

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, August 03, 2020 - 5:00 PM

City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087

I. **Call Public Meeting to Order**

II. **Executive Session.**

The City of Rockwall City Council will Recess into Executive Session to discuss the following matter as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
2. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. **Adjourn Executive Session**

IV. **Reconvene Public Meeting (6:00 P.M.)**

V. **Invocation and Pledge of Allegiance - Councilmember Johannesen**

VI. **Open Forum**

Members of the public may attend in person to deliver public comments. Alternatively, public comments may be submitted via e-mail to PublicComments@rockwall.com. PUBLIC COMMENTS WILL ONLY BE ACCEPTED IN WRITING NO LATER THAN THIRTY (30) MINUTES IN ADVANCE OF THE SCHEDULED MEETING. In the body of the email, please include your name, address, agenda item (if applicable) or subject of discussion, and your comments. Please limit comment length to that which may be read aloud within three (3) minutes or less. Public Comment limitation is authorized by Governor Greg Abbott's TEMPORARY suspension of certain aspects of the Texas Open Meetings Act, which allows for a governing body to limit gathering members of the public and/or Board members in a physical setting that might constitute a public health risk.

VII. **Take any Action as a Result of Executive Session**

VIII. **Consent Agenda**

1. Consider approval of the minutes from the July 20, 2020 regular City Council meeting, and take any action necessary.
2. **Z2020-023** - Consider a request by James Best for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 2.60-acre parcel of land identified as Lot 1, Block A, Best Estate Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 54 Shadydale Lane, and take any action necessary (**2nd Reading**).
3. **Z2020-025** - Consider a request by Hallie Fleming for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for a *General Retail Store and Hair Salon and/or Manicurist* on a 0.2254-acre parcel of land identified as Lot 1, Block A, Artventures Studio Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, addressed as 507 N. Goliad Street, and take any action necessary (**2nd Reading**).

4. **Z2020-027** - Consider a request by Leslie & Scott Milder for the approval of an **ordinance** for a Specific Use Permit (SUP) for a General Retail Store and Banquet Facility/Event Hall on a 0.66-acre parcel of land identified as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 N. Goliad Street, and take any action necessary **(2nd Reading)**.
5. **Z2020-028** - Consider a request by Lucas Altoe on behalf of STAR Hubbard, LLC for the approval of a n **ordinance** for a Zoning Amendment to Planned Development District 10 (PD-10) for the purpose of allowing an office on a 32.6546-acre parcel of land identified as Lot 1, Block A, Mansions Family Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10) for Multi-Family 14 (MF-14) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, addressed as 1650 S. John King Boulevard, and take any action necessary **(2nd Reading)**.
6. **Z2020-029** - Consider a request by Donald and Cathy Wallace for the approval of an **ordinance** for a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a two (2) acre tract of land identified as a portion of Tract 44-01 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located northeast of the intersection of H. Wallace Lane and Horizon Road [*FM-3097*], and take any action necessary **(2nd Reading)**.
7. **P2020-028** - Consider a request by Hellen Byrd of Platinum Construction on behalf of Ron Valk of Saro Partners, LLC for the approval of a Replat for Lot 9, Block A, Bodin Industrial Tract being a 2.21-acre parcel of land identified as Lot 6, Block A, Bodin Industrial Tract, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1491 T. L. Townsend Drive, and take any action necessary.
8. Consider approval of the purchase of a solar school zoning lighting system in the amount of \$33,286.00, to be funded out of the Street Department Budget, and take any action necessary.
9. Consider approval of an interlocal agreement between the City of Rockwall and the Rockwall Independent School District for School Resource Officer services for the 2020-2021 school year, and take any action necessary.

IX. Action Items

1. **Z2020-024** - Discuss and consider a request by Chris Cuny, PE of Teague, Nall & Perkins on behalf of the Nick DiGiuseppe of Discovery Lakes, LLC for the approval of an **ordinance** for a Zoning Amendment to Planned Development District 78 (PD-78) [*Ordinance No. 15-24*] for the purpose of changing the concept plan and development standards on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100 and Tract 2 of the R. K. Brisco Survey, Abstract No. 16, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for General Retail (GR) District and Single-Family 10 (SF-10) District, generally located at the northeast corner of the intersection of SH-276 and Rochelle Road, and take any action necessary **(2nd Reading)**.
2. Discuss and consider approval of an **ordinance** reducing the City of Rockwall's Extraterritorial Jurisdiction (ETJ) by releasing a 3,796.18 acre tract of land generally located South of FM-550, North and West of FM-548, and East of Edwards Road to the County of Rockwall, and take any action necessary. **(1st Reading)**
3. Discuss and consider the appointment of an exploratory committee to determine the best means by which to recognize the diverse history of Rockwall, and take any action necessary.
4. Discuss and consider a flag pole entry feature on Interstate 30, and take any action necessary
5. Discuss and consider upcoming Parks & Recreation events and programs, and take any action necessary.
6. Discuss and consider (re)appointments to the City's Park Board, Animal Advisory Board, and Airport Advisory Board, and take any action necessary.

X. City Manager's Report, Departmental Reports and related discussions pertaining to current city activities, upcoming meetings, future legislative activities, and other related matters.

1. 2020 Census Update
2. Fire Department Monthly Report - June 2020
3. Police Department Monthly Reports - June 2020
4. Recreation Department Monthly Report - June 2020
5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics

XI. Executive Session.

The City of Rockwall City Council will Recess into Executive Session to discuss the following matter as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
2. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

XII. Reconvene Public Meeting & Take Any Action as Result of Executive Session

XIII. Adjournment

Note: In accordance with Section 551.045, some members of the City Council may remotely attend this meeting by conference call or by video teleconferencing (Zoom) as authorized by Governor Greg Abbott’s temporary suspension of certain aspects of the Texas Open Meetings Act, which allows for the City Council to attend in person or by video conference so as to avoid gathering members of the public and/or council members in a physical setting that might constitute a public health risk.

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code ¶ 551.071 (Consultation with Attorney) ¶ 551.072 (Deliberations about Real Property) ¶ 551.074 (Personnel Matters) and ¶ 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 31st day of July, 2020 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

 Kristy Cole, City Secretary
 or Margaret Delaney, Asst. to the City Sect.

 Date Removed



MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, July 20, 2020 - 5:00 PM

City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem Fowler called the meeting to order at 5:01 p.m. Present were Mayor Pro Tem Fowler and Council Members Anna Campbell, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Attorney Frank Garza. Mayor Jim Pruitt and Councilmember Dana Macalik were not present in person at the meeting; however, they did join the 6:00 p.m. public meeting virtually, via ZOOM (they did not participate in Executive Session).

Mayor Pro Tem Fowler read the below listed items into the record before recessing the public meeting to go into Executive Session (at 5:02 p.m.).

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTER AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
2. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)
3. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding Loan Ranger Capital, LLC vs. City of Rockwall pursuant to Section §551.071 (Consultation with Attorney).

Pulled from the Public Meeting Agenda - Public Hearing Item #2. **Z2020-024** - Hold a public hearing to discuss and consider a request by Chris Cuny, PE of Teague, Nall & Perkins on behalf of the Nick DiGiuseppe of Discovery Lakes, LLC for the approval of an ordinance for a Zoning Amendment to Planned Development District 78 (PD-78) [Ordinance No. 15-24] for the purpose of changing the concept plan and development standards on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100 and Tract 2 of the R. K. Brisco Survey, Abstract No. 16, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for General Retail (GR) District and Single-Family 10 (SF-10) District, generally located at the northeast corner of the intersection of SH-276 and Rochelle Road, and take any action necessary (1st Reading).

III. ADJOURN EXECUTIVE SESSION

Councilmembers adjourned from Ex. Session at 5:55 p.m.

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pro Tem Fowler called the meeting back to order at 6:03 p.m. Present in person were Mayor Pro Tem Fowler and Council Members Anna Campbell, John Hohenshelt, Bennie Daniels and Trace Johannesen. Present virtually (by ZOOM) were Mayor Jim Pruitt and Councilmember Dana Macalik.

V. INVOCATION AND PLEDGE OF ALLEGIANCE - MAYOR PRO TEM FOWLER

Mayor Pro Tem Fowler delivered the invocation and led the Pledge of Allegiance.

VI. OPEN FORUM

Mayor Pro Tem Fowler asked if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed Open Forum.

VII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Council took no action as a result of Executive Session.

VIII. CONSENT AGENDA

1. Consider approval of the minutes from the July 6, 2020 regular city council meeting, and take any action necessary.
2. Consider approval of a facilities agreement with Saddle Star Holdings LLC, for the reimbursement of the cost of the oversizing of the water line along John King, to be funded out of the Water and Sewer Fund, and take any action necessary.
3. **P2020-022** - Consider a request by Ryan Joyce of Northgate Rockwall LD, LP for the approval of a Final Plat for the Northgate Subdivision being a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses, located at the southwest corner of the intersection of Stodghill Road [FM-3549] and Clem Road, and take any action necessary.
4. **P2020-027** - Consider a request by Brandon Davidson of Corwin Engineering, Inc. on behalf of Paul Taylor of Paul Taylor Homes Limited for the approval of a Replat for Lot 33, Block A, Ridgecrest Addition being a 0.3017-acre parcel of land identified as Lot 24, Block A, Ridgecrest Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 81 (PD-81) for Single-Family 10 (SF-10) District land uses, addressed as 2605 Cypress Drive, and take any action necessary.
5. Consider approval of a professional engineering services contract with Freese & Nichols, Inc., to perform the engineering design services for the North Lakeshore Bridge repair in an amount not to exceed \$59,000, to be funded out of the Engineering Budget, and take any action necessary.

Councilmember Hohenshelt moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, and 5). Councilmember Campbell seconded the motion, which passed by a vote of 6 ayes with 1 absent (Macalik).

Fowler then reordered the agenda to address Action Item #1 next during the meeting. Councilmember Macalik joined the meeting (remotely by ZOOM) at this point.

IX. APPOINTMENT ITEMS

1. Appointment with Planning & Zoning Commission chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

Jerry Welch, Vice Chair of the P&Z Commission, came forth and briefed the Council on recommendations of the Commission relative to planning-related items on tonight's meeting agenda.

2. Appointment with resident Jared Guynes and other residents to hear concerns pertaining to the Boydston/Forest Trace reconstruction rehabilitation project, and take any action necessary.

Lynn Crosby (704 Alexander, Rockwall) came forth, as indication was given that Jared Guynes was not able to attend the meeting this evening. Ms. Crosby came forth and generally expressed opposition to the widening of the streets associated with this reconstruction project as well as the installation of sidewalks. She believes that both the widening and the sidewalk installation will pose dangers to citizens in the neighborhood. Furthermore, she does not believe that the street widening or sidewalk installation will add any value to their homes. She expressed that they have provided Council with a petition that shows that a large majority of the residents in the community do not wish for the street to be widened or for sidewalks to be installed.

**Stephen Swofford
713 W. Boydston
Rockwall, TX**

Mr. Swofford came forth and introduced himself, indicating that he is the lead pastor at First Baptist Church, explaining that the church property spans both sides of Boydston. He went on to express strong opposition to the installation of sidewalks associated with this reconstruction project. He expressed that he would like Council to make an exception to the city's ordinance requiring sidewalks.

**Richard Marks
204 W. Boydston Avenue
Rockwall, TX 75087**

Mr. Marks shared that he has lived in this home for 20 years at this point. He shared photographs of his home and the 6' tall retaining wall in front of his house. He also showed photos of how he measured the distance from the curb to the retaining wall. He went on to explain various measurements he took associated with the area in front of his retaining wall. He has concerns about sidewalks being installed because (generally) he believes it will compromise the strength and structural integrity of his retaining wall, and his home.

**John Ruess
202 W. Boydston Avenue
Rockwall, TX 75087**

Mr. Ruess explained that last year an 18 wheeler came onto this street and got stuck. He explained that these streets were not made to be a cut through for large trucks and other vehicles. He went on to show a photo of Boydston looking up the hill towards the First Baptist Church. He explained that churchgoers do not park along the street, and he does not believe sidewalks are needed 'because of the church.' He expressed that he and others would like the Council to make an exception to the city's ordinance that would otherwise require sidewalks to be installed associated with this reconstruction project. He believes that installation of the sidewalks and the widening of the street would not be fiscally wise or responsible, as no one wants them. He went on to point out that the petition against the sidewalks and the widening of the street represent the 'will of the people,' and the residents do not want these things. He encouraged Council to make an exception.

Darlene Reed
701 S. Alamo
Rockwall, TX 75087

She explained that she lives at the corner of S. Alamo and W. Boydston. She shared some photographs of her standing in front of her home with a tape measure, showing how much of the property in front of her home would be 'lost' if the street is widened and sidewalks are installed. She believes that widening the street will be very dangerous. She is generally opposed to the widening of the street and the installation of sidewalks. She went on to share some information concerning the real estate market, generally expressing that these two things (sidewalks and street widening) will adversely impact property values in this neighborhood and will change its 'charm.'

Sarah Freed
704 Forest Trace
Rockwall, TX 75087

Ms. Freed came forth and indicated that she has been living in this neighborhood for 9 years. She specifically bought her home in this neighborhood because of its beauty, 'nature' and trees that are prevalent, and because of the church that's nearby. She believes the church has ample parking and has done a good job of adding parking over time to accommodate its attendees. She has never had any church overflow parking at her home. She has safety related concerns if the street is widened, as she has had a vehicle in her front yard before. She believes that vehicles already ignore the 25 mph speed limit in this area, and the steepness of the slope of the street will only cause more safety concerns if the road is widened.

Mayor Pro Tem Fowler asked if anyone else would like to come forth and speak at this time. There being no one indicating such, he then opened the floor for Council discussion.

Councilmember Hohenshelt spoke, generally indicating that these issues have been discussed off and on for at least the last four years. He shared that this topic is a matter of previously passed bond elections that voters voted in favor of. He explained that "sidewalks" is highly a matter of limiting the interaction of pedestrians and vehicles. Council has evaluated the issue of 'sidewalks vs. no sidewalks' extensively, and Council came up with a policy (an ordinance) to address the matter so that every project, from that point forward, would be treated uniformly. He shared that he personally has very likely been at about 9 meetings where sidewalks vs. no sidewalks has been discussed, and hours and hours have been spent by council members and staff to evaluate this matter. He went on to explain that the property where these sidewalks will be installed is already designated as 'city owned right of way,' so no one's personal property is being 'taken.' A photograph of Mr. Marks' property was then shown, and City Engineer, Amy Williams walked through (visually) where the new back of curb and sidewalks will be located within the right-of-way as compared to his retaining wall, mailbox, etc.

Councilmember Johannesen spoke briefly, generally expressing that no matter what decision the City Council makes, there will be those who are unhappy and dissatisfied with its decision. So it is essentially a 'no win' situation. He shared that some council members have actually received emails and/or phone calls from citizens who have essentially said, "don't tell my neighbors, but I am actually in favor of sidewalks being installed."

Mayor Pruitt shared that the traffic counts that City Engineer Amy Williams spoke of from December of 2017 do show that the widening of the street is supported by said counts. So, he will have to go with that information when making the decision to move forward with the street widening and sidewalks installation.

Councilmember Macalik spoke, generally expressing that she will have to go with 'supporting' the street widening and sidewalks installation as well.

Councilmember Campbell asked for clarification regarding 'why 6' on the sidewalks?' Ms. Williams shared the reasoning behind the six-foot sidewalk that is planned, generally expressing that they will be that wide for safety-related reasons.

Councilmember Daniels shared that he had one person at First Baptist Church (where he is a member) say to him verbally, "I don't have a problem with sidewalks," but yet his name appeared on the petition (for "no sidewalks"). Another person indicated that he doesn't have a preference regarding sidewalks, but he told Councilman Daniels that he signed the petition because he 'wanted those folks to leave him alone.'

Mr. Marks came forth again and asked some clarifying questions to the City Engineer regarding the slope of the sidewalk. Discussion also took place pertaining to liability if someone were to slip and fall or otherwise become injured while utilizing the sidewalk in front of his home. City Attorney Frank Garza shared that the adjoining property owner is generally responsible for maintaining the sidewalk, and the City has 'governmental immunity.' He also has concerns about his existing irrigation and its relocation.

Mayor Pruitt shared that if there are any problems at all with irrigation, residents should contact him or the city, and he assured the residents that the city will take care of the irrigation systems that get disturbed.

Mr. Marks asked for and received clarification related to the new location of his mailbox.

Mr. Ruess came forth again and shared that the City kept using the church as a reason why sidewalks are needed (because there is supposedly overflow parking along Boydston, and those pedestrians need sidewalks to walk on to get to the church). He took a photograph at 11:00 AM on a Sunday morning that shows that there is no street overflow parking, and he indicated that the church has plenty of parking.

Steve Swofford came forth again and expressed additional arguments, generally indicating that he prefers to have 5' sidewalks instead of 6' ones. He believes that there is inconsistency regarding when and where sidewalks are installed throughout the city. General discussion took place regarding why a policy related to sidewalks was put into place to begin with, with Councilmember Hohenshelt explaining in greater detail why and how the city arrived at establishing said 'sidewalks policy.'

Darlene Reed came forth and provided additional comments, generally explaining that although other residents located more towards Forest Trace are also not in favor of the roadway widening and the sidewalk installation, the residents here this evening did not have them sign the petition. She went on to appeal to the Council to conduct an additional traffic count and to listen to the voice of the residents who do not want the sidewalks installed.

Mrs. Gail O'Brien (713 Alexander) came forth and shared that she lives on the corner of Alexander and Forest Trace. She would like to know why a 3' sidewalk couldn't be installed on each side of the roadway. She suggested that they could be 'one-way' sidewalks on either side of the road. She is generally not in favor of sidewalks being installed.

Mayor Pro Tem Fowler indicated that he would like to entertain any motion that any council member would like to make at this time. Following clarification between Councilmember Campbell and Ms. Williams regarding where the 1,000 feet is relative to the church, Mayor Pro Tem Fowler acknowledged that no motion was made, so therefore no action would be taken by Council this evening.

Mayor Pro Tem Fowler called for a break at 7:27 p.m. He then reconvened the meeting at 7:36 p.m. and addressed Public Hearing item #4 next.

X. PUBLIC HEARING ITEMS

1. **Z2020-023** - Hold a public hearing to discuss and consider a request by James Best for the approval of an ordinance for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 2.60-acre parcel of land identified as Lot 1, Block A, Best Estate Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 54 Shadydale Lane, and take any action necessary (1st Reading).

Planning Director Ryan Miller provided background information pertaining to this agenda item. The applicant is requesting construction of a single-family home. The Planning & Zoning Commission and Council are asked to consider size, location and architecture of the proposed home as compared with other, existing homes in the area...these are required to be similar or at least complimentary of existing structures nearby. Eighty-two notices were sent out to property owners located within 500' of the property, and several nearby HOAs (homeowner's associations) were also notified. Staff has not received any notices back. In addition, the Planning & Zoning Commission has recommended approval of this item by a vote of 6-0.

Mayor Pro Tem Fowler opened the public hearing, asking if anyone would like to speak. There being no one indicating such, he then closed the public hearing. Councilmember Hohenshelt moved to approve Z2020-023. Councilmember Macalik seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 20-XX
SPECIFIC USE PERMIT NO. S-2XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR RESIDENTIAL INFILL ADJACENT TO AN ESTABLISHED SUBDIVISION TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 2.60-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, BEST ESTATE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE; 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.

The motion passed by a vote of 7 ayes to 0 nays.

- 2. Z2020-024** - Hold a public hearing to discuss and consider a request by Chris Cuny, PE of Teague, Nall & Perkins on behalf of the Nick DiGiuseppe of Discovery Lakes, LLC for the approval of an ordinance for a Zoning Amendment to Planned Development District 78 (PD-78) [Ordinance No. 15-24] for the purpose of changing the concept plan and development standards on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100 and Tract 2 of the R. K. Brisco Survey, Abstract No. 16, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for General Retail (GR) District and Single-Family 10 (SF-10) District, generally located at the northeast corner of the intersection of SH-276 and Rochelle Road, and take any action necessary (1st Reading).

Planning Director Ryan Miller provided extensive background information pertaining to this agenda item. Notices were sent out to 13 property owners located within 500' of the property. HOAs were also notified. Thus far, no notices have been received back in favor or in opposition. The Planning & Zoning Commission has recommended approval of this item by a vote of 5 in favor with one commissioner dissenting.

Mayor Pro Tem Fowler opened the public hearing, asking if anyone would like to come forth and speak at this time.

**Jim Turner
1691 E. Old Quail Run Road
Rockwall, TX**

Mr. Turner likes the larger lots that are being proposed within this development. However, he does have concern about the septic systems that are proposed to be installed, especially how these septic systems will leach into the surrounding soil. He went on to reiterate the County's requirement that septic systems only be installed on lots that are 1.5 acres or larger. He believes that packing these sorts of septic systems into smaller neighborhoods with smaller lots is not a good idea. He suggests that the lots be increased to 1.5 acres/each and that there be fewer homes within this proposed development.

There being no one else wishing to come forth and speak at this time, Mayor Pro Tem Fowler closed the public hearing.

**Chris Cuny
2 Horizon Court (business address)
Heath, TX
2730 Pin Oaks Circle (home address)
Rockwall, TX**

Mr. Cuny, the applicant, came forth and briefed the Council on his proposed development within this Planned Development.

Following various, brief comments from Councilmembers Hohenshelt, Johannesen and Daniels, Councilmember Daniels moved to approve Z2020-04. Councilmember Hohenshelt seconded the motion. Following additional discussion, the ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 20-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 78 (PD-78) [~~ORDINANCE NO. 15-24~~] AND THE UNIFIED DEVELOPMENT CODE [~~ORDINANCE NO. 20-02~~] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF CHANGING THE CONCEPT PLAN AND DEVELOPMENT STANDARDS FOR A 316.315-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE M. E. HAWKINS SURVEY, ABSTRACT NO. 100 AND TRACT 2 OF THE R. K. BRISCO SURVEY, ABSTRACT NO. 16, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS 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.

The motion passed by a vote of 6 ayes to 1 nays (Pruitt).

3. **Z2020-025** - Hold a public hearing to discuss and consider a request by Hallie Fleming for the approval of an ordinance for a *Specific Use Permit (SUP)* for a *General Retail Store and Hair Salon and/or Manicurist* on a 0.2254-acre parcel of land identified as Lot 1, Block A, Artventures Studio Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, addressed as 507 N. Goliad Street, and take any action necessary (1st Reading).

Planning Director Ryan Miller provided background information pertaining to this agenda item. Mayor Pro Tem Fowler opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing. Following brief Council comments, Councilmember Johannesen moved to approve Z2020-025. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 20-XX
SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [~~ORDINANCE NO. 20-02~~] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *GENERAL RETAIL STORE AND HAIR SALON AND/OR MANICURIST* ON A 0.2254-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, ARTVENTURES STUDIO ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; 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.

The motion passed by a vote of 7 ayes to 0 nays.

4. **Z2020-026** - Hold a public hearing to discuss and consider a request by Jake Fears, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of an ordinance for a Specific Use Permit (SUP) for Restaurant with Drive-Through, Less Than 2,000 SF on a 2.542-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary (1st Reading).

Councilmember Hohenshelt moved to allow the applicant to withdraw. Councilmember Johannesen seconded the motion, which passed by a vote of 7 ayes to 0 nays.

5. **Z2020-027** - Hold a public hearing to discuss and consider a request by Leslie & Scott Milder for the approval of an ordinance for a Specific Use Permit (SUP) for a General Retail Store and Banquet Facility/Event Hall on a 0.66-acre parcel of land identified as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 N. Goliad Street, and take any action necessary (1st Reading).

Planning Director Ryan Miller provided background information pertaining to this agenda item. The applicant is proposing the addition of a small store that will specialize in high end cigars. Notices were sent out to property owners and residents within 500'. A total of 5 notices were received back in favor of the request. In addition, the P&Z Commission has recommended its approval by a vote of 6-0.

Mayor Pro Tem Fowler opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

The owner of the cigar store (no name or address given) came forth and briefly addressed the Council.

Councilmember Daniels moved to approve Z2020-027. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 20-XX
SPECIFIC USE PERMIT NO. S-2XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A GENERAL RETAIL STORE AND BANQUET FACILITY/EVENT HALL ON A 0.66-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, OUR HOUSE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE; 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.

The motion passed by a vote of 7 ayes to 0 nays.

6. **Z2020-028** - Hold a public hearing to discuss and consider a request by Lucas Altoe on behalf of STAR Hubbard, LLC for the approval of an ordinance for a Zoning Amendment to Planned Development District 10 (PD-10) for the purpose of allowing an office on a 32.6546-acre parcel of land identified as Lot 1, Block A, Mansions Family Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10) for Multi-Family 14 (MF-14) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, addressed as 1650 S. John King Boulevard, and take any action necessary (1st Reading).

Planning Director Ryan Miller provided background information pertaining to this agenda item. Staff mailed out 1,339 notices to all property owners located within 500' of the the PD. Also, the two, nearby HOAs were also notified. Staff has received a total of two notices back in favor of the request and one in opposition. In addition, the P&Z Commission voted 5-1 (with Chairman Chodun dissenting) to recommend approval of this request.

Mayor Pro Tem Fowler opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

The applicant came forth and provided comments to the Council concerning this request.

Councilmember Hohenshelt then moved to approve Z2020-028. Councilmember Johannesen seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 20-XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 10 (PD-10) [*ORDINANCE NO.'S 74-32, 96-03, 00-08, 04-25, 04-40, 12-13 & 13-39*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 10 (PD-10), BEING A ~580.48-ACRE TRACT OF LAND SITUATED WITHIN THE J. CADLE SURVEY, ABSTRACT NO. 65; J. M. ALLEN SURVEY, ABSTRACT NO. 2; W. H. BAIRD SURVEY, ABSTRACT NO. 25; W. H. BARNES SURVEY, ABSTRACT NO. 26; A. JOHNSON SURVEY, ABSTRACT NO. 123; AND J. R. JOHNSON SURVEY, ABSTRACT NO. 128, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A 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.

The motion passed by a vote of 7 ayes to 0 nays.

7. **Z2020-029** - Hold a public hearing to discuss and consider a request by Donald and Cathy Wallace for the approval of an ordinance for a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a two (2) acre tract of land identified as a portion of Tract 44-01 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located northeast of the intersection of H. Wallace Lane and Horizon Road [*FM-3097*], and take any action necessary (1st Reading).

Planning Director Ryan Miller provided background information pertaining to this agenda item. Notices were sent out to property owners and residents located within 500', and one notice was received in favor of the request. In addition, the P&Z Commission unanimously recommended approval of this item.

Mayor Pro Tem Fowler opened the public hearing, asking if anyone would like to speak at this time. There being no one indicating such, he then closed the public hearing.

Councilmember Hohenshelt then moved to approve Z2020-029. Councilmember Johannesen seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 20-XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT FOR A TWO (2) ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 44-01 OF THE W.W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; 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.

The motion passed by a vote of 7 ayes to 0 nays.

XI. ACTION ITEMS

1. Discuss and consider a resolution at the request of John Vick expressing support for dedicating the SH-66 bridge over Lake Ray Hubbard between Rockwall and Rowlett as the 'Heroes Bridge' to raise awareness of the issue of veteran and first responder suicide, and take any action necessary.

John Vick came forth and briefed the Council on this request, generally indicating that Senator Hall will soon sign a resolution of support for the naming of this bridge. Brian Wilburn then came forth and addressed the Council, further explaining the nature of this request. He generally expressed that these efforts are being undertaken to raise awareness for suicide associated with military and first responders and to encourage its prevention.

Following the comments from Vick and Wilburn, Councilmember Hohenshelt moved to approve the resolution expressing support for the naming of the bridge "Heroes Bridge." Councilmember Johannesen seconded the motion, which passed by a vote of 7 ayes to 0 nays.

2. Discuss and consider overview of the city's budget process and outlook for Fiscal Year 2021 and designation of the Chief Appraiser to perform and certify the tax rate calculations, and take any action necessary.

Assistant City Manager / Finance Director, Mary Smith provided background information pertaining to this agenda item. She generally indicated that Council was provided a memo that shows numbers that are strictly and solely estimations at this point, and they will likely change within the next week or two. The "No New Revenue Tax Rate" was formerly known as the

“Effective Tax Rate.” It is anticipated that this rate will be lower than the current rate, as it has been for many years now. Staff has been diligently working to estimate sales tax revenue numbers; however, to predict this information is very, very challenging. She has received budget request proposals from the various departments, and that information is being sorted through. It most likely will prove to be a very ‘boring’ budget for the upcoming fiscal year. Mr. Crowley went on to indicate that staff will be proposing to hold upcoming budget work session on “off” council meeting Mondays. He believes that staff and Council may be able to work through the budget within one or two Monday evenings. Most all of Council indicated that they like the idea of holding budget work sessions on those ‘off’ Mondays.

Mayor Pro Tem Fowler moved to appoint Kevin Passons as the Chief Appraiser to perform and certify the tax rate calculations. Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

3. Discuss and consider (re)appointments to the city's Park Board, Art Review Commission, Historic Preservation Advisory Board, Animal Advisory Board and Airport Advisory Board, and take any action necessary.

Councilmember Campbell moved to newly appoint Tiffany Miller (to replace outgoing member, Dick Clark) and reappoint Maurice Thompson and Beverly Bowlin to the Historic Preservation Advisory Board (for an additional, two-year term expiring in August of 2022). Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes and 0 nays.

Mayor Pro Tem Fowler moved to reappoint Brad Bassett and Matt Murphy to the Airport Advisory Board (for an additional, two-year term expiring in August of 2022). Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Councilmember Macalik moved to reappoint Betty Hougland and Doug Agee to the ART Commission (for an additional, two-year term expiring in August of 2022). Mayor Pro Tem Fowler seconded the motion, which passed by a vote of 7 ayes to 0 nays.

- XII. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**

This item was not discussed.

- XIII. EXECUTIVE SESSION.**

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTER AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
2. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)
3. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding Loan Ranger Capital, LLC vs. City of Rockwall pursuant to Section §551.071 (Consultation with Attorney).

- XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

Council did not reconvene in Executive Session following the close of the public meeting agenda.

XV. ADJOURNMENT

Mayor Pro Tem Fowler adjourned the meeting at 8:54 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 3rd DAY OF AUGUST, 2020.

JIM PRUITT, MAYOR

ATTEST:

KRISTY COLE, CITY SECRETARY

CITY OF ROCKWALL

ORDINANCE NO. 20-26

SPECIFIC USE PERMIT NO. S-228

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL ADJACENT TO AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 2.60-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, BEST ESTATE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; 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 from James Best for the approval of a Specific Use Permit (SUP) for *Residential Infill Adjacent to an Established Subdivision* to allow the construction of a single-family home on a 2.60-acre parcel of land being described as Lot 1, Block A, Best Estate Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 54 Shadydale Lane, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after 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, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] 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 (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill Adjacent to an Established Subdivision* to allow the construction of a single-family home in an established subdivision in accordance with Article 04, *Permissible Uses*, the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, and Subsection 03.06, *Single-Family 16 (SF-16) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- as heretofore amended and may be amended in the future -- and the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the construction of a single-family home on the *Subject Property* and conformance to these operational conditions are required:

- 1) The development of the *Subject Property* shall generally conform to the *Residential Plot Plan* as depicted in *Exhibit 'B'* of this ordinance.
- 2) The construction of a single-family home on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance; and,
- 3) Once construction of the single-family home has been completed, inspected, and accepted by the City, this Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Building Permit*, should the contractor operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*].

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

SECTION 4. 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 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 or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, 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 of this ordinance shall remain in full force and effect.

