

ORDINANCE NO. DI-08

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AND ORDINANCE 93-11 AS HERETOFORE AMENDED SO AS TO APPROVE ZONING AND AMEND THE PRELIMINARY PLAN FOR PD-11 - PLANNED DEVELOPMENT NO. 11 ATTACHING THE AMENDING PRELIMINARY PLAN DESCRIBED AS EXHIBIT A, ON PROPERTY DESCRIBED HEREIN; AND SHALL INCLUDE A CHANGE IN ZONING FROM SF-10, SINGLE-FAMILY RESIDENTIAL DISTRICT TO PD-11 - PLANNED DEVELOPMENT NO.11 FOR A 4.0715 ACRE TRACT OF LAND IN THE NATHAN BUTLER SURVEY, ABSTRACT NO. 21, ROCKWALL COUNTY, TEXAS HEREIN DESCRIBED AS TRACT 1 AND A CHANGE IN ZONING FROM A, AGRICULTURAL DISTRICT TO PD-11 - PLANNED DEVELOPMENT NO.11 FOR A 5.101 ACRE TRACT OF LAND IN THE ARCHIBALD HANNA SURVEY ABSTRACT NO. 98, ROCKWALL COUNTY, TEXAS HEREIN DESCRIBED AS TRACT 2; 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 the Preliminary Plan for PD-11 with special conditions, as described in Exhibit "A" and shall include a change in zoning from "SF-10", Single-Family Residential District to PD-11, Planned Development No. 11 for a 4.0715 acre tract of land in the Nathan Butler Survey, Abstract No. 21, Rockwall County, Texas herein described as Tract 1 and a change in zoning from "A", Agricultural District to PD-11, Planned Development No. 11 for a 5.101 acre tract of land in the Archibald Hanna Survey Abstract No. 98, Rockwall County, Texas herein described as Tract 2; has been submitted by Joey Howell on behalf of Arkoma Realty Ltd.; 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 the amended Preliminary Plan for PD-11 with special conditions for the area identified in Exhibit "A" and shall include a change in zoning from "SF-10, Single-Family Residential District to PD-11, Planned Development No. 11 for a 4.0715 acre tract of land in the Nathan Butler Survey, Abstract No. 21, Rockwall County, Texas herein described as Tract 1 and a change in zoning from "A", Agricultural District to PD-11, Planned Development No. 11 for a 5.101 acre tract of land in the Archibald Hanna Survey Abstract No. 98, Rockwall County, Texas herein described as Tract 2. That said Preliminary Plans are attached hereto and made a part hereof for all purposes.

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 of the City of Rockwall as heretofore amended, as amended herein by granting of this approval of this amended preliminary Plan for PD-11 shall affect only the property described in the attached Exhibit "A" and said property shall be limited to the uses, density, area, setback and other requirements set forth herein.

Section 3. That development in the area within Exhibit "A" shall be limited to uses and requirements listed in the "SF-10", Single-Family Residential District of the Comprehensive Zoning Ordinance and subject to site plan approval by the Planning and Zoning Commission and City Council with the following additional conditions:

- A. Average of more than 10,600 square feet per lot.
- B. Maximum of 117 lots, with at least 83 lots with minimum lot areas of 10,000 square feet and the rest with minimum lot areas of 8,400 square feet.
- C. The minimum square footage per dwelling unit will be 2,000 square feet.
- D. Minimum of a 2 car garage will be provided for each dwelling unit.
- E. The exterior of the dwellings will be a minimum of 75% masonry.
- F. Roof pitch of 6/12 or higher.
- G. Rear or side entry garages only.
- H. The screening walls (fences) along N. Lakeshore Drive will be wrought iron

with stone or masonry columns and the entry sign will be stone or masonry.

