can be a site plan or building elevations; check with staff for prior to submitting an application for what is appropriate]. Staff requires two (2), 24" x 36" copies and one digital copy (PDF preferred) be submitted at the time the application is submitted. All submittals should be folded individually so that the project title or identifier is facing out. *In order to reduce the applicant's costs and to conserve paper, staff may accept other sheet sizes for a submittal if an appropriate scale and level of detail is maintained. Check with staff prior to submitting a small or larger drawing size.*

LETTER OF EXPLANATION. A letter from the applicant or property owner explaining the purpose of the zoning application.

APPLICATION AND APPLICATION FEE.

**IT IS IMPORTANT TO YOU AS AN APPLICANT TO RETURN A FULLY COMPLETED APPLICATION PACKAGE. INCOMPLETE APPLICATION PACKAGES WILL NOT BE ACCEPTED BY STAFF AND WILL BE RETURNED TO APPLICANTS. DUE TO THE PASSAGE OF HB3167, APPLICATIONS AND APPLICATION PACKAGES WILL ONLY BE ACCEPTED ON THE SUBMITTAL DATE AND EARLY AND/OR LATE APPLICATIONS WILL BE RETURNED.**





**LEGEND**

TYPICAL LOT SIZES

	- TYPE A LOTS 62' X 120' - 226 LOTS
	- TYPE B LOTS 72' X 120' - 249 LOTS
	- TYPE C LOTS 100' X 120' - 15 LOTS
	- OPEN SPACE - 13.6 Ac.
	- AMENITY CENTER - 1,606 Ac.
	- PARKLAND (REGIONAL PARK) - 50.8 Ac.



REPRESENTATIVE TRAIL HEAD

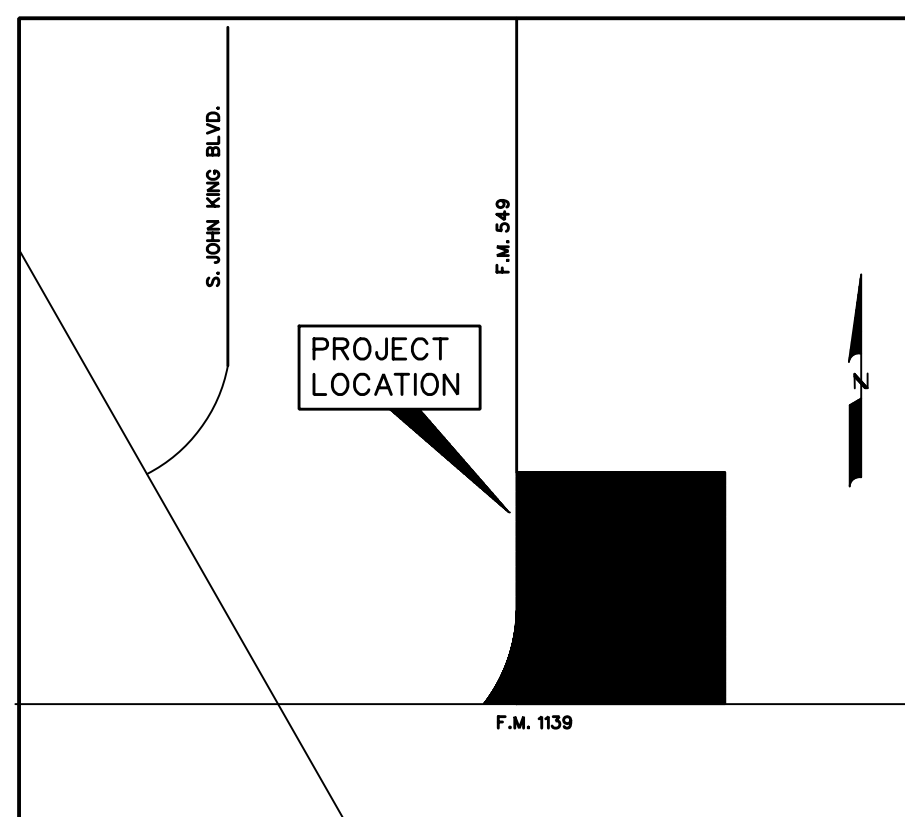


REPRESENTATIVE PRIMARY ENTRY MONUMENT



REPRESENTATIVE SECONDARY ENTRY MONUMENT

HILLVIEW ACRES  
CAB. F, PG. 1



LOCATION MAP  
N.T.S.