SECTION 7. 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 3RD DAY OF AUGUST, 2020.**

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: July 20, 2020

2nd Reading: August 3, 2020

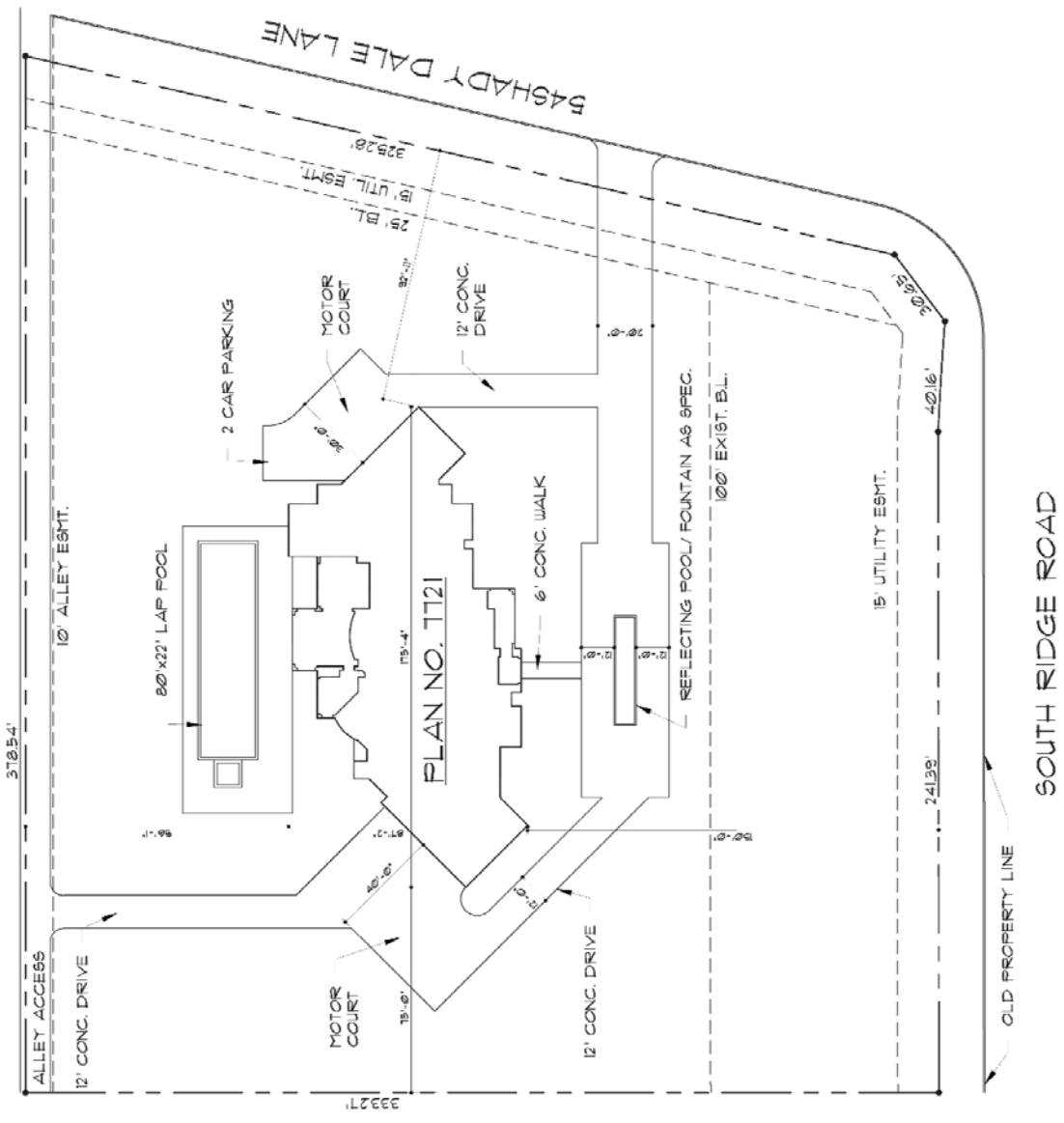
Exhibit 'A'
Location Map

Address: 54 Shadydale Lane

Legal Description: Lot 1, Block A, Best Estate Addition

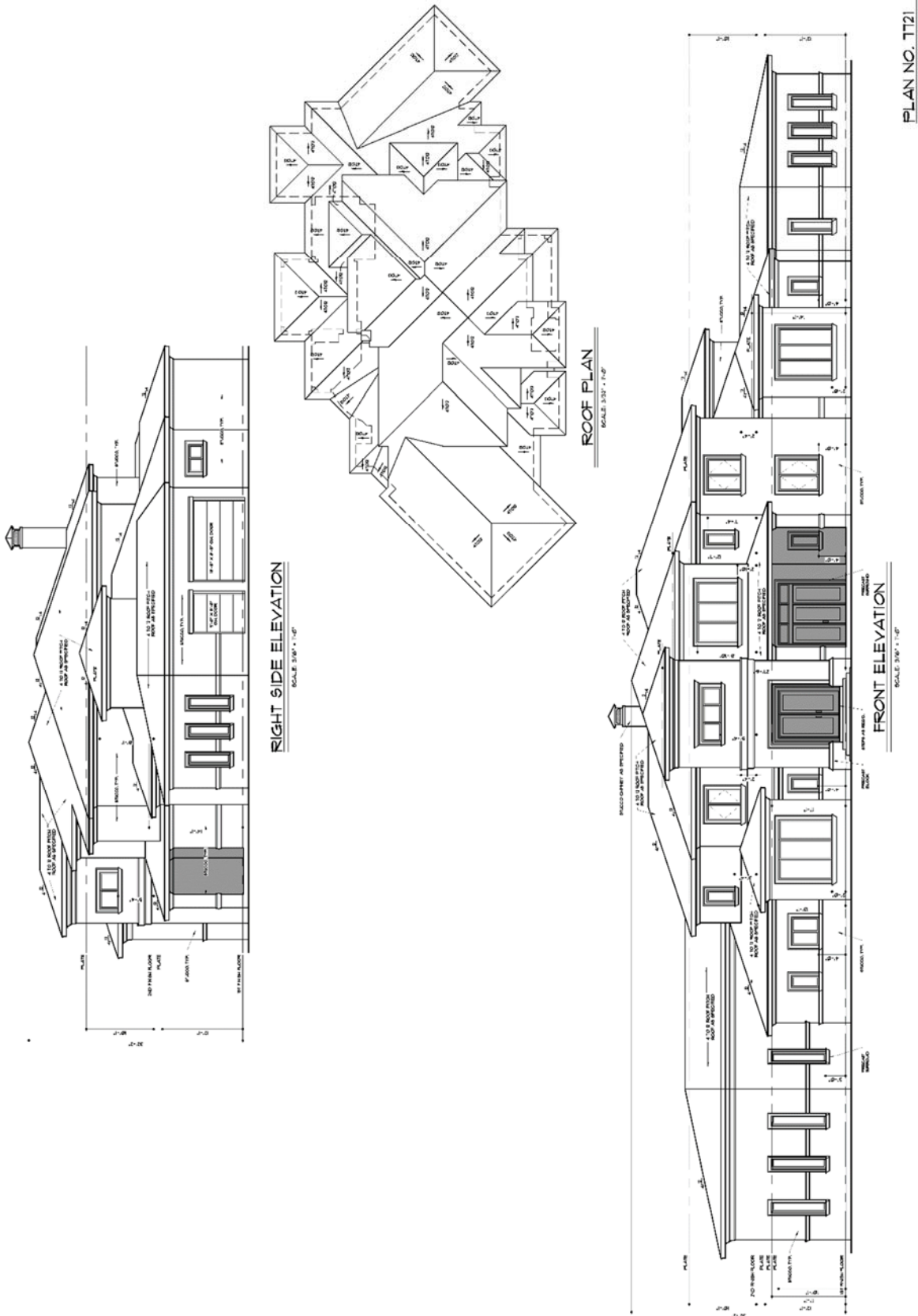


**Exhibit 'B':
Residential Plot Plan**

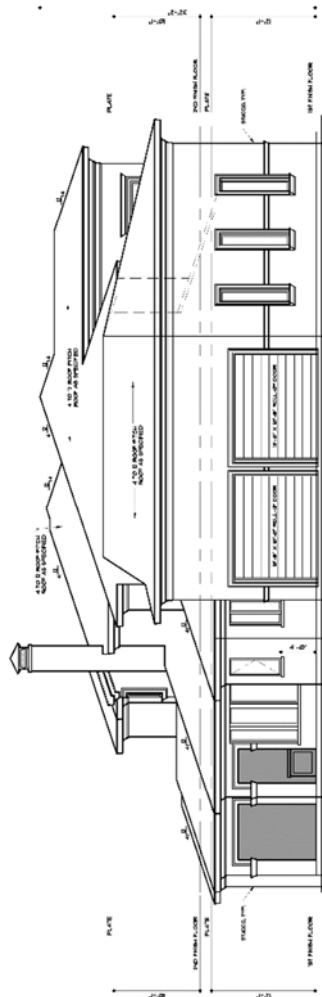


PLOT PLAN
 SCALE: 1" = 20'-0"
 LOT #1, BLK. 'A'
 BEST ESTATE ADDITION
 ROCKWALL, TEXAS
 PLAN NO. 1121

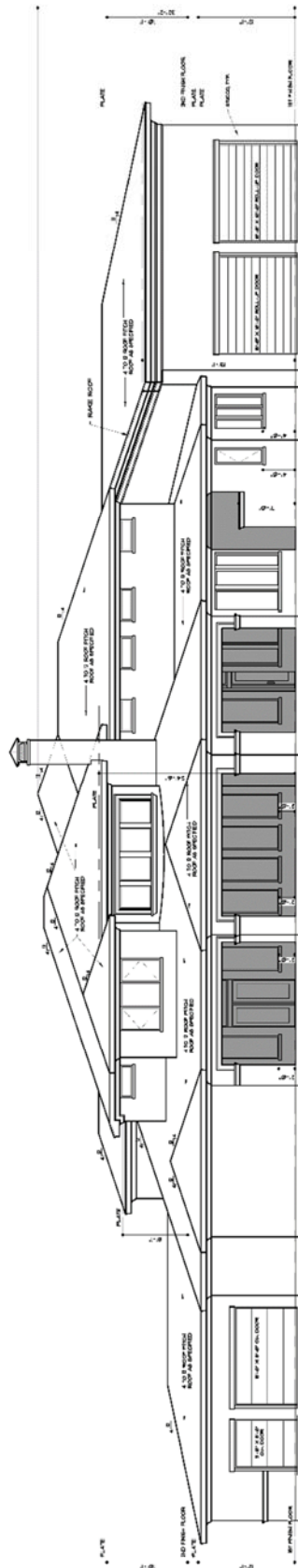
**Exhibit 'C':
Building Elevations**



**Exhibit 'C':
Building Elevations**



LEFT SIDE ELEVATION
SCALE 3/8" = 1'-0"



REAR ELEVATION
SCALE 3/8" = 1'-0"

PLAN NO. T121

CITY OF ROCKWALL

ORDINANCE NO. 20-28

SPECIFIC USE PERMIT NO. S-229

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *GENERAL RETAIL STORE AND HAIR SALON AND/OR MANICURIST* ON A 0.2254-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, ARTVENTURES STUDIO ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; 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 from Hallie Fleming for the approval of a Specific Use Permit (SUP) for a *General Retail Store and Hair Salon and/or Manicurist* on a 0.2254-acre parcel of land being described as Lot 1, Block A, Artventures Studio Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, addressed as 507 N. Goliad Street [*SH-205*], and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after 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, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] and Planned Development District 50 (PD-50) [*Ordinance No. 17-19*] 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 approval of this Specific Use Permit (SUP) ordinance shall supersede all requirements stipulated by *Ordinance No. 13-01 [S-101]*, and *Ordinance No. 13-01* shall expire in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC); and,

SECTION 2. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *General Retail Store and Hair Salon and/or Manicurist* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 3. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 04.01, *General Commercial Districts Standards*, and Subsection 04.02, *Residential-Office (RO) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- as heretofore amended and may be amended in the future -- and the following conditions:

3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *General Retail Store* and *Hair Salon and/or Manicurist* on the *Subject Property* and conformance to these conditions is required for continued operation:

- 1) The subject property shall generally conform to the zoning exhibit contained in *Exhibit 'B'* of this ordinance, and any expansion of the existing building will require the parking areas to be brought up to current code.
- 2) The hours of operation for the General Retail Store shall be limited to Monday through Sunday 7:00 AM – 8:00 PM.
- 3) Parking along or adjacent to SH-205, or within the right-of-way of SH-205, shall be prohibited.
- 4) Parking in the front of the building shall be prohibited.
- 5) A hair salon/manicurist shall be allowed to operate on the on the subject property; however, this land use shall be limited to one (1) chair serving one (1) customer at a time.

3.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Certificate of Occupancy (CO)*, should the business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*].

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

SECTION 5. 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 6. 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 7. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, 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 of this ordinance shall remain in full force and effect.

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 3RD DAY OF AUGUST, 2020.**

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: July 20, 2020

2nd Reading: August 3, 2020

Exhibit 'A'
Location Map

Address: 507 N. Goliad Street [SH-205]

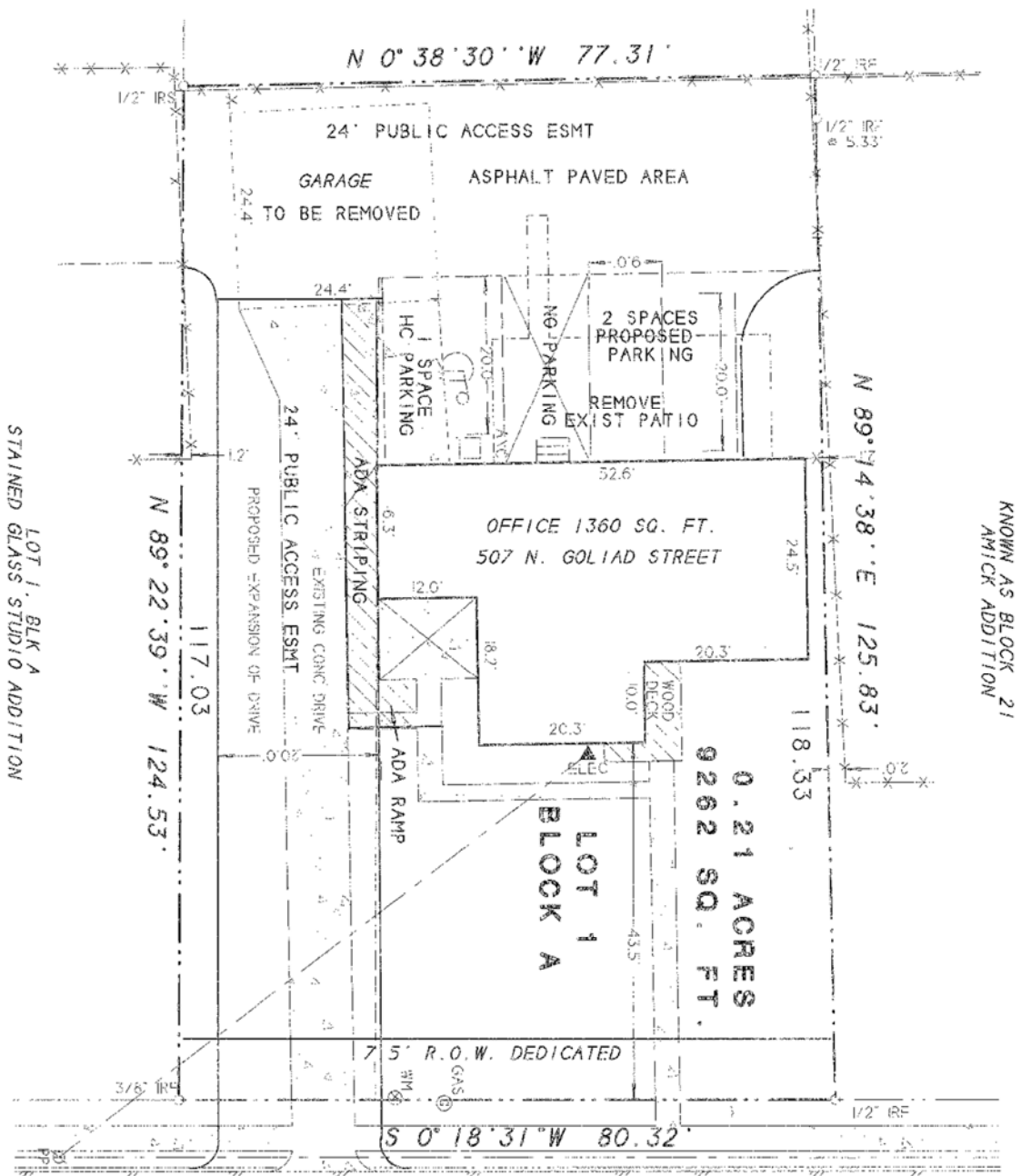
Legal Description: Lot 1, Block A, Artventures Studio Addition



Exhibit 'B':
Zoning Exhibit

NETA FAY SMITH
VOL. 428, P. 152

LOT 1, BLOCK A
AMICK 20A-THOMAS SUBDIVISION
CAB. B, SLIDE 126



CITY OF ROCKWALL

ORDINANCE NO. 20-29

SPECIFIC USE PERMIT NO. S-230

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *GENERAL RETAIL STORE AND BANQUET FACILITY/EVENT HALL* ON A 0.66-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, OUR HOUSE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; 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 from Scott & Leslie Milder for the approval of a Specific Use Permit (SUP) for a *General Retail Store and Banquet Facility/Event Hall* on a 0.66-acre parcel of land being described as Lot 1, Block A, Our House Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, addressed as 803 N. Goliad Street [*SH-205*], and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after 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, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] and Planned Development District 50 (PD-50) [*Ordinance No. 17-19*] 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 approval of this Specific Use Permit (SUP) ordinance shall supersede all requirements stipulated by *Ordinance No. 16-22 [S-149]*, and *Ordinance No. 16-22* shall expire in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC); and,

SECTION 2. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *General Retail Store and Banquet Facility/Event Hall* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 3. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 04.01, *General Commercial Districts Standards*, and Subsection 04.02, *Residential-Office (RO) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and the following conditions:

3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *General Retail Store* and *Hair Salon and/or Manicurist* on the *Subject Property* and conformance to these conditions is required for continued operation:

- (1) The *subject property* should maintain general conformance with the *Concept Plan* contained in *Exhibit 'C'* of this ordinance.
- (2) The hours of operation for the *Banquet Facility/Event Hall* shall be limited to Sunday through Thursday, 8:00 AM – 9:00 PM and Friday & Saturday, 8:00 AM – 11:00 PM.
- (3) The hours of operation for the *General Retail Store* shall be limited to Monday through Sunday 7:00 AM – 8:00 PM.
- (4) No on-premise food preparation shall be permitted. Service areas shall only be utilized for pre-packaged and/or catered food services.
- (5) The sale of alcoholic beverages shall be prohibited; however, alcohol shall be permitted to be provided by the guests for events associated with the *Banquet Facility/Event Hall*.
- (6) No events held on premise shall be open to the general public.
- (7) A uniformed, state licensed security guard and/or off-duty police officer shall be present for events that include the provision of beer, wine and/or liquor. Events that limit alcohol consumption to champagne are exempt from this provision.
- (8) Live outdoor music shall be prohibited.
- (9) No event parking shall be permitted along Goliad Street or Alamo Street.
- (10) The parking requirement for the proposed *Banquet Facility/Event Hall* is 14 parking spaces (*i.e. 1580 SF/100 SF = 16 Parking Spaces; Less two [2] parking spaces which were waived by the City Council on February 15, 2016*).
- (11) The indoor areas shall be limited to maximum occupancy of 49 people.
- (12) In the event that the property at 802 N. Alamo Street (*i.e. the property to the southwest of the subject property*) rezones and converts the property to a commercial land use the dedicated 20-foot cross access easement on the subject property shall be paved with concrete to connect the adjacent properties (*i.e. 802 N. Alamo Street and 801 & 807 N. Goliad Street*) as depicted in *Exhibit 'B'* of this ordinance. All paving must be constructed within 60 days of an approved site plan for the property at 802 N. Alamo Street, and shall be in accordance with the standards of Article 06, *Parking and Loading*, of the Unified Development Code.
- (13) The operation of this site shall conform to all federal, state and local standards and comply with the requirements of Section 3.2, *Compliance*, of this ordinance.

3.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Certificate of Occupancy (CO)*, should the business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*)

initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02].

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

SECTION 5. 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 6. 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 7. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, 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 of this ordinance shall remain in full force and effect.

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 3RD DAY OF AUGUST, 2020.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: July 20, 2020

2nd Reading: August 3, 2020

Exhibit 'A'
Location Map

Address: 803 N. Goliad Street

Legal Description: Lot 1, Block A, Our House Addition



Exhibit 'A'
Location Map

WHEREAS, Scott Milder and Leslie Milder, being the owners of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows:

Port of the Benjamin F. Boydston Survey Abstract No. 14, situated in the City of Rockwall, Rockwall County, Texas, being all of a tract of land to Scott Milder and Leslie Milder as recorded in Volume 7120, Page 228 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with cop stamped "R.P.L.S. 5034" found for the northeast corner of said Milder tract, and lying on the west right-of-way line of North Goliad Street, also called State Highway Number 205, (a variable width right-of-way);

THENCE South 00 degrees 02 minutes 42 seconds West along the west right-of-way of said North Goliad Street and the east line of said Milder tract, a distance of 133.04 feet to a 5/8 inch iron rod stamped "R.P.L.S. 5430" set for the southeast corner of said Milder tract;

THENCE South 88 degrees 37 minutes 48 seconds West departing the west line of said North Goliad Street and along the south line of said Milder tract, passing a 1/2 inch iron rod stamped "R.P.L.S. 5034" at a distance of 7.50 feet found for the northeast corner of Lot 1, Block A of the Wagner Christensen Addition, an addition to The City of Rockwall as recorded in Cabinet H, Slide 229, Plat Records Rockwall County, Texas, and continuing a total distance of 105.47 feet to a 1/2 inch iron rod stamped "R.P.L.S. 5034" found for the northwest corner of said Wagner Addition, the northeast corner of a tract of land to Carlos Guevara and Monica A. Guevara recorded in Volume 5484, Page 187 Deed Records Rockwall County, Texas and at an angle point on the south line of said Milder tract;

THENCE South 89 degrees 15 minutes 53 seconds West along the north line of said Guevara tract and the south line of said Milder tract, a distance of 110.14 feet to a 3/8 inch iron rod found for the northwest corner of said Guevara tract, the southwest corner of said Milder tract and lying on the east line of North Alamo Street (a called 45 feet wide right-of-way);

THENCE North 00 degrees 14 minutes 21 seconds East along the east line of said Alamo Street and the west line of said Milder tract, a distance of 138.19 feet to 1/2 inch iron rod found for the northwest corner of said Milder tract and for the southwest corner of a tract of land to Kimberlee Wylie recorded in Volume 3324, Page 196 Deed Records Rockwall County, Texas;

THENCE South 89 degrees 13 minutes 43 seconds East departing said Alamo Street and along the south line of said Wylie tract a distance of 99.09 feet to 1/2 inch iron rod stamped "R.P.L.S. 5034" found for the southeast corner of said Wylie tract, same being the southwest corner of Lot 1, Block A Double T Ventures Addition, an addition to The City of Rockwall as recorded in Instrument Number 20140000009401 Official Public Records Rockwall County, Texas;

THENCE North 89 degrees 57 minutes 10 seconds East along the south line of said Double T Ventures Addition a distance of 116.02 feet to the *POINT OF BEGINNING* containing 29,182 square Feet, or 0.670 of an acre of land.

CITY OF ROCKWALL

ORDINANCE NO. 20-30

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 10 (PD-10) [ORDINANCE NO.'S 74-32, 96-03, 00-08, 04-25, 04-40, 12-13 & 13-39] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 10 (PD-10), BEING A ~580.48-ACRE TRACT OF LAND SITUATED WITHIN THE J. CADLE SURVEY, ABSTRACT NO. 65; J. M. ALLEN SURVEY, ABSTRACT NO. 2; W. H. BAIRD SURVEY, ABSTRACT NO. 25; W. H. BARNES SURVEY, ABSTRACT NO. 26; A. JOHNSON SURVEY, ABSTRACT NO. 123; AND J. R. JOHNSON SURVEY, ABSTRACT NO. 128, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A 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 Lucas Altoe on behalf of STAR Hubbard, LLC for the approval of an amendment to Planned Development District 10 (PD-10) [*Ordinance No. 04-25*] for the purpose of adding office as an ancillary land use to multi-family for a 32.6546-acre parcel of land identified as Lot 1, Block A, Mansions Family Addition, which is a part of a larger ~580.48-acre Planned Development District that is situated within J. Cadle Survey, Abstract No. 65; J. M. Allen Survey, Abstract No. 2; W. H. Baird Survey, Abstract No. 25; W. H. Barnes Survey, Abstract No. 26; A. Johnson Survey, Abstract No. 123; and J. R. Johnson Survey, Abstract No. 128, City of Rockwall, Rockwall County, Texas, identified as Planned Development District 10 (PD-10) [*Ordinance No.'s 74-32, 96-03, 00-08, 04-25, 04-40, 12-13 & 13-39*], 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 10 (PD-10) [*Ordinance No.'s 74-32, 96-03, 00-08, 04-25, 04-40, 12-13 & 13-39*] and 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 approval of this ordinance shall supersede all requirements stipulated in *Ordinance No.'s 74-32, 96-03, 00-08, 04-25, 04-40, 12-13 & 13-39*;

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

SECTION 5. That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, described in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 6. That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, described in *Exhibit 'E'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'E'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 7. That development of the *Subject Property* shall generally be in accordance with the *Concept Elevations*, 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 8. That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, *Concept Elevations*, and *Concept Landscape Plan*, described in *Exhibit 'G'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'G'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 9. That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, 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 10. That the official zoning map of the City of Rockwall, Texas be corrected to reflect the change in zoning described here in.

SECTION 11. 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 12. 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 [*Ordinance No. 20-02*], 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 13. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code [*Ordinance No. 20-02*] of 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 [*Ordinance No. 20-02*] (*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 14. 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
3RD DAY OF AUGUST, 2020.**

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: July 20, 2020

2nd Reading: August 3, 2020

EXHIBIT 'A':
Legal Description

BEING 580.48 acres of land situated in the Abstract 2, J.M. Allen Survey in the County of Rockwall, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the Northeastern most corner of Rockwall Downes Addition Phase 1(RCAD# 88527), Block E, Lot 31. (NAD83 Texas State Plane GPS Coordinate: 2603772.8887 E, 7019049.6742 N feet);

THENCE South 00° 31' 08.24" East following the Eastern boundary line of Rockwall Downes Addition, a distance of 2716.497 feet for a corner;

THENCE South 89° 18' 48.23" West, a distance of 454.211 feet for a corner;

THENCE South 01° 02' 50.24" East, following along the West Right of Way of South John King Blvd, a distance of 2015.496 feet for a corner;

THENCE South 88° 21' 59.93" West, a distance of 176.809 feet for a corner;

THENCE South 01° 21' 18.01" East, a distance of 3183.054 feet for a corner;

THENCE South 36° 18' 33.84" West, a distance of 1422.475 feet for a corner;

THENCE North 43° 10' 39.19" West, a distance of 1701.923 feet to the beginning of a curve found in the centerline of State Highway 205 (S Goliad St), said being the beginning of a curve to the right having a tangent of 556.704 and a radius of 5040.628 feet with a chord distance of 1106.679 feet and a chord bearing of North 37 degrees 15 minutes 16.86 seconds East to a point;

THENCE North 31° 10' 50.08" West, a distance of 3360.519 feet for a corner;

THENCE North 66° 36' 08.32" East, following along Buffalo Creek, a distance of 74.657 feet for a point;

THENCE North 50° 24' 43.10" East, a distance of 80.211 feet for a point;

THENCE North 18° 54' 16.58" East, a distance of 91.725 feet for a point;

THENCE North 03° 14' 22.07" East, a distance of 63.104 feet for a point;

THENCE North 11° 12' 03.41" East, a distance of 73.436 feet for a point;

THENCE North 26° 12' 41.06" West, a distance of 86.124 feet for a point;

THENCE North 37° 47' 38.14" West, a distance of 73.711 feet for a point;

THENCE North 25° 18' 04.49" East, a distance of 72.318 feet for a point;

THENCE North 45° 42' 58.69" East, a distance of 134.501 feet for a point;

THENCE North 37° 01' 49.36" East, a distance of 84.876 feet for a point;

THENCE North 46° 41' 04.42" East, a distance of 57.183 feet for a point;

THENCE North 41° 52' 49.85" East, a distance of 66.419 feet for a point;

THENCE North 33° 19' 34.75" East, a distance of 103.857 feet for a point;

THENCE North 76° 36' 26.52" East, a distance of 51.322 feet for a point;

EXHIBIT 'A':
Legal Description

THENCE South 60° 01' 04.52" East, a distance of 35.682 feet for a point;

THENCE North 80° 32' 15.13" East, a distance of 21.692 feet for a point;

THENCE North 27° 10' 51.84" East, a distance of 49.443 feet for a point;

THENCE North 33° 20' 26.99" East, a distance of 54.071 feet for a point;

THENCE North 35° 54' 35.27" West, a distance of 42.563 feet for a point;

THENCE North 76° 51' 57.28" West, a distance of 36.620 feet for a point;

THENCE North 36° 15' 13.08" West, a distance of 44.224 feet for a point;

THENCE North 08° 41' 10.95" West, a distance of 86.582 feet for a point;

THENCE North 70° 56' 31.27" East, a distance of 90.890 feet for a point;

THENCE North 48° 08' 53.21" East, a distance of 91.085 feet for a point;

THENCE North 02° 11' 33.96" East, a distance of 88.757 feet to the beginning of a curve found crossing old State Highway 276, said being the beginning of a curve to the right having a tangent of 88.419 feet and a radius of 167.275 feet with a chord distance of 156.341 feet and a chord bearing of North 00 degrees 38 minutes 57.99 seconds West to a point;

THENCE South 88° 06' 20.65" East, a distance of 154.498 feet for a corner;

THENCE North 00° 09' 35.47" West, a distance of 1673.721 feet for a corner;

THENCE South 43° 38' 58.76" East, following along the West Right of Way of South TL Townsend Dr. a distance of 1912.611 feet for a corner;

THENCE South 14° 46' 51.19" East, a distance of 208.204 feet for a point;

THENCE South 06° 39' 18.55" East, a distance of 136.260 feet for a corner;

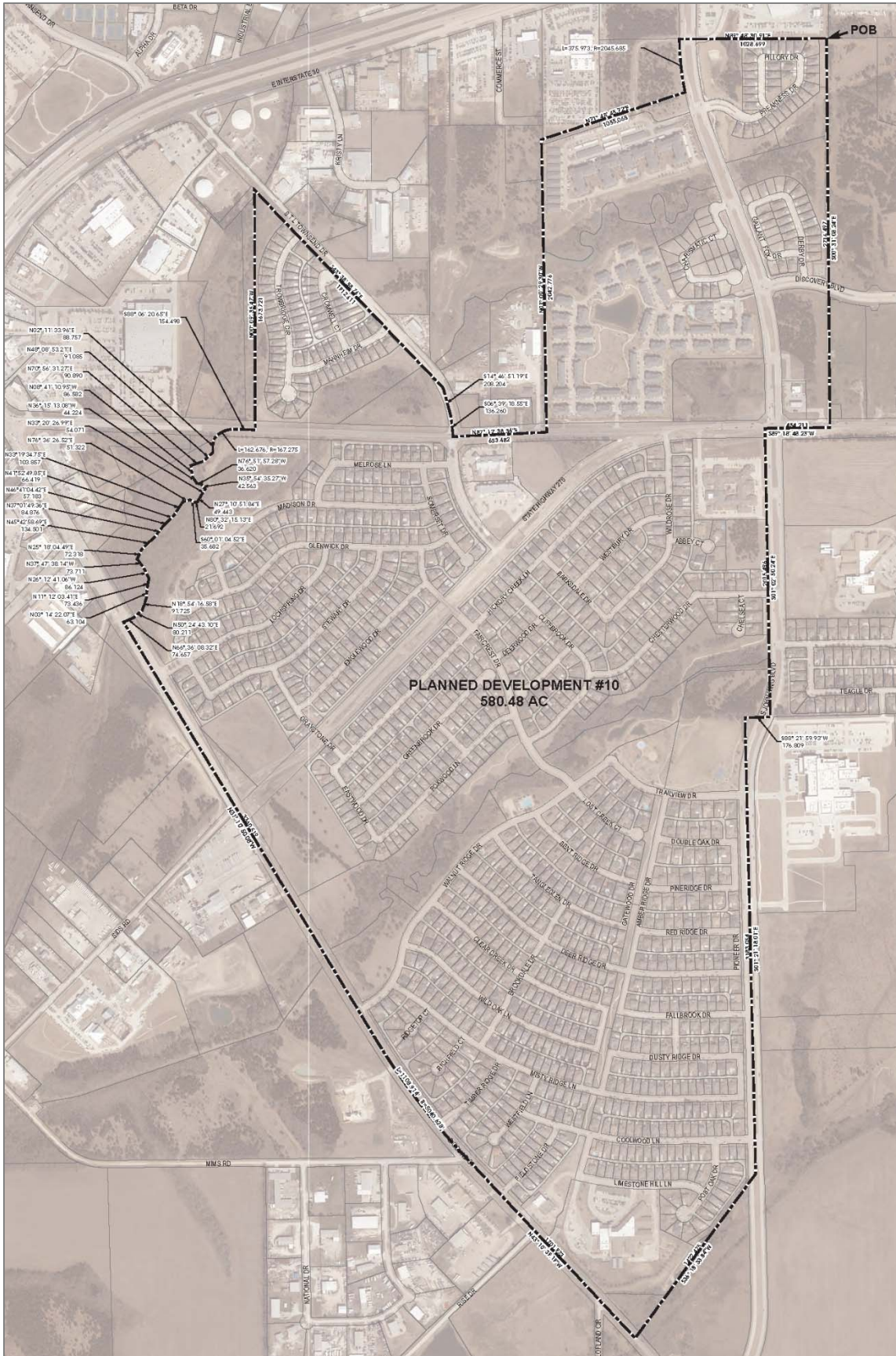
THENCE North 87° 12' 38.34" East, a distance of 653.482 feet for a corner;

THENCE North 01° 00' 29.30" West, a distance of 2042.776 feet for a corner;

THENCE North 71° 48' 45.72" East, a distance of 1055.068 feet to the beginning of a following along the West Right of Way of South John King Blvd, said being the beginning of a curve to the right having a tangent of 188.517 feet and a radius of 2045.685 feet with a chord distance of 375.444 feet and a chord bearing of South 89 degrees 00 minutes 03.60 seconds West to a point;

THENCE North 89° 48' 30.91" East, a distance of 1028.699 feet, to the *POINT OF BEGINNING AND CONTAINING* 580.48 acres of land (25,268,421.447 square feet) more or less. The above description also intended to follow all adjacent existing city limits, extra-territorial jurisdiction, and applicable parcel boundaries.