- I. Cul-de-sac, corner and irregular shaped lots can be used to meet the lot area minimum square footage requirements.
- J. Access to park provided via walkway at approximately the location shown on revised concept plan just to the west of pond, with bridge provided over gully into park.
- K. Access to take line provided via walkway at approximately the location shown on revised concept plan at point of drainage easement.
- L. If requested by the City, the developer will build up to an eight car parking area in the adjacent park, either off of North Lakeshore Drive or to the south of the southern subdivision street leading into the subdivision from North Lakeshore Drive.
- M. Anti-monotony restriction in deed restrictions which does not allow the same elevation any closer than 5 houses apart on the same side of street or closer than 200 feet if across the street or around a corner. An architectural review committee will review and control this requirement, with committee and review procedures being established in the deed restrictions. The deed restrictions will be provided for the City's review with the final plat and will be filed prior to the filing of the final plat.
- N. The developer agrees to make a contribution of \$25,000 for park equipment or other park improvements, rather than the approximate \$8,000 required under the current park fee formula. This money is in addition to the park bridge and park parking that the developer has agreed to provide.

Section 4. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 5. 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 6. 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. 83-23 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 7. 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 8. 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.

DULY PASSED AND APPROVED this 19 day of March, 2001.

Scott L. Self

Scott Self, Mayor

ATTEST

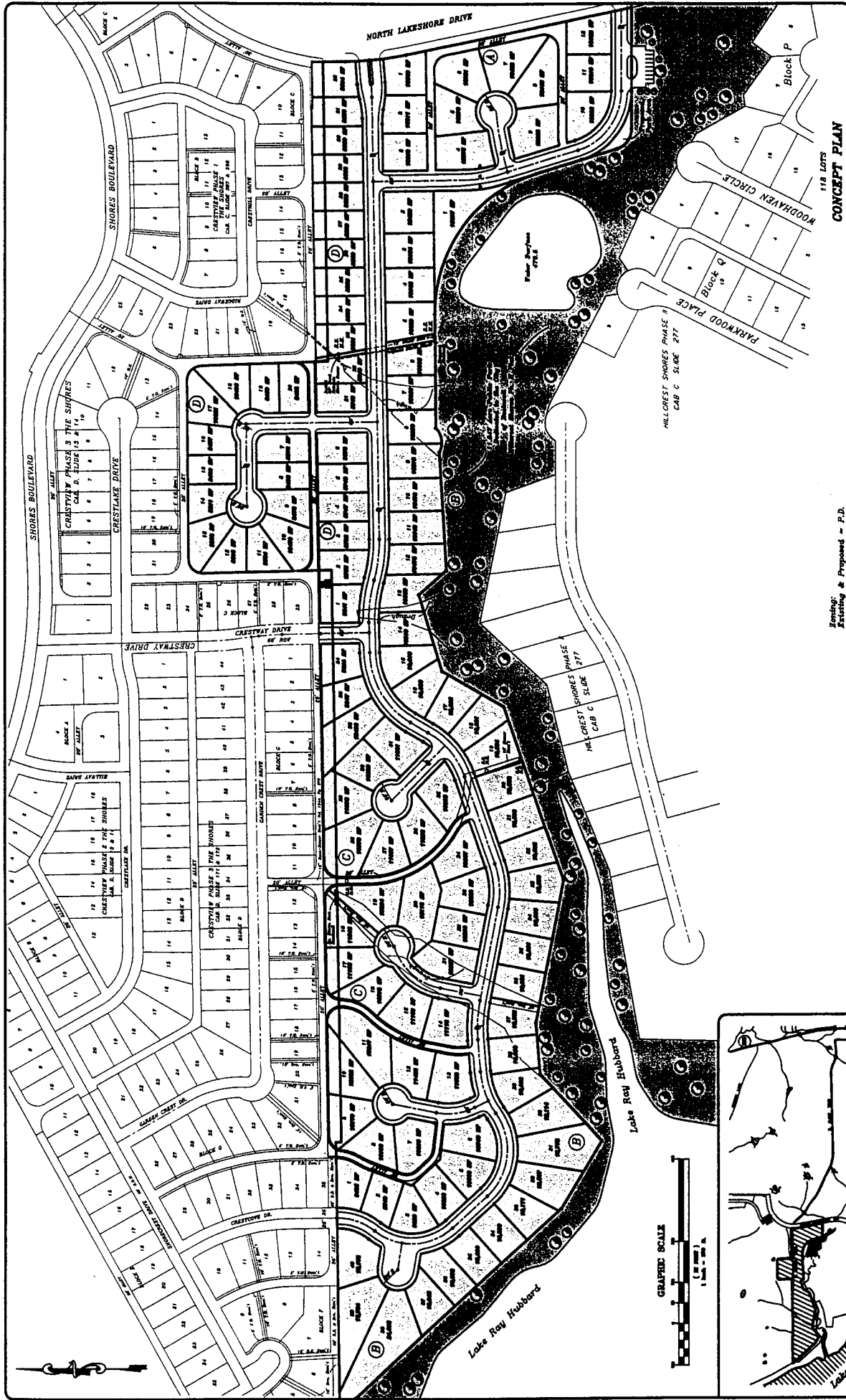
Belinda Page

Belinda Page, City Secretary



1st Reading 3/5/01

2nd Reading 3/19/01