TOTAL ACRES	196.009
TOTAL RESIDENTIAL LOTS	490
RESIDENTIAL DENSITY	2.499

CONCEPT PLAN  
OF  
**HOMESTEAD**  
SITUATED IN THE  
J.A. RAMSEY SURVEY, ABSTRACT NO. 186  
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  
**KLUTTS FARM, LLC.**  
1604 NORTH HILLS DR.  
ROCKWALL, TX 75087

APRIL 2021 SCALE 1" = 200'

CASE NO. XXXX

EXHIBIT 'A' (p. 1 of 4)

**Adam Buczek**

---

**From:** Richard Henson <hendad4@yahoo.com>  
**Sent:** Friday, April 16, 2021 12:55 AM  
**To:** txsharon1@yahoo.com; Adam Buczek  
**Subject:** Re: Updates / revised Homestead (Klutts Farm) Concept Plan zoning request  
**Attachments:** Plat revised 4-15-21.pdf

Adam  
Please see attached

- Your most recent plat of the development; and
- Our counter proposed plat (2nd page)

I do not have the appropriate software for this type of map manipulation (just Power Point). You can easily see where I manipulated the map (NW part of development)

If you will agree to these edits, along with your previous concessions, we will not protest the development at next week at city hall.

Best  
Richard W Henson  
214-288-3084

On Thursday, April 15, 2021, 07:30:19 PM CDT, Adam Buczek <abuczek@skorburgcompany.com> wrote:

Good evening, Richard & Sharon.

I wanted to provide you with the latest updated / revised Homestead layout that incorporates the changes as required by the P&Z Commission's recommendation on Monday night (plus I was able to provide some additional enhancement of a larger average lot size in the mix as I explain below).

This will be our final layout that I present to city council next Monday night.

Nothing changed except we incorporated the recommendation of the P&Z Commission to intermix the 72' wide lots with the 62' wide lots to create a more mix of product types within the streets (hence you see the mixing of the yellow and orange colored lots).

EXHIBIT "A" (p. 2 of 4)

Interestingly, in doing this work with my engineer since the P&Z Meeting and due to us having extensive curvilinear streets – we were actually able to convert 14 of the 62' wide lots into 72' wide lots as part of the intermixing of lot types (so this revised layout actually goes above and beyond P&Z's recommendation by increasing the # of 72' wide lots without any change to the total # of lots).

I hope these changes make the plan more to your liking. I am happy to discuss any other questions you or your neighbors may have. Thank you.

Best Regards,

Adam J. Buczek

Development Partner

**Skorburg Company**

8214 Westchester Drive, Suite 900

Dallas, Texas 75225

Ph: (214) 888-8843

Cell: (817) 657-5548

Fax: (214) 888-8861

EXHIBIT "A" (p. 364)

Skorburg  
Proposal as of 4/16/21



# EXHIBIT "A" (p. 4 of 4)

Counter proposal  
From Henson  
4/16/21

Stone Creek quality entrance



Entrance set back like Stone Creek with a median, curves in street & significant monument  
Add green space around entrance  
Add 72' lots on streets around club house  
It appears to be 26 fewer lots

A



A This revised zoning request has 36 fewer lots.  
(10 fewer lots than suggested by Mr. Henson)

CITY OF ROCKWALL

ORDINANCE NO. 21-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR SINGLE-FAMILY 8.4 (SF-8.4) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 196.009-ACRE TRACT OF LAND IDENTIFIED AS TRACT 6 OF THE J. A. RAMSEY SURVEY, ABSTRACT NO. 186, 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 Kevin Harrell of the Skorburg Co. on behalf of Ben Klutts, Jr. of the Klutts Farm, LLC for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single-Family 8.4 (SF-8.4) District land uses, on a 196.009-acre tract of land identified as Tract 6 of the J. A. Ramsey Survey, Abstract No. 186, 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. 20-02*] should be amended as follows:

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

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

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

**SECTION 3.** That development of the *Subject Property* shall generally be in accordance with the *Density and Development Standards*, outlined in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a

condition of approval of the amended zoning classification for the *Subject Property*;