**EXHIBIT 'A':
Legal Description**



**EXHIBIT 'B':
Concept Plan**

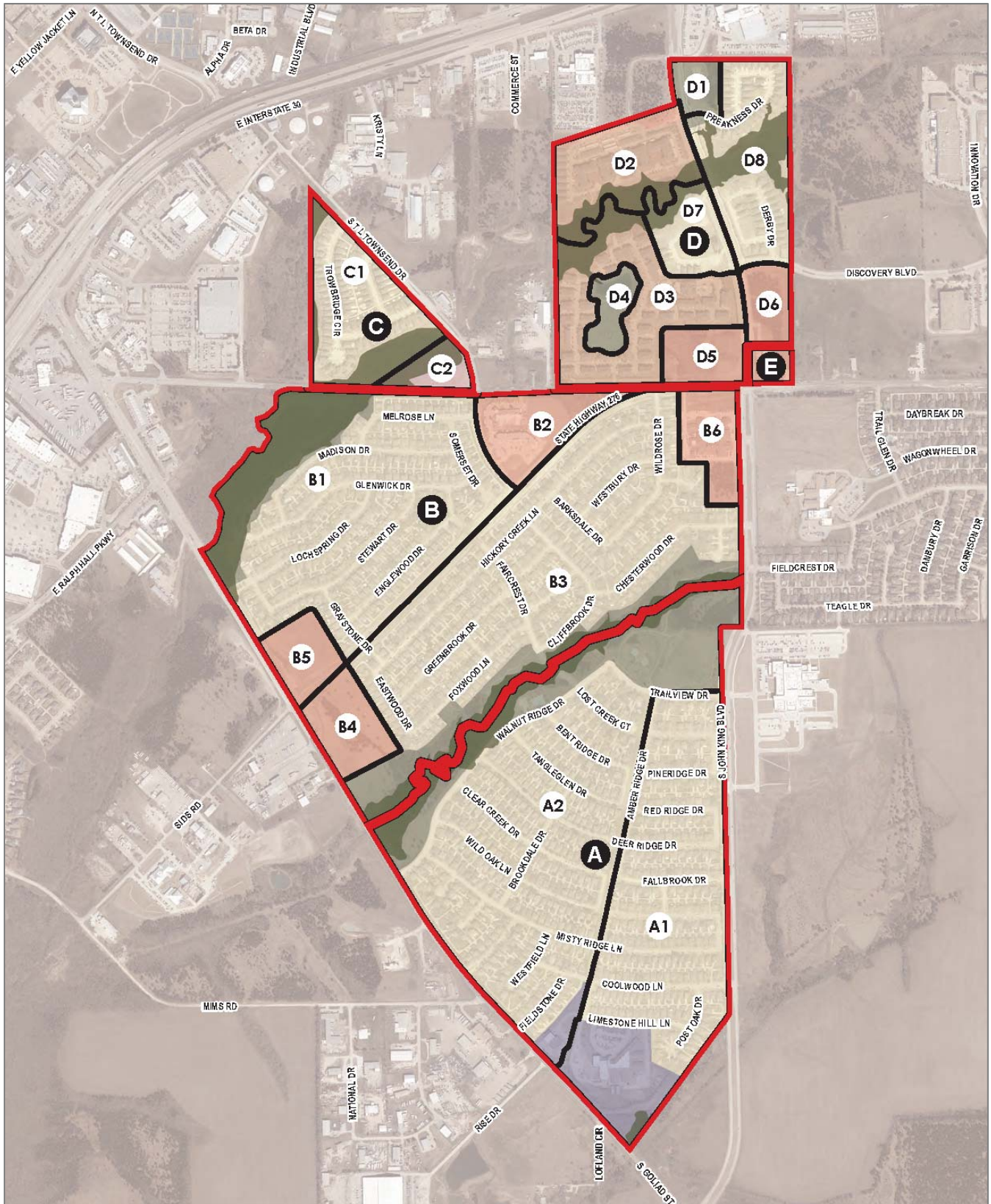


EXHIBIT 'C':
PD Development Standards

(A) Purpose.

- (1) August 3, 2020. The purpose of this amendment to Planned Development District 10 (PD-10) is to consolidate *Ordinance No.'s 74-32, 96-03, 00-08, 04-25, 04-40, 12-13 & 13-39*; however, this ordinance does not change the intent, restrictions or land uses established in any previous ordinance with the exception of adding office as an ancillary land use to multi-family for *Tract D3* as depicted in *Exhibit 'B'* of this ordinance.

(B) Areas A & B: Tracts A1, A2, B1, B2, B3, B4, B5, & B6

- (1) Tract A1, A2, B1 & B3; ~396.469-Acres [Hickory Ridge and Meadow Creek Subdivisions]: The areas identified as *Tracts A1, A2, B1 & B3* in *Exhibit 'B'* of this ordinance shall be subject to the following requirements:

- (A) Permitted Land Uses. *Lot Types SF-6, SF-7, & SF-8.4* on *Tracts A1, A2, B1 & B3* shall be subject to the permitted land uses stipulated for properties in a Single-Family 7 (SF-7) District and *Lot Type SF-10* on *Tract A1, A2, & B2* shall be subject to the permitted land uses stipulated for properties in a Single-Family 10 (SF-10) District as specified by Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*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.

- (B) Lot Layout and Composition. The lot layout and composition shall conform to the following:

<i>Tract</i>	<i>Lot Type</i>	<i>Minimum Lot Size (SF)</i>	<i>Acres</i>	<i>Density</i>	<i>Dwelling Units (#)</i>	<i>Dwelling Unit (%)</i>
<i>B1 & B3</i>	SF-6	6,000 SF	63.04	3.8	245	100.00%
<i>B1 & B3</i>	Open Space	N/A	8.80	N/A	N/A	N/A
<i>A1 & A2</i>	SF-6	6,000 SF	77.96	4.2	327	36.37%
<i>A1 & A2</i>	SF-7	7,000 SF	92.70	3.5	324	36.04%
<i>A1 & A2</i>	SF-8.4	8,400 SF	23.23	3.2	74	8.23%
<i>A1 & A2</i>	SF-10	10,000 SF	57.96	3.0	174	19.35%
<i>A1 & A2</i>	Open Space	N/A	36.20	N/A	N/A	N/A
<i>Tract B1 & B3:</i>			81.84		245	21.41%
<i>Tract A1 & A2:</i>			288.05		899	78.58%
Total:			369.90		1,144	100.00%

- (C) Density and Dimensional Requirements. The following density and dimensional requirements are required for development on *Tracts A1, A2, B1 & B3*:

<i>Lot Type (see Concept Plan) ►</i>	SF-6	SF-7	SF-8.4	SF-10
<i>Minimum Lot Width at Building Line</i>	55'	60'	65'	75'
<i>Minimum Front Yard Setback</i>	20'	20'	20'	25'
<i>Minimum Side Yard Setback</i>	5'	5'	6'	6'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i>	15'	15'	15'	15'
<i>Minimum Rear Yard Setback</i>	10'	10'	10'	10'
<i>Garage Setback</i>	20'	20'	20'	20'
<i>Minimum Area/Dwelling Unit (SF)</i>	1,500 SF	1,700 SF	1,800 SF	1,850 SF
<i>Maximum Height</i>	28'	32'	32'	36'
<i>Minimum Off-Street Parking Requirement ⁽¹⁾</i>	2	2	2	2
<i>Minimum Masonry Requirement</i>	75%	75%	75%	75%
<i>Maximum Lot Coverage ⁽²⁾</i>	50%	35%	35%	35%

General Notes:

¹: Minimum two (2) car garage required.

²: *Lot Types SF-6, SF-7 & SF-8.4* within *Tract A1* have a maximum lot coverage of 45%.

EXHIBIT 'C':
PD Development Standards

- (D) Garage Orientation. Except when adjacent to open space all properties in *Tracts A1, A2, B1 & B3* shall have rear entry garages (*i.e. accessible from an alleyway*). No lots will be built with front entry garages (*i.e. no garage doors facing the street*).
- (E) Streets. All streets shall be designed to be curvilinear.
- (F) Anti-Monotony. The anti-monotony restrictions for properties in *Tracts B1 & B2* shall not allow the same building elevation any closer than five (5) houses apart.
- (2) Tracts B2, B4, B5 & B6: ~40.886-Acres: The area identified as *Tracts B2, B4, B5 & B6* in *Exhibit 'B'* of this ordinance shall be subject to the following requirements:
- (A) Permitted Land Uses. *Tracts B2, B4, B5 & B6* shall be subject to the permitted land uses stipulated for properties in a Commercial (C) District as specified by Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*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.
- (B) Density and Dimensional Requirements. *Tracts B2, B4, B5 & B6* shall be subject to the dimensional requirements stipulated for properties in a Commercial (C) District as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*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.

(C) Area C: Tracts C1 & C2

- (1) Tract C1; ~25.185-Acres [Townsend Village Subdivision; Ordinance No. 04-25]: The area identified as *Tract C1* in *Exhibit 'B'* of this ordinance shall be subject to the following requirements:
- (A) Permitted Land Uses. *Tract C1* shall permit *Single-Family Attached (i.e. Townhomes) [SF-A]* and *Single-Family Detached [SF-D]* land uses. In addition, clubhouse and recreational land uses (*e.g. exercise club, a pool, tennis courts, or other similar amenities*) shall be permitted as ancillary land uses to residential land uses. An *On-Site Temporary Real Estate/Sales Office* shall also be permitted.
- (B) Density and Dimensional Requirements. The following density and dimensional requirements are required for development on *Tract C1*:

<i>Lot Type (see Concept Plan) ►</i>	SF-A	SF-D
<i>Maximum Density Per Gross Acre</i>	8	5
<i>Minimum Lot Width</i>	35' ⁽¹⁾	50' ⁽²⁾
<i>Minimum Lot Depth</i>	N/A ⁽¹¹⁾	100'
<i>Minimum Lot Area</i>	3,500 SF	5,000 SF
<i>Minimum Front Yard Setback</i>	15' – 20' ⁽⁴⁾	20'
<i>Minimum Side Yard Setback</i>	N/A	5'
<i>Minimum Side Yard Setback (Adjacent to a Street) ⁽³⁾</i>	N/A	15'
<i>Minimum Length of Driveway Pavement ⁽⁸⁾</i>	20'	20'
<i>Maximum Height</i>	32'	32'
<i>Minimum Rear Yard Setback</i>	7½' ⁽⁵⁾	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	N/A	1,500 SF
<i>Distance Between Buildings</i>	20' ⁽¹²⁾	10'
<i>Masonry Requirement ⁽⁶⁾</i>	90%	90%
<i>Common Open Space Per Gross Acre ⁽⁷⁾</i>	10%	10%
<i>Off-Street Parking Requirements</i>	2 ⁽⁹⁾	2 ⁽¹⁰⁾
<i>Maximum Lot Coverage</i>	N/A	45%

General Notes:

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- 1: All townhomes shall face on a public or private street or open space and be accessed by an alley unless the lots back to open space areas in which case the alley requirement may be waived.
 - 2: The minimum lot width shall be measured at the *Front Yard Building Setback*.
 - 3: The minimum lot setback abutting an arterial will be 20-feet.
 - 4: Porches, stoops, bay windows, balconies, masonry clad chimneys, colonnades and building overhangs may project up to ten (10) feet into the setback area.
 - 5: Setback from alley way or laneway edge of pavement.
 - 6: Masonry requirement shall exclude doors and windows, and is defined as brick, stone, cultured stone, cementaceous fiber board (*Hardy Plank or similar nine [9] inch or smaller width boards*) and cementaceous stucco.
 - 7: There shall be a minimum of 10% of the gross area of the tract for open space, which shall satisfy any parkland dedication requirements of the City. This shall include floodplain.
 - 8: Setback from a public right-of-way.
 - 9: In an enclosed garage.
 - 10: An enclosed garage shall not be considered in meeting the off-street parking requirements.
 - 11: All units shall face on a public or private street or open space and be accessed by an alleyway.
 - 12: The minimum separation between attached buildings shall be 20-feet for every 140-foot building.
- (C) *Clubhouse Facilities for Single-Family Attached and Single-Family Detached*. Any clubhouse facility shall be constructed of a minimum of 20% stone or cast stone.
- (D) *Garage Requirements for Single-Family Detached*. For lots less than 55-feet in width, garages must be located at the rear of the property with alley access. Alleys are required unless lots back to open space areas in which case the lots shall be a minimum of 55-feet in width and provide a front, side loaded *J-Swing* (or *Traditional Swing*) garage or a garage toward the rear of the lot, as approved by the City. Lots which are 55-feet or more in width and containing a front-loaded garage must setback the face of the garage at least three (3) feet from the nearest front corner of the house or have a *pass-through* drive to a garage toward the rear of the property or a front, side loaded *J-Swing* garage. A minimum single care attached garage is required for each lot.
- (E) *Screening Walls Along Townsend Drive and/or SH-276*. Any screening wall against Townsend Drive or SH-276 shall employ stone, cultured stone or pre-cast concrete caps along the solid portions of the wall.
- (F) *Streets in a Single-Family Attached Development*. Residential streets may be constructed with a 26-foot street section if approved by the City.
- (G) *HOA/PID Single-Family Attached Development*. A Public Improvement District (PID), Homeowner's Association (HOA), or other entity approved by the City shall be required in order to ensure maintenance of common areas including parks and streetscapes.
- (2) *Tract C2; 3.816-Acres [Ordinance No. 13-39]*: The area identified as *Tract C2* in *Exhibit 'B'* of this ordinance shall be subject to the following requirements:
- (A) *Permitted Land Uses*. *Tract C2* shall be subject to the permitted land uses stipulated for properties in a General Retail (GR) District as specified by Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*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, with the following land uses being expressly prohibited:
- Temporary Carnival, Circus, or Amusement Ride
 - Outdoor Commercial Amusement/Recreation
 - Indoor Gun Club, Skeet, or Target Range
 - Theater
 - Night Club, Discoteque or Dance Hall
 - Restaurant, Less than 2,000 SF with a Drive-Through or Drive-In

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- Restaurant, 2,000 SF or more with a Drive-Through or Drive-In
- Retail Store with Gasoline Sales that has Two (2) Dispensers (*i.e. Maximum of Four [4] Vehicles*)
- Retail Store with Gasoline Sales that has more than Two (2) Gasoline Dispensers
- Full Service Car Wash and Auto Detail
- Self Service Car Wash
- Service Station

(B) Density and Dimensional Requirements. *Tract C2* shall be subject to the dimensional requirements stipulated for properties in a General Retail (GR) District as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*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.

(D) Area D [Ordinance No.'s 04-25]

(1) General Requirements for Area D (i.e. Tracts D1, D2, D3, D4, D5, D6, D7 & D8)

- (A) Floodplain. The floodplain will be developed and maintained as private open space by a Homeowner's Association (HOA).
- (B) Conformity with Other City Ordinances. Unless in conflict with the standards herein, development shall comply with the standards and procedures established by the City of Rockwall that are in effect at the time of development. Any planned median openings shall be subject to review and approval by the City. All median openings shall meet design standards of the City of Rockwall.

(C) Streetscape.

- (1) Landscape Buffer. The landscape buffer shall be a minimum of 15-feet wide for retail/commercial land uses; 25-feet wide for residential land uses; and 50-feet for office and industrial land uses. The landscape buffer shall include a *built-up* berm and/or shrubbery or a combination of both along the entire length of the subject property's frontage along John King Boulevard and SH-276 rights-of-way. The minimum required height of the aforementioned berm and/or shrubbery or the combination thereof is 30-inches and shall not exceed a maximum height of 48-inches. Sidewalks shall be allowed within the buffer strip as an access easement, as approved by the City of Rockwall.
- (2) Buffer-Strip Plantings. Three (3) canopy trees and four (4) accent trees shall be required per 100-linear feet of frontage along John King Boulevard or SH-276 right-of-way.
- (3) Plant Material Sizes. The following size requirements shall be required:
- (a) Canopy Trees: Four (4) Caliper Inches
 - (b) Accent Trees: Four (4) Feet in Height
 - (c) Deciduous Shrubs: 15-Inches [*Two (2) Gallon Minimum*]
 - (d) Evergreen Shrubs: 12-Inches [*Two (2) Gallon Minimum*]
- (4) Plant Material Selections. The following materials are recommended for planting in the buffer-strip; however, the other following materials may be acceptable:
- (a) Canopy Trees. Burr Oak, Red Oak, Live Oak, Cedar Elm, Lacebark Elm, and Leyland Cypress.
 - (b) Accent Trees. Yaupon, Red Bud, Eldarica Pine, Wax Myrtle, Ornamental Pear, Mexican Plum, and Possumhaw.

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- (D) Street Standards. All private streets, excluding drives, fire lanes and private parking areas, shall be built to city public street standards unless otherwise permitted in this ordinance or approved by the City Council.
- (E) Screening Walls. No continuous solid screening walls shall be constructed adjacent to John King Boulevard or SH-276. Overlay District requirements *shall not* apply to *Tracts C1, D2, D3, D7, & D8*. In addition, [1] at least 50% of the wall shall be constructed of wrought/ornamental iron or similar material, including landscaping and plantings, to allow a measure of transparency; [2] no wall may extend more than 300-feet without being offset by a minimum of four (4) feet for a length of at least 20-feet; and [3] the solid portion of the wall shall be constructed of masonry material as defined in this ordinance.
- (F) Buried Utilities. All overhead utilities shall be placed under ground except at the outer perimeter of Planned Development District 10 (PD-10) as depicted in *Exhibit 'B'* including *Area C* as described in the *Settlement Agreement* and as otherwise approved by the City of Rockwall.
- (G) Lighting. No light poles shall exceed 20-feet in height. All lighting fixtures shall focus light downward and be contained on-site.
- (H) Parks. See *Tracts D1 & D4*.
- (I) Trails. A trail shall be constructed along John King Boulevard and SH-276 adjacent to the Planned Development District 10 (PD-10). The developer will be responsible for the cost of an additional three (3) feet of width to a standard five (5) foot sidewalk along the north side of SH-276 -- *Tract D3 & D5* -- and on one (1) side of John King Boulevard -- *Tract D2, D3, D5 & D7* - - as it passes through this Planned Development District.
- (2) Tracts D1 & D4; ~9.394-Acres [Private Open Space]: The area identified as *Tracts D1 & D4* in *Exhibit 'B'* of this ordinance shall be subject to the following requirements:
- (1) Private Parks. *Tracts D1 & D4* are private parks. All residential development within Planned Development District 10 (PD-10) will include no dedication of public internal streets directly serving the residential properties within Planned Development District 10 (PD-10); therefore, the provisions outlined in *Section 24-46* and *Section 24-50*, details herein outlined, and all other applicable requirements of Chapter 24 of the City of Rockwall Municipal Code of Ordinances apply to Planned Development District 10 (PD-10); however, if public streets are to be dedicated, requirements for parkland dedication may be reviewed for compliance.
- (a) The calculated pro-rata share for mandatory parkland dedication and with current or future ordinance requirements development is:
- (1) Ten (10) acres (as defined by Chapter 24 of the Municipal Code of Ordinances of the City of Rockwall) of dedication is required.
- (2) \$375,000.00 in park development fees (as defined by Chapter 24 of the Municipal Code of Ordinances of the City of Rockwall) is required.
- (b) The requirement for mandatory dedication is waived as provided in *Section 24-50.2* of the Municipal Code of Ordinances and the following constitutes the development providing private amenities which meet or exceed the calculated pro-rata share noted above:
- (1) A total of ten (10) acres of land meeting the requirements of Chapter 24 will be permanently dedication and zoned for use as private parks space serving Park District No. 24.

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- (2) The developer will propose and submit to the City private parkland design for development (*to meet all applicable federal, state, local, and generally accepted park design and development standards*) of the private park(s) described above for review and approval by the City. Such design shall include providing amenities and parkland development and improvements which meet or exceed the pro-rata calculated above (\$375,000.00) for development fees which amount would be divided between the park areas as determined by the City and which would be due to the City if the development included dedication of public streets serving the residential areas of Planned Development District 10 (PD-10).
 - (3) The two (2), five (5) are tracts shown as *Tracts D1 & D4* in *Exhibit 'B'* of this ordinance (*which includes land not covered by Planned Development District 10 [PD-10] but which the owner has agreed to dedicated as private open space*) hereto attached shall be the location of the ten (10) acres of private parkland serving Planned Development District 10 (PD-10).
 - (4) The two (2), five (5) acre tracts are not contiguous and must be accessible by way of a minimum of eight (8) foot wide concrete trail for those residents that will be served by the two (2) tracts referenced above.
 - (a) In addition to the sidewalks otherwise required by the City of Rockwall, the developer is responsible for the cost of an eight (8) foot wide concrete sidewalk or trail along the public right-of-way or access easement for John King Boulevard and SH-276 and any dedication of additional right-of-way to allow for the construction of this sidewalk or trail.
 - (b) No trail is required along the IH-30 right of way.
 - (5) The developer is required to furnish evidence for approval by the City of Rockwall that the maintenance and operation of the private park for Planned Development District 10 (PD-10) been secured such that the City will incur no costs associated with their maintenance and operation.
 - (6) Plat approval of land for residential purposes east of John King Boulevard shall trigger the construction of the private park amenities east of John King Boulevard. Plat approval of *Tract D3*, west of John King Boulevard shall trigger the construction of private park amenities west of John King Boulevard.
 - (7) The required parkland (*reflected as Tract D1*) may be integrated with *Tract D8* to better distribute parkland and increase accessibility.
- (3) *Tract D2; ~20.651-Acres [The Mansions Age Restricted Apartments]*: The area identified as *Tract D2* in *Exhibit 'B'* of this ordinance shall be subject to the following requirements:
- (A) *Permitted Land Uses*. *Tract D2* shall permit *Age-Restricted Multi-Family* (*i.e. Multi-Family restricted to occupants of a minimum age of 55 years old for at least one [1] resident*) and *Single-Family Attached* (*i.e. Townhomes*) land uses. In addition, clubhouse and recreational land uses (*e.g. exercise club, a pool, tennis courts, centralized dining facilities, or other similar amenities*) shall be permitted as ancillary land uses to residential and multi-family land uses. An *On-Site Temporary Real Estate/Sales Office* shall also be permitted.
 - (B) *Development Standards for Single-Family Attached (i.e. Townhomes)*. All *Single-Family Attached* developments shall meet all of the standards stipulated for *Single-Family Attached [SF-A]* in *Tracts D7 & D8* in *Exhibit 'B'*. These standards are outline in Section (D)(6) below.

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- (C) Density and Dimensional Requirements. The density and dimensional requirements for *Tract D2* are as follows:
- (1) Maximum Number of Units. *Tract D2* may contain a maximum of 250 age-restricted multi-family units.
 - (2) Building Height. The maximum building height shall not exceed 60-feet or three (3) stories.
 - (3) Unit Sizes. The average unit sizes shall not be less than 940 SF.
- (D) Building Design and Articulation. The buildings shall be highly articulated in a similar manner to the sample articulation drawing contained in *Exhibit 'F'* of this ordinance illustrating the exterior finishes and treatments.
- (E) Garages. No less than 1.5 parking spaces shall be provided per unit. Of these parking spaces, at least 30% shall be located in garages (*i.e. attached or detached*), 30% shall be located in carports, and the remainder may be located in surface parking lots.
- (F) Masonry Requirement. The masonry requirement shall be 95% excluding doors and windows, and is defined as brick, stone, cultured stone, cementaceous fiber board (*Hardy Plank or similar nine [9] inch or smaller width boards*) and cementaceous stucco.
- (G) Clubhouse Facilities/Common Recreation Amenity. The age restricted multi-family area shall have a clubhouse facility including residence dining areas and a commercial kitchen. In addition, other amenities such as an exercise club, a pool or tennis courts shall be provided.
- (H) Screening Walls Along John King Boulevard and/or SH-276. Any screening wall against Townsend Drive or SH-276 shall employ stone, cultured stone or pre-cast concrete caps along the solid portions of the wall.
- (I) Open Space. A minimum of 20% of *Tract D2* shall be developed as open space (*including floodplain*) in addition to the requirement for parkland dedication stipulated by the general requirements outline in Section (D)(1) above.
- (J) Phasing. No phasing of multi-family developments shall be permitted.
- (4) Tract D3; ~29.423-Acres [The Mansions Apartments]: The area identified as *Tract D3* in *Exhibit 'B'* of this ordinance shall be subject to the following requirements:
- (A) Permitted Land Uses. *Tract D3* shall permit *Multi-Family, Single-Family Attached (i.e. Townhomes)* land uses. In addition, clubhouse and recreational land uses (*e.g. exercise club, a pool, tennis courts, centralized dining facilities, or other similar amenities*) shall be permitted as ancillary land uses to residential and multi-family land uses. An *On-Site Temporary Real Estate/Sales Office* shall also be permitted. Office/Co-Working Space shall be permitted in the area of *Tract D3* indicated in *Exhibit 'H'* of this ordinance.
 - (B) Development Standards for Single-Family Attached (i.e. Townhomes). All *Single-Family Attached* developments shall meet all of the standards stipulated for *Single-Family Attached [SF-A]* in *Tracts D7 & D8* in *Exhibit 'B'*. These standards are outline in Section (D)(6) below.
 - (C) Density and Dimensional Requirements. The density and dimensional requirements for *Tract D3* are as follows:
 - (1) Maximum Number of Units. *Tract D3* may contain a maximum of 336 multi-family units.
 - (2) Building Height. The maximum building height shall not exceed 42-feet or two (2) stories.

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- (3) Unit Sizes. At least 20% of all units must be 1,500 SF or larger, and no more than 35% may be less than 1,000 SF. In no case may any unit have less than 700 SF of interior living space. The average unit size shall not be less than 1,200 SF.
- (4) Unit Access. All units shall be accessed directly from the ground level. There shall be no exterior stair wells or common entrances.
- (D) Building Design and Articulation. The buildings shall be highly articulated in a similar manner to the sample articulation drawing contained in *Exhibit 'F'* of this ordinance illustrating the exterior finishes and treatments.
- (E) Garages. Every unit must have an attached, direct-access garage with an average of at least 1.3 garage spaces per unit.
- (F) Masonry Requirement. The masonry requirement shall be 95% excluding doors and windows, and is defined as brick, stone, cultured stone, cementaceous fiber board (*Hardy Plank or similar nine [9] inch or smaller width boards*) and cementaceous stucco.
- (G) Clubhouse Facilities/Common Recreation Amenity. The multi-family area shall have a clubhouse facility and amenities (e.g. *exercise club, a pool, tennis courts, or other similar amenities*). The clubhouse facility shall be constructed of a minimum of 20% stone or cast stone.
- (H) Screening Walls Along John King Boulevard and/or SH-276. Any screening wall against Townsend Drive or SH-276 shall employ stone, cultured stone or pre-cast concrete caps along the solid portions of the wall.
- (I) Open Space. A minimum of 20% of *Tract D3* shall be developed as open space (*including floodplain*) in addition to the requirement for parkland dedication stipulated by the general requirements outline in Section (D)(1) above and identified as *Tract D4*; however, the required parkland may be integrated with *Tract D3* to better distribute parkland and increase accessibility.
- (J) Phasing. No phasing of multi-family developments shall be permitted.
- (5) Tracts D5 & D6; ~14.295-Acres: The area identified as *Tracts D5 & D6* in *Exhibit 'B'* of this ordinance shall be subject to the following requirements:
- (A) Permitted Land Uses. *Tracts D5 & D6* shall be subject to the permitted land uses stipulated for properties in a Commercial (C) District as specified by Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*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; however, only the following land uses shall be permitted on the subject property:
- Animal Clinic for Small Animals with No Outdoor Pens ⁽¹⁾
 - Antique/Collectible Store
 - Astrologer, Hypnotist, or Psychic Art & Science
 - Banquet Facility
 - Portable Beverage Service Facility ⁽¹⁾
 - Blood Plasma Donor Center
 - Church/House of Worship ⁽¹⁾
 - Day Care with Seven (7) or More Children
 - Car Wash/Auto Detail ⁽¹⁾
 - Catering Service
 - Temporary Christmas Tree Sales Lot or Similar Uses ⁽¹⁾
 - Copy Center
 - Permanent Cosmetics ⁽¹⁾
 - Electrical, Watch, Clock, Jewelry or Similar Repair

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- Financial Institution with Drive-Through
- Financial Institution without Drive-Through
- Garden Center ⁽²⁾
- General Personal Service
- General Retail Store (25,000 SF – 49,999 SF)
- General Retail Store (50,000 SF or Greater) ⁽²⁾
- General Retail Store (*Less Than 25,000 SF*)
- Hair Salon and/or Manicurist
- Health Club
- Laundry Service with Drop-Off or Pickup Services
- Self Service Laundry Facility
- Locksmith
- Massage Therapist
- Mini-Warehouse ⁽¹⁾
- Municipally Owned or Controlled Utility Facilities
- Museum or Art Gallery
- Office Building (*5,000 SF or Greater*)
- General Office
- Pet Shop
- Private Club, Lodge, or Fraternal Organization
- Post Office
- Rental Store without Outside Storage and/or Display
- Restaurant (*Less Than 2,000 SF with Drive-In or Drive Through*) ⁽³⁾
- Restaurant (*2,000 SF or more with Drive-In or Drive Through*) ⁽³⁾
- Restaurant (*Less Than 2,000 SF without Drive-In or Drive Through*)
- Restaurant (*2,000 SF or more without Drive-In or Drive Through*)
- Restaurant with Accessory Private Club or Brew Pub
- Retail Store with Gasoline Sales Limited to Four (4) Dispensers and Eight (8) Vehicles
- Shoe and Boot Repair and Sales
- Art, Photography, or Music Studio
- Tailor, Clothing, and/or Apparel Shop
- Temporary On-Site Construction Office
- Theater

Notes:

- ¹: Additional requirements as specified in Article 04, Permissible Uses, of the Unified Development Code [*Ordinance No. 20-02*].
- ²: Requires a Specific Use Permit (SUP)
- ³: Limited to one (1) per 1,000 SF as measured from the property line.

- (B) Density and Dimensional Requirements. *Tracts D5 & D6* shall be subject to the dimensional requirements stipulated for properties in a Commercial (C) District as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*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.
- (C) Materials. The masonry requirement shall be 95% excluding doors and windows, and is defined as brick, stone, cultured stone, cementaceous fiber board (*Hardy Plank or similar nine [9] inch or smaller width boards*) and cementaceous stucco.
- (D) Site Layout. If developed as retail, *Tracts D5 & D6* shall be laid out in a manner that is pedestrian-friendly and provides easy access to the adjacent residential developments.
- (E) Mechanical Equipment. Rooftop mechanical equipment and other appurtenances must be screened.
- (F) Shared Parking and Access. Any commercial development shall incorporate cross access.

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(G) Signs. Monument signage shall be permitted; however, no free-standing pole signs shall be permitted.

(6) Tracts D7 & D8; ~35.789-Acres [Rockwall Downes Subdivision]: The area identified as *Tracts D7 & D8* in *Exhibit 'B'* of this ordinance shall be subject to the following requirements:

(A) Permitted Land Uses. *Tracts D7 & D8* shall permit *Single-Family Attached (i.e. Townhomes) [SF-A]* and *Single-Family Detached [SF-D]* land uses. In addition, clubhouse and recreational land uses (e.g. exercise club, a pool, tennis courts, or other similar amenities) shall be permitted as ancillary land uses to residential land uses. An *On-Site Temporary Real Estate/Sales Office* shall also be permitted.