CONCEPT PLAN

Zoning: Existing & Proposed - P.D.

<p>HILLCREST SHORES PHASE III L. HANNA SURVEY, ABST. NO. 98 CITY OF ROCKWALL ROCKWALL COUNTY, TEXAS</p>	
<p>OWNER: THE HANNA GROUP 11111 W. HANNA ROCKWALL, TEXAS 75087 (972) 968-1011</p>	<p>DESIGNER: THE HANNA GROUP 11111 W. HANNA ROCKWALL, TEXAS 75087 (972) 968-1011</p>

Subdivider:
 City of Rockwall
 Planning & Engineering 1/1/16
 Rockwall, Texas 75087
 (972) 968-1011

Owner:
 The Hanna Group
 11111 W. Hanna
 Rockwall, Texas 75087
 (972) 968-1011

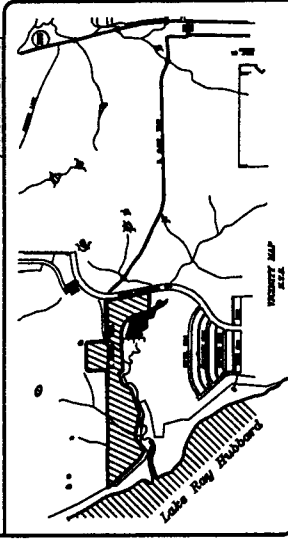


EXHIBIT "A"

Description

Exhibit A (including Tract 2)

BEING 31.8939 acres of land located in the Archibald Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, being a portion of a 101.453 acre tract of land described in deed to Hillcrest Shores, Ltd., recorded in Volume 829, Page 237, Deed Records, Rockwall County, Texas and being all of a tract of land described in deed to William D. Lynch, recorded in Volume 391, Page 77, Deed Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a ½ inch iron rod set at the northeast corner of an 11.847 acre Public Park to the City of Rockwall in Hillcrest Shores Phase II, an addition in the City of Rockwall, Texas in Cabinet C, Slide 277, Map Records, Rockwall County, Texas, and being in the west R.O.W. line of North Lake Shore Drive (a 100' R.O.W.);

THENCE, West, along the north line of said Public Park, a distance of 295.30 feet to a ½ inch iron rod found at the beginning of a curve to the right, having a central angle of 73° 14' 11", a radius of 50.00 feet and chord bearing and distance of N 53° 22' 55" W, 59.65 feet;

THENCE, Northwesterly, along said curve to the right and the easterly line of said Public Park, an arc distance 63.91 feet to a ½ inch iron rod found at the end of said curve;

THENCE, N 16° 45' 49" W, a distance of 208.25 feet to a ½ inch iron rod found at the beginning of a curve to the left, having a central angle of 73° 45' 00", a radius of 350.00 feet and a chord bearing and distance of N 53° 38' 20" W, 420.05 feet;