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

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

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

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

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

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

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6<sup>TH</sup> DAY OF JULY, 2021.**

\_\_\_\_\_  
Kevin Fowler, *Mayor*

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: June 21, 2021

2<sup>nd</sup> Reading: July 6, 2021



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

Being a tract of land situated in the John A. Ramsey Survey, Abstract No. 186 and in the Abner Johnson Survey, Abstract No. 123, in the City of Rockwall, Rockwall County, Texas, being part of a called 200 acre tract described as Tract 1 and part of a called 1.417 acre tract described as Tract 2, in a deed to Klutts Farm, LLC, (50% undivided interest), as recorded in Document No. 20160000019783, of the Official Public Records of Rockwall County, Texas (O.P.R.R.C.T.), and being part of a called 200 acre tract described as Tract 1 and part of a called 1.417 acre tract described as Tract 2, in a deed to Klutts Farm, LLC, (50% undivided interest), as recorded in Document No. 20160000019784, O.P.R.R.C.T., said tract being more particularly described as follows:

*BEGINNING* at a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the northeast corner of a tract of land conveyed to the State of Texas, as recorded in Document No. 20200000013574, O.P.R.R.C.T., being in the east line of FM-549 (variable width right-of-way) and in the north line of said Klutts Farm;

*THENCE* North 88 degrees 26 minutes 14 seconds East, with the north line of said Klutts Farm, a distance of 2,790.07-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set the northeast corner of said Klutts Farm;

*THENCE* South 01 degree 01 minute 34 seconds East, with the east line of said Klutts Farm and the west line of a called 17.07 acre tract described in a deed to Bobby H Butler and Sarah J. Butler, as recorded in Volume 1381, Page 266, in the Deed Records of Rockwall County, Texas (D,R,R,C,T.), a distance of 309.76-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set the southwest corner of said Butler tract and the northwest corner of Hillview Acres, an addition to Rockwall County, as recorded in Volume F, Page 1, of the Plat Records of Rockwall County, Texas;

*THENCE* South 00 degrees 31 minutes 05 seconds East, continuing with the east line of said Klutts Farm and with the west line of said Hillview Acres, a distance of 1,446.49-feet to a 1-inch iron pipe found at the southwest corner of said Hillview Acres, being the northwest corner of a called 15.00 acre tract described in a deed of trust for James J. Fuxa and Deborah A. Fuxa, as recorded in Volume 1741, Page 70, D.R.R.C.T.;

*THENCE* South 00 degrees 10 minutes 07 seconds East, continuing with the east line of said Klutts Farm and with the west line of said Fuxa tract, a distance of 792.29-feet to a 1/2-inch iron rod found at the southwest corner of said Fuxa tract, being in the north line of FM-1139 (80-foot right-of-way);

*THENCE* South 88 degrees 46 minutes 40 seconds West, with the north line of said FM-1139, a distance of 2,230.29-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set;

*THENCE* South 88 degrees 42 minutes 10 seconds West, continuing with the north line of said FM-1139, a distance of 710.99-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set in the east line of said FM-549;

*THENCE* North 00 degrees 22 minutes 42 seconds West, with the east line of said FM-549, a distance of 2.77-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set on a curve to the right, having a radius of 293.00-feet and a central angle of 29 degrees 52 minutes 15 seconds;

*THENCE* with said curve to the right, an arc distance of 152.75-feet (Chord Bearing North 70 degrees 30 minutes 42 seconds West – 151.03 feet), to a 5/8-inch iron rod with TXDOT cap found at the point of tangency;

*THENCE* North 55 degrees 34 minutes 29 seconds West, continuing with the east line of said FM-549, a distance of 6.30-feet to a 5/8-inch iron rod with TXDOT cap found;

*THENCE* North 10 degrees 34 minutes 29 seconds West, continuing with the east line of said FM-549, a distance of 18.30-feet to a 5/8-inch iron rod with TXDOT cap found on a non-tangent curve to the left, having a radius of 1,310.00-feet and a central angle of 15 degrees 44 minutes 31 seconds;

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

*THENCE* continuing with the east line of said FM-549 and with said curve to the left, an arc distance of 359.92-feet (*Chord Bearing North 24 degrees 24 minutes 53 seconds East – 358.79 feet*), to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set in the west line of a called one acre tract described in a deed to General Public of the State of Texas, as recorded in *Volume L, Page 15, D.R.R.C.T.*;