(B) Density and Dimensional Requirements. The following density and dimensional requirements are required for development on *Tract C1*:

<i>Lot Type (see Concept Plan) ►</i>	SF-A	SF-D
<i>Maximum Density Per Gross Acre</i>	8	5
<i>Minimum Lot Width</i>	35' ⁽¹⁾	50' ⁽²⁾
<i>Minimum Lot Depth</i>	N/A ⁽¹¹⁾	100'
<i>Minimum Lot Area</i>	3,500 SF	5,000 SF
<i>Minimum Front Yard Setback</i>	15' – 20' ⁽⁴⁾	20'
<i>Minimum Side Yard Setback</i>	N/A	5'
<i>Minimum Side Yard Setback (Adjacent to a Street) ⁽³⁾</i>	N/A	15'
<i>Minimum Length of Driveway Pavement ⁽⁸⁾</i>	20'	20'
<i>Maximum Height</i>	32'	32'
<i>Minimum Rear Yard Setback</i>	7½' ⁽⁵⁾	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	N/A	1,500 SF
<i>Distance Between Buildings</i>	20' ⁽¹²⁾	10'
<i>Masonry Requirement ⁽⁶⁾</i>	90%	90%
<i>Common Open Space Per Gross Acre ⁽⁷⁾</i>	10%	10%
<i>Off-Street Parking Requirements</i>	2 ⁽⁹⁾	2 ⁽¹⁰⁾
<i>Maximum Lot Coverage</i>	N/A	45%

General Notes:

- 1: All townhomes shall face on a public or private street or open space and be accessed by an alley unless the lots back to open space areas in which case the alley requirement may be waived.
- 2: The minimum lot width shall be measured at the *Front Yard Building Setback*.
- 3: The minimum lot setback abutting an arterial will be 20-feet.
- 4: Porches, stoops, bay windows, balconies, masonry clad chimneys, colonnades and building overhangs may project up to ten (10) feet into the setback area.
- 5: Setback from alley way or laneway edge of pavement.
- 6: Masonry requirement shall exclude doors and windows, and is defined as brick, stone, cultured stone, cementaceous fiber board (*Hardy Plank or similar nine [9] inch or smaller width boards*) and cementaceous stucco.
- 7: There shall be a minimum of 10% of the gross area of the tract for open space, which shall satisfy any parkland dedication requirements of the City. This shall include floodplain.
- 8: Setback from a public right-of-way.
- 9: In an enclosed garage.
- 10: An enclosed garage shall not be considered in meeting the off-street parking requirements.
- 11: All units shall face on a public or private street or open space and be accessed by an alleyway.
- 12: The minimum separation between attached buildings shall be 20-feet for every 140-foot building.

(C) Clubhouse Facilities for Single-Family Attached and Single-Family Detached. Any clubhouse facility shall be constructed of a minimum of 20% stone or cast stone.

(D) Garage Requirements for Single-Family Detached. For lots less than 55-feet in width, garages must be located at the rear of the property with alley access. Alleys are required unless lots

EXHIBIT 'C':
PD Development Standards

back to open space areas in which case the lots shall be a minimum of 55-feet in width and provide a front, side loaded *J-Swing* (or *Traditional Swing*) garage or a garage toward the rear of the lot, as approved by the City. Lots which are 55-feet or more in width and containing a front-loaded garage must setback the face of the garage at least three (3) feet from the nearest front corner of the house or have a *pass-through* drive to a garage toward the rear of the property or a front, side loaded *J-Swing* garage. A minimum single care attached garage is required for each lot.

- (E) Screening Walls Along John King Boulevard and/or SH-276. Any screening wall against John King Boulevard and/or SH-276 shall employ stone, cultured stone or pre-cast concrete caps along the solid portions of the wall.
- (F) Streets in a Single-Family Attached Development. Residential streets may be constructed with a 26-foot street section if approved by the City.
- (G) HOA/PID Single-Family Attached Development. A Public Improvement District (PID), Homeowner's Association (HOA), or other entity approved by the City shall be required in order to ensure maintenance of common areas including parks and streetscapes.

(E) Area E; ~2.930-Acres [7/11 Gas Station and Convenience Store; Ordinance No.'s 04-25 & 12-13]

- (1) Concept Plans. The development of the subject property shall strictly adhere to the concept plan, landscape plan, and elevations contained in *Exhibit 'G'* of this ordinance.
- (2) Permitted Land Uses. Area E shall be subject to the permitted land uses stipulated for properties in a Commercial (C) District as specified by Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*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; however, only the following land uses shall be permitted on the subject property:

- Animal Clinic for Small Animals with No Outdoor Pens ⁽¹⁾
- Antique/Collectible Store
- Astrologer, Hypnotist, or Psychic Art & Science
- Banquet Facility
- Portable Beverage Service Facility ⁽¹⁾
- Blood Plasma Donor Center
- Church/House of Worship ⁽¹⁾
- Day Care with Seven (7) or More Children
- Car Wash/Auto Detail ⁽¹⁾
- Catering Service
- Temporary Christmas Tree Sales Lot or Similar Uses ⁽¹⁾
- Copy Center
- Permanent Cosmetics ⁽¹⁾
- Electrical, Watch, Clock, Jewelry or Similar Repair
- Financial Institution with Drive-Through
- Financial Institution without Drive-Through
- Garden Center ⁽²⁾
- General Personal Service
- General Retail Store (25,000 SF – 49,999 SF)
- General Retail Store (50,000 SF or Greater) ⁽²⁾
- General Retail Store (Less Than 25,000 SF)
- Hair Salon and/or Manicurist
- Health Club
- Laundry Service with Drop-Off or Pickup Services
- Self Service Laundry Facility
- Locksmith
- Massage Therapist
- Mini-Warehouse ⁽¹⁾
- Municipally Owned or Controlled Utility Facilities

EXHIBIT 'C':
PD Development Standards

- Museum or Art Gallery
- Office Building (5,000 SF or Greater)
- General Office
- Pet Shop
- Private Club, Lodge, or Fraternal Organization
- Post Office
- Rental Store without Outside Storage and/or Display
- Restaurant (Less Than 2,000 SF with Drive-In or Drive Through) ⁽³⁾
- Restaurant (2,000 SF or more with Drive-In or Drive Through) ⁽³⁾
- Restaurant (Less Than 2,000 SF without Drive-In or Drive Through)
- Restaurant (2,000 SF or more without Drive-In or Drive Through)
- Restaurant with Accessory Private Club or Brew Pub
- Retail Store with Gasoline Sales Limited to Six (6) Dispensers and 12 Vehicles ⁽⁴⁾
- Shoe and Boot Repair and Sales
- Art, Photography, or Music Studio
- Tailor, Clothing, and/or Apparel Shop
- Temporary On-Site Construction Office
- Theater

Notes:

- 1: Additional requirements as specified in Article 04, Permissible Uses, of the Unified Development Code [Ordinance No. 20-02].
- 2: Requires a Specific Use Permit (SUP)
- 3: Limited to one (1) per 1,000 SF as measured from the property line.
- 4: *Incidental Outside Sales, Storage, and/or Display* associated with a *Retail Store with Gasoline Sales* shall adhere to the following requirements: [1] the outside sales, storage, and/or display shall be limited to only consumer sized propane bottles and shall comply with the requirements for incidental outside sales, storage, and/or display outlined in the Unified Development Code [Ordinance No. 20-02], and [2] no additional outside sales, storage, and/or display of any items shall be permitted.

- (3) Density and Dimensional Requirements. *Area E* shall be subject to the dimensional requirements stipulated for properties in a Commercial (C) District as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) [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.
- (4) Materials. The masonry requirement shall be 90% excluding doors and windows, and is defined as brick, stone, cultured stone, cementaceous fiber board (*Hardy Plank or similar nine [9] inch or smaller width boards*) and cementaceous stucco.
- (5) Site Layout. If developed as retail, *Area E* shall be laid out in a manner that is pedestrian-friendly and provides easy access to the adjacent residential developments.
- (6) Mechanical Equipment. Rooftop mechanical equipment and other appurtenances must be screened.
- (7) Shared Parking and Access. Any commercial development shall incorporate cross access.
- (8) Signs. Monument signage shall be permitted; however, no free-standing pole signs shall be permitted.

EXHIBIT 'D':
Concept Plan from Ordinance No. 96-03

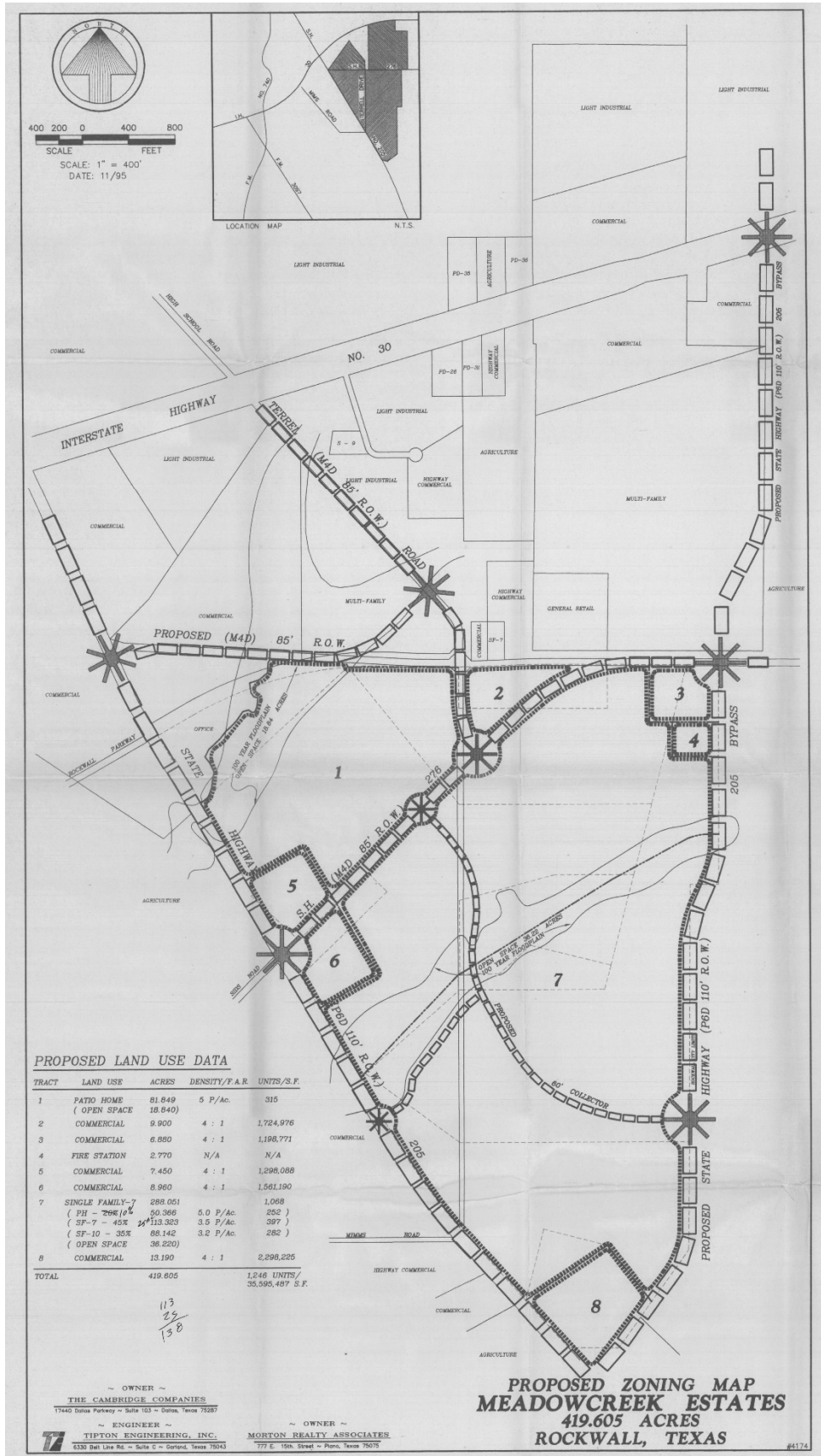


EXHIBIT 'F':
Concept Elevations for Tract D2 from Ordinance No. 04-25

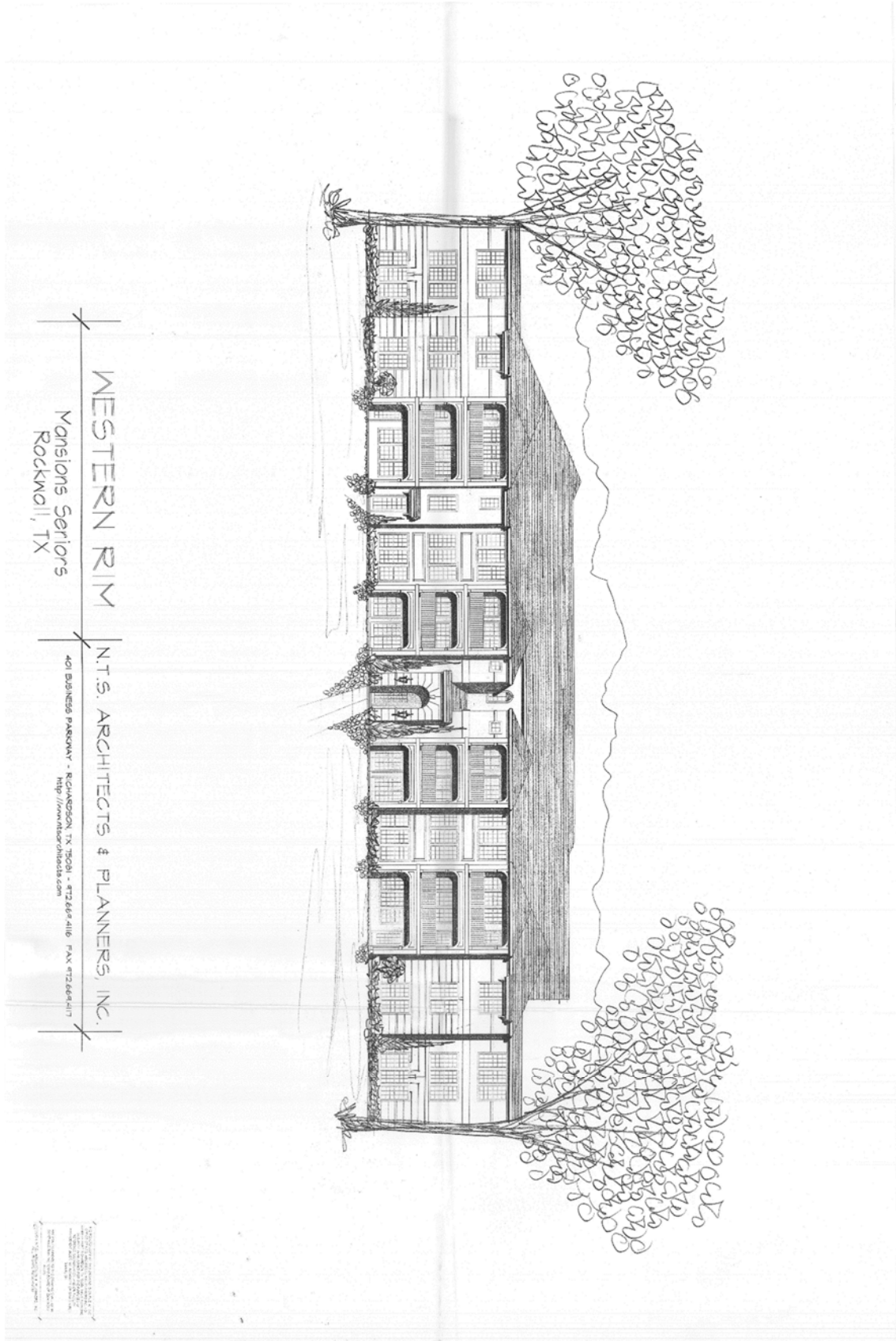


EXHIBIT 'F':
Concept Elevations for Tract D3 from Ordinance No. 04-25

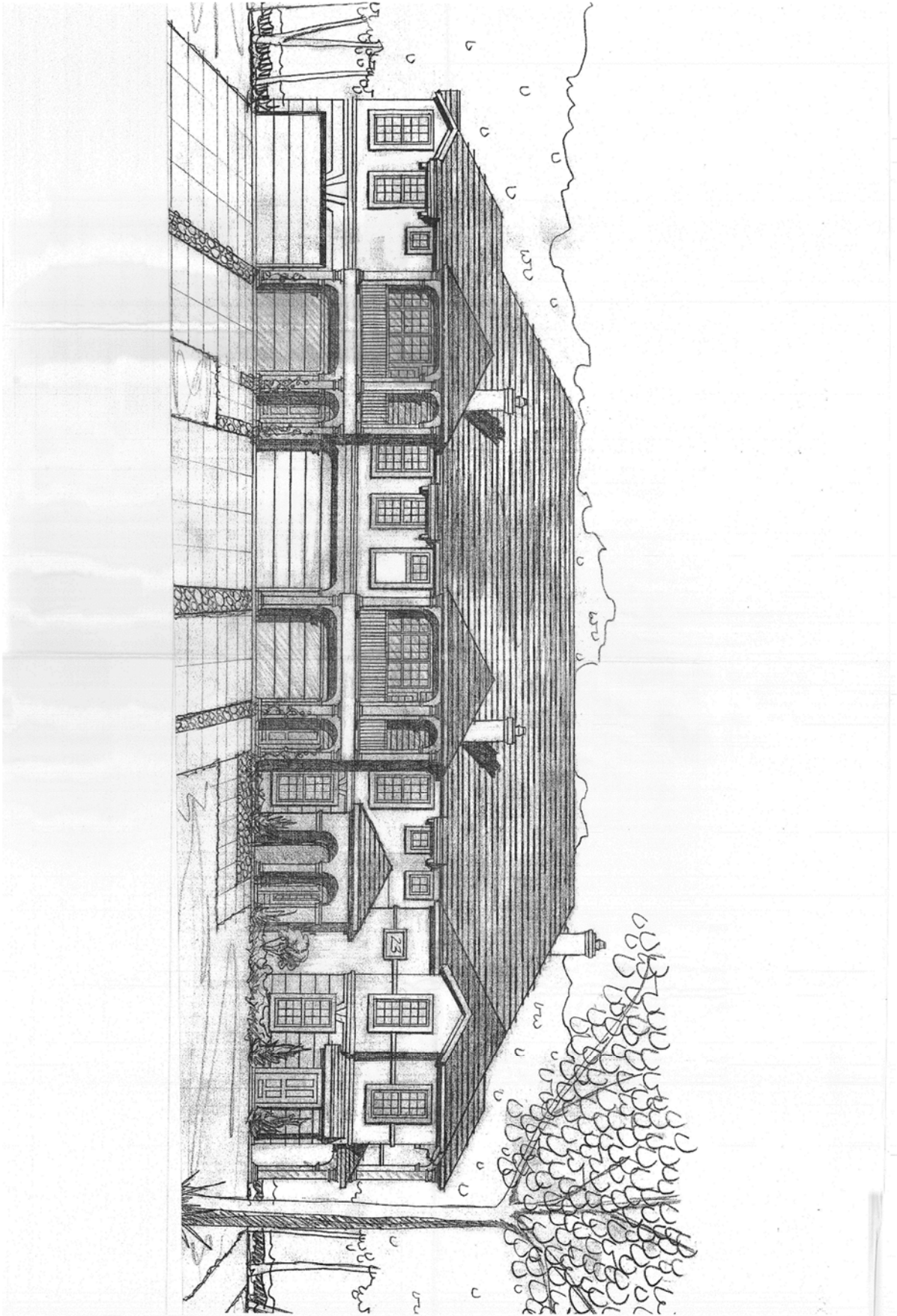


EXHIBIT 'G':
 Concept Plan and Elevations from Ordinance No. 12-13

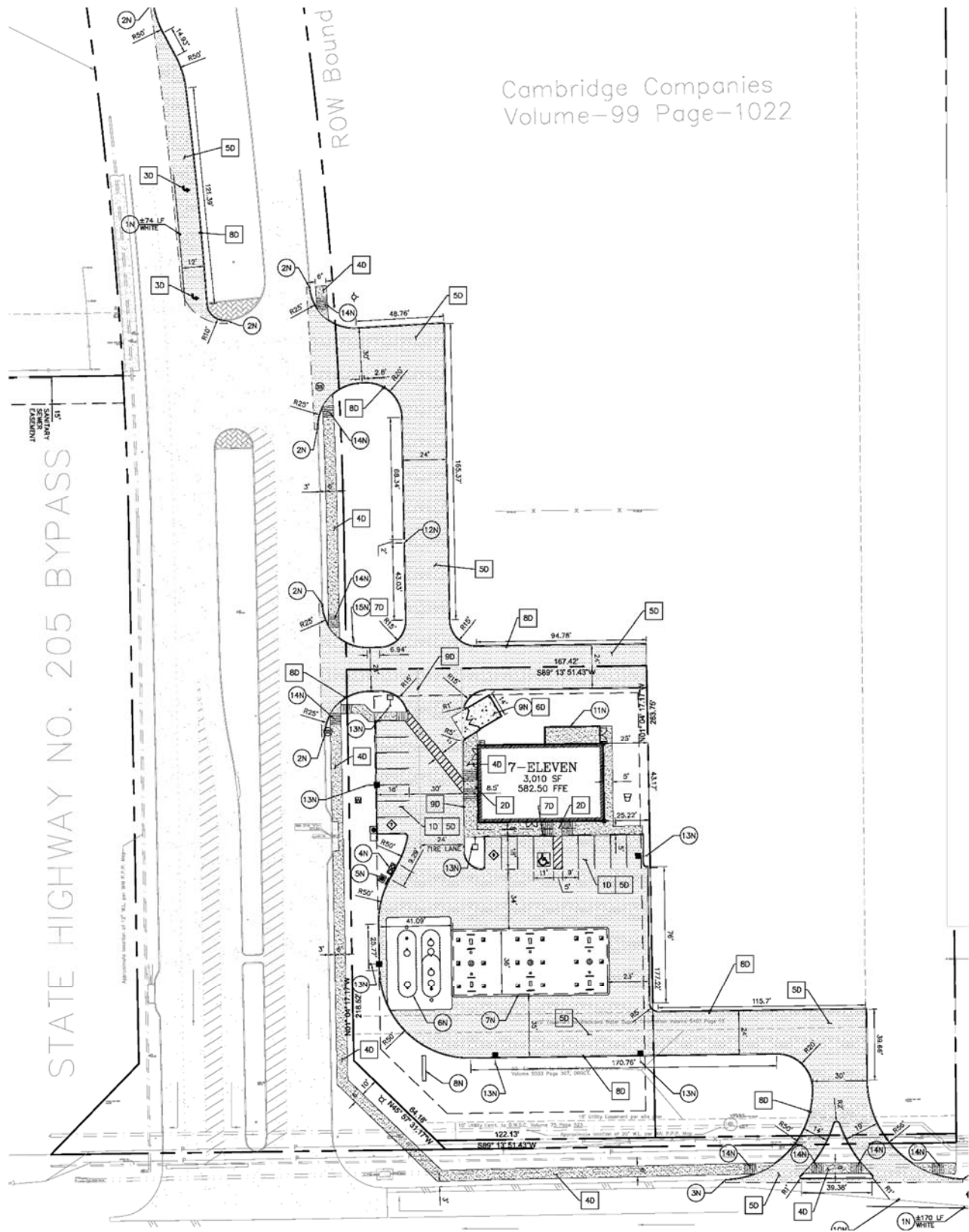
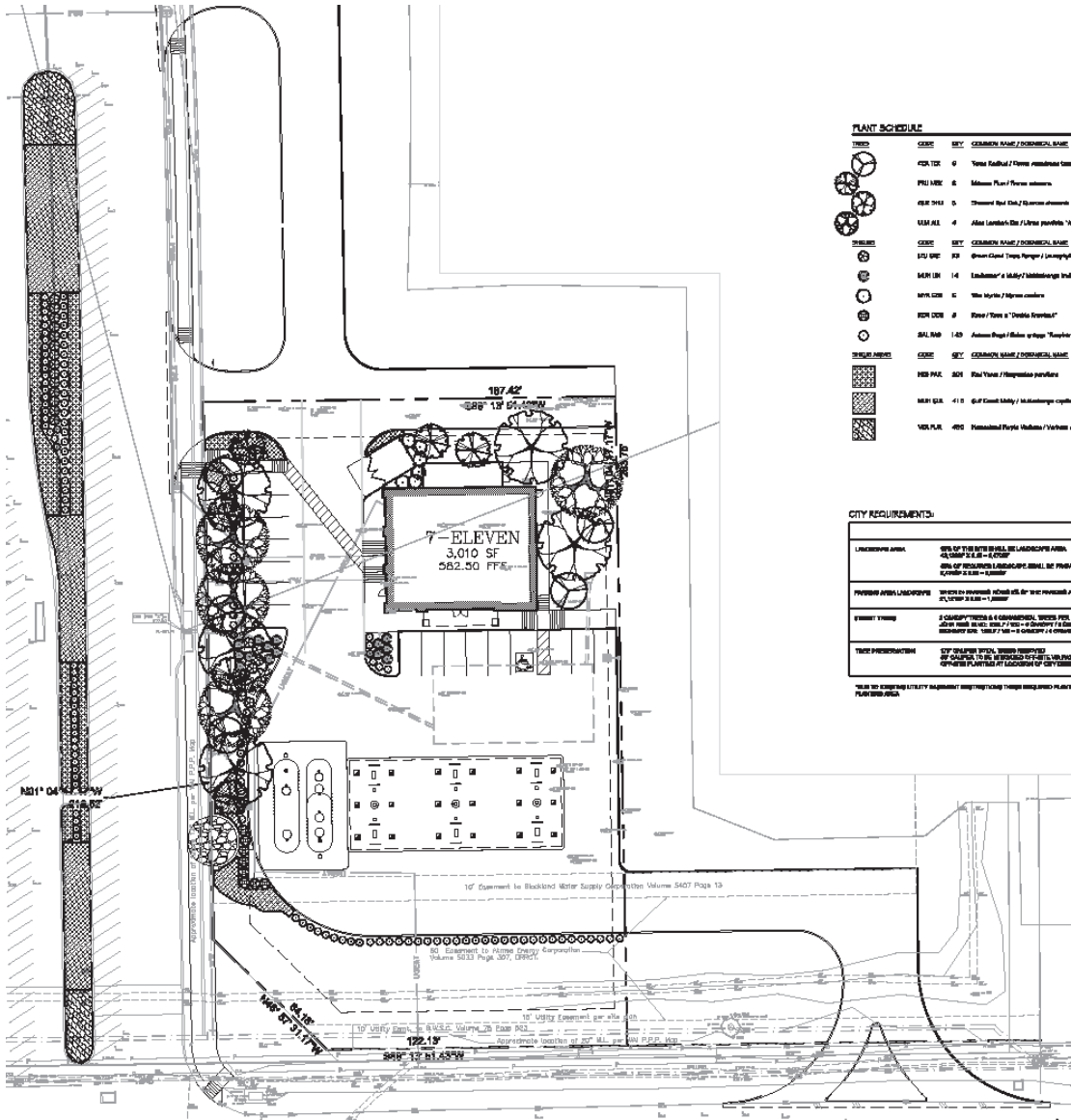


EXHIBIT 'G':
Concept Plan and Elevations from Ordinance No. 12-13



PLANT SCHEDULE

SYMBOL	CODE	QTY	COMMON NAME / BOTANICAL NAME	CONT.	SH.	TRC.
(Symbol)	YUK122	0	Yucca Radiata / Three-ribbed Yucca	18 gal	1.875H	8-42" H
(Symbol)	PRU1802	0	Mosses Plant / Three ribbons	18 gal	1.875H	8-42" H
(Symbol)	ORR2015	0	Ornamental Red Oak / Quercus coccinea	30 gal	Y54	18-42" H
(Symbol)	YUK181	4	Yucca Radiata / Three-ribbed Yucca	18 gal	Y54	18-42" H
(Symbol)	YUK182	4	Yucca Radiata / Three-ribbed Yucca	18 gal	Y54	18-42" H
(Symbol)	YUK183	4	Yucca Radiata / Three-ribbed Yucca	18 gal	Y54	18-42" H
(Symbol)	YUK184	4	Yucca Radiata / Three-ribbed Yucca	18 gal	Y54	18-42" H
(Symbol)	YUK185	4	Yucca Radiata / Three-ribbed Yucca	18 gal	Y54	18-42" H
(Symbol)	YUK186	4	Yucca Radiata / Three-ribbed Yucca	18 gal	Y54	18-42" H
(Symbol)	YUK187	4	Yucca Radiata / Three-ribbed Yucca	18 gal	Y54	18-42" H
(Symbol)	YUK188	4	Yucca Radiata / Three-ribbed Yucca	18 gal	Y54	18-42" H
(Symbol)	YUK189	4	Yucca Radiata / Three-ribbed Yucca	18 gal	Y54	18-42" H
(Symbol)	YUK190	4	Yucca Radiata / Three-ribbed Yucca	18 gal	Y54	18-42" H
(Symbol)	YUK191	4	Yucca Radiata / Three-ribbed Yucca	18 gal	Y54	18-42" H
(Symbol)	YUK192	4	Yucca Radiata / Three-ribbed Yucca	18 gal	Y54	18-42" H
(Symbol)	YUK193	4	Yucca Radiata / Three-ribbed Yucca	18 gal	Y54	18-42" H
(Symbol)	YUK194	4	Yucca Radiata / Three-ribbed Yucca	18 gal	Y54	18-42" H
(Symbol)	YUK195	4	Yucca Radiata / Three-ribbed Yucca	18 gal	Y54	18-42" H
(Symbol)	YUK196	4	Yucca Radiata / Three-ribbed Yucca	18 gal	Y54	18-42" H
(Symbol)	YUK197	4	Yucca Radiata / Three-ribbed Yucca	18 gal	Y54	18-42" H
(Symbol)	YUK198	4	Yucca Radiata / Three-ribbed Yucca	18 gal	Y54	18-42" H
(Symbol)	YUK199	4	Yucca Radiata / Three-ribbed Yucca	18 gal	Y54	18-42" H
(Symbol)	YUK200	4	Yucca Radiata / Three-ribbed Yucca	18 gal	Y54	18-42" H

CITY REQUIREMENTS:

REQUIREMENT	MIN.	MAX.
LANDSCAPE AREA	1% OF TOTAL SITE AREA	5.0%
PERCENTAGE LANDSCAPE	1.0%	5.0%
STREET TREES	1 PER 100' OF STREET FRONTAGE	1 PER 100'
TREE PRESERVATION	10% OF TOTAL TREE CANOPY AREA	10%

EXHIBIT 'G':
 Concept Plan and Elevations from Ordinance No. 12-13

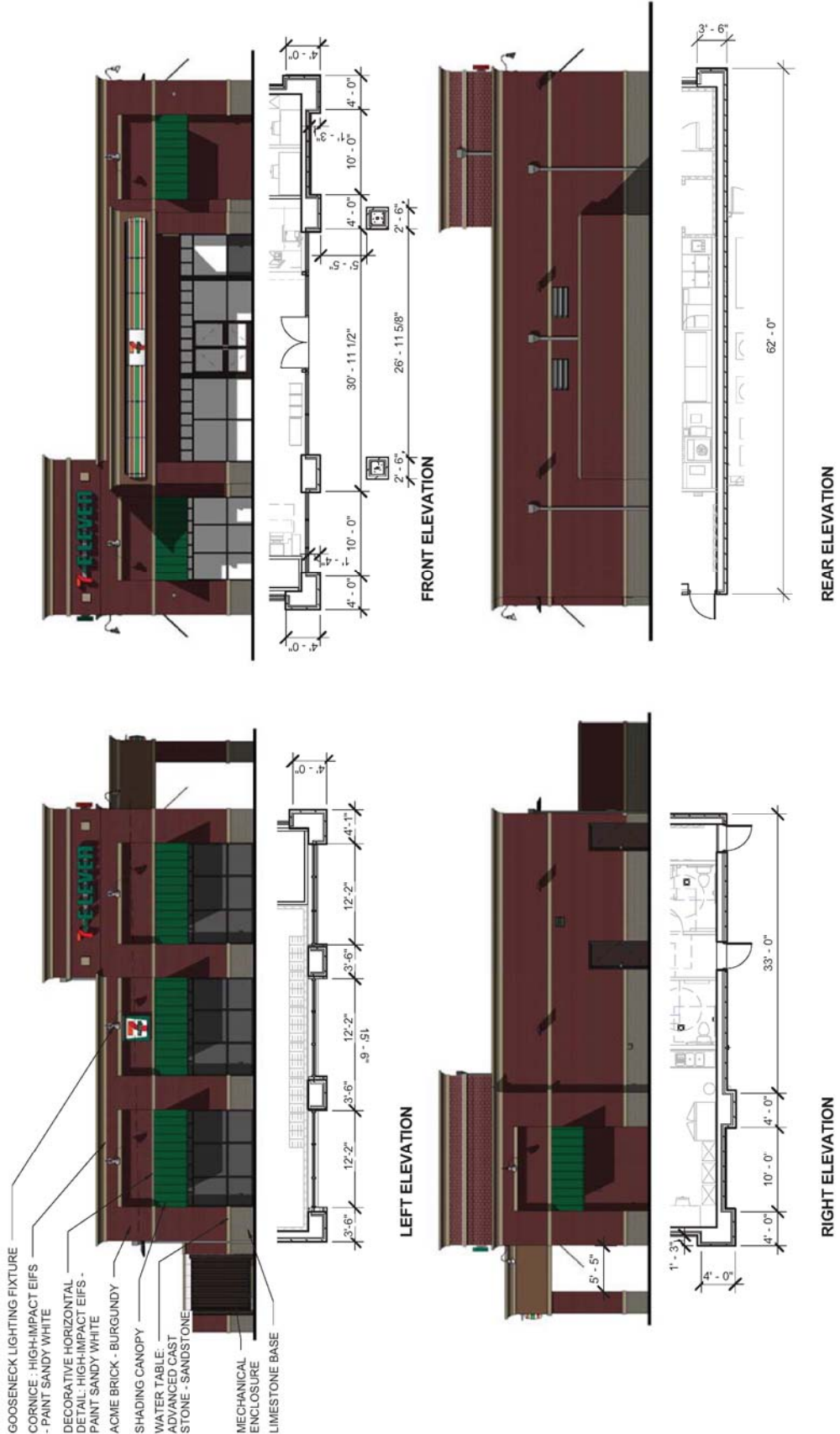


EXHIBIT 'G':
Concept Plan and Elevations from Ordinance No. 12-13



EXHIBIT 'H':
Office/Co-Working Space on Tract D3



EXHIBIT 'H':
Office/Co-Working Space on Tract D3



CITY OF ROCKWALL

ORDINANCE NO. 20-31

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 APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT FOR A TWO (2) ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 44-01 OF THE W.W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; 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 from Donald and Cathy Wallace for a change in zoning from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a two (2) acre tract of land identified as a portion of Tract 44-01 of the W.W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, and more fully depicted in *Exhibit 'A'* 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 Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same is hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a Single-Family Estate 2.0 (SF-2.0) District.