THENCE, Northwesterly, along said curve to the left and the north line of said Public Park, a distance of 450.52 feet to a ½ inch iron rod found at the end of said curve;

THENCE, S 89° 29' 10" W, a distance of 277.42 feet to a ½ inch iron rod found at the beginning of a non-tangent curve to the right, having a central angle of 73° 05' 48", a radius of 50.00 feet and a chord bearing and distance of S 81° 46' 00" W, 59.55 feet;

THENCE, Southwesterly, along said curve to the right and the north line of said Public Park, an arc distance of 63.78 feet to a ½ inch iron rod found at the end of said curve;

THENCE, S 86° 36' 47" W, along the north line of said Public Park, a distance of 287.54 feet to a ½ inch iron rod set;

THENCE, N 41° 23' 13" W, along the north line of said Public Park, a distance of 90.00 feet to a ½ inch iron rod set;

THENCE, S 73° 06' 47" W, along the north line of said Public Park, a distance of 195.00 feet to a ½ inch iron rod set;

THENCE, S 29° 36' 47" W, along the north line of said Public Park, a distance of 175.00 feet to a ½ inch iron rod set;

THENCE, S 71° 06' 47" W, a distance of 210.00 feet to a found monument, being a corner of said 101.453 acre tract, lying on the east City of Dallas Take Line for Lake Ray Hubbard;

THENCE, along the east City of Dallas Take Line for Lake Ray Hubbard and south boundary line of said 101.453 acre tract, the following four (4) calls:

- (1) S 70° 33' 25" W, a distance of 235.33 feet to a ½ inch iron rod found;
- (2) N 78° 53' 31" W, a distance of 353.74 feet to a found monument;
- (3) S 85° 17' 29" W, a distance of 125.97 feet to a found monument;
- (4) S 47° 09' 49" W, a distance of 221.45 feet to a found monument, being the most northerly southwest corner of said 101.453 acre tract and the southeast corner of said William D. Lynch tract;

THENCE, N 58° 42' 20" W, along the east City of Dallas Take Line for Lake Ray Hubbard and northeast line of said William D. Lynch tract, a distance of 191.20 feet to a monument found;

THENCE, N 42° 04' 39" W, along the east City of Dallas Take Line for Lake Ray Hubbard and the northeast line of said William D. Lynch tract, a distance of 683.04 feet to a monument found;

THENCE, N 26° 37' 57" W, 17.98 feet to a ½ inch iron rod set, said point being the southeast corner of Lot 5 and the southwest corner of Lot 6 in Block F of Crestview Addition Phase 3;

THENCE, N 89° 11' 29" E, 643.51 feet (called S 89° 10' 27" W, 643.51 feet by plat of Crestview Phase 3, Cabinet D, Slide 171/172) along the south line of Crestview Addition Phase 3 to a ½ inch iron rod set;

THENCE, S 01° 08' 08" E, 13.71 feet (called N 01° 09' 07" W, 13.71 feet by plat of Crestview Phase 3, Cabinet D, Slide 171/172) along the south line of Crestview Addition Phase 3 to a ½ inch iron rod set;

THENCE, N 89° 03' 01" E, 2,624.51 feet, along the south line of Crestview Addition Phase 3 (Cabinet D, Slide 171/172), a called 1.341 acre tract to Bessie Anne Campbell (Volume 504, Page 50) and Crestview Addition Phase I (Cabinet C, Slide 399/400) to a ½

inch iron rod set at the northeast corner of said 101.453 acre tract, lying in the west R.O.W. line of North Lake Shore Drive as shown by the plat recorded in Slide A, Page 327, Plat Records, Rockwall County, Texas;

THENCE, along the west R.O.W. line of said North Lake Shore Drive and the east boundary line of said 101.453 acre tract, the following three (3) calls:

- (1) S 01° 09' 48" E, 55.33 feet to a ½ inch iron rod set at the beginning of a curve to the left, having a central angle of 10° 15' 10", a radius of 850.00 feet and a chord bearing and distance of S 06° 17' 23" E, 151.90 feet;
- (2) Southeasterly, along said curve to the left, an arc distance of 152.10 feet to a ½ inch iron rod set at the end of said curve;
- (3) S 11° 24' 56" E, a distance of 565.54 feet to the Place of Beginning and containing 31.8939 acres of land.

