

CITY OF ROCKWALL

ORDINANCE NO. 04-59

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM (SF-7) SINGLE FAMILY RESIDENTIAL DISTRICT, (LI) LIGHT INDUSTRIAL DISTRICT, (C) COMMERCIAL DISTRICT, (HC) HEAVY COMMERCIAL, AND (PD-52) PLANNED DEVELOPMENT DISTRICT NO. 52 TO (PD-59) PLANNED DEVELOPMENT NO. 59 DISTRICT FOR A 55.8-ACRE TRACT OF LAND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; 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, a zoning change from (SF-7) Single Family Residential district, (LI) Light Industrial district, (C) Commercial district, (HC) Heavy Commercial, and (PD-52) Planned Development district to (PD-59) Planned Development No. 59 district has been request by Ramsay Ivy Co., L.C., for a 55.8-acre tract of land bounded by Washington Street and Aluminum Plant Road to the north, Renfro Street and T.L. Townsend Drive to the west, and the railroad to the south, and more specifically described in Exhibit "A" attached hereto and made a part hereof; 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, the governing body in the exercise of its legislative discretion has concluded that the Comprehensive Zoning Ordinance of the City of Rockwall should be amended as follows:

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

Section 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended by the approval of a zoning change from (SF-7) Single Family Residential district, (LI) Light Industrial district, (C) Commercial district, (HC) Heavy Commercial, and (PD-52) Planned Development district to (PD-59) Planned Development No. 59 district has been request by Ramsay Ivy Co., L.C., for a 55.8-acre tract of land bounded by Washington Street and Aluminum Plant Road to the north, Renfro Street and T.L. Townsend Drive to the west, and the railroad to the south, and more specifically described in Exhibit "A" attached hereto and made a part hereof.

Section 2. That the tract of land described in the attached Exhibit "A" shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance (Ord. No. 04-38) of the City of Rockwall as heretofore amended, as amended herein by granting of this approval shall affect only the property described in the attached Exhibit "B" and said property shall be limited to the uses, density, area, setback and other requirements set forth herein.

Section 3. Prior to or concurrently with submittal of a preliminary plat for the subject property, a final development plan shall be required so that the City can review details of the project including, but not limited to, the following:

1. Street lighting that shall be compatible with neo-traditional design methods, the Old Town Rockwall Historic District guidelines, and any proposed guidelines for the City's Downtown Plan.
2. Street signage and traffic control methods that are compatible with neo-traditional design and complement the surrounding historic areas of the City.
3. Alternative street and alley cross-sections, paving methods, use of street trees, and other proposed engineering details.
4. Details for private parks and open space as indicated on Exhibit "B", shall be subject to the following requirements and approved as part of the development plan, including:
 - a. A site/landscape plan(s) for all open space, pocket parks, the community center and trail systems. The development plan and/or preliminary plat shall also be reviewed by the City's Parks Board.
 - b. All city-required trails and public sidewalks shall be constructed with concrete and meet all City standards.
 - c. Drainage area trails, which shall be maintained by the HOA, may be constructed with asphalt.
 - d. A screening fence shall be installed by the developer adjacent to the railroad along the south boundary of the subject property. The exact location, construction material(s) and height of the screening fence shall be reviewed and approved as part of the required development plan.

Section 4. That development in the area indicated as **Area 1 on Exhibit "B"**, attached hereto, shall be subject to the permitted uses and area requirements of **Article V, Section 4.3 (NS) Neighborhood Service District**, of the City of Rockwall Comprehensive Zoning Ordinance (Ord. No. 04-38) as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, with the following additional conditions and restrictions:

1. All proposed developments within Area 1 shall be subject to future site plan and Architectural review.
2. A minimum 10 foot landscape buffer shall be required along all street frontages. The buffer shall include a minimum tree planting of one tree per thirty linear feet from the City of Rockwall approved tree list.
3. Permanent, free standing signage for the entire 1.8-acre tract shall be limited to one (1) monument sign not exceeding five (5) feet in height or a maximum of sixty (60) square feet in area. All other signage shall be subject to the standards set forth in the City's Sign Ordinance.
4. In addition to the requirements of the outdoor lighting requirements of the comprehensive zoning ordinance, no light pole, pole base or combination thereof shall exceed twenty (20) feet. All lighting fixtures shall focus light downward and be contained on the site.

5. All structures having a footprint of 6,000 square feet or less shall be constructed with a pitched roof system.

Section 5. That development in the area indicated as **Area 2 on Exhibit "B"**, attached hereto, shall be subject to the permitted uses and area requirements of **Article V, Section 3.6 (SF-7) Single Family Residential District**, of the City of Rockwall Comprehensive Zoning Ordinance (Ord. No. 04-38) as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, with the following additional conditions and restrictions:

1. Minimum lot size – 4,000 square feet
2. Minimum average lot size – 7,000 square feet
3. Maximum number of lots in Area 2– 146
4. Minimum lot frontage on a public street – 40 feet
5. Minimum front yard setback – 10 feet
6. Minimum rear yard setback – 10 feet, except for those lots with double frontage (i.e. along Renfro Street) which shall have a minimum rear setback of 15 feet
7. Minimum side yard setback –
 - a. 5 feet for an internal lot, and for any lot abutting an open space or HOA common area
 - b. 10 feet for any lot abutting a street
8. Lots with rear yards that abut Renfro Street shall not have access from Renfro Street
9. Housing type and construction shall generally adhere to the architectural styles as provided within Exhibit "C" attached hereto.
10. Exterior walls for all buildings 100-sf or more shall be constructed of at least 80% standard masonry construction, excluding windows and doors, unless the wall is on a porch, patio, courtyard or breezeway, in which event, the wall may be of non-masonry construction.
11. An anti-monotony restriction shall not allow the same structure in terms of materials and elevation any closer than five (5) houses apart on either side of the street.
12. All common areas and dedicated landscape easements and open space areas shall be maintained by a Homeowner's Association, which shall be created subject to the requirements of the City of Rockwall Subdivision Ordinance and filed prior to approval of the final plat(s).
13. Guest Quarters or a secondary living unit shall be permitted by right within Area 2 provided that is ancillary to the primary use and that only one such facility is provided, and subject to the following conditions:
 - a. The area of such quarters shall not exceed 30% of the area of the main structure.
 - b. The area of such quarters shall also be restricted by the maximum building coverage requirements for the overall lot.

- c. No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the Subdivision Ordinance.
- a. Such quarters shall be designed for the temporary occupancy of guests of the primary dwelling, or as a secondary living unit for the “family” – as defined by the Rockwall Code of Ordinances – of the primary dwelling, for which there is no remuneration and is not rented.

Section 6. That development in the area indicated as **Area 3 on Exhibit “B”**, attached hereto, shall be subject to the permitted uses and area requirements of **Article V, Section 3.6 (SF-7) Single Family Residential District**, of the City of Rockwall Comprehensive Zoning Ordinance (Ord. No. 04-38) as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, with the following additional conditions and restrictions:

1. Minimum lot size – 4,000 square feet
2. Minimum average lot size – 7,000 square feet
3. Maximum number of lots in Area 3– 19
4. Minimum lot frontage on a public street – 40 feet
5. Minimum front yard setback – 10 feet
6. Minimum rear yard setback – 10 feet, except for those lots with double frontage shall have a minimum rear setback of 15 feet
7. Minimum side yard setback –
 - a. 5 feet for an internal lot, and for any lot abutting an open space or HOA common area
 - b. 10 feet for any lot abutting a street
8. Housing type and construction shall generally adhere to the architectural styles as provided within Exhibit “C” attached hereto.
9. Exterior walls for all buildings 100-sf or more shall be constructed of at least 80% standard masonry construction, excluding windows and doors, unless the wall is on a porch, patio, courtyard or breezeway, in which event, the wall may be of non-masonry construction.
10. An anti-monotony restriction shall not allow the same structure in terms of materials and elevation any closer than five (5) houses apart on either side of the street.
11. All common areas and dedicated landscape easements and open space areas shall be maintained by a Homeowner’s Association, which shall be created subject to the requirements of the City of Rockwall Subdivision Ordinance and filed prior to approval of the final plat(s).
12. Guest Quarters or a secondary living unit shall be permitted by right within Area 3 provided that is ancillary to the primary use and that only one such facility is provided, and subject to the following conditions:
 - a. The area of such quarters shall not exceed 30% of the area of the main structure.