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family Estate 2.0 (SFE-2.0) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 03.03, *Single-Family Estate 2.0 (SFE-2.0) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future.

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in the

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 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, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 7. 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 3RD DAY OF AUGUST, 2020.**

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: July 20, 2020

2nd Reading: August 3, 2020

Exhibit 'A'
Legal Description

TATE OF TEXAS:
COUNTY OF ROCKWALL:

BEING a part of a tract of land situated in the Headright Survey of W.W. Ford conveyed to Donald Wallace as recorded in Volume 177, Page 150 of the Deed Records of Rockwall County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a 60 D nail found for corner near the centerline of Wallace Lane, a being the Southeast corner of a tract conveyed to Donald Wallace as recorded in Volume 6568, Page 258 of the Deed Records of Rockwall County, Texas;

THENCE North 45 degrees 00 minutes 00 seconds East a distance of 84.70 feet to a PK nail set for corner and being the PLACE OF BEGINNING;

THENCE North 45 degrees 00 minutes 00 seconds West, a distance of 435.60 feet to a ½ inch yellow-capped iron rod set for corner;

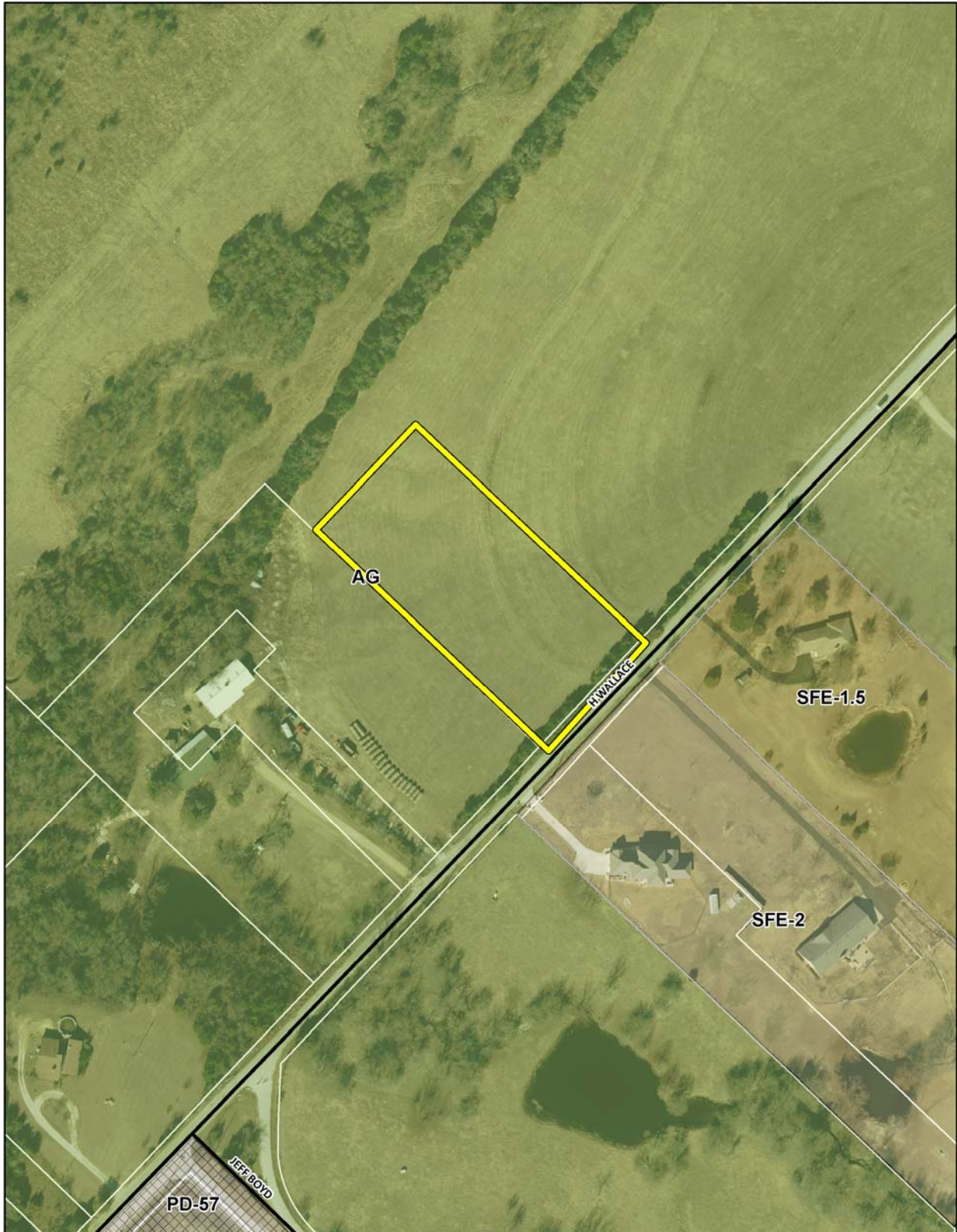
THENCE North 45 degrees 00 minutes 00 seconds East, a distance of 200.00 feet to a ½ inch yellow-capped iron rod set for corner;

THENCE South 45 degrees 00 minutes 00 seconds East, a distance of 435.60 feet to a PK nail set for corner near the centerline of said Wallace Road;

THENCE South 45 degrees 00 minutes 00 seconds West, a distance of 200.00 feet to the PLACE OF BEGINNING and containing 2.00 acre of land.

Exhibit 'C'
Location Map & Legal Description

General Location: Northeast of the Intersection of H. Wallace Lane and Horizon Road [FM3097]
Legal Description: A Portion of Tract 44-01 of the W.W. Ford Survey, Abstract No. 80





MEMORANDUM

TO: Rick Crowley, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: August 3, 2020

SUBJECT: P2020-028; LOT 9, BLOCK A, BODIN INDUSTRIAL TRACT

Attachments

Case Memo
Development Application
Location Map
Replat

Summary/Background Information

Consider a request by Hellen Byrd of Platinum Construction on behalf of Ron Valk of Saro Partners, LLC for the approval of a *Replat* for Lot 9, Block A, Bodin Industrial Tract being a 2.21-acre parcel of land identified as Lot 6, Block A, Bodin Industrial Tract, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1491 T. L. Townsend Drive, and take any action necessary.

Action Needed

The City Council is being asked to approve, approve with condition, or deny the replat.



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Planning and Zoning Commission
DATE: July 28, 2020
APPLICANT: Hellen Byrd; *Platinum Construction*
CASE NUMBER: P2020-028; *Lot 9, Block A, Bodin Industrial Tract*

SUMMARY

Consider a request by Hellen Byrd of Platinum Construction on behalf of Ron Valk of Saro Partners, LLC for the approval of a Replat for Lot 9, Block A, Bodin Industrial Tract being a 2.21-acre parcel of land identified as Lot 6, Block A, Bodin Industrial Tract, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1491 T. L. Townsend Drive, and take any action necessary.

PLAT INFORMATION

- The applicant is requesting to replat a 2.21-acre parcel of land (*i.e. Lot 6, Block A, Bodin Industrial Tract*) for purpose of establishing one (1) lot (*i.e. Lot 9, Block A, Bodin Industrial Tract*) to allow for the future development of the site into an office/warehouse building.
- The subject property was originally platted as a portion of Lot 1, Block A, Bodin Industrial Tract on August 16, 1979. The current day boundaries of the subject property were established on February 1, 2017 when a replat for Lots 5 & 6, Block A, Bodin Industrial Addition was filed with Rockwall County. On June 11, 2019, the Planning and Zoning Commission approved a site plan [*i.e. Case No. SP2019-018*] for the development of a ~12,080 SF multi-tenant office/warehouse building on the subject property.
- The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by the Chapter 38, Subdivisions, of the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the replat for *Lot 9, Block A, Bodin Industrial Tract*, staff would propose the following conditions of approval:

- (1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
- (2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre) ¹
- Preliminary Plat (\$200.00 + \$15.00 Acre) ¹
- Final Plat (\$300.00 + \$20.00 Acre) ¹
- Replat (\$300.00 + \$20.00 Acre) ¹
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre) ¹
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre) ¹
- Specific Use Permit (\$200.00 + \$15.00 Acre) ¹
- PD Development Plans (\$200.00 + \$15.00 Acre) ¹

Other Application Fees:

- Tree Removal (\$75.00)
- Variance Request (\$100.00)

Notes:

¹: 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 T.L. Townsend Drive (street number not assigned)

Subdivision Bodin Industrial Tract

Lot 6

Block A

General Location Northeast Side of intersection of T.L. Townsend Dr and Trowbridge Circle

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning LI

Current Use Vacant

Proposed Zoning N/A

Proposed Use Office/Warehouse

Acreage 2.21

Lots [Current] 1

Lots [Proposed] 1

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 Saro Partners LLC

Applicant Platinum Construction

Contact Person Ron Valk

Contact Person Hellen Byrd

Address 1450 T.L. Townsend

Address 1450 T.L. Townsend

STE 100

STE 100

City, State & Zip Rockwall, TX 75032

City, State & Zip Rockwall, TX 75032

Phone 972-722-2590

Phone 972-722-2590

E-Mail Ron@platinumtx.com

E-Mail Hellen@platinumtx.com

NOTARY VERIFICATION [REQUIRED]

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

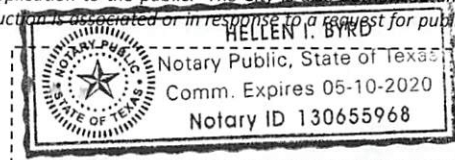
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 344.20, to cover the cost of this application, has been paid to the City of Rockwall on this the 16 day of April, 2020. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 16 day of April, 2020.

Owner's Signature

Ronald Valk
Hellen I. Byrd

Notary Public in and for the State of Texas

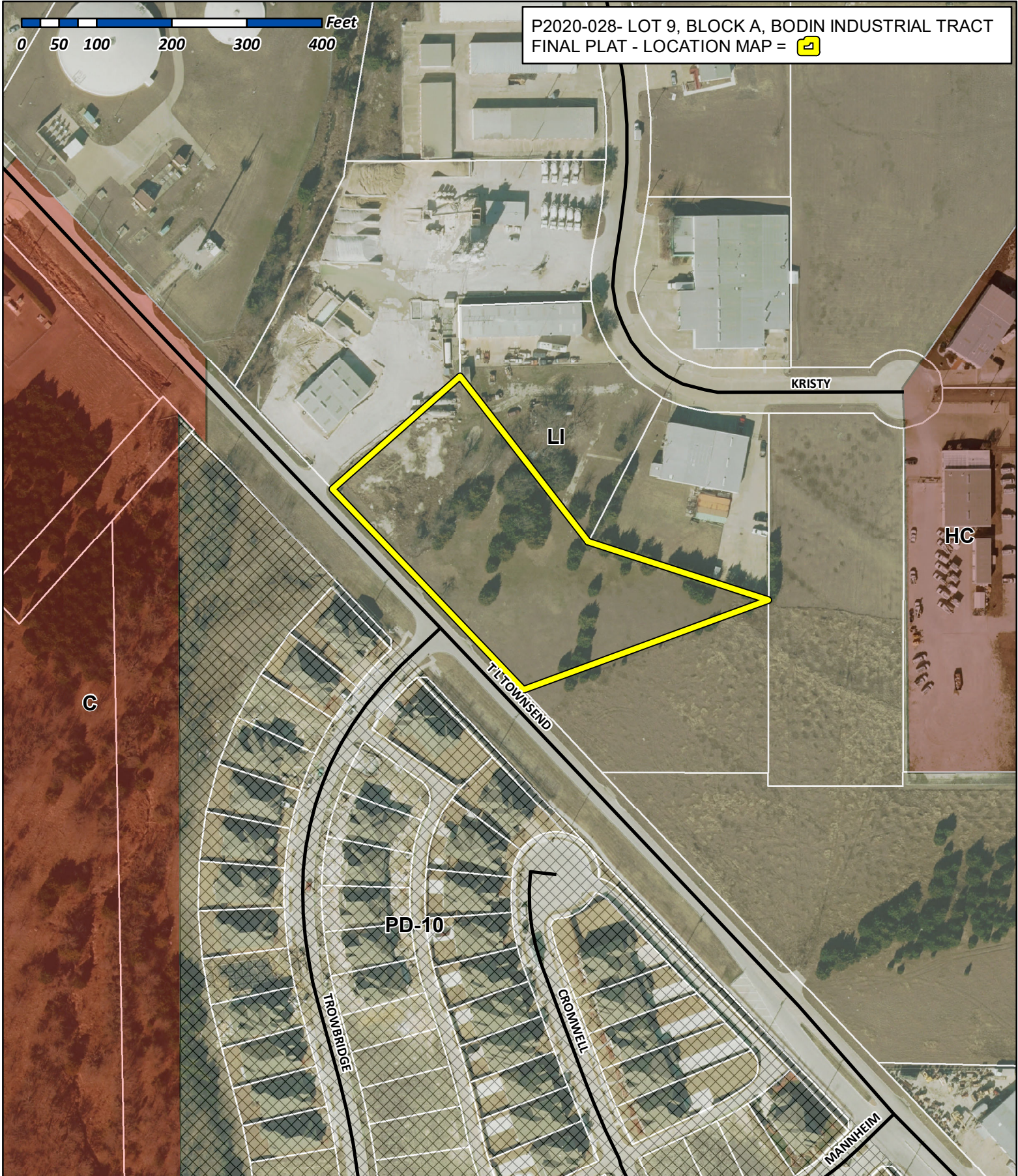


My Commission Expires

05-10-2020



P2020-028- LOT 9, BLOCK A, BODIN INDUSTRIAL TRACT
FINAL PLAT - LOCATION MAP =

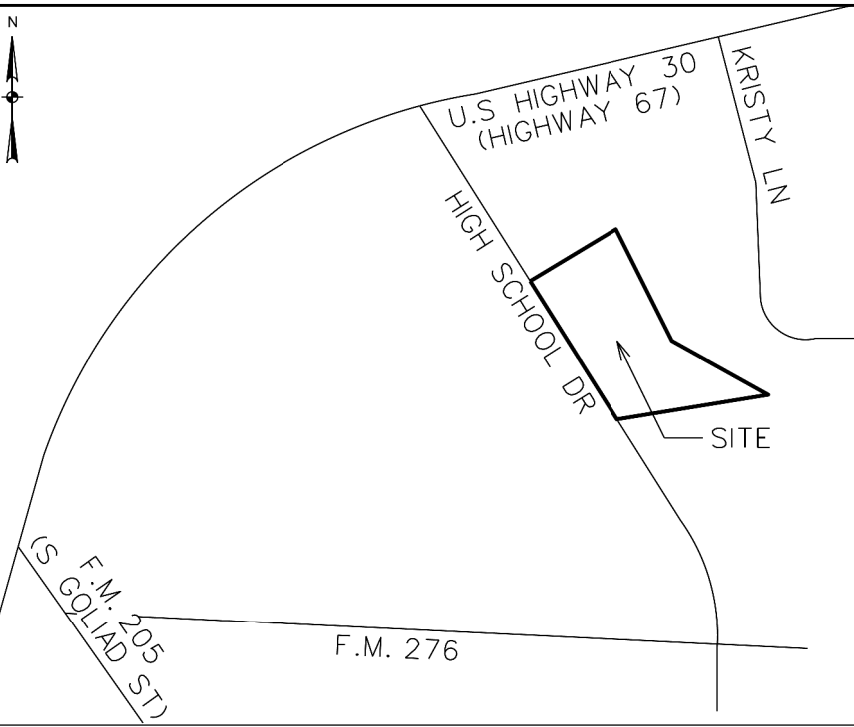
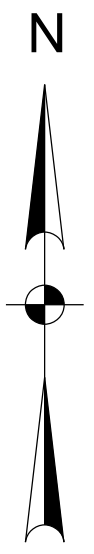


City of Rockwall

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

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





(OWNER)
REDI MIX, LLC
(D/B/A BODIN CONCRETE COMPANY)
VOL. 7324, PG. 189
O.P.R.R.C.T.

(KNOWN AS LOT 2-A)

(OWNER)
BOLDIN CONCRETE, LP
VOL. 2904, PG. 27
O.P.R.R.C.T.

LOT 5, BLOCK A
BODIN INDUSTRIAL TRACT
INST. NO. 20170000001891
O.P.R.R.C.T.

(OWNER)
OWEN'S REAL ESTATE
VOL. 5927, PG. 206
O.P.R.R.C.T.

(KNOWN AS LOT 1-G)

(OWNER)
SARO PARTNERS, LLC
INST. NO. 20180000004501
O.P.R.R.C.T.

LOT 6A, BLOCK A
BODIN INDUSTRIAL TRACT
2.21 ACRES
(97,273 SQ.FT.)

(OWNER)
BILL AND JERRY WAY
VOL. 1792, PG. 323
O.P.R.R.C.T.

LINE NO.	BEARING	LENGTH
L1	N46°17'31"E	22.79'
L2	N43°42'28"W	31.41'
L3	N46°17'32"E	30.00'
L4	S46°17'32"W	30.00'
L5	S46°17'31"W	22.77'
L6	N46°31'56"E	18.80'
L7	N20°58'04"W	25.98'
L8	S20°58'04"E	50.03'
L9	S46°31'56"W	14.70'
L10	N01°12'31"E	21.89'
L11	N50°47'34"W	83.79'
L12	N43°42'28"W	30.20'
L13	N46°17'32"E	20.00'
L14	S43°42'28"E	28.96'
L15	N46°12'31"E	1.87'
L16	N46°17'32"E	5.17'
L17	S46°17'32"W	5.17'
L18	N46°17'32"E	5.17'
L19	S46°17'32"W	5.17'

CUR. NO.	DELTA	RADIUS	LENGTH	CH. BEARING	CH. LENGTH
C1	08°32'02"(RT)	25.00'	3.72'	N15°23'00"E	3.72'
C2	26°33'30"(RT)	10.00'	4.64'	N32°55'46"E	4.59'
C3	90°05'00"(RT)	20.00'	31.45'	N88°41'35"E	29.66'
C4	89°59'59"(LT)	49.00'	76.97'	S88°42'28"E	69.30'
C5	90°00'01"(LT)	49.00'	76.97'	N01°17'31"E	69.30'
C6	89°59'59"(LT)	49.00'	76.97'	N88°42'29"W	69.30'
C7	90°00'01"(LT)	49.00'	76.97'	S01°17'32"W	69.30'
C8	90°19'12"(RT)	20.00'	31.53'	S01°27'07"W	28.36'
C9	19°41'05"(RT)	10.00'	3.44'	S56°27'15"W	3.42'
C10	15°57'40"(RT)	25.00'	6.96'	S74°16'37"W	6.94'
C11	89°59'59"(LT)	25.00'	39.27'	S88°42'28"E	35.36'
C12	90°00'01"(LT)	25.00'	39.27'	N01°17'31"E	35.36'
C13	89°59'59"(LT)	25.00'	39.27'	N88°42'29"W	35.36'
C14	90°00'01"(LT)	25.00'	39.27'	S01°17'32"W	35.36'

- SURVEYOR'S NOTES:**
- The Basis of Bearings is the Texas Coordinate System of 1983, North Central Zone (4202).
 - This survey was prepared without the benefit of a title commitment.
 - By graphical plotting of FEMA Flood Insurance Rate Map No. 48397C0040L, having an effective date of September 26, 2008, the subject property lies entirely within Zone X (unshaded) designated as those areas outside the 0.2% annual chance floodplain.
 - According to the City of Rockwall Zoning Maps, the subject property is zoned SF-7(Single Family Residential).
 - The purpose of this plat is to replat Lot 6, Block A for development.

LEGEND

O.P.R.R.C.T.	OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS
FIR	FOUND IRON ROD
FIRC	FOUND IRON ROD WITH CAP
FIP	FOUND IRON PIPE
FX	FOUND "X" CUT
DOC.	DOCUMENT
NO.	NUMBER

OWNER:
SARO PARTNERS, LLC
1450 T L TOWNSEND
ROCKWALL, TEXAS 75032

GEONAV
SURVEYING • MAPPING • SCANNING

3410 MIDCOURT RD., STE 110, CARROLLTON, TEXAS 75006
SCALE 1"=40' (972) 243-2409 PROJECT NUMBER: 1742
TBPLS FIRM NO. 10194205

DATED: FEBRUARY 21, 2020 DRAWN BY: JCH

SHEET 1 OF 2

FINAL PLAT
OF
BODIN INDUSTRIAL TRACT
LOT 6A, BLOCK A
BEING A REPLAT OF
LOT 6 OF LOT 5 & LOT 6, BLOCK A, BODIN
INDUSTRIAL TRACT ADDITION
2.21 ACRES OR 96,273 SQUARE FEET
(1 LOT)
AN ADDITION TO THE CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
N.M. BALLARD SURVEY, ABSTRACT NUMBER 24
74

OWNER DEDICATION:

WHEREAS SARO PARTNERS, LLC ARE THE WNER OF A 2.21 acres tract of land situated in the N. M. Ballard Survey, Abstract Number 24, City of Rockwall, Rockwall County, Texas, and being all of Lot 6, Block A of Lot 5 & 6, Block A of Bodin Industrial Tract addition, an addition to the City of Rockwall as recorded in Instrument Number 20170000001891 of the Official Public Records of Rockwall County, Texas (O.P.R.R.C.T.), and being all of that tract of land described in deed to Saro Partners, LLC, as recorded in Instrument Number 20180000004501, O.P.R.R.C.T., and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod with an illegible cap found for the most westerly northwest corner of said Lot 6, said corner being on the northeasterly right-of-way line of T L Townsend Drive (a variable width public right-of-way), said corner also bin the most southerly southwest corner of that tract of land described in deed to Redi Mix, LLC (d/b/a/ Bodin Concrete Company), as recorded in Volume 7324, Page 189, O.P.R.R.C.T.;

THENCE North 47 degrees 16 minutes 57 seconds East, along the northwesterly line of said Lot 6 and southeasterly line of said Bodin tract, a distance of 227.69 feet to a 1/2-inch iron rod with an illegible cap found for the most northerly corner of said Lot 6, and a westerly corner of said Lot 5, said corner being the most southerly southeast corner of said Bodin tract;

THENCE South 38 degrees 11 minutes 25 seconds East, along the northeasterly line of said Lot 6 and said westerly line of Lot 5, a distance of 283.73 feet to a 3/8-inch iron rod found for an angle corner of said Lot 6, and the common south corner of said Lot 5 and the southwest corner of that tract of land described in deed to Owen's Real Estate, as recorded in Volume 5927, Page 206, O.P.R.R.C.T.;

THENCE South 72 degrees 22 minutes 31 seconds East, along the common northeasterly line of said Lot 6 and the south line of said Owen's tract, a distance of 250.10 feet to a 1/2-inch iron rod found for the common most easterly corner of said Lot 6 and the southeast corner of said Owen's tract, said corner also being the most northerly corner of that tract of land described in deed to Bill and Jerry Way, as recorded in Volume 1792, Page 323, O.P.R.R.C.T.;

THENCE South 69 degrees 11 minutes 05 seconds West, along the south line of said Lot 6 and the north line of said Way tract, a distance of 347.26 feet to a 1/2-inch iron rod with ap stamped "RPLS 3691" found for the most southerly southwest corner of said Lot 6 and the northwest corner of said Way tract, said corner being on said northeasterly right-of-way line of T L Townsend Road;

THENCE North 43 degrees 46 minutes 38 seconds West, along the southwesterly line of said Lot 6 and said northeasterly right-of-way line, a distance of 370.72 feet to the POINT OF BEGINNING AND CONTAINING 96,273 square feet or 2.21 acres of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I(we) the undersigned owner(s) of the land shown on this plat, and designated herein as the LOT 6A, BLOCK A BODIN INDUSTRIAL TRACT ADDITION subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I (we) further certify that all other parties who have a mortgage or lien interest in the Bodin Industrial Addition subdivision have been notified and signed this plat.

I (we) understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following;

- No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
 - Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
 - The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
 - The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
 - The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
 - No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or
- Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or
- Property owner shall be responsible for all maintenance, repair and reconstruction of drainage and detention systems.

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I (we) further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I (we), my (our) successors and assigns hereby waive any claim, damage, or cause of action that I (we) may have as a result of the dedication of exactions made herein.

Owner

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, _____.

Notary Public in and for the State of Texas My Commission Expires:

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, JOEL C. HOWARD, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

JOEL C. HOWARD
Registered Public Surveyor No. 6267

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared JOEL C. HOWARD known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, _____.

Notary Public in and for the State of Texas
My Commission Expires:

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 20__.

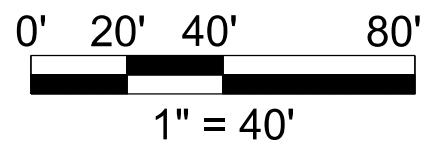
This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this _____ day of _____, _____.

Mayor, City of Rockwall City Secretary

City Engineer

OWNER:
SARO PARTNERS, LLC
1450 T L TOWNSEND
ROCKWALL, TEXAS 75032



3410 MIDCOURT RD., STE 110, CARROLLTON, TEXAS 75006
SCALE 1"=40' (972) 243-2409 PROJECT NUMBER: 1742
TBPLS FIRM NO. 10194205

DATED: FEBRUARY 21, 2020 DRAWN BY: JCH

FINAL PLAT
OF
BODIN INDUSTRIAL TRACT
LOT 6A, BLOCK A
BEING A REPLAT OF
LOT 6 OF LOT 5 & LOT 6, BLOCK A, BODIN
INDUSTRIAL TRACT ADDITION
2.21 ACRES OR 96,273 SQUARE FEET
(1 LOT)
AN ADDITION TO THE CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
N.M. BALLARD SURVEY, ABSTRACT NUMBER 24
75



MEMORANDUM

TO: Rick Crowley, City Manager

CC: Honorable Mayor and City Council

FROM: Amy Williams, P.E., Director of Public Works/Engineering

DATE: August 3, 2020

SUBJECT: SCHOOL ZONE SIGNAGE & CROSSWALK STRIPING, HAMM ELEMENTARY

Attachments

Summary/Background Information

The Hamm Elementary school, located in the Stone Creek Subdivision, will be opening on August 26, 2020. The elementary school will need to have flashing school zone signage installed and operational by this time. These school zone signs must be manufactured in pieces and delivered to the City for assembly prior to installation. After contacting the manufacturer, Electrotechnics Corporation, an estimated delivery date would not occur until after school has begun. Due to the delivery time constraint, City staff placed the order with Electrotechnics Corporation in the amount of \$33,286.00 on July 8, 2020. In the interim, the City will install temporary school zone signage until the permanent signage is delivered, assembled, and installed. The City is coordinating with the Rockwall Independent School District on cost sharing options.

Action Needed

Staff requests City Council consider approval of the purchasing of the solar school zoning lighting system in the amount of \$33,286.00, to be funded out of the Street Department Budget, and take any action necessary



City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and City Council

FROM: Rick Crowley, City Manager

DATE: July 29, 2020

SUBJECT: RISD Interlocal Agreement for School Resource Officers (SRO)

The interlocal agreement for School Resource Officer (SRO) with Rockwall ISD for the 2020 – 2021 school year is attached. Chief Geron has reviewed the document and is satisfied with the operational aspects of the agreement and the sum due from the District have been verified by Ms. Smith.

Staff recommends the City Council authorize the City Manager to execute the SRO agreement with RISD for the 2020 – 2021 school year.

**INTERLOCAL COOPERATION AGREEMENT FOR GOVERNMENTAL
SERVICES RELATING TO A SCHOOL RESOURCE OFFICER PROGRAM
BETWEEN THE CITY OF ROCKWALL AND
THE ROCKWALL INDEPENDENT SCHOOL DISTRICT**

**THE STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF ROCKWALL §**

THIS AGREEMENT (the "**Agreement**"), entered into this ____ day of August, 2019, by and between the **CITY OF ROCKWALL** (hereinafter called "**CITY**") and the **ROCKWALL INDEPENDENT SCHOOL DISTRICT** (hereinafter called "**RISD**").

WITNESSETH:

WHEREAS, the CITY desires to enter into an agreement relating to providing certain professional police services to RISD in accordance with the program description and details as provided herein; and

WHEREAS, this Agreement is made pursuant to the authority granted to the parties pursuant to the Interlocal Cooperation Act, V.T.C.A. Government Code, Chapter 791 (the "Act").

WHEREAS, the primary purpose of the School Resource Officer (SRO) Program is the reduction and prevention of crime committed by juveniles and young adults and to promote the safety of children. This is accomplished by assigning nine (9) fully outfitted and equipped police officers to school facilities on a semi-permanent basis while school is in session. The SRO Program accomplishes this purpose by achieving the established goals and objectives. Goals and objectives are designed to develop and enhance rapport between youth, police officers and school administrators. Officers who are chosen for this program are responsible for establishing the communication links and creating a free flow of information between all parties involved.

WHEREAS, the goals of the SRO Program are as follows:

1. Reduction of criminal offenses committed by juveniles and young adults.
2. Establish rapport with the students.
3. Establish rapport with the parents, faculty, staff, administrators and other adults.

4. Create and expand programs with vision and creativity to increase student participation, which will benefit the students, the school district, the police department, and the community.
5. Present a positive role image for students and adults.
6. Provide safety for students, faculty, staff and all persons involved with the school district.

NOW, THEREFORE, the parties hereby do mutually agree as follows:

I.

Scope of Agreement; Duties and Responsibilities: CITY shall provide nine (9) licensed police officers for the RISD School Resource Officer Program (“SRO”) for the 2019-2020 school year. The effective date of this Agreement shall be the first day of instruction for the current school year, beginning with the first day of instruction for the 2019-2020 school year (“Effective Date”). The duties of the SROs and each party are described herein.

II.

Term of Agreement: The term of this Agreement shall be for a period beginning upon the Effective Date and ending on the last day of instruction for the current school year. This Agreement may be renewed for one (1) year periods beginning on the Effective Date, upon written consent of the parties, for five (5) years.

III.