Description

Tract 1

BEING a 4.0715 acre tract of land situated in the Nathan Butler Survey, Abstract No. 21, Rockwall County, Texas and being part of a 4.00 acre tract conveyed to Charles Smith recorded in Volume N, Page 253, Deed Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a ½ inch iron rod set for the southwest corner of Crestview Phase 1 - The Shores, and addition to the City of Rockwall recorded in Cabinet C, Slide 397 & 398, Plat Records, Rockwall County, Texas, said point being in North Alamo Road, a variable width prescribed right-of-way;

THENCE South 89° 02' 15" West along said Alamo Road, a distance of 508.31' to a ½ inch iron rod set for the southeast corner of Crestview Phase 3 – The Shores, and addition to the City of Rockwall recorded in Cabinet D, Slide 171 & 173, Plat Records, Rockwall County, Texas;

THENCE North 01° 28' 25" West leaving said Alamo Road and along the east line of said Crestview Phase 3, a distance of 317.19' to a found aluminum cap stamped "NDM" for the beginning of a curve to the right having a central angle of 91° 02' 18", a radius of 35.00' and chord that bears North 44° 02' 44" East a distance of 49.94';

THENCE along said curve an arc distance of 55.61' to a found aluminum cap stamped "NDM" for a corner on the south line of a 20' wide alley right-of-way, said point being on the south line of Crestview Phase 2 – The Shores, an addition to the City of Rockwall recorded in Cabinet D, Slide 13 & 14 of the Plat Records of Rockwall County, Texas;

THENCE North 89° 33' 53" East along the south line of said alley right-of-way, a distance of 434.22' to a found aluminum cap stamped "NDM" for the beginning of a curve to the right having a central angle of 88° 12' 24", a radius of 35.00' and a chord that bears South 46° 19' 55" East a distance of 48.72';

THENCE along said curve an arc distance of 53.88' to a found aluminum cap stamped "NDM" for a corner, said point being on the west line of a 20' wide alley right-of-way being the west line of Crestview Phase 1 – The Shores, an addition to the City of Rockwall recorded in Cabinet C, Slide 397 & 398 of the Plat Records of Rockwall County, Texas;

THENCE South 02° 13' 43" East a distance of 314.34' to the POINT OF BEGINNING and containing 176,835 square feet or 4.0696 acres of land.

Description

Tract 2

BEING a tract of land out of the Archibald Hanna Survey Abstract No. 98, Rockwall County, Texas, and being part of a called 165 acre tract of land in the name of J.S. and Roy R. Smith as recorded in Volume 27, Page 427, of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod found for corner in a Public Road, said point being in the north line of said Archibald Hanna Survey Abstract No. 98 and also being the northeast corner of said J.S. and Roy R. Smith 165 acre tract;

THENCE South 00 degrees 04 minutes East along the east line of said Smith Tract, a distance of 634.0 feet to a bronze marker set in concrete stamped with a Designation Number C11-C38-C1 for a corner;

THENCE North 58 degrees 19 minutes West, a distance of 191.2 feet to a bronze marker set in concrete for an angle point;

THENCE North 41 degrees 50 minutes 36 seconds West a distance of 683.13 feet to a bronze marker set in concrete for an angle point;

THENCE North 28 degrees 43 minutes West, a distance of 28.5 feet to an iron rod found for a corner in said Public Road;

THENCE South 89 degrees 58 minutes 12 seconds East, a distance of 631.37 feet to the Place of Beginning and containing 222,220.851 square feet or 5.101 acres gross-less 18,690.228 square feet in Public Road and right-of-way Easement leaving 4.672 acres net.