- b. The area of such quarters shall also be restricted by the maximum building coverage requirements for the overall lot.
 - c. No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the Subdivision Ordinance.
 - d. Such quarters shall be designed for the temporary occupancy of guests of the primary dwelling, or as a secondary living unit for the “family” – as defined by the Rockwall Code of Ordinances – of the primary dwelling, for which there is no remuneration and is not rented.
13. The permitted uses for Area 3 shall be in accordance with those allowed for the (SF-7) Single Family Residential district as outlined in **Article IV, Table 1, Land Use Tables**, of the Comprehensive Zoning Ordinance (Ord. No. 04-38), as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, with allowances for the following additional uses as an accessory to the primary residential use:
- a. General office of less than 500 square feet, excluding medical office.
 - b. Hypnotist office of less than 500 square feet.
 - c. Massage therapist with less than 500 square feet.
 - d. Studio - art, photography or music - less than 1,000 square feet.
14. Parking requirements for Area 3 shall be as follows:
- a. Two (2) parking spaces per lot for single-family uses
 - b. One (1) additional space per 500 square feet of non-residential use as permitted by this ordinance. Off-site common or shared parking agreements shall be considered for Area 3, subject to review of the proposed parking area(s) with the required development plan.

Section 7. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

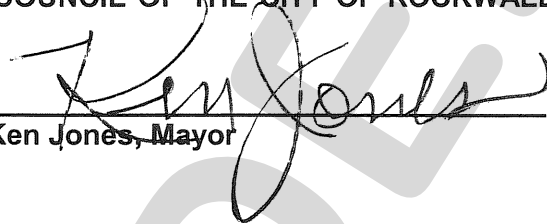
Section 8. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 9. 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 Comprehensive Zoning Ordinance No. 04-38 of the City of Rockwall, Texas, 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 10. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 11. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides, and it is so ordained.

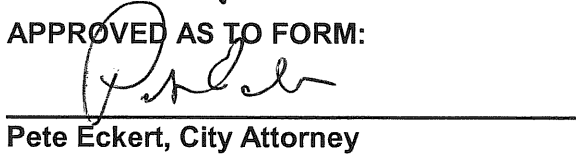
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 18th day of October, 2004.



Ken Jones, Mayor

ATTEST:


Dorothy Brooks, City Secretary

APPROVED AS TO FORM:


Pete Eckert, City Attorney

1st Reading: October 4, 2004

2nd Reading: October 18, 2004



SUPERERS

Zoning Description
 BEING a tract of land situated in the R. Beard Survey, Abstract Number 29, in the City of Rockwall, Rockwall County, Texas, and being a part of Tract 31 as recorded in Volume 444, Page 102, and all of Tract 32 as recorded in Volume 444, Page 146 (Dad Railroad, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1" pipe found on the east right-of-way of Townsend Drive, said point being the most westerly southeast corner of said Tract 31 and being approximately 200' north of the north line of the M. K. & T. Railroad (100' right-of-way);

THENCE continuing along said High School Drive North 01°56'15" East a distance of 88.87 feet to a 5/8" iron pipe for corner;

THENCE departing said High School Drive North 85°34'29" East a distance of 182.10 feet to a 5/8" iron pipe for corner;

THENCE North 04°30'36" East a distance of 88.54 feet to a 1/2" iron pipe for corner;

THENCE North 05°42'23" West a distance of 29.85 feet to a 1/2" iron pipe for corner;

THENCE North 88°34'04" East a distance of 110.36 feet to a 1/2" iron pipe for corner;

THENCE North 11°21'42" East a distance of 740.32 feet to fence post found (controlling monument) for corner;

THENCE North 78°14'03" West a distance of 207.10 feet to a fence post found in the east right-of-way of Rennie Street;

THENCE continuing along said Rennie Street North 10°13'03" East a distance of 828.53 feet to a 5/8" iron pipe for corner;

THENCE departing said Rennie Street North 88°50'10" East a distance of 420.29 feet to a 5/8" iron pipe for corner;

THENCE North 01°20'36" West a distance of 200.00 feet to a 1/2" iron pipe for corner;

THENCE North 07°40'16" West a distance of 87.86 feet to a 1/2" iron pipe for corner;

THENCE South 88°34'57" East a distance of 128.36 feet to a 1/2" iron pipe for corner;

THENCE North 00°48'08" West a distance of 110.57 feet to a 1/2" iron pipe for corner in the south right-of-way line of Aluminum Plant Road;

THENCE along said Aluminum Plant Road North 89°08'48" West a distance of 184.10 feet to a point for corner;

THENCE North 21°04'24" West a distance of 414.60 feet to a point for corner;

THENCE South 56°23'54" East a distance of 781.00 feet to a point for corner;

THENCE North 89°56'03" East a distance of 308.37 feet to a point for corner;

THENCE South 07°24'46" West a distance of 802.23 feet to a point for corner;

THENCE South 04°53'53" East a distance of 317.77 feet to a point for corner;

THENCE South 08°19'54" East a distance of 1036.10 feet to a point in the east right-of-way of M. K. & T. Railroad (100' right-of-way) for corner;

THENCE along said right-of-way South 87°55'08" West a distance of 740.83 feet to a 1/2" iron pipe found at the beginning of a tangent curve to the left;

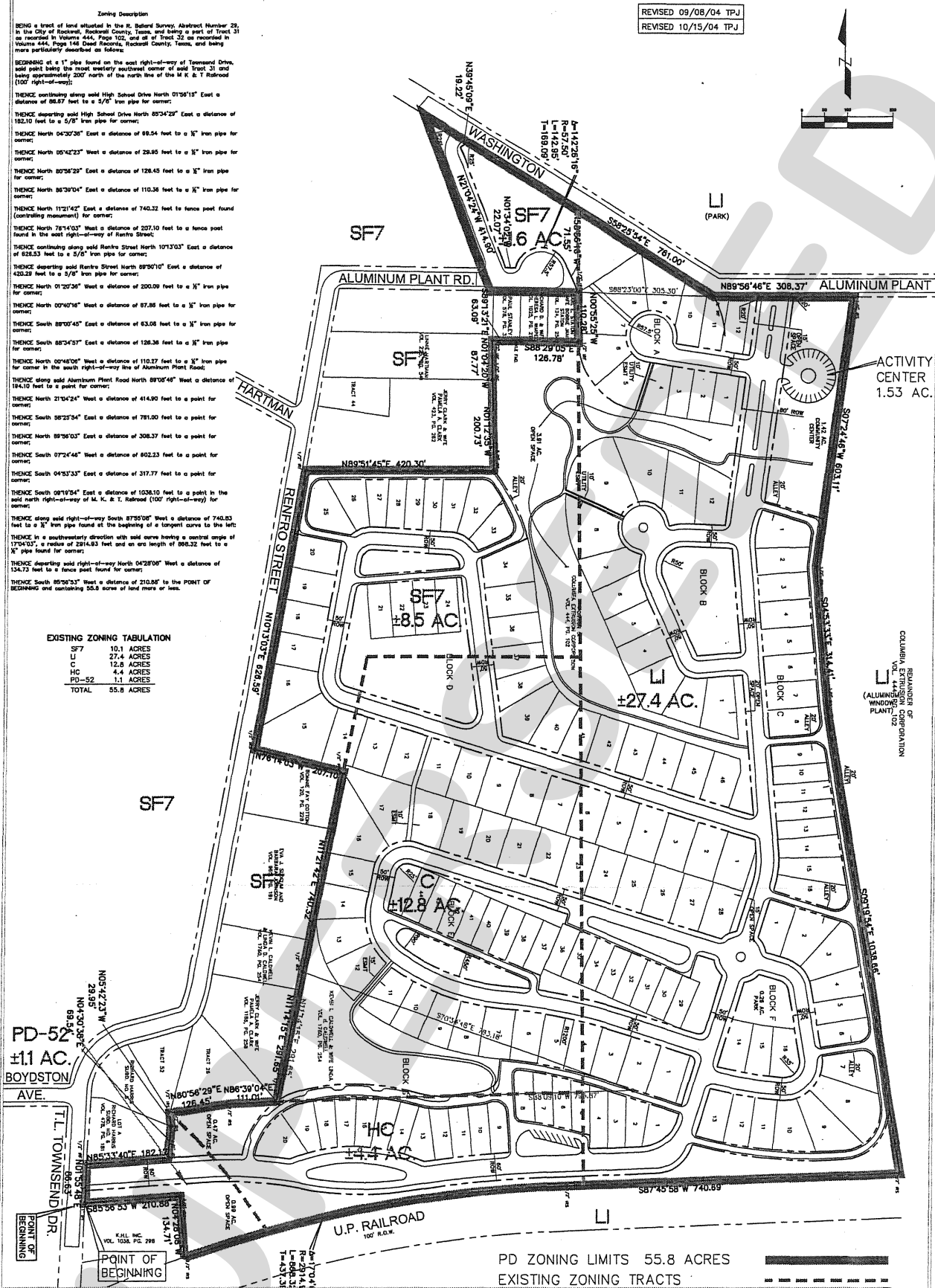
THENCE in a southeasterly direction with said curve having a central angle of 170°03", a radius of 284.83 feet and an arc length of 896.32 feet to a 1/2" iron pipe found for corner;