Payment for Services: The RISD agrees to reimburse the CITY for certain costs associated with the City’s placement of Police Officers on the School Grounds from the Effective Date of this Agreement. The parties have heretofore agreed that RISD shall remit payment to the CITY in the amount of \$621,890 and 28/100s (\$69,098.92 per month) for the months of September 2019 through May 2020 (“Payment”). This amount reflects the SROs salary, benefits and any equipment or materials and supplies required by the SROS in the performance of their duties. These Payments shall satisfy the RISD’s obligation for payment of SRO services for the entire school year to the CITY. The first monthly Payment shall be made by RISD to CITY on the 15th day of the first month Payment is due.

RISD shall not be relieved of its obligation to pay the entire amount described in this Agreement in the event that CITY exercises its right to temporarily reassign the resource officer for a period not to exceed fifteen (15) business days when, in the sole judgment of CITY, their service is required in response to a CITY wide or major emergency, or in the event that the resource officer is absent due to sickness, injury, training or court

appearances. However, CITY is required to furnish replacement officers on days when regular SROs are absent for any period exceeding thirty (30) business days. Replacement Officers must meet the selection requirements of SRO Applicants as stated herein. RISD shall be relieved of its obligation to pay if an absence exceeds fifteen (15) business days.

From time to time the RISD has need of police officers to perform security services at extracurricular activities. It is understood and agreed that the District will engage Police Officers to perform such security services on a contract labor basis and this agreement does not address the District's arrangements for these independent security services in any manner whatsoever.

IV.

Organizational Structure:

1. Nine (9) uniformed police officers designated as School Resource Officers will be assigned to RISD campuses, and will directly report to the Chief of Police, or his designee. All requests from RISD personnel regarding new SRO assignments or temporary reassignments with exception of requests pertaining to emergencies, shall be made through the RISD Superintendent or his designee. The SROs shall have properly equipped police vehicles and other necessary equipment available for their use in performing their duties and responsibilities.
2. The SRO Program shall utilize the SRO Triad concept as set forth by NASRO (National Association of School Resource Officers). The SRO concept reflects the philosophy of the School Resource Officer Program and adheres to the roles of Law Enforcement Officer, Counselor, and Teacher. The SROs are first and foremost Law Enforcement Officers for the CITY Police Department and shall be responsible for carrying out all duties and responsibilities of a police officer and shall remain at all times under the control, through the chain of command, of the CITY Police Department. All acts of commission or omission shall conform to the guidelines of the CITY Police Department Policies and Procedures Manual
3. The SROs report directly to the Chief of Police, or his designee, regarding all matters pertinent to their position and function. The SROs are enforcement officers in regards to criminal matters only. Presence of an SRO is expected on his/her assigned campus on most school days before classes start in the morning, between most class changes, during most lunch periods, on most school days immediately after school and during most any other time during the school day when students assemble in large groups. The purpose of that presence is to deter criminal behavior and not perform school duty.
4. RISD campus principals shall have operational oversight to coordinate efforts for the needs of their respective campuses.
5. In the case of any unresolved conflict, the Chief of Police and the RISD Superintendent shall consult on the best course of action. The Chief of Police

shall have final authority and final responsibility for operational control of the SRO Program.

6. Local, State and Federal law will prevail over RISD policies and procedures.
7. Conflicts involving violence or other dangerous situations should be reported immediately to the Chief of Police and RISD Superintendent.

V.

Independent Contractor Relationship: CITY is and at all times shall be deemed to be an independent contractor and shall be wholly responsible for the manner in which the SROs are assigned to the SRO Program and the way CITY performs the services required by the terms of this Agreement. Nothing herein shall be construed as creating the relationship of employer and employee, or principal and agent, between RISD and CITY or any of CITY's agents or employees. CITY assumes responsibility for the acts of its employees as they relate to the services provided during the course and scope of their employment. CITY, its agents and employees, shall not be entitled to any rights or privileges of RISD employees and shall not be considered in any manner to be RISD employees. RISD may or may not desire to evaluate the services provided to RISD by the SRO Program. Any such evaluation should be presented to the CITY on a prescribed form.

VI.

Selection of SRO: CITY affirms that it has complied or will comply prior to the performance of any work for RISD, with the requirements regarding criminal background checks as provided under Texas Education Code, Chapter 22. This law requires the independent contractor to obtain all criminal history record information on all persons to whom the law applies through the Texas Department of Public Safety (DPS) clearinghouse. This process includes fingerprinting in order to submit the individuals to a national check. CITY must certify to RISD that the CITY has received all criminal history record information on all SROs, and that there were no positive hits. The cost of this requirement is to be paid by the CITY.

VII.

SRO Duties and Responsibilities: Basic responsibilities of the SROs will include but will not be limited to:

- . General duties and responsibilities set forth by the Chief of Police through standard operating procedures ("S.O.P.").
- . Planning and presentation of programs requested by the RISD or CITY Police personnel.

Any additional duties agreed upon the Chief of Police and the Superintendent of the Schools.

VIII.

Student Consultation:

The SROs are not formal counselors, and will not conduct or offer any formal or clinical psychological counseling, however they are to be used as a resource to assist students, faculty, staff and all persons involved with the RISD.

The SROs will advise students on responsibilities and procedures concerning criminal matters.

The SROs will give advice to help resolve issues between students that involve matters that may result in criminal violations, disturbances or disruptions.

Student confidentiality must be maintained in compliance with the Family Education Rights and Privacy Act ("FERPA").

IX.

Transporting Students:

The SROs shall not transport students in their vehicles except:

1. When the students are victims of a crime, under arrest, or some other emergency circumstance exists;
2. When the students are participants in a CITY Police Department program with parental consent;
3. When the students are suspended from school pursuant to school disciplinary action and the student's parents or guardian has refused or is unable to pick-up the student within a reasonable time period and the student is disruptive/disorderly and his/her continued presence on campus is a threat to the safety and welfare of other students and school personnel, as determined by the SRO or the SRO supervisor.

If the student to be transported off campus is not under arrest, a victim of a crime or violent/disruptive, the RISD shall provide transportation for the student and an SRO may accompany the school official in transporting the student.

SROs shall not transport students, excluding students who are participants in a CITY Police Department program including but not limited to the Police Explorer Program and the Campus Crime Stoppers Program, to any location other than the CITY Police Building, County Juvenile Detention Center, and or hospital unless it is determined that the student's parent, guardian or other responsible adult is at the

location to which the student is being transported.

SROs shall not transport students, excluding students who are participants in a CITY Police Department program including but not limited to the Police Explorer Program and the Campus Crime Stoppers Program, in their personal vehicles.

SROs shall notify the school principal before removing a student from campus.

X.

Enforcement:

Although the SROs have has been placed in a formal education environment, they are not relieved of their official duties as enforcement officers. Decisions to intervene normally will be made when it is necessary to prevent violence, a breach of the peace, personal injury or loss of property. Citations should be issued and arrests made when appropriate and in accordance with CITY Police Department policies and procedures. When immediate action is needed and an SRO is not available, another officer may be dispatched to the school.

The SROs, when on duty, should investigate and prepare reports on all criminal offenses committed at the schools. Other CITY Police Department personnel may be summoned by the SROs as they deem necessary and or by RISD during the SROs absence.

XI.

Scheduling:

Hours - The SROs will work a forty (40) hour work week, and will coordinate their hours with school hours Monday through Friday. However, there may be occasions when this schedule is altered because of court appearances, sickness, injury, training and special assignments. The SROs are still considered non-exempt employees under the Fair Labor Standards Act and are subject to its provisions as well as CITY Police Department and CITY policy relating to overtime. All overtime requests from the District will be reviewed and approved by the Chief of Police or his designee.

Holidays and vacation – The SROs will accrue holidays and vacation at the rate allowed by CITY policy. However, holidays and vacations may be scheduled to coincide with school holidays or when schools are closed. The SROS should accomplish as much of the required training as possible during these periods or during the summer when school is not in session, if reasonably practical. The Chief of Police in his sole discretion, shall have the power and authority to schedule all leave and training for the SROs as he deems necessary.

Substitution - Substitution for the SROs by other officers will only be considered through a request to the Chief of Police and only on the joint written approval of the Chief of Police and RISD. Typically, this will only be considered for an extended leave as discussed in Section III.

XII.

Availability of Funds: Each party shall make payments required hereunder from current revenues, as required by the Agreement.

XIII.

Insurance: CITY is insured, and upon request by RISD, shall provide RISD documentation of its coverage, said coverage to meet the reasonable approval of RISD. CITY shall also provide, during the term of this Agreement, worker's compensation insurance, including liability coverage, in the amounts required by Texas state law, for any employee engaged in work under this Agreement. As to all insurance provided by CITY, it shall provide RISD with documentation, upon request, indicating such coverage prior to the beginning of any activities under this Agreement.

XIV.

Termination: This Agreement may be terminated by either party at its sole option and without prejudice by giving thirty (30) days written notice of termination to the other party. Upon termination of this Agreement, the CITY will assume any and all fiscal responsibilities for the officer from and after the effective date of termination.

Replacement: RISD may, for cause, request a replacement of the SRO. Such a request shall be made through the CITY Chief of Police, shall be in writing and shall set forth the basis for the request. A replacement SRO shall be provided as soon as possible giving due consideration for the CITY's staffing level and time required to complete the outside hiring process as necessary.

XV.

Assignment of Agreement: Neither party shall assign, transfer, or sub-contract any of its rights, burdens, duties or obligations under this Agreement without the prior written permission of the other party to this Agreement.

XVI.

Waiver: No waiver of a breach or any provision of this Agreement by either party shall constitute a waiver of any subsequent breach of such provision. Failure of either party to enforce at any time, or from time to time, any provisions of this Agreement shall not be construed as a waiver thereof.

XVII

Place of Performance; Venue: Venue shall be in Rockwall County, Texas. The laws of the State of Texas shall govern the interpretation, validity, performance, and enforcement of this Agreement and the exclusive venue for any legal proceedings involving this Agreement shall be Rockwall County, Texas.

XVIII.

Notices: Notices to RISD shall be deemed given when delivered in person to the Superintendent of Schools of RISD, or on the next business day after the mailing of said notice addressed to said RISD by United States mail certified or registered mail, return receipt requested, and postage paid at 1050 Williams Street, Rockwall, Texas 75087.

Notices to CITY shall be deemed given when delivered in person to the CITY Manager or on the next business day after the mailing of said notice addressed to said CITY by United States mail, certified or registered mail, return receipt requested, and postage paid at 385 South Goliad, Rockwall, Texas 75087.

XIX.

Severability Provisions: If any provisions of this Agreement are held to be illegal, invalid or unenforceable under present or future laws, (1) such provision shall be fully severable; (2) this Agreement shall be construed and enforced as if such illegal, invalid or unenforceable provisions had never been a part of this Agreement; and (3) the remaining provisions of this Agreement shall remain in full force and effect and shall not be affected by the illegal, invalid or unenforceable provision or by its severance from this Agreement.

XX.

Entire Agreement of Parties: This Agreement and all exhibits shall be binding upon the parties hereto, their successors and assigns, and constitutes the entire agreement between the parties. No other agreements, oral or written, pertaining to the performance of the Agreement exists between the parties. This Agreement can be modified only by an agreement in writing, signed by both parties.

XXI.

Immunity: CITY and RISD agree that neither party has waived its respective sovereign immunity by entering into and performing the obligations under this Agreement.

XXII.

Liability:

Any claims by third parties arising as a result of the enforcement of Local, State or Federal law, including employment claims, shall be handled by, and be the responsibility of, the CITY. Any claims by third parties arising as a result of the enforcement of RISD policy or procedure shall be handled by, and be the responsibility of RISD.

IN WITNESS WHEREOF, the parties have executed this Agreement in the year and day first above written.

Attest:

Rockwall Independent School District

By: _____
Dr. John Villarreal, Superintendent
Rockwall Independent School District

Attest:

City of Rockwall

By: _____
Rick Crowley, City Manager
City of Rockwall



CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Mary Smith, *Assistant City Manager*
Joey Boyd, *Assistant City Manager*

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: August 3, 2020

SUBJECT: Z2020-024; *Amendment to PD-78 [Discovery Lakes Subdivision]*

On July 20, 2020, the City Council approved a motion to approve the proposed amendment to Planned Development District 78 (PD-78) [*Ordinance No. 15-24*] by a vote of 6-1, with Mayor Pruitt dissenting. In accordance with this vote, this item will be placed on the *Action Items* section of the agenda for the August 3, 2020 City Council meeting. Staff has also updated the draft ordinance to reflect the comments made by the applicant concerning escrowing the impact fees for the lots being served by On-Site Sanitary Sewer Facilities (OSSF). Under the new changes the applicant will be required to work out a *Facilities Agreement* that can be considered concurrently with the preliminary plat for this subdivision. Should the City Council have any questions staff will be available at the August 3, 2020 City Council meeting. This will be the second reading of the ordinance.

- (j) *Temporary On-Site Sanitary Sewer (OSSF)*. On-Site Sanitary Sewer (OSSF) systems shall only be allowed on *Type 'A'* lots that contain a minimum of 32,670 SF. OSSF's shall be designed by a State of Texas registered Professional Engineer, and each design shall specify an aerobic type system with drip (*underground*) irrigation system. All systems shall meet the minimum standards of the Texas Commission on Environmental Quality (TCEQ) and each installed system shall be inspected by a third-party licensed inspector and be paid for by the developer. Operation and maintenance of each individual OSSF shall be the responsibility of the property owner and the City will not assume any responsibility to the proper design, installation, operation, and maintenance of the system. In addition to the installation of the OSSF's for *Type 'A'* lots, each constructed home must provide a secondary connection that will allow the resident to disconnect and abandon the OSSF and connect to the future -- *developer provided* -- sanitary sewer system when it is made available. The *Developer*, during the development/construction of any phase of the subdivision, will be responsible for constructing the required sanitary sewer infrastructure (*i.e. mains and laterals*) as required by the City's Master Wastewater Plan. The *Developer* shall be responsible for escrowing the required impact fees for all lots utilizing an OSSF. A *Facilities Agreement* addressing how this money will be escrowed will be required to be drafted prior to the *Developer* submitting a preliminary plat with the City of Rockwall. This *Facilities Agreement* and the preliminary plat can be considered concurrently by the City Council; however, an approved, signed, and executed *Facilities Agreement* shall be a condition of approval of the preliminary plat. In addition, the *Developer* will be required to provide an appropriate disclosure statement regarding the obligation to connect to the City's wastewater system and any additional perceived costs to the homeowner associated with this connection in all real-estate contracts between the developer, homebuilder, and homeowner.

CITY OF ROCKWALL

ORDINANCE NO. 20-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 78 (PD-78) [ORDINANCE NO. 15-24] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF CHANGING THE CONCEPT PLAN AND DEVELOPMENT STANDARDS FOR A 316.315-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE M. E. HAWKINS SURVEY, ABSTRACT NO. 100 AND TRACT 2 OF THE R. K. BRISCO SURVEY, ABSTRACT NO. 16, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS 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 Chris Cuny of Teague, Nall & Perkins on behalf of Nick DiGuiseppe of Discovery Lakes, LLC for the approval of an amendment to Planned Development District 78 (PD-78) [*Ordinance No. 15-24*] for the purpose of changing the concept plan and development standards for a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100 and Tract 2 of the R. K. Brisco Survey, Abstract No. 16, City of Rockwall, Rockwall County, Texas 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 78 (PD-78) and 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 Planned Development Concept Plan, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

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

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

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

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

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

SECTION 9. 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 10. 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 11. 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 12. 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 3RD DAY OF AUGUST, 2020.**

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: July 20, 2020

2nd Reading: August 3, 2020

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

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

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

THENCE South 01 degrees 59 minutes 29 seconds East (South 00 degrees 08 minutes 06 seconds West - deed call), along the common easterly line of said 308 ON 276, L.P. tract and the westerly line said Tract Two, a distance of 2,204.26-feet (2,166.70-feet - deed call) to a ½ inch iron rod found marking an ell corner of said 308 ON 276, L.P. tract and the southwest corner of said Tract Two;

THENCE North 87 degrees 20 minutes 20 seconds East (North 89 degrees 12 minutes 02 seconds East - deed call), continuing along the common northerly line of said 308 on 276, L.P. tract and the southerly line said Tract Two, a distance of 1,691. 90 feet (1,782.53 feet - deed call) to a 5/8-inch iron rod set with "cap" marking the common most easterly northeast corner of said 308 on 276, L.P. tract and the southeast corner of said Tract Two, from which a ½-inch iron rod found bears North 87 degrees 20 minutes 20 seconds East at 10. 49 feet, said 5/8-inch iron rod set being on the west line of that certain called 212.25-acre tract of land described in a Special Warranty Deed to South Rock wall Holdings, L.P., as recorded in Volume 03625, Page 00034, O.P.R.R.C.T.;

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

THENCE South 00 degrees 50 minutes 42 seconds East, along the common easterly line of said 308 ON 276, L.P. tract and the westerly line said Equestrian Estates, a distance of 2,301.71 feet (South 00 degrees 06 minutes 38 seconds West, a distance of 2,580.60 feet - overall deed call) to a 5/8 inch iron rod set with "cap " marking the common southeast corner of said 308 ON 276, L.P. tract and on ell corner of the north R.O.W. line of State Highway No. 276 (having a variable width R.O.W.);

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

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

Purposes tract;

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

THENCE South 89 degrees 13 minutes 58 seconds West (South 89 degrees 48 minutes 55 seconds West - deed call), continuing along the common southerly line of said 308 ON 276, L.P. tract and the northerly line of said Easement for Highway Purposes tract, a distance of 757.25-feet (756.93-feet - deed call) to a 5/8-inch iron rod found marking a common ell corner of said 308 ON 276, L.P. tract and the northwest corner of said Easement for Highway Purposes tract;

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

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

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

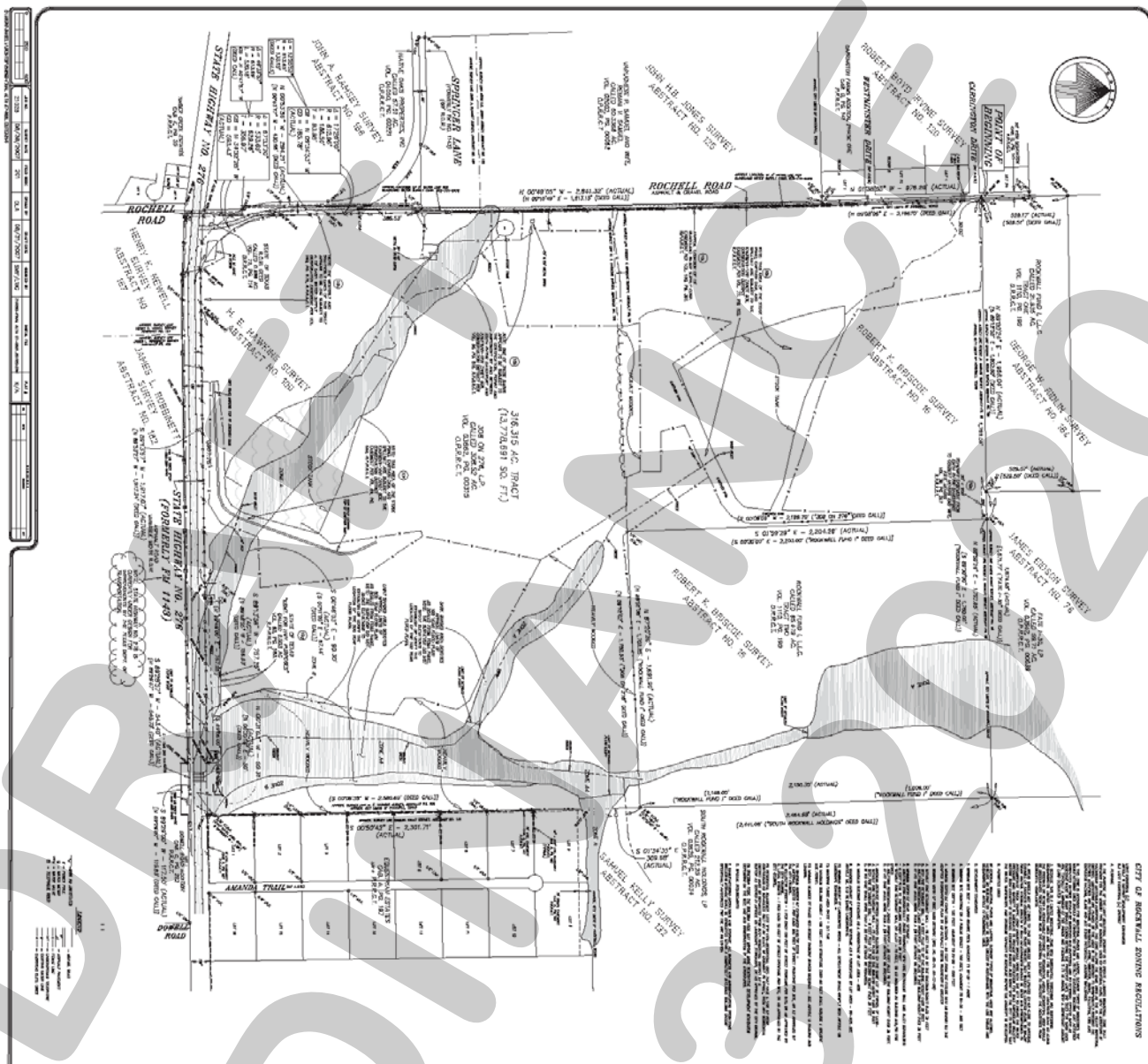
THENCE North 00 degrees 53 minutes 56 seconds West (North 00 degrees 43 minutes 17 seconds West - deed call), continuing along the common westerly line of said 308 on 276, L.P. tract and said east R.O.W. line of Springer Lane, a distance of 294.21-feet (430.56-feet - deed call) to an axle found for the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

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

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

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

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



Scale	1" = 100'	1" = 200'	1" = 300'	1" = 400'	1" = 500'	1" = 600'	1" = 700'	1" = 800'	1" = 900'	1" = 1000'
Graphic Scale	[Scale bar showing increments from 0 to 1000 feet]									

CITY OF ROCKWALL ZONING REGULATIONS

These regulations are adopted by the City of Rockwall, Texas, to provide for the health, safety and general welfare of the community by establishing zoning districts and prescribing the use of land and buildings thereon. The regulations are based on the following principles:

1. To provide for the health, safety and general welfare of the community.
2. To provide for the orderly development and use of land.
3. To provide for the preservation of the natural resources of the community.
4. To provide for the preservation of the historical and cultural resources of the community.
5. To provide for the preservation of the aesthetic resources of the community.
6. To provide for the preservation of the environmental resources of the community.
7. To provide for the preservation of the social resources of the community.
8. To provide for the preservation of the economic resources of the community.
9. To provide for the preservation of the cultural resources of the community.
10. To provide for the preservation of the historical resources of the community.

LEGAL DESCRIPTION

THESE REGULATIONS ARE ADOPTED BY THE CITY OF ROCKWALL, TEXAS, TO PROVIDE FOR THE HEALTH, SAFETY AND GENERAL WELFARE OF THE COMMUNITY BY ESTABLISHING ZONING DISTRICTS AND PRESCRIBING THE USE OF LAND AND BUILDINGS THEREON. THE REGULATIONS ARE BASED ON THE FOLLOWING PRINCIPLES:

ALPINE/LAND TITLE SURVEY
3.615 ACRES TRACT
 H. E. BARNES SURVEY, ABSTRACT NO. 100
 CITY OF ROCKWALL, TEXAS

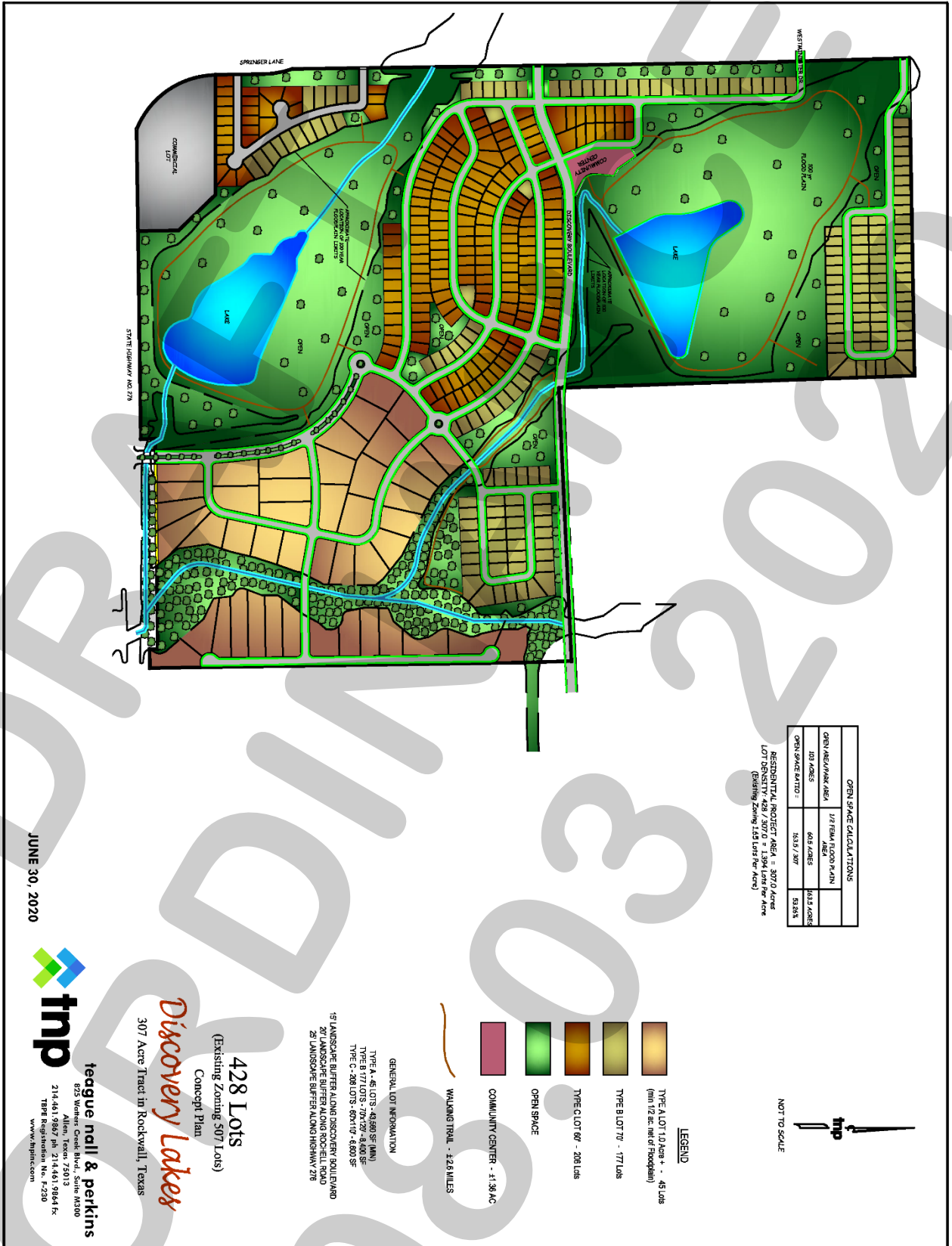
THE WALLACE GROUP, INC.
 1100 WEST WASHINGTON STREET, SUITE 1000
 DALLAS, TEXAS 75201
 (214) 750-1000

SPENCER'S CERTIFICATE
 I, Spencer, do hereby certify that the above described land is the same as shown on the plat of the Spencer Lane Survey, Abstract No. 100, filed for record in the Public Records of the County of Rockwall, Texas, on the 10th day of August, 1988.

SPENCER'S CERTIFICATE
 I, Spencer, do hereby certify that the above described land is the same as shown on the plat of the Spencer Lane Survey, Abstract No. 100, filed for record in the Public Records of the County of Rockwall, Texas, on the 10th day of August, 1988.

SPENCER'S CERTIFICATE
 I, Spencer, do hereby certify that the above described land is the same as shown on the plat of the Spencer Lane Survey, Abstract No. 100, filed for record in the Public Records of the County of Rockwall, Texas, on the 10th day of August, 1988.

SPENCER'S CERTIFICATE
 I, Spencer, do hereby certify that the above described land is the same as shown on the plat of the Spencer Lane Survey, Abstract No. 100, filed for record in the Public Records of the County of Rockwall, Texas, on the 10th day of August, 1988.



(A) PURPOSE

The purpose of this PD Zoning change is to allow for an area located at the southeastern portion of the property to be developed as a high-end custom home phase, with minimum one-acre single family residential lots. It is the desire of the owner to retain all the other non-conflicting entitlements on the property per the existing PD requirements and development standards with exceptions that will be noted throughout this document. The developer recognizes and accepts that the acreage utilized for this proposed custom phase will result in a loss of development density, from 507 single family homes to approximately 428 Single family homes. The owner requests the right and flexibility to replace smaller lot types with the 0.75-acre lot type throughout future phases of the development, without the need to rezone the Planned Development District as long as the general intent and layout of the approved revised concept plan is followed and the total number of lots does not increase.

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

The Discovery Lakes Subdivision is located at the northeast corner of the intersection of SH-276 and Rochell Road. The *Subject Property* is a short walk or bike ride from the Rockwall Technology Park. The Discovery Lakes Subdivision will be a master planned residential neighborhood that will incorporate two (2) lakes, several acres of open space and ~2.6-miles of hiking/jogging/biking trails. The master plan calls for 428 single-family homes. There will be several view corridors strategically placed within the subdivision along with *front loaded* lots to provide for the enjoyment of the open space. A boulevard with 85-feet of right-of-way will connect SH-276 and be constructed up to the first round-about of the one (1) acre lots. The boulevard will have a 14-foot landscape median and a 25-foot travel lane on each side of the street. The residential streets will be 29-feet back-to-back, with a 10½-foot parkway on each side for a total of 50-feet of right-of-way. A *Community Center* with a pool will be provided to add increased amenity for the subdivision. Commencement of the Community Center and pool will take place at or before the final platting of the 201st residential lot or with the addition of additional *Type 'A'* lots. Additionally, the proposed development will incorporate nine (9) acres of commercial space that will be located at the hard corner of SH-276 and Rochell Road. This area will allow for neighborhood service types of uses and eating establishments. A maximum of one (1) hotel planned to service the needs of the subdivision and the Rockwall Technology Park. A 55-acre area adjacent to the northern lake will be dedicated as public parkland to serve Park District No. 31. The Discovery Lakes Subdivision will be a benefit to the community, allowing citizens of all ages the opportunity to live, work, and play in a connected master planned community.

(B) GENERAL REQUIREMENTS

Development Standards.

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

(a) *Residential Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 10 (SF-10) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of

the Unified Development Code (UDC), shall be allowed for areas designated as *residential* on the *Concept Plan*.

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

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

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

Notes:

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

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

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

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

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

Standards, of the Unified Development Code, all commercial development shall be required to adhere to the following supplemental standards:

(a) *Retail Landscape*. Landscaping shall be reviewed and approved with the PD Site Plan. All Canopy/Shade Trees planted within the retail development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height unless otherwise provided within this document.

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

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

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

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

(c) *Sidewalks*.

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

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

District Development Standards, of the Unified Development Code. In addition, all residential development shall adhere to the following standards:

- (a) *Lot Composition and Layout.* The lot layout and composition of the *Subject Property* shall generally conform to the *Concept Plan* depicted in *Exhibit 'C'* and stated in *Table 1* below. Allowances for changes to the quantity and locations of each lot type are permitted in conformance with the requirements listed below; however, in no case shall the proposed development exceed 428 units.

Table 1: Lot Composition

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	80' x 200'	32,670 SF	45	10.51%
B	70' x 110'	7,700 SF	177	41.36%
C	60' x 110'	6,600 SF	206	48.13%
<i>Maximum Permitted Units:</i>			428	100.00%

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

- (1) The total number of lots does not exceed 428 units; and,
 - (2) The average lot size for the total development is not less than 9,700 SF (*i.e. total square footage of all lots/total number of lots*); and,
 - (3) *Lot Type "A"* shall not be decrease below 40 lots; and,
 - (4) *Lot Type "B"* shall not be decreased below 38% of the total 428 lots; and,
 - (5) *Lot Type "C"* shall not be increased beyond 55% of the total 428 lots.
- (b) *Density and Dimensional Requirements.* The maximum permissible density for the *Subject Property* shall not exceed 1.40 dwelling units per gross acre of land; however, in no case should the proposed development exceed 428 units. All lots shall conform to the standards depicted in *Table 2* below and generally conform to *Exhibit 'C'* of this ordinance.