*THENCE* South 00 degrees 22 minutes 48 seconds East, departing the east line of said FM-549 and with the west line of said one (1) acre tract, a distance of 214.30-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southwest corner of said one (1) acre tract;

*THENCE* North 89 degrees 11 minutes 43 seconds East, with the south line of said one (1) acre tract, a distance of 167.02-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southeast corner of said one (1) acre tract, being in the west line of a 50-foot Easement for Right-Of-Way to North Texas Municipal Water District, as recorded in *Volume 5054, Page 202, O.P.R.R.C.T.*;

*THENCE* North 00 degrees 49 minutes 16 seconds West, with the east line of said one (1) acre tract and west line of said 50-foot Easement, a distance of 267.69-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the northeast corner of said one (1) acre tract;

*THENCE* South 89 degrees 11 minutes 43 seconds West, departing said west line and with the north line of said one (1) acre tract, a distance of 125.09-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set in the east line of said FM-549;

*THENCE* North 00 degrees 56 minutes 06 seconds West, with the east line of said FM-549, a distance of 112.36-feet to a 5/8-inch iron rod with TXDOT cap found on a curve to the left, having a radius of 1,310.00-feet and a central angle of 10 degrees 00 minutes 46 seconds;

*THENCE* continuing with the east line of said FM-549 and with said curve to the left, an arc distance of 228.93-feet (*North 04 degrees 04 minutes 22 seconds East – 228.64 feet*), to a 5/8-inch iron rod with TXDOT cap found at the point of tangency;

*THENCE* North 00 degrees 56 minutes 00 seconds East, continuing with the east line of said FM-549, a distance of 908.25-feet to a 5/8-inch iron rod with TXDOT cap found;

*THENCE* North 55 degrees 22 minutes 09 seconds East, continuing with the east line of said FM-549, a distance of 48.05-feet to a 5/8-inch iron rod with TXDOT cap found;

*THENCE* North 00 degrees 45 minutes 51 seconds East, continuing with the east line of said FM-549, a distance of 50.21-feet to a 5/8-inch iron rod with TXDOT cap found;

*THENCE* North 52 degrees 46 minutes 08 seconds West, continuing with the east line of said FM-549, a distance of 50.86-feet to a 5/8-inch iron rod with TXDOT cap found;

*THENCE* North 00 degrees 56 minutes 00 seconds West, continuing with the east line of said FM-549, a distance of 1,098.56-feet to a 5/8-inch iron rod with TXDOT cap found;

*THENCE* North 89 degrees 05 minutes 09 seconds East, continuing with the east line of said FM-549, a distance of 29.97-feet to a 5/8-inch iron rod with TXDOT cap found;

*THENCE* North 00 degrees 54 minutes 51 seconds West, continuing with the east line of said FM-549, a distance of 48.05-feet to the *POINT OF BEGINNING* and containing 196.008 acres 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 8.4 (SF-8.4) 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	62' x 120'	7,440 SF	226	46.12%
B	72' x 120'	8,640 SF	249	50.82%
C	100' x 120'	12,000 SF	15	03.06%
<i>Maximum Permitted Units:</i>			490	100.00%

- (3) Density and Dimensional Requirements. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 8.4 (SF-8.4) 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 2.49 dwelling units per gross acre of land; however, in no case should the proposed development exceed 490 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ►	A	B	C
<i>Minimum Lot Width</i> <sup>(1)</sup>	62'	72'	100'
<i>Minimum Lot Depth</i>	120'	120'	120'
<i>Minimum Lot Area</i>	7,440 SF	8,640 SF	12,000 SF
<i>Minimum Front Yard Setback</i> <sup>(2), (5) &amp; (6)</sup>	20'	20'	20'
<i>Minimum Side Yard Setback</i>	6'	6'	6'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> <sup>(2) &amp; (5)</sup>	20'	20'	20'
<i>Minimum Length of Driveway Pavement</i>	25'	25'	25'
<i>Maximum Height</i> <sup>(3)</sup>	36'	36'	36'
<i>Minimum Rear Yard Setback</i> <sup>(4)</sup>	10'	10'	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	2,200 SF	2,600 SF	2,800 SF
<i>Maximum Lot Coverage</i>	65%	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 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*.
- <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>: The location of the *Rear Yard Building Setback* as measured from the rear property line.
- <sup>5</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; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.