THENCE departing said right-of-way North 04°28'08" West a distance of 134.73 feet to a fence post found for corner;

THENCE South 89°56'53" West a distance of 210.86' to the POINT OF BEGINNING and containing 55.8 acres of land more or less.

EXISTING ZONING TABULATION

SF7	10.1 ACRES
HC	27.4 ACRES
PD-52	12.8 ACRES
PD-52	4.4 ACRES
PD-52	1.1 ACRES
TOTAL	55.8 ACRES



DATE
 June 30, 2004
 PROJECT
 2993.02

Park Place
 Rockwall Texas
 ZONING PLAN

PD ZONING LIMITS 55.8 ACRES
 EXISTING ZONING TRACTS

TOMDEN ENGINEERING, L.L.P.
 12855 N. Central Expy., Suite 1016
 Dallas, Texas 75243
 Ph: 972.386.6446 Fax: 972.386.6409
 mail@tomden.com

EXHIBIT "A" - ZONING EXHIBIT
Z2004-034: Park Place

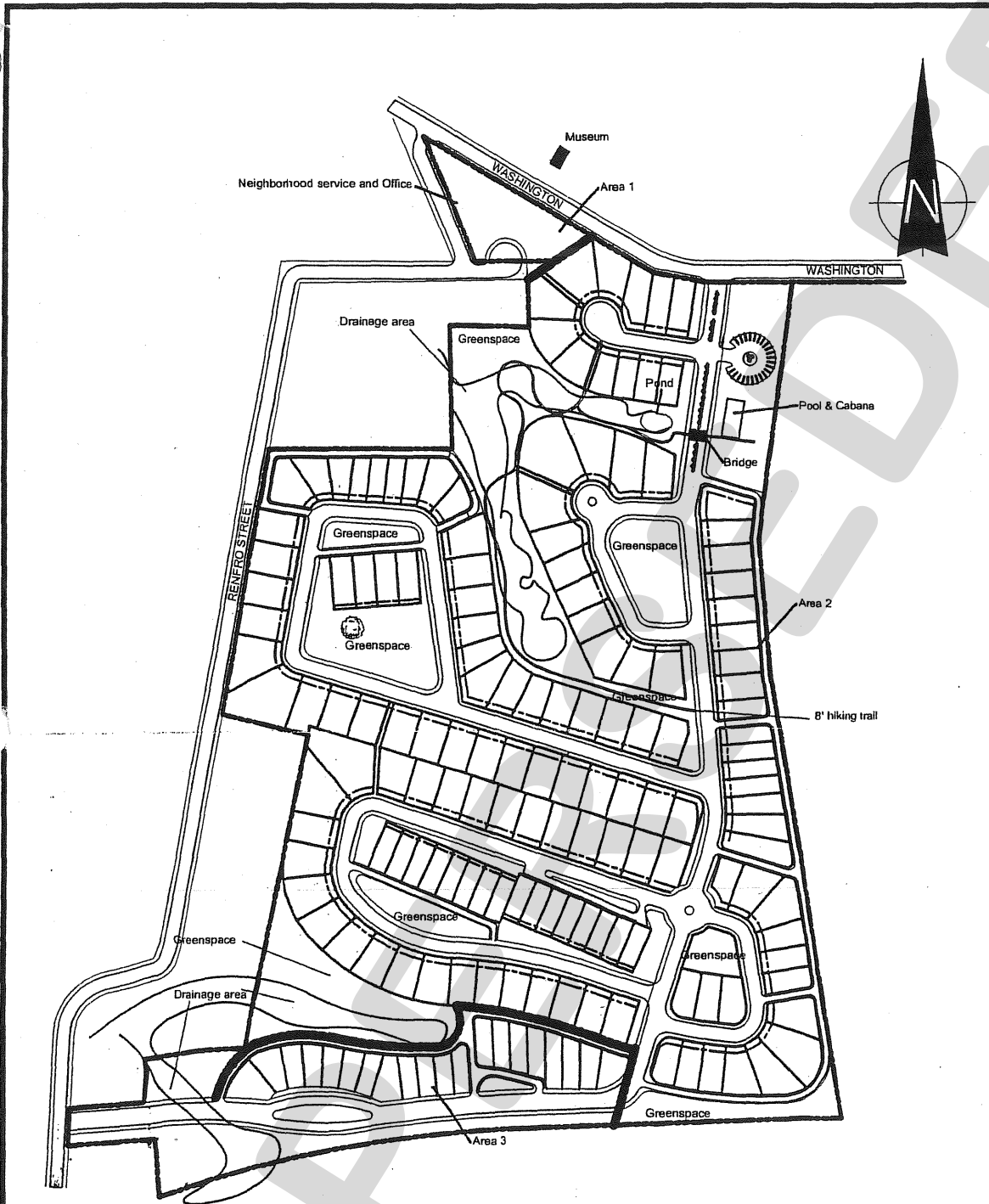


EXHIBIT "B" – CONCEPT PLAN
Z2004-034: Park Place

DATE
 Sept. 8, 2004
 PROJECT
 0305

Park Place
 Rockwall Texas



**RAMSAY
 IVY COMPANY, LC**
 2235 RIDGE ROAD, SUITE 104
 ROCKWALL, TEXAS 75087
 PH: 972.771.1030



CITY OF ROCKWALL

ORDINANCE NO. 06-51

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO APPROVE AN AMENDMENT TO (PD-59) PLANNED DEVELOPMENT NO. 59 DISTRICT (ORD. NO. 04-59) TO INCREASE THE MAXIMUM BUILDING COVERAGE TO 60% AND ALLOW FOR FRONT YARD FENCES; 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, an amendment to (PD-59) Planned Development No. 59 District (Ord. No 04-59) to increase the maximum building coverage to 60% and to allow for front yard fences, has been requested by Columbia Development Company, LLC; 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, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas:

Section 1. That the Unified Development Code of the City of Rockwall and Ordinance No. 04-59, as heretofore amended, be and the same are hereby amended by the approval of an amendment to (PD-59) Planned Development No. 59 District.