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ▶	A	B	C
<i>Minimum Lot Width</i> ^{(1) & (5) & (7)}	80'	70'	60'
<i>Minimum Lot Depth</i>	200'	110'	110'
<i>Minimum Lot Area</i>	32,670 SF	7,700 SF	6,600 SF
<i>Minimum Front Yard Setback</i> ^{(2), (6), & (8)}	25'	20'	20'
<i>Minimum Side Yard Setback</i>	10'	5'	5'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> ⁽²⁾	20'	15'	15'
<i>Minimum Length of Driveway Pavement</i>	25'	20'	20'
<i>Maximum Height</i> ⁽³⁾	36'	36'	36'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	20'	10'	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	3,200 SF	2,250 SF	2,000 SF
<i>Garage Orientation</i> ⁽⁸⁾	J-Swing or Flat Front	J-Swing or Flat Front	J-Swing or Flat Front
<i>Maximum Number of Front Entry Garages Permitted</i>	17	58	137
<i>Maximum Lot Coverage</i>	65%	65%	65%

General Notes:

1. The minimum lot width shall be measured at the *Front Yard Building Setback*.
2. The location of the *Front Yard Building Setback* as measured from the front property line.
3. The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single-family home.

4. As measured from the rear yard property line.
5. Lots fronting onto a curvilinear street, cul-de-sac or eyebrow may have the lot width reduced by up to 20% as measured at the front property line provided that the lot width is met at the front building line. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows maybe reduced by up to ten (10%) percent, but shall meet the minimum lot size for each lot type.
6. Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the Front Yard Building Setback by up to ten (10) feet for any property that increases the Front Yard Building Setback to 20-feet; however, the encroachment shall not exceed five (5) feet on Side Yard Setbacks (Adjacent to a Street) and shall not encroach into public right-of-way [a Sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces].
7. All lots with a *J-Swing* or *Traditional Swing* driveway require a minimum of a 65-foot lot width.
8. The minimum front yard setback for properties that have a *Flat Front Entry* garage format shall be 25-feet.

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

- (1) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all buildings shall be 90%. For the purposes of this ordinance the masonry requirement shall be limited to full width brick, natural stone, and cultured stone. Cementaceous fiberboard horizontal lap-siding (e.g. *HardiBoard* or *Hardy Plank*) and/or stucco (i.e. *three [3] part stucco* or a comparable -- to be determined by staff) shall be permitted to be used to meet up to 50% of the masonry requirement.
- (2) *Roof Pitch.* A minimum of an 8:12 roof pitch is required on all structures with the exception of porches, which shall have a minimum of a 4:12 roof pitch. *Type 'A'* lots may have a variable pitch to the roofs that may deviate from these specific standards when it is determined by staff to serve a particular architectural theme.
- (3) *Garage Orientation.* Garages shall be provided as stipulated by *Table 2: Lot Dimensional Requirements*. Garages permitted for front entry maybe oriented toward the street in a *Flat Front Entry* format; however, the front façade of the garage must be situated a minimum of 25-feet off the front property line. All front entry garages shall incorporate an architectural element or feature separating the individual garage openings. *Swing, Traditional Swing* or *J-Swing* garages are permitted to have a second single garage door facing the street as long as it is behind the width of the double garage door situated in the *Swing* configuration.

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

Table 3: Anti-Monotony Matrix

<i>Lot Type</i>	<i>Minimum Lot Size</i>	<i>Elevation Features</i>
A	80' x 200'	(1), (2), (3), (5)
B	70' x 110'	(1), (2), (3), (4)
C	60' x 110'	(1), (2), (3), (4)

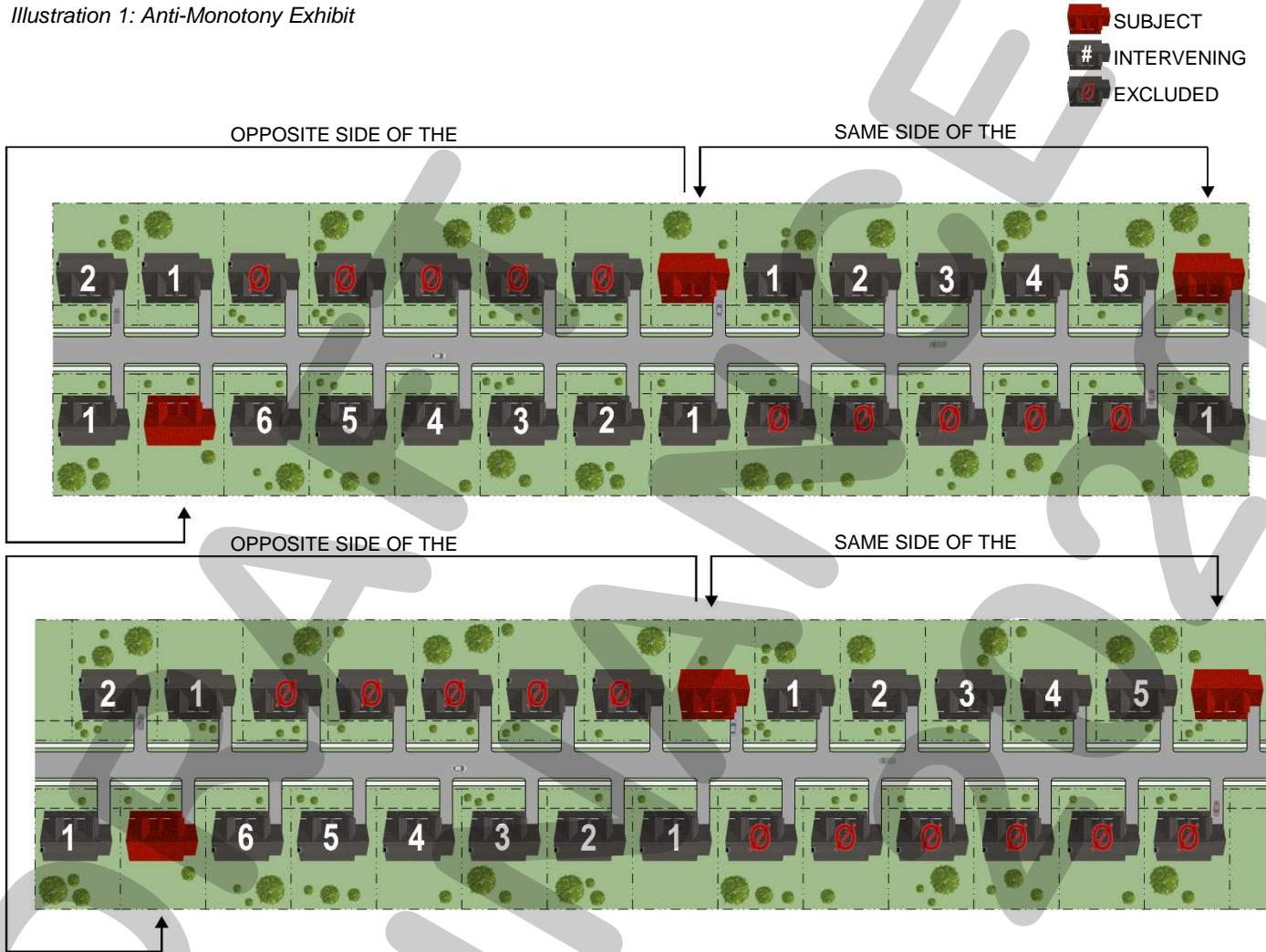
- (1) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent

property and six (6) intervening homes of differing materials on the opposite side of the street.

- (2) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on SH-276 or Rochelle Road shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
 - (a) Number of Stories
 - (b) Permitted Encroachment Type and Layout
 - (c) Roof Type and Layout
 - (d) Articulation of the Front Façade
- (3) Permitted encroachment (*i.e. porches*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.
- (4) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).
- (5) *Type 'A'* lots may use slate, imitation slate, tile, concrete tile, imitation tile, standing seam metal, or other high-end type roof materials.

Continued on Next Page...

Illustration 1: Anti-Monotony Exhibit



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

(1) *Wood Fences.* All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited. All solid fences shall incorporate a decorative top rail and/or cap detailing the design of the fence.

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

(f) *Landscape and Hardscape Standards.*

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

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

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

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

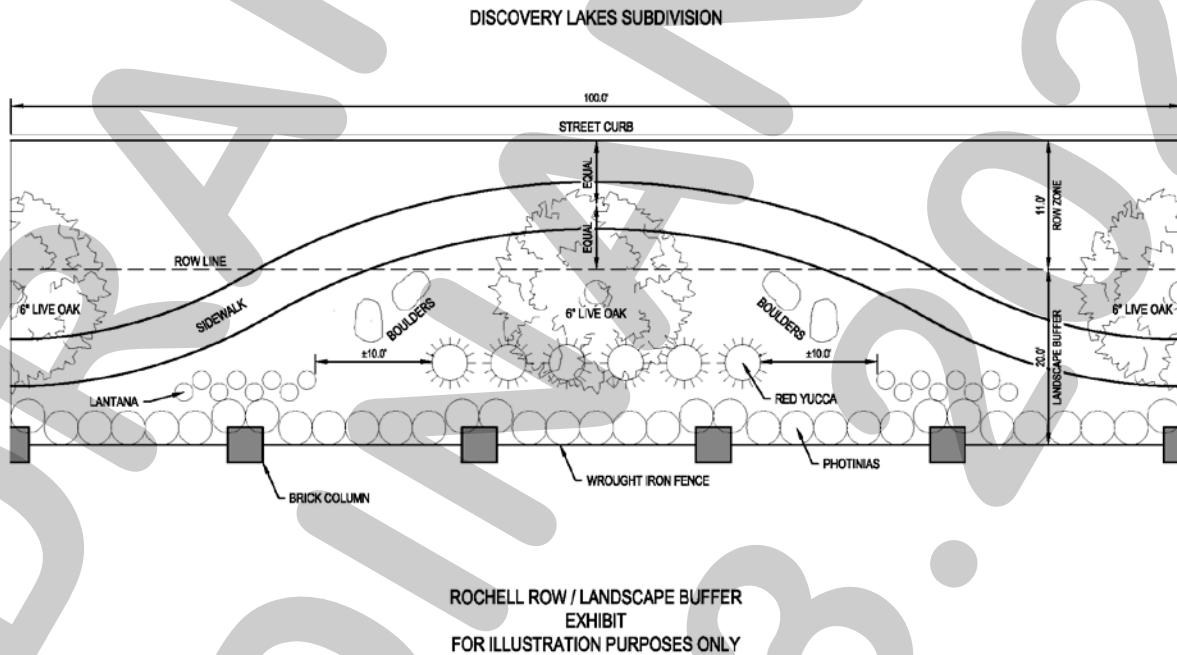
- (3) *Landscape Buffers*. All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

- (a) *Landscape Buffer and Sidewalks (Discovery Boulevard)*. A minimum of a 15-foot landscape buffer shall be provided along the frontage of Discovery Boulevard, and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a

maximum height of 48-inches. In addition, at least one (1) canopy tree shall be planted per 30-feet of linear frontage.

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

Illustration 2: Landscape Buffer along Rochell Road.



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

- (4) *Irrigation Requirements*. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or

landscape architect and shall be maintained by the Homeowner's Association (HOA).

- (5) *Hardscape*. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the PD Site Plan.
- (g) *Lighting*. Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.
- (h) *Sidewalks*.
- i) *Internal Sidewalks*. All sidewalks adjacent to an interior residential street shall begin 5½-feet from the back of curb and be five (5) feet in overall width.
- ii) *Sidewalks Adjacent to Rochell Road and Discovery Boulevard*. All sidewalks adjacent Rochell Road and Discovery Boulevard shall begin two (2) feet inside the right-of-way line and be five (5) feet in overall width.
- (i) *Open Space*. The development shall consist of a minimum of 20% open space as calculated from the gross land area, and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. Existing floodplain shall be counted at a rate of ½-acre for every acre provided (*e.g., 10-acres of floodplain would count as 5-acres of open space*). The Homeowner's Association (HOA) shall maintain all open space areas.
- (j) *Temporary On-Site Sanitary Sewer (OSSF)*. On-Site Sanitary Sewer (OSSF) systems shall only be allowed on *Type 'A'* lots that contain a minimum of 32,670 SF. OSSF's shall be designed by a State of Texas registered Professional Engineer, and each design shall specify an aerobic type system with drip (*underground*) irrigation system. All systems shall meet the minimum standards of the Texas Commission on Environmental Quality (TCEQ) and each installed system shall be inspected by a third-party licensed inspector and be paid for by the developer. Operation and maintenance of each individual OSSF shall be the responsibility of the property owner and the City will not assume any responsibility to the proper design, installation, operation, and maintenance of the system. In addition to the installation of the OSSF's for *Type 'A'* lots, each constructed home must provide a secondary connection that will allow the resident to disconnect and abandon the OSSF and connect to the future -- *developer provided* -- sanitary sewer system when it is made available. The *Developer*, during the development/construction of any phase of the subdivision, will be responsible for constructing the required sanitary sewer infrastructure (*i.e. mains and laterals*) as required by the City's Master Wastewater Plan. The *Developer* shall be responsible for escrowing the required impact fees for all lots utilizing an OSSF. A *Facilities Agreement* addressing how this money will be escrowed will be required to be drafted prior to the *Developer* submitting a preliminary plat with the City of Rockwall. This *Facilities Agreement* and the preliminary plat can be considered concurrently by the City Council; however, an approved, signed, and executed *Facilities Agreement* shall be a condition of approval of the preliminary plat. In addition, the *Developer* will be required to provide an appropriate disclosure statement regarding the obligation to connect to the City's wastewater system and any additional perceived costs to the

homeowner associated with this connection in all real-estate contracts between the developer, homebuilder, and homeowner.

- (k) *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.
 - (l) *Community Center.* A site plan, landscape plan and building elevations shall be required for the proposed *Community Center* and shall be subject to site plan approval by the Planning and Zoning Commission prior to construction. The community center shall commence construction prior to the platting of the 201st residential lot, unless additional *Type 'A' lots -- above and beyond what is shown on the Concept Plan contained in Exhibit 'C' of this ordinance --* are requested; in which case, the developer shall commence construction of the community center as part of the phase that proposes the additional *Type 'A' lots*.
 - (m) *Homeowner's Association (HOA).* A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the Subdivision Regulations contained within the *Municipal Code of Ordinances* of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, amenity centers, screening fences associated with this development.
- (4) *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*3-phase lines*), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.
- (5) *Variances.* The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

CITY OF ROCKWALL

ORDINANCE NO. 20-27

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 78 (PD-78) [ORDINANCE NO. 15-24] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF CHANGING THE CONCEPT PLAN AND DEVELOPMENT STANDARDS FOR A 316.315-ACRE TRACT OF LAND IDENTIFIED AS TRACT 1 OF THE M. E. HAWKINS SURVEY, ABSTRACT NO. 100 AND TRACT 2 OF THE R. K. BRISCO SURVEY, ABSTRACT NO. 16, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS 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 Chris Cuny of Teague, Nall & Perkins on behalf of Nick DiGuseppe of Discovery Lakes, LLC for the approval of an amendment to Planned Development District 78 (PD-78) [*Ordinance No. 15-24*] for the purpose of changing the concept plan and development standards for a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100 and Tract 2 of the R. K. Brisco Survey, Abstract No. 16, City of Rockwall, Rockwall County, Texas 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 78 (PD-78) and 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 Planned Development Concept Plan, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the Subject Property;

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

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

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

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

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

SECTION 9. 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 10. 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 11. 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 12. 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 3RD DAY OF AUGUST, 2020.**

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: July 20, 2020

2nd Reading: August 3, 2020

Exhibit 'A':
Legal Description

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

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

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

THENCE South 01 degrees 59 minutes 29 seconds East (South 00 degrees 08 minutes 06 seconds West - deed call), along the common easterly line of said 308 ON 276, L.P. tract and the westerly line said Tract Two, a distance of 2,204.26-feet (2,166.70-feet - deed call) to a ½ inch iron rod found marking an ell corner of said 308 ON 276, L.P. tract and the southwest corner of said Tract Two;

THENCE North 87 degrees 20 minutes 20 seconds East (North 89 degrees 12 minutes 02 seconds East - deed call), continuing along the common northerly line of said 308 on 276, L.P. tract and the southerly line said Tract Two, a distance of 1,691. 90 feet (1,782.53 feet - deed call) to a 5/8-inch iron rod set with "cap" marking the common most easterly northeast corner of said 308 on 276, L.P. tract and the southeast corner of said Tract Two, from which a ½-inch iron rod found bears North 87 degrees 20 minutes 20 seconds East at 10. 49 feet, said 5/8-inch iron rod set being on the west line of that certain called 212.25-acre tract of land described in a Special Warranty Deed to South Rock wall Holdings, L.P., as recorded in Volume 03625, Page 00034, O.P.R.R.C.T.;

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

THENCE South 00 degrees 50 minutes 42 seconds East, along the common easterly line of said 308 ON 276, L.P. tract and the westerly line said Equestrian Estates, a distance of 2,301.71 feet (South 00 degrees 06 minutes 38 seconds West, a distance of 2,580.60 feet - overall deed call) to a 5/8 inch iron rod set with "cap " marking the common southeast corner of said 308 ON 276, L.P. tract and on ell corner of the north R.O.W. line of State Highway No. 276 (having a variable width R.O.W.);

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

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

Exhibit 'A':
Legal Description

Purposes tract;

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

THENCE South 89 degrees 13 minutes 58 seconds West (South 89 degrees 48 minutes 55 seconds West - deed call), continuing along the common southerly line of said 308 ON 276, L.P. tract and the northerly line of said Easement for Highway Purposes tract, a distance of 757.25-feet (756.93-feet - deed call) to a 5/8-inch iron rod found marking a common ell corner of said 308 ON 276, L.P. tract and the northwest corner of said Easement for Highway Purposes tract;

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

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

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

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

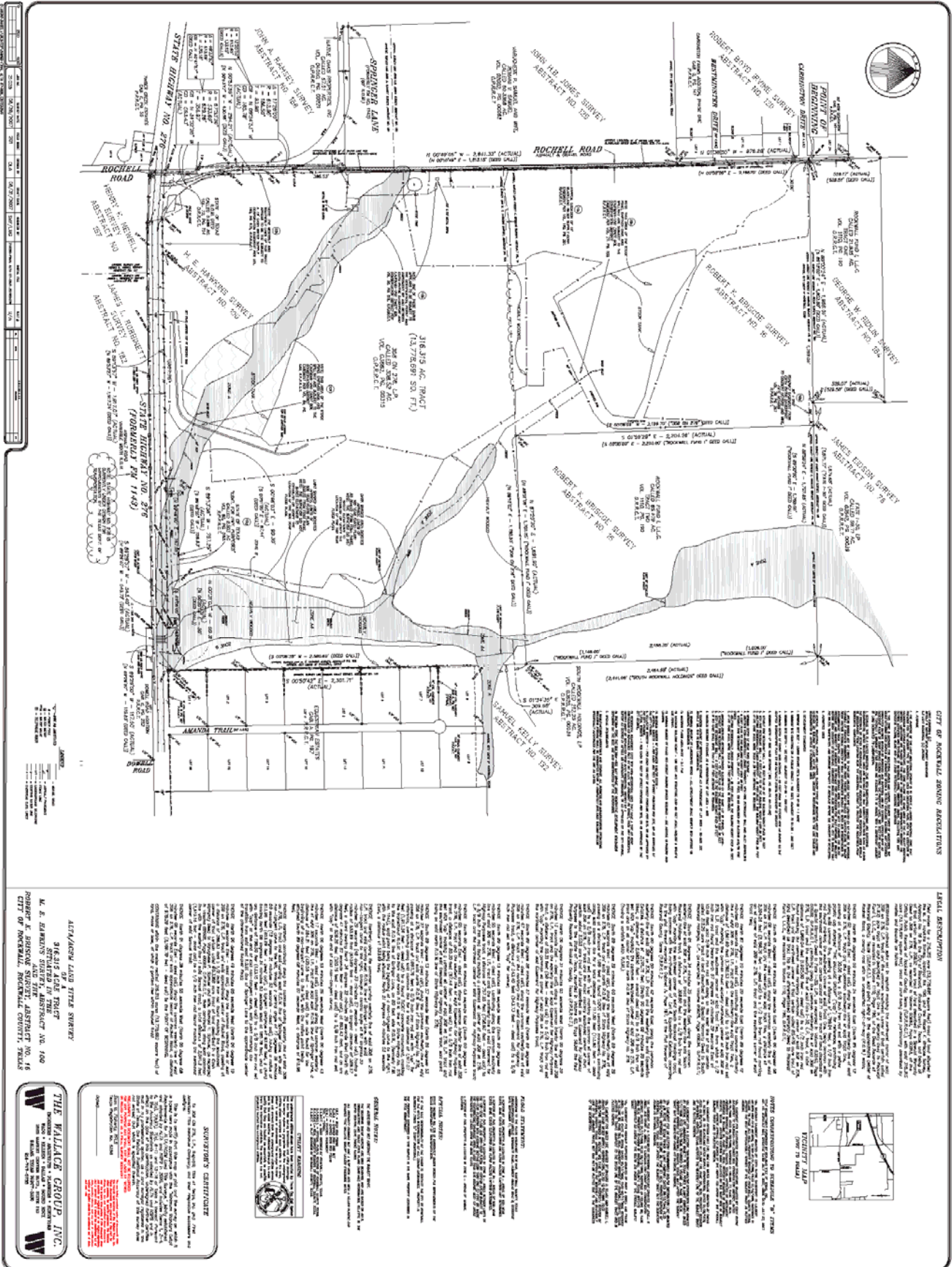
THENCE Northerly continuing along the common curving westerly line of said 308 ON 276, L.P. tract and said curving east R.O.W. line of Springer Lane, with said non-tangent curve to the left, through a central angle of 17 degrees 26 minutes 00 seconds (12 degrees 25 minutes 52 seconds - deed call), having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

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

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

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

Exhibit 'B':
Survey



ATKINSON LAND TITLE SURVEY
316.315 AC. TRACT
STATED IN TRACT
M. E. BARRETT SURVEY, ABSTRACT NO. 100
ROBERT K. BRIDGES SURVEY, ABSTRACT NO. 18
CITY OF ROCKWALL, TEXAS

THE WALLACE GROUP, INC.
SURVEYING & ENGINEERING
10000 WEST HICKORY STREET, SUITE 100
DALLAS, TEXAS 75241
PHONE: 972-241-1100
FAX: 972-241-1101
WWW.WALLACEGROUP.COM

SURVEYOR'S CERTIFICATE
I, the undersigned, being a duly licensed Surveyor in the State of Texas, do hereby certify that the foregoing is a true and correct copy of the original survey as the same appears in my office.

DATE: _____
TIME: _____
PLACE: _____

Surveyor

LEGAL DESCRIPTION
The above described land is situated in the City of Rockwall, Texas, and is more particularly described as follows: _____

ADDITIONAL NOTES

GENERAL NOTES

ADDITIONAL NOTES

ADDITIONAL NOTES

ADDITIONAL NOTES

ADDITIONAL NOTES

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Exhibit 'C': Area Map

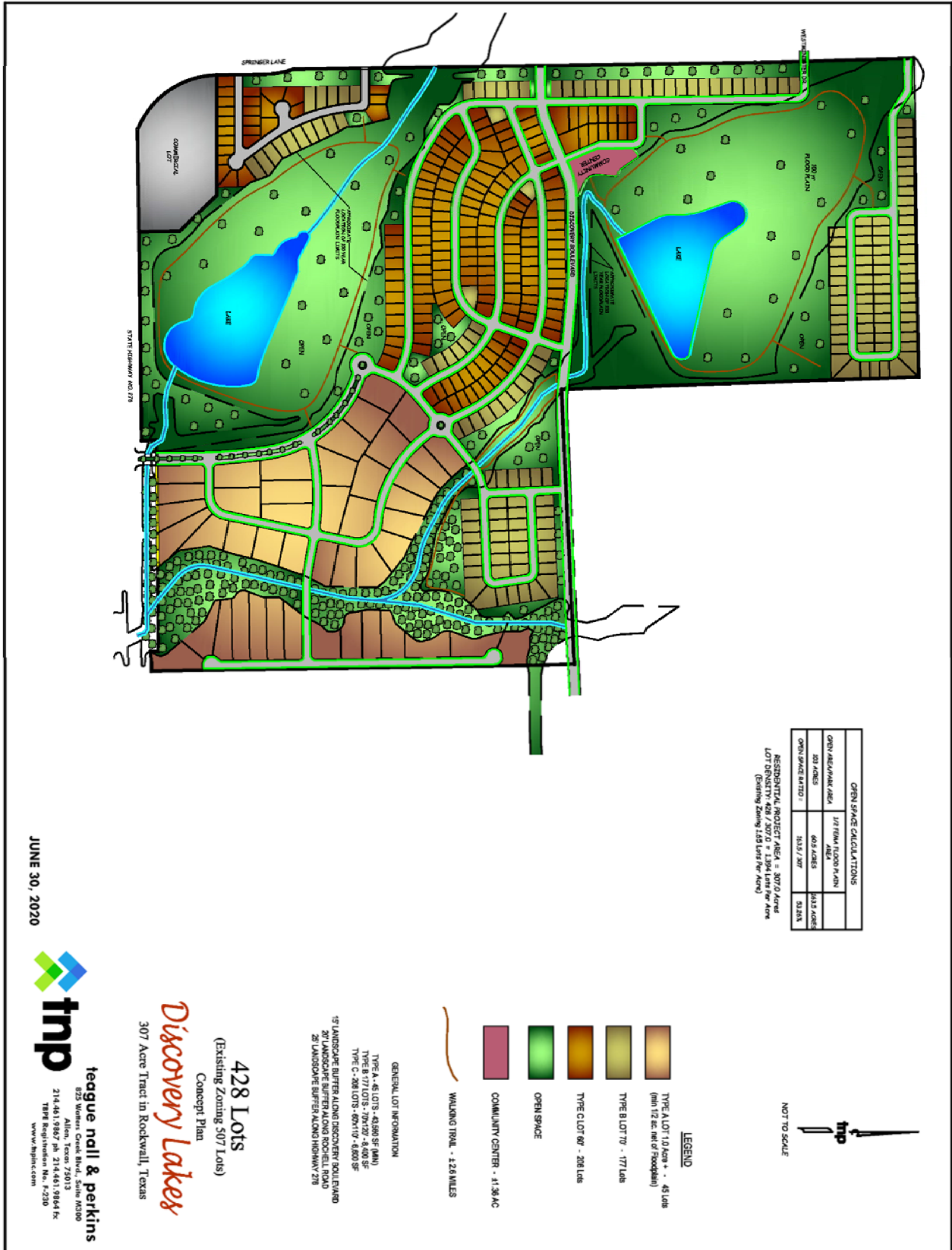


Exhibit 'D':
Permitted Land Uses and Development Standards

(A) PURPOSE

The purpose of this PD Zoning change is to allow for an area located at the southeastern portion of the property to be developed as a high-end custom home phase, with minimum one-acre single family residential lots. It is the desire of the owner to retain all the other non-conflicting entitlements on the property per the existing PD requirements and development standards with exceptions that will be noted throughout this document. The developer recognizes and accepts that the acreage utilized for this proposed custom phase will result in a loss of development density, from 507 single family homes to approximately 428 Single family homes. The owner requests the right and flexibility to replace smaller lot types with the 0.75-acre lot type throughout future phases of the development, without the need to rezone the Planned Development District as long as the general intent and layout of the approved revised concept plan is followed and the total number of lots does not increase.

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

The Discovery Lakes Subdivision is located at the northeast corner of the intersection of SH-276 and Rochell Road. The *Subject Property* is a short walk or bike ride from the Rockwall Technology Park. The Discovery Lakes Subdivision will be a master planned residential neighborhood that will incorporate two (2) lakes, several acres of open space and ~2.6-miles of hiking/jogging/biking trails. The master plan calls for 428 single-family homes. There will be several view corridors strategically placed within the subdivision along with *front loaded* lots to provide for the enjoyment of the open space. A boulevard with 85-feet of right-of-way will connect SH-276 and be constructed up to the first round-about of the one (1) acre lots. The boulevard will have a 14-foot landscape median and a 25-foot travel lane on each side of the street. The residential streets will be 29-feet back-to-back, with a 10½-foot parkway on each side for a total of 50-feet of right-of-way. A *Community Center* with a pool will be provided to add increased amenity for the subdivision. Commencement of the Community Center and pool will take place at or before the final platting of the 201st residential lot or with the addition of additional *Type 'A'* lots. Additionally, the proposed development will incorporate nine (9) acres of commercial space that will be located at the hard corner of SH-276 and Rochell Road. This area will allow for neighborhood service types of uses and eating establishments. A maximum of one (1) hotel planned to service the needs of the subdivision and the Rockwall Technology Park. A 55-acre area adjacent to the northern lake will be dedicated as public parkland to serve Park District No. 31. The Discovery Lakes Subdivision will be a benefit to the community, allowing citizens of all ages the opportunity to live, work, and play in a connected master planned community.

(B) GENERAL REQUIREMENTS

Development Standards.

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

(a) *Residential Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 10 (SF-10) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of

Exhibit 'D':
Permitted Land Uses and Development Standards

the Unified Development Code (UDC), shall be allowed for areas designated as *residential* on the *Concept Plan*.

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

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

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

Notes:

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

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

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

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

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

Exhibit 'D':
Permitted Land Uses and Development Standards

Standards, of the Unified Development Code, all commercial development shall be required to adhere to the following supplemental standards:

(a) *Retail Landscape*. Landscaping shall be reviewed and approved with the PD Site Plan. All Canopy/Shade Trees planted within the retail development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height unless otherwise provided within this document.

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

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

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

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

(c) *Sidewalks*.

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

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

Exhibit 'D':
Permitted Land Uses and Development Standards

District Development Standards, of the Unified Development Code. In addition, all residential development shall adhere to the following standards:

- (a) *Lot Composition and Layout*. The lot layout and composition of the *Subject Property* shall generally conform to the *Concept Plan* depicted in *Exhibit 'C'* and stated in *Table 1* below. Allowances for changes to the quantity and locations of each lot type are permitted in conformance with the requirements listed below; however, in no case shall the proposed development exceed 428 units.

Table 1: Lot Composition

<i>Lot Type</i>	<i>Minimum Lot Size (FT)</i>	<i>Minimum Lot Size (SF)</i>	<i>Dwelling Units (#)</i>	<i>Dwelling Units (%)</i>
A	80' x 200'	32,670 SF	45	10.51%
B	70' x 110'	7,700 SF	177	41.36%
C	60' x 110'	6,600 SF	206	48.13%
<i>Maximum Permitted Units:</i>			428	100.00%

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

- (1) The total number of lots does not exceed 428 units; and,
 - (2) The average lot size for the total development is not less than 9,700 SF (*i.e. total square footage of all lots/total number of lots*); and,
 - (3) *Lot Type "A"* shall not be decrease below 40 lots; and,
 - (4) *Lot Type "B"* shall not be decreased below 38% of the total 428 lots; and,
 - (5) *Lot Type "C"* shall not be increased beyond 55% of the total 428 lots.
- (b) *Density and Dimensional Requirements*. The maximum permissible density for the *Subject Property* shall not exceed 1.40 dwelling units per gross acre of land; however, in no case should the proposed development exceed 428 units. All lots shall conform to the standards depicted in *Table 2* below and generally conform to *Exhibit 'C'* of this ordinance.

Table 2: Lot Dimensional Requirements

<i>Lot Type (see Concept Plan) ▶</i>	A	B	C
<i>Minimum Lot Width</i> ^{(1) & (5) & (7)}	80'	70'	60'
<i>Minimum Lot Depth</i>	200'	110'	110'
<i>Minimum Lot Area</i>	32,670 SF	7,700 SF	6,600 SF
<i>Minimum Front Yard Setback</i> ^{(2), (6), & (8)}	25'	20'	20'
<i>Minimum Side Yard Setback</i>	10'	5'	5'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> ⁽²⁾	20'	15'	15'
<i>Minimum Length of Driveway Pavement</i>	25'	20'	20'
<i>Maximum Height</i> ⁽³⁾	36'	36'	36'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	20'	10'	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	3,200 SF	2,250 SF	2,000 SF
<i>Garage Orientation</i> ⁽⁸⁾	<i>J-Swing or Flat Front</i>	<i>J-Swing or Flat Front</i>	<i>J-Swing or Flat Front</i>
<i>Maximum Number of Front Entry Garages Permitted</i>	17	58	137
<i>Maximum Lot Coverage</i>	65%	65%	65%

General Notes:

- ¹: The minimum lot width shall be measured at the *Front Yard Building Setback*.
- ²: The location of the *Front Yard Building Setback* as measured from the front property line.
- ³: The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single-family home.