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

<sup>6</sup>: *Type 'A' Lots* that incorporate a *flat-front entry* garage configuration shall be required to have a minimum setback of 25-feet.

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

(a) *Masonry Requirement*. The minimum masonry requirement for the exterior façade of all buildings shall be 90% (*excluding dormers and walls over roof areas*); however, no individual façade shall be less than 85% masonry. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard (*e.g. HardiBoard or Hardy Plank*) in a horizontal lap-siding, *board-and-batten* siding, or a decorative pattern (*see examples below*) may be used for up to 50% of the masonry requirement; however, a Specific Use Permit (SUP) may be requested for housing plans that utilize cementitious fiberboard in excess of 50% of the masonry requirement.

*Examples of Cementitious Fiberboard*



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

(c) *Garage Orientation and Garage Doors*. This development shall adhere to the following garage design and orientation requirements

(1) *Type 'A' Lots*. The *Type 'A' Lots* (*i.e. the yellow lots depicted in Exhibit 'C'*) may be oriented in a *traditional swing* (*or j-swing*) garage configuration -- where the two (2) car garage is stated facing the side property line and the driveway swings into the garage in a 'J' configuration. In a *traditional swing* (*or j-swing*) garage configuration, a second (single or double) garage door facing the street is permitted if it is behind the width of the double garage door in the *traditional swing* (*or j-swing*) configuration. A maximum of 43.4% of these lots (*i.e. 98 Lots or 20.00% of the total lots*) shall be permitted to be oriented in a *flat-front entry configuration* -- allowing the garage to be flush with the front façade of the primary structure -- pending the front yard setback is increased to a minimum setback of 25-feet.

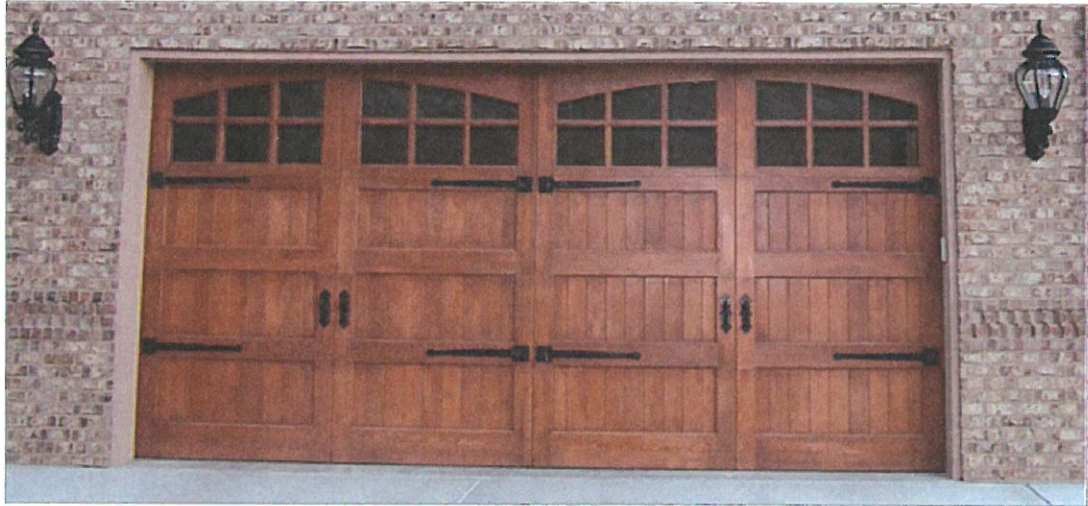
(2) *Type 'B' & 'C' Lots*. The *Type 'B' & 'C' Lots* (*i.e. blue and tan lots depicted in Exhibit 'C'*) may be oriented in a *traditional swing* (*or j-swing*) garage configuration -- where the two (2) car garage is stated facing the side property

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

*line and the driveway swings into the garage in a 'J' configuration. In a traditional swing (or j-swing) garage configuration, a second (single or double) garage door facing the street is permitted if it is behind the width of the double garage door in the traditional swing (or j-swing) configuration.*

All garage configurations not conforming to the aforementioned garage configurations shall meet the requirements stipulated by Article 09, *Parking and Loading*, of the Unified Development Code (UDC). In addition, all garage doors shall be required to have decorative wood doors or wood overlays on insulated metal doors. The design between the garage door and home shall use the same or complementary colors and materials. All garages shall include carriage style hardware. An example of carriage style hardware is depicted in *Figure 1*.