Section 2. That the property described in Ordinance No. 04-59 shall be used only in the manner and for the purposes provided for in said ordinance and the Unified Development Code of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future and subject to the following additional conditions:

1. **Maximum building coverage shall be 60%.**
2. **Front yard fences shall be allowed by right subject to the following conditions:**
 - a. **No front yard fence shall be located within a public right-of-way.**
 - b. **The maximum height for a front yard fence is 42-inches.**
 - c. **All front yard fences shall be open or "picket-style" fencing constructed of wrought iron or tubular steel, or vinyl.**

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 4. 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 offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. 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 (Ord No. 04-38) of the City of Rockwall, Texas, 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 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.


Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 11th day of December, 2006.



William R. Cecil, Mayor

ATTEST:



Dorothy Brooks, City Secretary

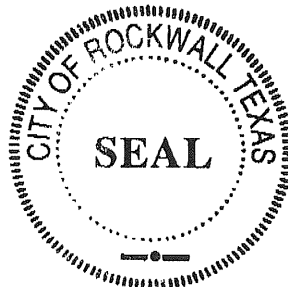
APPROVED AS TO FORM:



Pete Eckert, City Attorney

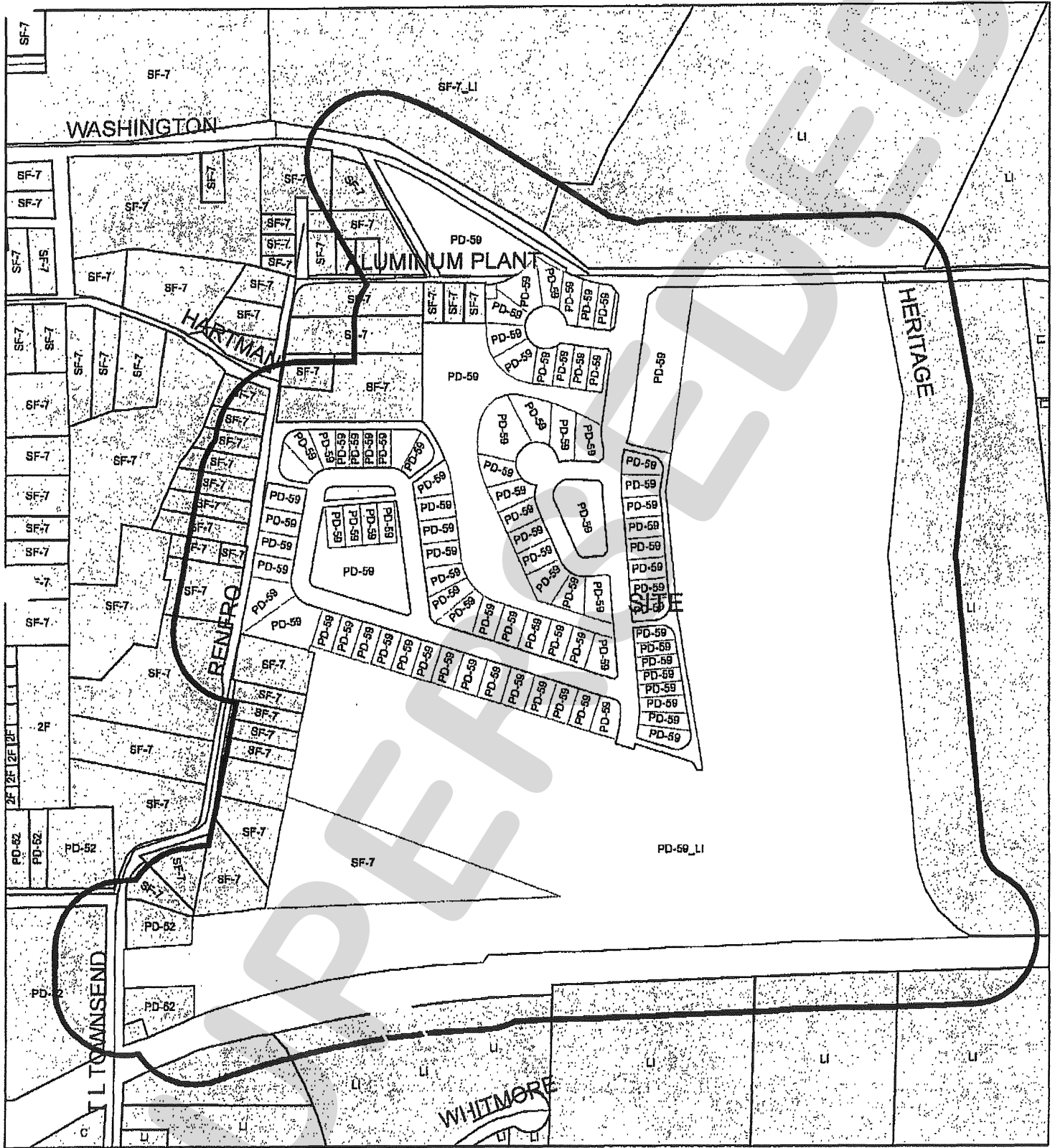
1st Reading: 11-20-06

2nd Reading: 12-11-06



Legend

Site 200-ft Buffer



Park Place West Z2006-023 PD Amendment

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

ORDINANCE NO. 19-08

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 AMEND PLANNED DEVELOPMENT DISTRICT 59 (PD-59) [ORDINANCE NO.'s 04-59 AND -6-51] AND PLANNED DEVELOPMENT DISTRICT 52 (PD-52) [ORDINANCE NO. 16-45] FOR THE PURPOSE OF INCORPORATING A 0.789-ACRE TRACT OF LAND FOR RESIDENTIAL-OFFICE (RO) DISTRICT LAND USES BEING A 56.586-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ZONED PLANNED DEVELOPMENT DISTRICT 52 (PD-52) AND PLANNED DEVELOPMENT DISTRICT 59 (PD-59) 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 the applicant Bill Bricker of Columbia Development Company, LLC, for the approval of an amendment to Planned Development District 59 (PD-59) for the purpose of incorporating a 0.786-acre tract of land for Residential-Office (RO) District land uses, being a 56.586-acre tract of land identified as a portion of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 52 (PD-52) [*Ordinance No. 16-45*] and Planned Development District 59 (PD-59) [*Ordinance No.'s 04-59 and 06-51*], located between W. Washington Street and T. L. Townsend Drive and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 59 (PD-59) [*Ordinance No.'s 04-59 and 06-51*], Planned Development District 52 (PD-52) [*Ordinance No. 16-45*], and 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 approval of this ordinance shall supersede all requirements stipulated in

Ordinance No.'s 04-59 and 06-51;

SECTION 2. 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 (UDC) [Ordinance No. 04-38] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future;

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


SECTION 5. 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 6. 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 7. 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 8. 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 4TH DAY OF FEBRUARY, 2019.**



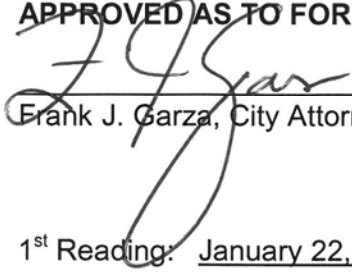
Jim Pruitt, Mayor

ATTEST:



Kristy Cole, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney



1st Reading: January 22, 2019

2nd Reading: February 4, 2019

SUPERSEDED

Exhibit 'A':
Legal Description

BEING a tract of land situated in the R. Ballard Survey, Abstract Number 29, in the City of Rockwall, Rockwall County, Texas, and being a part of Tract 31, as recorded in Volume 444, Page 102, and all of Tract 32 as recorded in Volume 444, Page 146 Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1" pipe found on the east right-of-way of Townsend Drive, said point being the most westerly southwest corner of said Tract 31 and being approximately 200' north of the north line of the M K & T Railroad (100' right-of-way);