Figure 1. Examples of Enhanced Wood Garage Door



- (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	62' x 120'	(1), (2), (3), (4)
B	72' x 120'	(1), (2), (3), (4)
C	100' x 120'	(1), (2), (3), (4)

- (a) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.
- (b) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or FM-549 shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

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

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

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

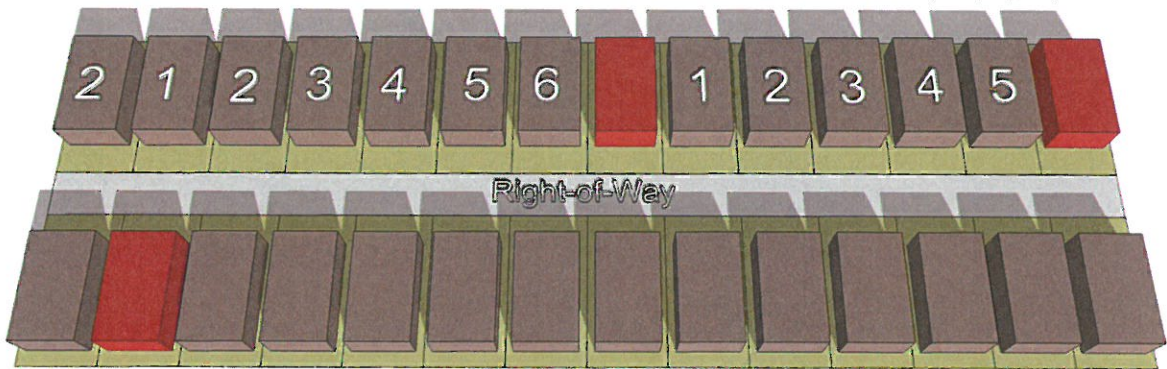
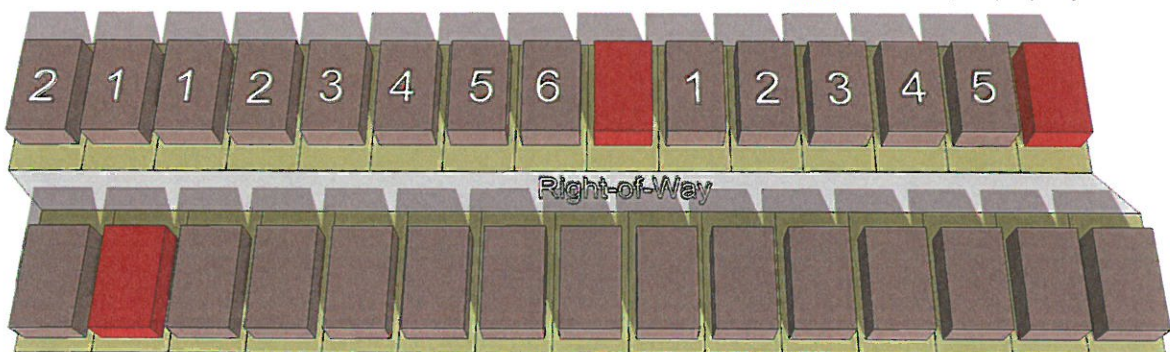


Figure 4: Properties do not line up on opposite side of the street. Where **RED** is the subject property.



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



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

constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.

- (c) Wrought Iron/Tubular Steel. Lots located along the perimeter of roadways (*i.e. FM-549*), 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-foot 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. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall also be required to plant a row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).
- (b) Landscape 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-549). A minimum of a 30-foot landscape buffer shall be provided along FM-549 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering six (6) foot trail shall be constructed within the 30-foot landscape buffer.
  - (2) Landscape Buffers (Northern Property Line). A minimum of a thirty (30) foot landscape buffer shall be provided along the northern property boundary. This

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

landscape buffer shall incorporate a solid living screen utilizing evergreen trees -- *either Eastern Red Cedar or Leland Cypress unless approved otherwise approved by the Director of Planning and Zoning --*, a minimum of four (4) caliper inches in size, that will be planted on 10-foot centers along the entire northern property boundary. An alternative screening plan proposing the use of existing trees, for the area directly adjacent to northern property line, may be submitted by the developer with the PD Site Plan. This alternative plan can be approved at the discretion of the Planning and Zoning Commission upon a finding that the proposed plan will provide adequate screening that is equal to or exceeds the standards stated in this section.

- (3) Landscape Buffer (Adjacent to the Properties Along the Northern Boundary). A heavy landscape area (*i.e. indicated in dark pink in Exhibit 'C' and labeled as a "62' x 120' Heavy Landscape Area"*) shall be provided adjacent to the northern properties. This landscape area shall consist of a minimum of canopy trees, accent trees, and shrubs and shall be reviewed for conformance with the *PD Site Plan*.
- (c) Street Trees. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-foot vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.
- (d) Irrigation Requirements. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association (HOA).
- (e) Hardscape. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.
- (8) Street. All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to City street standards.
- (9) Lighting. Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.
- (10) Sidewalks. All sidewalks adjacent to a street shall be a maximum of two (2) feet inside the right-of-way line and be five (5) feet in overall width.
- (11) Buried Utilities. New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate 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

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

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/Public Park. The development shall consist of a minimum of 20% open space (or a minimum of 39.2018-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. In addition, the following shall apply to the proposed open space and public park areas:
- (a) Public Park. The development shall incorporate a minimum of a 50-acre contiguous tract of land to the City of Rockwall -- identified as "Regional Park" in Exhibit 'C' -- for the provision of a public park. The proposed dedication of land shall be in lieu of the required cash-in-lieu of land fees required by Article II, *Parkland Dedication*, of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances; however, the developer shall be required to pay the pro-rata equipment fees as required by the ordinance, which shall be used to amenitized the proposed public park. To accommodate the development, the City shall grant temporary grading and permanent drainage and detention easements as necessary to develop the residential portions of the property in accordance with City requirements. The City shall have the right to relocate said easements granted in connection with the residential development -- at no cost to the residential developer -- such that the City may develop the public park in accordance with the City's desired use. Performance of the obligations under this subparagraph shall be deemed fully to satisfy the City's open space requirements stipulated by the OURHometown Vision 2040 Comprehensive Plan. The City shall make all reasonable efforts to name the park in honor of the Klutts family, or other name subject to the approval of the Klutts family.
- (b) Open Space. All open space areas not dedicated as part of the public park (including landscape buffers) shall be included in the open space calculation, and maintained by the Homeowner's Association (HOA).
- (13) Amenity Center. An amenity center shall be constructed in generally the same area as depicted in Exhibit 'C' of this ordinance, and shall be maintained by the Homeowner's Association (HOA). The design and layout of the amenity center shall be approved with the PD Site Plan.
- (14) Dog Park. The proposed dog park shall provide two (2) separate areas for large dogs and small dogs. A six (6) foot, vinyl coated chain link fence shall be required around the perimeter of the dog park and separating the two (2) areas. A double gate system shall be installed to reduce the chance of dogs escaping owners when leaving or entering the off-leash area. Self-closing gates shall be used to aid in keeping dogs from escaping owners. Waste disposal stations shall be provided for the two (2) separate areas. All areas of the dog park including restocking the waste disposal stations shall be the responsibility of the Homeowner's Association (HOA). In addition, all activities in the proposed dog park shall be subject to Article X, *Dog Parks*, of Chapter 6, *Animals*, of the Municipal Code of Ordinances.
- (15) Trails. A concrete trail system shall be constructed generally in the same location as the trail system depicted in Exhibit 'C' of this ordinance, and shall provide connectivity to the proposed park.

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

- (16) Neighborhood Signage and Enhancements. Permanent subdivision identification signage shall be required at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.
- (17) Homeowner's Association (HOA). A Homeowner's Association (HOA) shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all private neighborhood parks, trails, open space and common areas (*including drainage facilities*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development. In addition, the HOA shall be responsible for maintaining any drainage areas on the public park that are necessary to provide sufficient stormwater detention for the residential lots. These areas are required to be delineated on the *PD Site Plan*.
- (18) 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.