THENCE continuing along said High School Drive North 01°56'15" East a distance of 86.67 feet to a 5/8" iron pipe for corner;

THENCE departing said High School Drive North 85°34'29" East a distance of 182.10 feet to a 5/8" iron pipe for corner;

THENCE North 04°30'38" East a distance of 69.54 feet to a 1/2" iron pipe for corner;

THENCE North 05°42'23" West a distance of 29.95 feet to a 1/2" iron pipe for corner;

THENCE North 80°56'29" East a distance of 126.45 feet to a 1/2" iron pipe for corner;

THENCE North 86°39'04" East a distance of 110.36 feet to a 1/2" iron pipe for corner;

THENCE North 11°21'42" East a distance of 740.32 feet to fence post found (controlling monument) for corner;

THENCE North 76°14'03" West a distance of 207.10 feet to a fence post found in the east right-of-way of Renfro Street;

THENCE continuing along said Renfro Street North 10°13'03" East a distance of 626.53 feet to a 5/8" iron pipe for corner;

THENCE departing said Renfro Street North 89°50'10" East a distance of 420.29 feet to a 5/8" iron pipe for corner;

THENCE North 01°20'36" West a distance of 200.09 feet to a 1/2" iron pipe for corner;

THENCE North 00°40'16" West a distance of 87.88 feet to a 1/2" iron pipe for corner:

THENCE South 89°00' 45" East a distance of 63.08 feet to a 1/2" iron pipe for corner;

THENCE South 88°34'57" East a distance of 126.36 feet to a 1/2" iron pipe for corner;

THENCE North 00°48'06" West a distance of 110.27 feet to a 1/2" iron pipe for corner in the south right-of-way line of Aluminum Plant Road;

THENCE along said Aluminum Plant Road North 89°08'46" West o distance of 194.10 feet to a point for corner;

THENCE North 21°04'24" West a distance of 414.90 feet to a point for corner;

THENCE South 58°25'54" East a distance of 761.00 feet to a point for corner;

THENCE North 89°56'03" East a distance of 308.37 feet to a point for corner;

THENCE South 07°24' 46" West a distance of 602.23 feet to a point for corner;

THENCE South 04°53'33" East a distance of 317.77 feet to a point for corner;

THENCE South 09°19'54" East a distance of 1038.10 feet to a point in the said north right-of-way of M. K. & T. Railroad (100' right-of-way) for corner;

THENCE along said right-of-way South 87°55'08" West a distance of 740.83 feet to a 1/2" iron pipe found at the beginning of a tangent curve to the left;

THENCE in a southwesterly direction with said curve having a central angle of 17°04'03", a radius of 2914.93 feet and an arc length of 868.32 feet to a 1/2" pipe found for corner;

THENCE In a southwesterly direction with sold curve having a central angle of 04°45'26", a radius of 2923.97 feet and an arc length of 242.78 feet to XX for corner;

THENCE North 01°20'58" East a distance of 208.56 feet to a 1" iron pipe to the POINT OF BEGINNING and containing 56.7 acres of land more or less.

Exhibit 'B': Survey

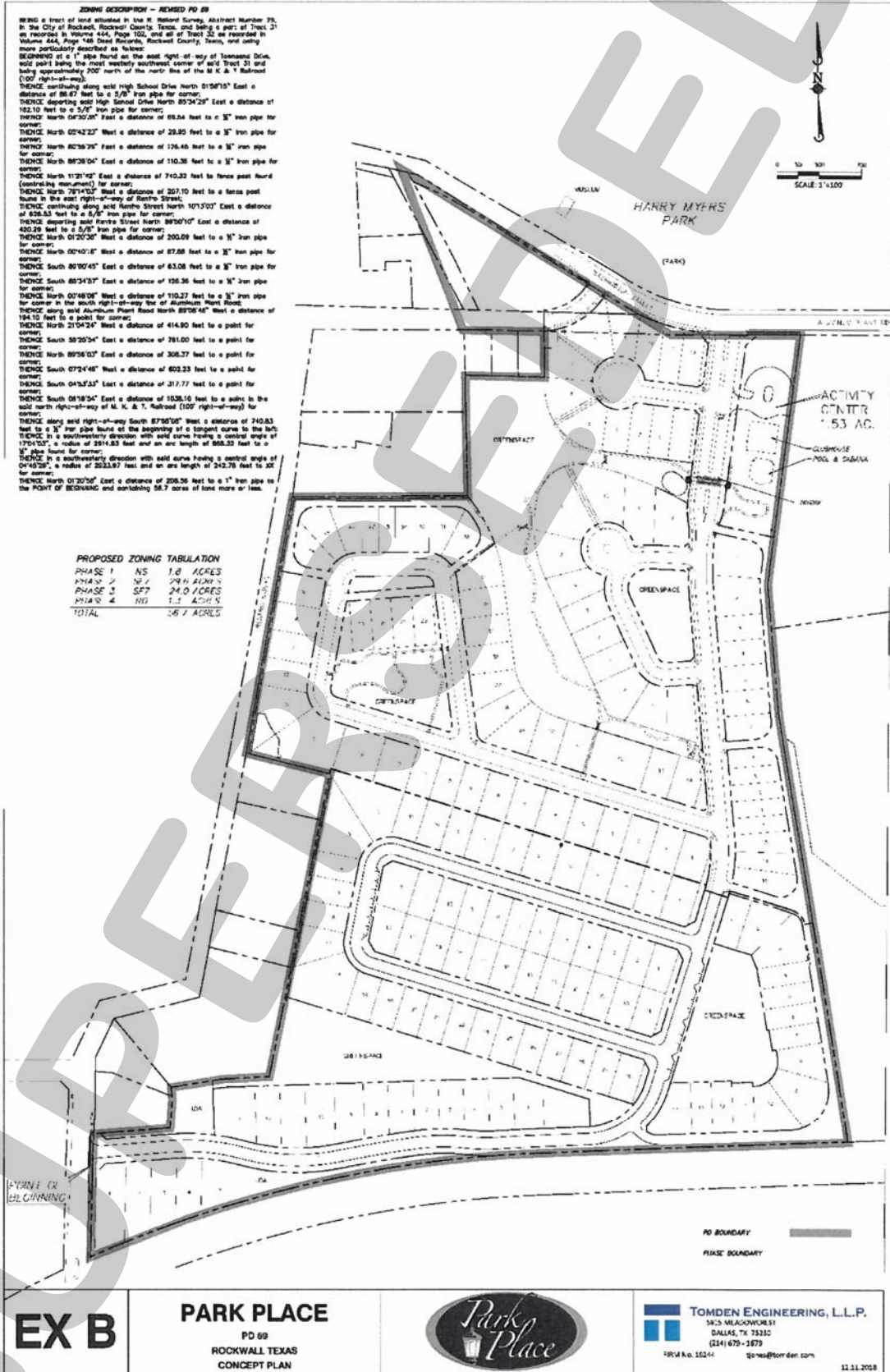


Exhibit 'C':
Area Map

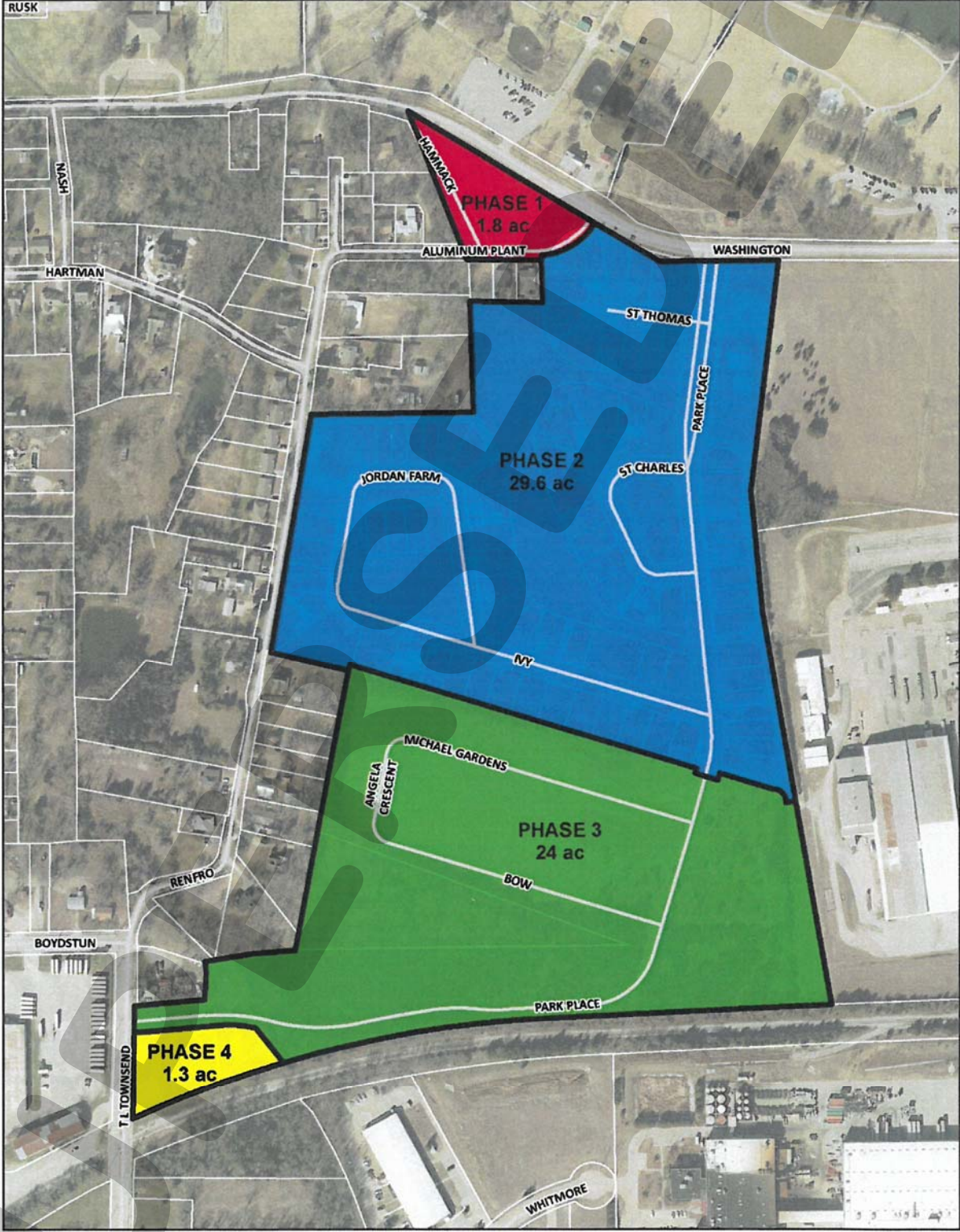


Exhibit 'D': Concept Plan

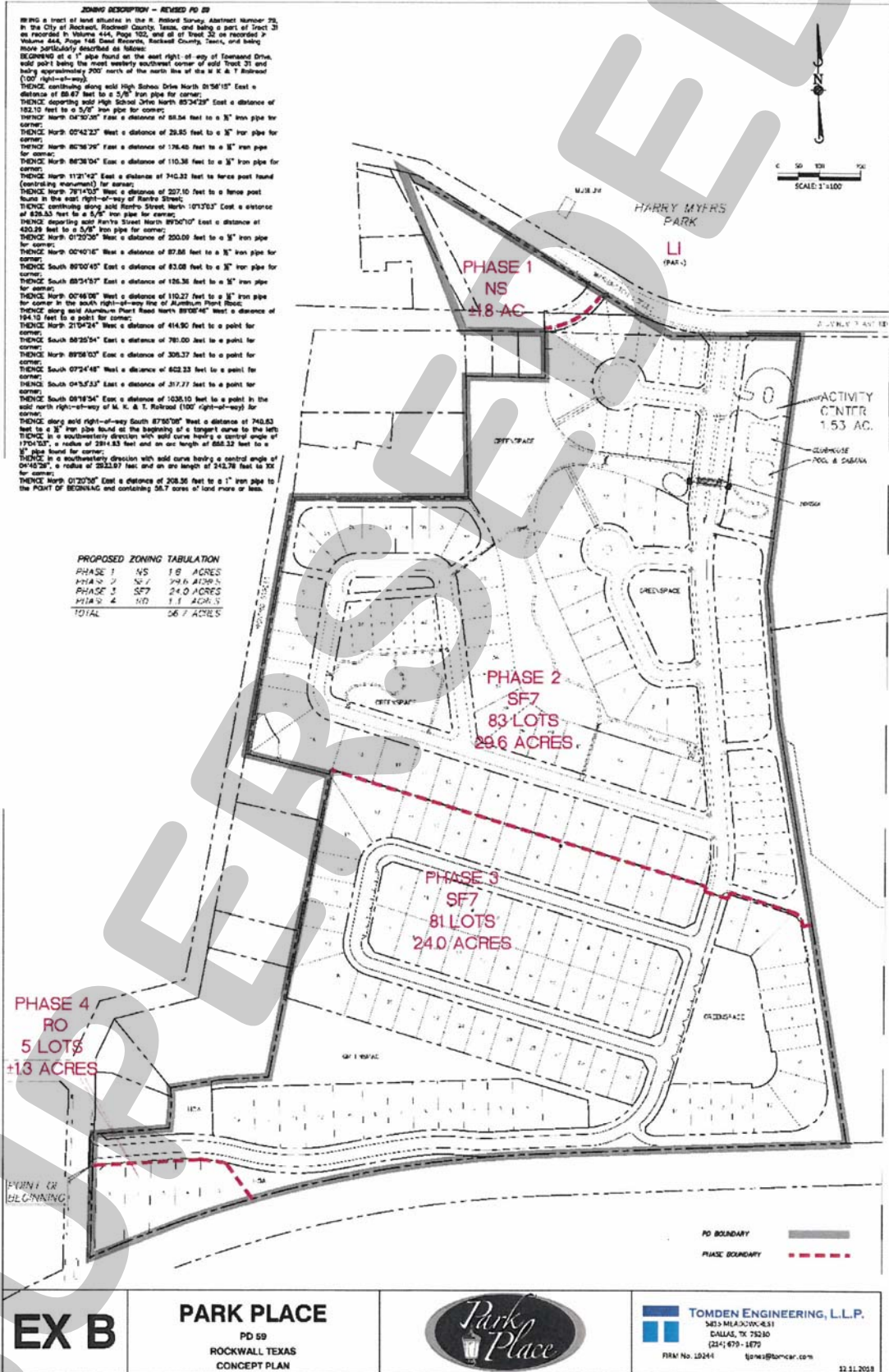


Exhibit 'E': Hardscape Plan

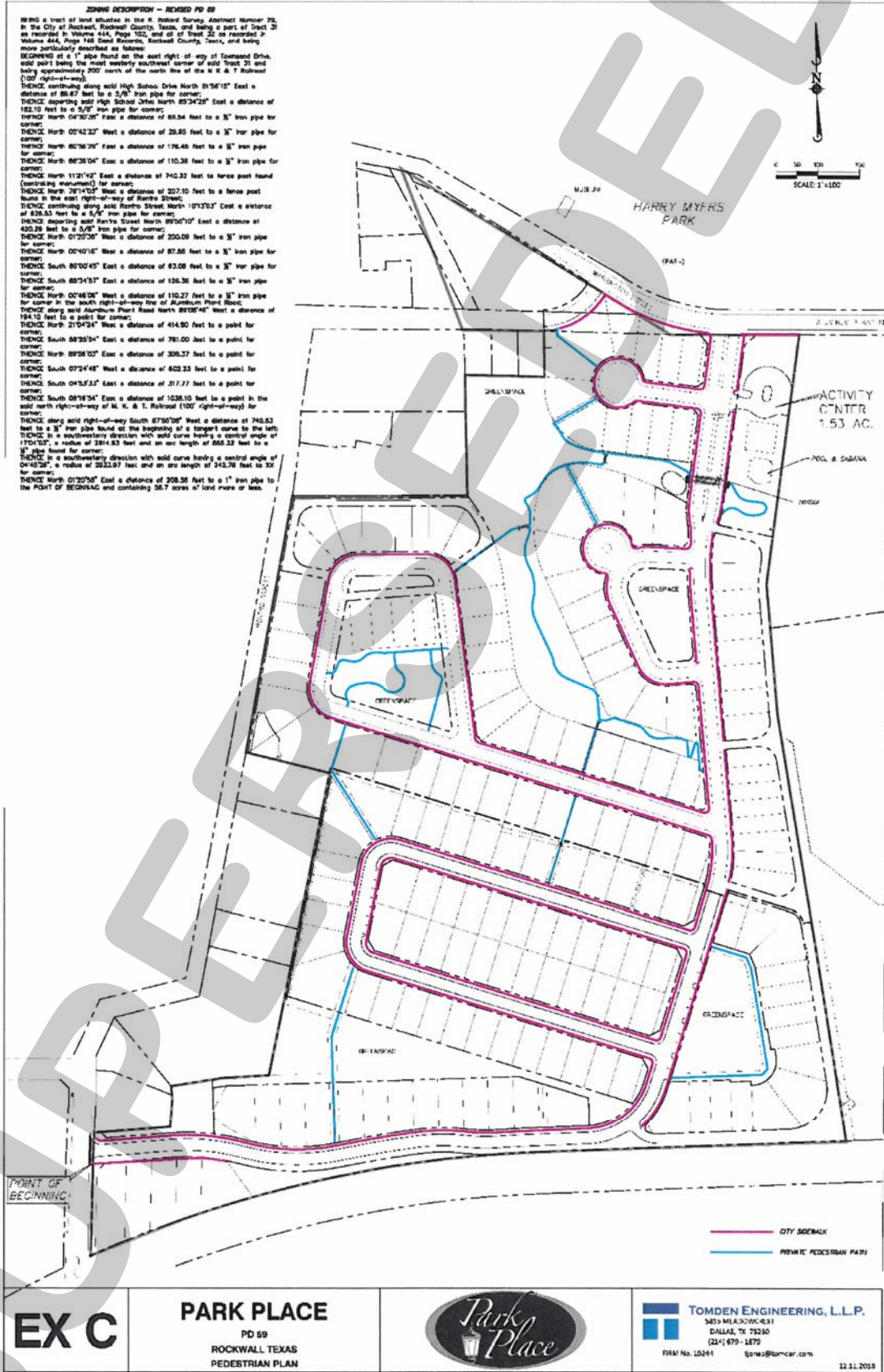


Exhibit 'F':
PD Development Standards

Phases 1-4 (56.586-Acres): Development Standards for all Phases

- (1) *Streetscape Standards.* The following aspects of development shall be reviewed in conjunction with a preliminary plat and/or site plan:
 - (a) *Street Lighting.* Street lighting shall be compatible with neo-traditional design methods, the Old Town Rockwall Historic District guidelines, and any proposed guidelines for the City's Downtown Plan.
 - (b) *Street Signage and Traffic Control.* Signage and traffic control methods shall be compatible with neo-traditional design and complement the surrounding historic areas of the City.
 - (c) *Street Sections.* A PD Development Plan shall include any alternative street and alley cross-sections, paving methods, use of street trees, and other proposed engineering details.
- (2) *Private Parks and Open Space.* Details for private parks and open space as indicated in *Exhibit 'B'* shall be subject to the following requirements and approved as part of the preliminary plat and/or site plan:
 - (a) A site/landscape plan for all open space, pocket parks, the community center, and trail systems. The development plan and/or preliminary plat shall also be reviewed by the City's Parks and Recreation Board.
 - (b) All city-required trails and public sidewalks shall be constructed with concrete and meet all City standards.
 - (c) Drainage area trails, which shall be maintained by the HOA, may be constructed with asphalt.
 - (d) The developer shall install a screening fence adjacent to the railroad along the south boundary of the subject property. The exact location, construction material(s), and height of the screening fence shall be reviewed and approved as part of the required site plan.
- (3) *Hardscape.* Hardscape plans--depicted in *Exhibit 'E'*--indicating the location of all sidewalks and trails shall be reviewed and approved with the preliminary plat and/or final plat.
- (4) *Fence Standards.* All fences shall be required to be wrought iron or tubular steel and vinyl shall be a minimum of four (4) feet in height; however, may not exceed a maximum of eight (8) feet in height unless situated in the front yard. Front yard fences shall meet the following requirements:
 - (a) No front yard fences shall be located within a public right-of-way;
 - (b) The maximum height for a front yard fence is 42-inches (*i.e.* 3 ½ feet); and
 - (c) All front yard fences shall be open or *picket-style* fencing constructed of wrought iron, tubular steel, or vinyl.

Phase 1: Neighborhood Services (1.8-Acres)

- (1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, *Phase 1* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the land uses permitted for the Neighborhood Services (NS) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance*

Exhibit 'F':
PD Development Standards

- (2) *No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.
- (3) *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, *Phase 1* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the development standards for the Neighborhood Services (NS) District as stipulated in Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future. All lots shall conform to the standards depicted in *Table 1*, which are as follows:

Table 1: Density and Dimensional Requirements

<i>Minimum Lot Width</i> ⁽¹⁾	60'
<i>Minimum Lot Depth</i>	100'
<i>Minimum Lot Area</i>	6,000 SF
<i>Minimum Front Yard Setback</i> ⁽²⁾	15'
<i>Minimum Side Yard Setback</i>	20'
<i>Minimum Distance Between Buildings</i>	15'
<i>Maximum Height</i>	36'
<i>Minimum Rear Yard Setback</i>	20'
<i>Maximum Lot Coverage</i>	60%
<i>Maximum Building Size</i>	5,000 SF

General Notes:

¹: The minimum lot width shall be measured at the *Front Yard Building Setback*.

²: The location of the *Front Yard Building Setback* as measured from the front property line.

- (4) *Building Standards.* All development shall be subject to site plan and Architectural Review Board (ARB) review and shall adhere to the following building standards:
 - (a) *Masonry Requirements.* The minimum masonry requirement for the exterior façades of all buildings shall be 80%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (e.g. *HardiBoard* or *Hardy Plank*) and/or similar cementitious products may be used for up to 100% of the exterior of the building pending conformance with the anti-monotony restrictions outlined in this ordinance. Stucco (i.e. *three [3] part stucco* or similar) shall be prohibited.
 - (b) *Roof Design Requirements.* All structures having a footprint of 6,000 SF or less shall be constructed with a pitched roof system.
 - (c) *Architectural Requirements.* All units shall be architecturally finished on all sides of the building that are visible from a public right-of-way or open space. This should include the detailing and features. This will be reviewed by the Architectural Review Board (ARB) for conformance.
- (5) *Landscape Buffer.* A minimum 10-foot landscape buffer shall be required along all street frontages. The buffer shall include a minimum of one (1) tree per 30 linear feet.
- (6) *Signage.* Permanent, free-standing signage for Phase 1 shall be limited to one (1) monument not exceeding five (5) feet in height or a maximum of 60 SF in area.
- (7) *Lighting.* In addition to the outdoor lighting requirements stipulated in Article VII, Environmental Performance, of the Unified Development Code (UDC), no light pole, pole base, or combination thereof shall exceed 20-feet in height. All lighting fixtures shall focus downward and be contained on the subject property

Exhibit 'F':
PD Development Standards

Phases 2 & 3: Single-Family 7 (53.6-Acres)

- (1) **Permitted Uses.** Unless specifically provided by this Planned Development ordinance, *Phases 2 & 3* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the land uses permitted for 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) [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.
- (2) **Density and Dimensional Requirements.** Any development on *Phases 2 & 3* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the development standards required for properties in a Single-Family 7 (SF-7) District as stipulated by Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.

Table 2: SF-7 Lot Dimensional Requirements

Minimum Lot Width ⁽¹⁾	40'
Minimum Lot Area	4,000 SF
Minimum Average Lot Area	7,000 SF
Minimum Front Yard Setback ^{(2) & (3)}	10'
Minimum Side Yard Setback ⁽⁴⁾	5'
Minimum Side Yard Adjacent to a Street	10
Minimum Distance Between Buildings	15'
Maximum Height ⁽³⁾	36'
Minimum Rear Yard Setback ^(4, 5)	10'
Maximum Lot Coverage	60%

General Notes:

- ¹: The minimum lot width shall be measured at the *Front Yard Building Setback*.
- ²: The location of the *Front Yard Building Setback* as measured from the front property line.
- ³: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- ⁴: The minimum side yard setback for an internal lot or a lot abutting open space or HOA common area is five (5) feet. For yards abutting a street, the minimum side yard setback shall be 10-feet.
- ⁵: Lots with double frontage shall have a minimum rear yard setback of 15 feet.

- (3) **Building Standards.** Housing type and construction shall generally conform to the *Architectural Styles* depicted in *Exhibit 'G'* of this ordinance; however, all development shall adhere to the following building standards:
 - (a) **Masonry Requirements.** The minimum masonry requirement for all exterior façades (*excluding walls on a porch, patio, courtyard, or breezeway*) greater than 100 SF shall be 80%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and/or similar cementitious products may be used for up to 100% of the exterior of the building pending conformance with the anti-monotony restrictions outlined in this ordinance. Stucco (*i.e. three [3] part stucco or similar*) shall be prohibited.
 - (b) **Anti-Monotony.** An anti-monotony standard shall not allow the same structure—in terms of materials and elevation—any closer than five (5) houses apart on either side of the street.
 - (c) **Common Areas and Open Space.** All common areas, dedicated landscape easements, and open space areas shall be maintained by a Homeowner's Association, which shall be created subject to the requirements of the City's Subdivision Ordinance and filed prior to approval of the final plat(s)

Exhibit 'F':
PD Development Standards

- (d) *Guest Quarters/Secondary Living Unit.* A guest quarters/secondary living unit shall be permitted by-right within Phases 2 & 3 and subject to the following conditions:
- (i) Such quarters must be ancillary to the primary use;
 - (ii) The area of such quarters shall not exceed 30% of the area of the main structure;
 - (iii) The area of such quarters shall also conform to the maximum lot coverage for the overall lot;
 - (iv) No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the *Subdivision Ordinance*; and
 - (v) Such quarters shall be designed for temporary occupancy or as a secondary living unit. These structures are not to be used as rental accommodations.
- (4) *Access.* Lots with rear yards that abut Renfro Street shall not have access from Renfro Street.

Phase 4: Residential-Office (1.3-Acres)

- (1) *Permitted Uses.* Unless specifically provided by this Planned Development District Ordinance, *Phase 4* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the land uses permitted for the Residential-Office (RO) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, the following conditions shall apply:

The following land uses shall be expressly prohibited on the *Phase 4*:

- Accessory Building
- Bed and Breakfast
- Convent or Monastery
- Daycare (7 or more children)
- Residential Care Facility
- Assisted Living Facility
- Convalescent Care Facility/Nursing Home
- Congregate Care Facility
- General Retail Store*
- Group or Community Home
- Halfway House
- Library, Art Gallery, or Museum (Public)
- Railroad Yard or Shop
- Studio-Art, Photography, or Music
- Shoe and Boot Repair and Sales
- Transit Passenger Facility
- Antenna, Accessory
- Antenna, Commercial
- Antenna, Amateur Radio
- Antenna, Dish
- Wireless Communication Tower
- Utilities (Non-Municipally Owned or Controlled), Including Sanitary Landfill and Wastewater Treatment
- Municipally Owned or Controlled Facilities, Utilities, and Use

Exhibit 'F':
PD Development Standards

*General Retail Store less than 2,000 SF shall be allowed by-right. General Retail Stores larger than 2,000 SF shall require a Specific Use Permit

The following land uses shall be permitted by Specific Use Permit (SUP) on the *Phase 4*:

- General Retail Store*
- Hair Salon, Manicurist
- Office Building, 5,000 SF or More
- Restaurant, Less Than 2,000 SF w/o Drive-Thru
- Solar Energy Collector Panels and Systems

*General Retail Store less than 2,000 SF shall be allowed by-right. General Retail Stores larger than 2,000 SF shall require a Specific Use Permit

- (2) *Density and Dimensional Requirements.* Any development on *Phase 4* as depicted in Exhibits 'C' & 'D' of this ordinance shall be subject to the development standards required for properties in a Residential-Office (RO) District as stipulated by Article V, *District Development Standards*, of the Unified Development Code [Ordinance No. 04-38] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, all development shall adhere to the following building standards:

Table 3. *Density and Dimensional Requirements*

Minimum Lot Width ⁽¹⁾	60'
Minimum Lot Depth	100'
Minimum Lot Area	6,000 SF
Minimum Front Yard Setback ⁽²⁾	10'
Minimum Side Yard Setback	5'
Minimum Distance Between Buildings	15'
Maximum Height ⁽³⁾	36'
Minimum Rear Yard Setback	10'
Maximum Lot Coverage	60%

General Notes:

¹: The minimum lot width shall be measured at the *Front Yard Building Setback*.

²: The location of the *Front Yard Building Setback* as measured from the front property line.

³: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the residential-office structure.

- (3) *Building Standards.* *Building Standards.* Housing type and construction shall generally conform to the *Architectural Styles* depicted in Exhibit 'G' of this ordinance; however, all development shall adhere to the following building standards:

- (a) *Masonry Requirements.* The minimum masonry requirement for all exterior façades (*excluding walls on a porch, patio, courtyard, or breezeway*) greater than 100 SF shall be 90%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and/or similar cementitious products may be used for up to 100% of the exterior of the building pending conformance with the anti-monotony restrictions outlined in this ordinance. Stucco (*i.e. three [3] part stucco or similar*) shall be prohibited.

- (b) *Anti-Monotony.* An anti-monotony standard shall not allow the same structure—in terms of materials and elevation—any closer than five (5) houses apart on either side of the street.

Exhibit 'F':
PD Development Standards

- (c) *Common Areas and Open Space.* All common areas, dedicated landscape easements, and open space areas shall be maintained by a Homeowner's Association, which shall be created subject to the requirements of the City's Subdivision Ordinance and filed prior to approval of the final plat(s).
- (d) *Guest Quarters/Secondary Living Unit.* A guest quarters/secondary living unit shall be permitted by-right within Phases 2 & 3 and subject to the following conditions:
 - (i) Such quarters must be ancillary to the primary use;
 - (ii) The area of such quarters shall not exceed 30% of the area of the main structure;
 - (iii) The area of such quarters shall also conform to the maximum lot coverage for the overall lot; and
 - (iv) No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the *Subdivision Ordinance*.
 - (v) Such quarters shall be designed for temporary occupancy or as a secondary living unit. These structures are not to be used as rental accommodations.
- (4) *Access.* Lots with rear yards that abut Renfro Street shall not have access from Renfro Street.
- (5) *Parking Requirements.* Parking requirements for Phase 4 shall be all follows:
 - (a) Two (2) parking spaces per lot for single-family uses.
 - (b) One (1) additional space per 500 SF for non-residential uses as permitted by this ordinance. Off-site common or shared parking agreements shall be considered for Phase 4, subject the review of the proposed parking area(s) with the required development plan.

Exhibit 'G':
Conceptual Architectural Styles