Exhibit 'D':
Permitted Land Uses and Development Standards

- 4. As measured from the rear yard property line.
- 5. Lots fronting onto a curvilinear street, cul-de-sac or eyebrow may have the lot width reduced by up to 20% as measured at the front property line provided that the lot width is met at the front building line. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows maybe reduced by up to ten (10%) percent, but shall meet the minimum lot size for each lot type.
- 6. Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the Front Yard Building Setback by up to ten (10) feet for any property that increases the Front Yard Building Setback to 20-feet; however, the encroachment shall not exceed five (5) feet on Side Yard Setbacks (Adjacent to a Street) and shall not encroach into public right-of-way [a Sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces].
- 7. All lots with a *J-Swing* or *Traditional Swing* driveway require a minimum of a 65-foot lot width.
- 8. The minimum front yard setback for properties that have a *Flat Front Entry* garage format shall be 25-feet.

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

- (1) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all buildings shall be 90%. For the purposes of this ordinance the masonry requirement shall be limited to full width brick, natural stone, and cultured stone. Cementaceous fiberboard horizontal lap-siding (e.g. *HardiBoard* or *Hardy Plank*) and/or stucco (i.e. *three [3] part stucco* or a comparable -- to be determined by staff) shall be permitted to be used to meet up to 50% of the masonry requirement.
- (2) *Roof Pitch.* A minimum of an 8:12 roof pitch is required on all structures with the exception of porches, which shall have a minimum of a 4:12 roof pitch. *Type 'A'* lots may have a variable pitch to the roofs that may deviate from these specific standards when it is determined by staff to serve a particular architectural theme.
- (3) *Garage Orientation.* Garages shall be provided as stipulated by *Table 2: Lot Dimensional Requirements*. Garages permitted for front entry maybe oriented toward the street in a *Flat Front Entry* format; however, the front façade of the garage must be situated a minimum of 25-feet off the front property line. All front entry garages shall incorporate an architectural element or feature separating the individual garage openings. *Swing*, *Traditional Swing* or *J-Swing* garages are permitted to have a second single garage door facing the street as long as it is behind the width of the double garage door situated in the *Swing* configuration.

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

Table 3: Anti-Monotony Matrix

<i>Lot Type</i>	<i>Minimum Lot Size</i>	<i>Elevation Features</i>
A	80' x 200'	(1), (2), (3), (5)
B	70' x 110'	(1), (2), (3), (4)
C	60' x 110'	(1), (2), (3), (4)

- (1) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent

Exhibit 'D':
Permitted Land Uses and Development Standards




property and six (6) intervening homes of differing materials on the opposite side of the street.

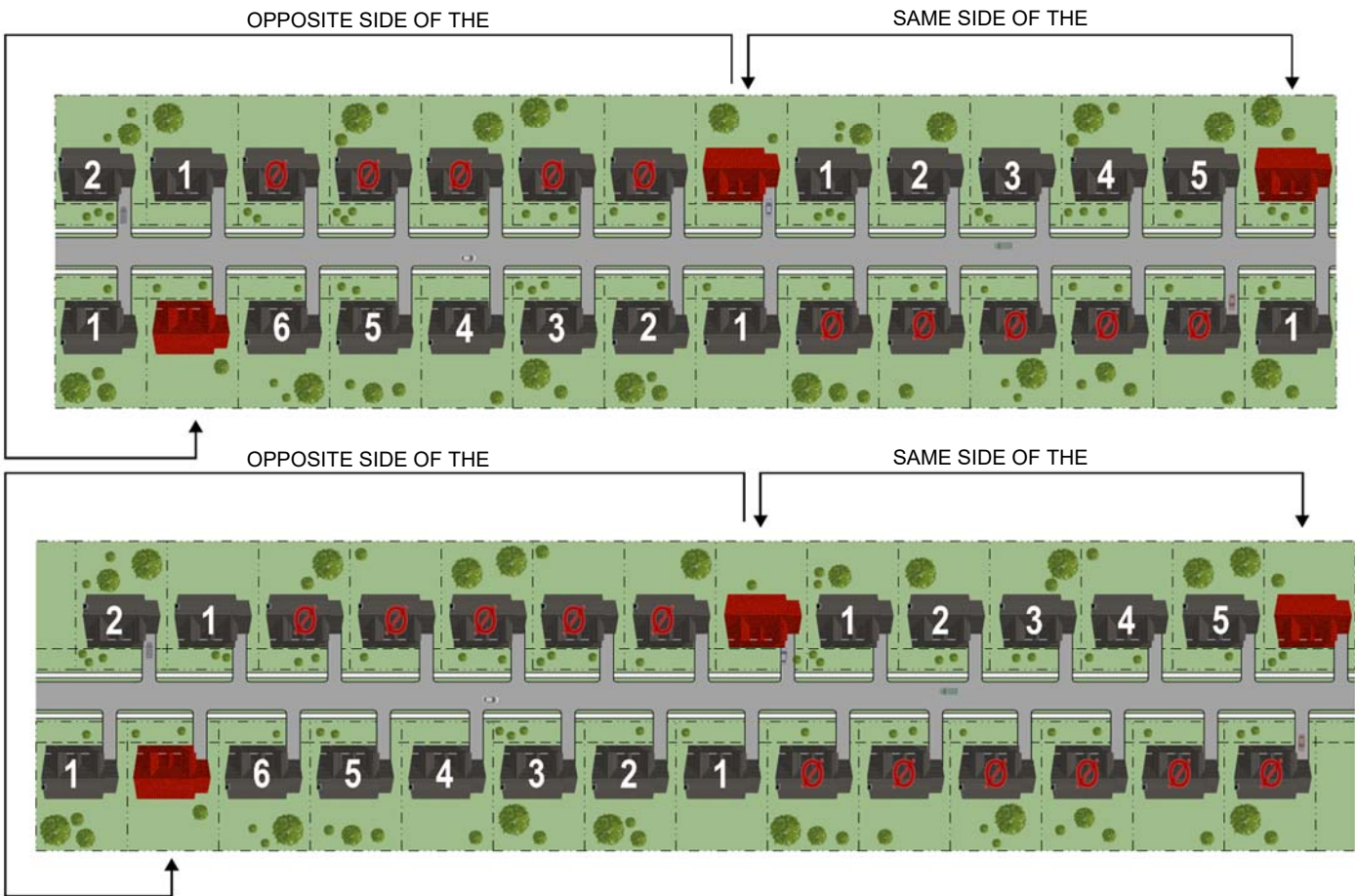
- (2) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or on SH-276 or Rochelle Road shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
 - (a) Number of Stories
 - (b) Permitted Encroachment Type and Layout
 - (c) Roof Type and Layout
 - (d) Articulation of the Front Façade
- (3) Permitted encroachment (*i.e. porches*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.
- (4) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).
- (5) *Type 'A'* lots may use slate, imitation slate, tile, concrete tile, imitation tile, standing seam metal, or other high-end type roof materials.

Continued on Next Page...

Exhibit 'D':
Permitted Land Uses and Development Standards

Illustration 1: Anti-Monotony Exhibit

 SUBJECT
 INTERVENING
 EXCLUDED



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

(1) *Wood Fences.* All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited. All solid fences shall incorporate a decorative top rail and/or cap detailing the design of the fence.

Exhibit 'D':
Permitted Land Uses and Development Standards

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

(f) *Landscape and Hardscape Standards.*

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

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

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

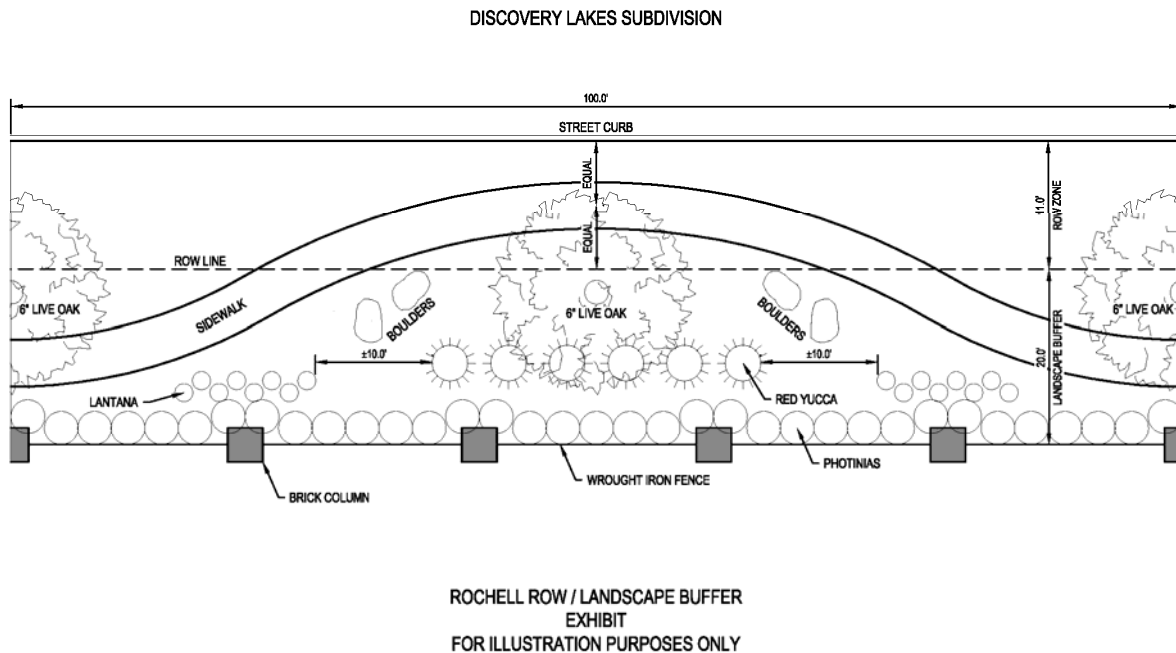
- ii) *Corner Lots*. All corner lots shall include a minimum of two (2) trees with a diameter at breast height (dbh) [*i.e. the diameter in inches of a tree as measured through the main trunk at a point of four and one-half (4½) inches above the natural ground level*] of three (3) inches shall be planted in the front yard of an interior lot.
- (3) *Landscape Buffers*. All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).
 - (a) *Landscape Buffer and Sidewalks (Discovery Boulevard)*. A minimum of a 15-foot landscape buffer shall be provided along the frontage of Discovery Boulevard, and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a

Exhibit 'D':
Permitted Land Uses and Development Standards

maximum height of 48-inches. In addition, at least one (1) canopy tree shall be planted per 30-feet of linear frontage.

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

Illustration 2: Landscape Buffer along Rochell Road.



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

- (4) *Irrigation Requirements*. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or

Exhibit 'D':
Permitted Land Uses and Development Standards

landscape architect and shall be maintained by the Homeowner's Association (HOA).

- (5) *Hardscape*. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the PD Site Plan.
- (g) *Lighting*. Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.
- (h) *Sidewalks*.
- i) *Internal Sidewalks*. All sidewalks adjacent to an interior residential street shall begin 5½-feet from the back of curb and be five (5) feet in overall width.
- ii) *Sidewalks Adjacent to Rochell Road and Discovery Boulevard*. All sidewalks adjacent Rochell Road and Discovery Boulevard shall begin two (2) feet inside the right-of-way line and be five (5) feet in overall width.
- (i) *Open Space*. The development shall consist of a minimum of 20% open space as calculated from the gross land area, and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. Existing floodplain shall be counted at a rate of ½-acre for every acre provided (*e.g., 10-acres of floodplain would count as 5-acres of open space*). The Homeowner's Association (HOA) shall maintain all open space areas.
- (j) *Temporary On-Site Sanitary Sewer (OSSF)*. On-Site Sanitary Sewer (OSSF) systems shall only be allowed on *Type 'A'* lots that contain a minimum of 32,670 SF. OSSF's shall be designed by a State of Texas registered Professional Engineer, and each design shall specify an aerobic type system with drip (*underground*) irrigation system. All systems shall meet the minimum standards of the Texas Commission on Environmental Quality (TCEQ) and each installed system shall be inspected by a third-party licensed inspector and be paid for by the developer. Operation and maintenance of each individual OSSF shall be the responsibility of the property owner and the City will not assume any responsibility to the proper design, installation, operation, and maintenance of the system. In addition to the installation of the OSSF's for *Type 'A'* lots, each constructed home must provide a secondary connection that will allow the resident to disconnect and abandon the OSSF and connect to the future -- *developer provided* -- sanitary sewer system when it is made available. The *Developer*, during the development/construction of any phase of the subdivision, will be responsible for constructing the required sanitary sewer infrastructure (*i.e. mains and laterals*) as required by the City's Master Wastewater Plan. The *Developer* shall be responsible for escrowing the required impact fees for all lots utilizing an OSSF. A *Facilities Agreement* addressing how this money will be escrowed will be required to be drafted prior to the *Developer* submitting a preliminary plat with the City of Rockwall. This *Facilities Agreement* and the preliminary plat can be considered concurrently by the City Council; however, an approved, signed, and executed *Facilities Agreement* shall be a condition of approval of the preliminary plat. In addition, the *Developer* will be required to provide an appropriate disclosure statement regarding the obligation to connect to the City's wastewater system and any additional perceived costs to the

Exhibit 'D':
Permitted Land Uses and Development Standards

homeowner associated with this connection in all real-estate contracts between the developer, homebuilder, and homeowner.

- (k) *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.
 - (l) *Community Center.* A site plan, landscape plan and building elevations shall be required for the proposed *Community Center* and shall be subject to site plan approval by the Planning and Zoning Commission prior to construction. The community center shall commence construction prior to the platting of the 201st residential lot, unless additional *Type 'A' lots -- above and beyond what is shown on the Concept Plan contained in Exhibit 'C' of this ordinance --* are requested; in which case, the developer shall commence construction of the community center as part of the phase that proposes the additional *Type 'A' lots*.
 - (m) *Homeowner's Association (HOA).* A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the Subdivision Regulations contained within the *Municipal Code of Ordinances* of the City of Rockwall. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, amenity centers, screening fences associated with this development.
- (4) *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*3-phase lines*), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The Developer shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.
- (5) *Variances.* The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.



City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager
FROM: Mary Smith, Assistant City Manager
DATE: July 31, 2020
SUBJECT: Ordinance to Release Portion of ETJ

This item will be read into Executive Session for advice from legal counsel. If approved it would be considered on first reading of an ordinance releasing a substantial amount of the 4,000 acres from the Extraterritorial Jurisdiction.

CITY OF ROCKWALL

ORDINANCE NO. 20-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, REDUCING ITS EXTRATERRITORIAL JURISDICTION (ETJ) BY RELEASING SUCH TERRITORY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE TO THE COUNTY OF ROCKWALL; ESTABLISHING THE NEW CORPORATE BOUNDARIES OF THE CITY OF ROCKWALL; PROVIDING FOR AMENDING AND CORRECTING THE OFFICIAL CORPROATE AND EXTRATERRITORIAL BOUNDARIES OF THE CITY AS HERETOFORE ADOPTED AND CORRECTING THE OFFICIAL CITY MAPS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 42.023, *Reduction of Extraterritorial Jurisdiction*, of Chapter 42, *Extraterritorial Jurisdiction of Municipalities*, of the Texas Local Government Code the City Council of the City of Rockwall desires to release a portion of its Extraterritorial Jurisdiction (ETJ);

BEING, a 3,796.18-acre tract of land identified as Tracts 1, 1-1, 3, 3-1, 11, 11-1, 11-2, & 13 of the F. Baugess Survey, Abstract No. 7; Tract 1 of the J. Stephenson Survey, Abstract No. 189; and Tract 2 of the J. T. Spillers Survey, Abstract 203; Rockwall County, Texas, and generally located south of FM-550, north and west of FM-548, and east of Edwards Road, which is 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 *Subject Property* lies within the City of Rockwall's Extraterritorial Jurisdiction (ETJ) and is adjacent to and adjoining with the present corporate boundaries of the City of Rockwall, Rockwall County, Texas.

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

SECTION 1. INCORPORATION OF PREMISES. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes

SECTION 2. REDUCTION OF ETJ AND RELEASE TO ROCKWALL COUNTY. The City of Rockwall hereby reduces its Extraterritorial Jurisdiction (ETJ) and releases to Rockwall County the *Subject Property*.

SECTION 3. FILING, NOTIFICATION, AND CORRECTION OF CITY MAPS. The Mayor of the City of Rockwall is hereby directed and authorized to file a certified copy of this *Ordinance* with the necessary governmental agencies, and to update the official map of the City's corporate and Extraterritorial Jurisdiction (ETJ) boundaries.

SECTION 4. SAVINGS. This *Ordinance* shall be cumulative of all other ordinances of the City, and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this *Ordinance*.

SECTION 5. SEVERABILITY. The sections, paragraphs, sentences, phrases, and words of this

Ordinance are severable, and if any section or provision of this *Ordinance* or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason adjudged by a trial court of competent jurisdiction to be illegal or unconstitutional, the adjudication shall not affect any other section or provision of this *Ordinance* or the application of any other section or provision to any person, firm, corporation, situation or circumstance, and the City Council hereby declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the valid provisions of this *Ordinance* shall remain in full force and effect.

SECTION 6. REPEALER. 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. EFFECTIVE DATE. This *Ordinance* shall take effect immediately from and after its passage and approval, in accordance with applicable law and the charter of the City of Rockwall, Texas.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 17TH DAY OF AUGUST, 2020.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: 08/03/2020

2nd Reading: 08/17/2020

Exhibit 'A'
Legal Description

BEING 3,796.18 acres of land situated in the Abstract 7, F. Baugess Survey, Abstract 203, J.T. Spillers Survey, and the Abstract 189, J. Stephenson Survey in the County of Rockwall, Texas and being more particularly described as follows:

BEGINNING at a point of intersection in the southeastern most corner of Abstract 7, F. Baugess Survey, Tract 4, a 116.27 acre tract, also known as Tate Hereford Farms (RCAD# 10051) and southwest corner of Abstract 7, F. Baugess Survey, Tract 11, a 1225.721 acre tract (RCAD# 10059); point also intersects the north right of way line a Farm to Market Road 548. (NAD83 Texas State Plane GPS Coordinate: 2634336.70775 / 6994830.17931 Feet)

- 1 **THENCE** N 45-52-11 W, 1140.362 feet, for a corner, continuing along said Tate Hereford Farm eastern boundary;
- 2 **THENCE** N 43-32-41 E, 2183.518 feet, for a corner;
- 3 **THENCE** N 69-47-12 W, 1214.587 feet, for a point;
- 4 **THENCE** N 64-13-36 W, 860.877 feet, for a point;
- 5 **THENCE** N 49-30-31 W, 752.039 feet, for a point;
- 6 **THENCE** N 49-30-31 W, 481.323 feet, for a corner;
- 7 **THENCE** S 58-27-55 W, 128.19 feet, for a point;
- 8 **THENCE** S 58-27-55 W, 615.69 feet, for a point;
- 9 **THENCE** S 68-43-14 W, 798.023 feet, for a point;
- 10 **THENCE** S 68-43-14 W, 1952.891 feet, for a point;
- 11 **THENCE** S 68-43-14 W, 158.909 feet, for a corner;
- 12 **THENCE** N 46-14-29 W, 435.035 feet, for a point, continuing along the eastern right of way of Edwards Road;
- 13 **THENCE** N 46-5-55 W, 1120.381 feet, for a point;
- 14 **THENCE** N 45-55-13 W, 1023.417 feet, for a point;
- 15 **THENCE** N 45-39-51 W, 60.004 feet, crossing Wallace Road for a point;
- 16 **THENCE** N 45-24-13 W, 353.922 feet, for a point;
- 17 **THENCE** N 48-21-41 W, 150.416 feet, continuing along the eastern right of way of Edwards Road and existing McLendon-Chisholm City Limits for a point;
- 18 **THENCE** N 48-7-19 W, 74.68 feet, for a point;
- 19 **THENCE** N 48-25-36 W, 179.735 feet, for a point;
- 20 **THENCE** N 45-17-39 W, 1183.585 feet, for a point;
- 21 **THENCE** N 45-13-19 W, 696.893 feet, for a point;
- 22 **THENCE** N 45-49-41 W, 513.951 feet, for a point;
- 23 **THENCE** N 45-40-22 W, 258.382 feet, for a point;
- 24 **THENCE** N 32°-17'-55" E, a distance of 644.186 feet for a corner;
- 25 **THENCE** N 48°-15'-33" E, a distance of 385.15 feet for a point;
- 26 **THENCE** N 48°-34'-6" E, a distance of 401.63 feet for a point;
- 27 **THENCE** S 57°-50'-11" E, a distance of 282.746 feet for a point;
- 28 **THENCE** N 70°-18'-45" E, a distance of 685.796 feet for a point;
- 29 **THENCE** N 70°-14'-4" E, a distance of 959.631 feet for a point;
- 30 **THENCE** N 56°-16'-40" E, a distance of 169.984 feet for a point;
- 31 **THENCE** N 56°-39'-59" E, continuing along said property lines, a distance of 300.356 feet for a point;
- 32 **THENCE** N 73°-10'-46" E, following along the adjacent property lines of Sue Sloan, a distance of 991.672 feet for a point;
- 33 **THENCE** N 45°-41'-4" W, along the property line, a distance of 4162.613 feet for a corner;
- 34 **THENCE** N 44-33-9 E, 119.578 feet, for a point;
- 35 **THENCE** N 44-33-8 E, 248.68 feet, for a point;
- 36 **THENCE** N 44-33-8 E, 248.68 feet, for a point;
- 37 **THENCE** N 44-33-8 E, 1491.157 feet, for a corner;
- 38 **THENCE** N 45-26-51 W, 289.401 feet, along the southwestern property line of Abstract 203, J.T. Spillers Survey, Tract 2, a 191.49-acre tract for a point;
- 39 **THENCE** N 45-26-52 W, 1907.988 feet, for a point;
- 40 **THENCE** N 45-26-48 W, 5.00 feet, for a corner;

Exhibit 'A'
Legal Description

- 41 **THENCE** N 44-21-38 E, 158.315 feet, along the northwestern property line of Abstract 203, J.T. Spillers Survey, Tract 2, a 191.49-acre tract for a point;
- 42 **THENCE** N 44-14-40 E, 629.944 feet, for a point;
- 43 **THENCE** N 44-15-42 E, 718.324 feet, for a point;
- 44 **THENCE** N 44-10-47 E, 592.824 feet, for a point;
- 45 **THENCE** N 44-4-14 E 647.787 feet, for a point;
- 46 **THENCE** N 43-52-46 E, 99.659 feet, for a point;
- 47 **THENCE** N 44-4-46 E 35.806 feet, for a point;
- 48 **THENCE** N 40-28-16 E, 35.806 feet, for a point;
- 49 **THENCE** N 36-51-48 E, 35.806 feet, for a point;
- 50 **THENCE** N 33-15-19 E, 35.806 feet, for a point;
- 51 **THENCE** N 29-38-49 E, 35.806 feet, for a point;
- 52 **THENCE** N 26-2-21 E 35.806 feet, for a point;
- 53 **THENCE** N 24-26-58 E, 140.236 feet, for a point;
- 54 **THENCE** N 30-15-21 E, 34.741 feet, for a point;
- 55 **THENCE** N 33-46-45 E, 34.741 feet, for a point;
- 56 **THENCE** N 37-18-12 E, 34.741 feet, for a point;
- 57 **THENCE** N 40-49-36 E, 34.74 feet, for a point;
- 58 **THENCE** N 42-37-55 E, 0.865 feet, for a point;
- 59 **THENCE** N 43-53-54 E, 478.434 feet, for a point;
- 60 **THENCE** N 44-13-54 E, 399.797 feet, for a point;
- 61 **THENCE** N 44-13-54 E, 104.902 feet, for a point;
- 62 **THENCE** N 41-54-36 E, 339.338 feet, for a point;
- 63 **THENCE** N 43-43-44 E, 517.916 feet, for a point;
- 64 **THENCE** N 43-43-44 E, 106.764 feet, for a point;
- 65 **THENCE** N 43-43-44 E, 626.367 feet, for a corner;
- 66 **THENCE** S 45-26-15 E, 777.09 feet, along the eastern property line of Abstract 189, J. Stephenson Survey, Tract 1, a 79.39-acre tract for a point;
- 67 **THENCE** S 45-24-33 E, 972.361 feet, for a point;
- 68 **THENCE** S 45-51-46 E, 32.156 feet, for a corner;
- 69 **THENCE** S 44-33-8 W, 801.974 feet, for a corner;
- 70 **THENCE** S 45-26-51 E, 585.893 feet, for a corner;
- 71 **THENCE** N 44-33-8 E 806.221 feet, for a corner;
- 72 **THENCE** S 45-51-47 E, 842.762 feet, along the northeastern property line of Abstract 7, F. Baugess Survey, Tract 13, a 1640.897-acre tract for a point;
- 73 **THENCE** S 46-5-53 E 750.753 feet, for a point;
- 74 **THENCE** S 45-45-49 E, 571.221 feet, for a point;
- 75 **THENCE** S 46-26-13 E, 969.4 feet, for a point;
- 76 **THENCE** S 46-3-31 E, 123.946 feet, for a corner;
- 77 **THENCE** N 44-25-2 E, 50.002 feet, for a point;
- 78 **THENCE** N 44-25-2 E, 165.216 feet, for a point;
- 79 **THENCE** N 44-25-2 E, 326.145 feet, for a point;
- 80 **THENCE** N 44-25-2 E, 196.009 feet, for a point;
- 81 **THENCE** N 44-25-2 E, 286.949 feet, for a point;
- 82 **THENCE** N 44-25-2 E, 218.582 feet, for a point;
- 83 **THENCE** N 44-25-2 E, 56.001 feet, for a point;
- 84 **THENCE** N 44-25-2 E, 309.835 feet, for a point;
- 85 **THENCE** N 44-25-2 E, 382.177 feet, for a corner;
- 86 **THENCE** S 45-37-3 E, 567.212 feet, continuing along the southwestern right of way line of Farm to Market Road 548 for a point;
- 87 **THENCE** S 45-54-56 E, 847.729 feet, for a point;
- 88 **THENCE** S 46-21-7 E, 635.405 feet, for a point;
- 89 **THENCE** S 46-17-4 E, 609.082 feet, for a point;
- 90A **THENCE** S 44-36-36 E, 75.549 feet, to the beginning of a tangent curve to the right having a radius of 537.441 feet;

Exhibit 'A'
Legal Description

- 90B **Continuing** along said curve to the right, through a central angle of 87° 39' 34", a distance of 822.256, a chord bearing of S 0-55-58 E, a chord length of 744.375, tangent of 515.923 to a point;
- 91 **THENCE** S 43-24-44 W, 661.409 feet, for a point;
- 92A **THENCE** S 42-50-2 W, 231.192 feet, to the beginning of a tangent curve to the left having a radius of 603.932 feet;
- 92B **Continuing** along said curve to the left, through a central angle of 65° 25' 38", a distance of 689.642, a chord bearing of S 6-51-0 W, a chord length of 652.778, tangent of 387.92 to the beginning of a tangent curve to the left having a radius of 1075.941 feet;
- 92C **Continuing** along said curve to the left, through a central angle of 17° 9' 2", a distance of 322.067, a chord bearing of S 38-6-57 E, a chord length of 320.866, tangent of 162.247 to a point;
- 93 **THENCE** S 46-13-58 E, 832.527 feet, for a point;
- 94 **THENCE** S 46-26-0 E, 1113.905 feet, for a point;
- 95 **THENCE** S 46-16-3 E, 723.001 feet, for a point;
- 96 **THENCE** S 46-8-26 E, 673.959 feet, for a point;
- 97 **THENCE** S 46-2-17 E, 597.874 feet, for a point;
- 98 **THENCE** S 45-20-48 E, 681.577 feet, for a point;
- 99A **THENCE** S 44-44-5 E, 172.36 feet, to the beginning of a tangent curve to the right having a radius of 1097.325 feet;
- 99B **Continuing** along said curve to the right, through a central angle of 39° 27' 38", a distance of 755.748, a chord bearing of S 22-51-39 E, a chord length of 740.9, tangent of 393.555 to a point;
- 100 **THENCE** S 0-54-7 E, 563.971 feet, for a point;
- 101 **THENCE** S 0-30-37 E, 711.62 feet, for a point;
- 102 **THENCE** S 0-31-7 E, 67.956 feet, for a point;
- 103 **THENCE** S 0-31-8 E, 267.769 feet, for a point;
- 104 **THENCE** S 0-31-8 E, 276.665 feet, for a point;
- 105A **THENCE** S 0-19-12 W, 142.368 feet, to the beginning of a tangent curve to the right having a radius of 547.827 feet;
- 105B **Continuing** along said curve to the right, through a central angle of 45° 10' 40", a distance of 431.961, a chord bearing of S 20-45-6 W, a chord length of 420.858, tangent of 227.913 to a point;
- 106 **THENCE** S 43-52-42 W, 2404.539 feet, continuing along the northwestern right of way line of Farm to Market Road 548 for a point;
- 107 **THENCE** S 43-48-51 W, 925.218 feet, for a point;
- 108 **THENCE** S 44-11-25 W, 286.953 feet, for a point;
- 109 **THENCE** S 44-28-0 W, 330.486 feet, for a point;
- 110 **THENCE** S 43-48-52 W, 965.829 feet, for a point;
- 111 **THENCE** S 43-56-55 W, 915.293 feet, for a point;
- 112 **THENCE** S 44-0-45 W, 763.234 feet, for a point;
- 113 **THENCE** S 43-54-48 W, 876.256 feet, for a point;
- 114 **THENCE** S 43-50-57 W, 733.088 feet, to the Point of Beginning and containing **3,796.18** acres of land (165,361,017.81 square feet) more or less. The above description also intended to follow all existing city limits, extra-territorial jurisdiction and parcel boundaries where noted.



City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager
FROM: Mary Smith, Assistant City Manager
DATE: July 31, 2020
SUBJECT: Formation of an Exploratory Committee

Mayor Pro Tem Fowler and Council members Johannesen and Campbell met to discuss this item and requested to move it forward to the full Council.



City of Rockwall
The New Horizon

MEMORANDUM

TO: City Council
FROM: Joey Boyd, Assistant City Manager
DATE: July 28, 2020
SUBJECT: Flagpole Entry Feature on Interstate 30

FAA Approval

The FAA has issued a Determination of No Hazard To Air Navigation for the preferred site for a height of up to 198’ above ground level. Based on the elevation, marking and lighting are not necessary for aviation safety, meaning no strobe will be needed at the top of the pole. This determination expires on October 8, 2021.

State Approval

Innovative Transportation Solutions, who is Rockwall County Roadway Consortium consultant, reports that TxDOT has vetted the site against the proposed IH 30 expansion plans, and there is no conflict. The only issue could be utility relocations and coordination of utility relocation is in early stages. We will need to keep tabs on how relocations may impact the site, but the next step would be to proceed to design and then to send design files to the TxDOT IH 30 project manager for final verification. A geotechnical study will cost approximately \$3,500 and base design is \$1,200.

Budget Estimates	2019	2020 (+5%)
150’ Flagpole with installation:	\$57,750	\$60,640
170’ Flagpole with installation:	\$76,114	\$79,920
180’ Flagpole with installation:	\$98,340	\$103,257
195/200’ Flagpole with installation:	\$113,340	\$119,000

These cost estimates are for the flagpole, foundation, lighting, and two flags and do not include electrical service to the site. Construction estimates are being developed with Oncor Electric Delivery for power to the site. The Committee is proposing that all landscaping and amenities to the site be added at a later date in as a Phase II project.

At the time authorization is given to construct the project, it will go through the bidding process. There are funds available in general fund reserves for this project.

Reauthorization to Proceed

During the time that we were waiting for the FAA study to be completed, the Covid-19 pandemic began. The City Council previously authorized the committee to proceed with design; however, since the pandemic and uncertainty of the times, the group wanted to have a discussion before moving forward and make sure there is still a consensus to proceed. If so, staff will continue to work with TXDOT to conduct the geotechnical study of the preferred site and get a permit from the State. Additional discussion may also be held as part of the FY 2021 budget process.

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided 'As Is' with no warranty being made, either expressed or implied.

**PROPOSED FLAG
POLE SITE**

-96°28'33.803"W
32°53'46.575"N

SPC 2,589,659.880
7,014,993.382 FEET (GRID)

**FUTURE IH30
IMPROVEMENTS**



City of
Rockwall



**PROPOSED FLAG POLE SITE
NEC OF IH30 @ VILLAGE DR/HORIZON RD**



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Honorable Mayor and City Council

CC: Rick Crowley, City Manager
Joey Boyd, Assistant City Manager
Mary Smith, Assistant City Manager

FROM: Travis E. Sales, Director of Parks and Recreation

DATE: August 3, 2020

SUBJECT: Park and Recreation Programming with Covid-19 Guidelines

Staff wants to get thoughts and direction on the reopening of facilities, programs, and amenities under the latest Open Texas Orders. These items include:

Fall Baseball Registration is open

Estimated attendance 100 per day Monday through Sunday (practice day/nights)

Estimated attendances 500 per day Monday through Saturday (game day/nights)

Practices have begun - teams at Tuttle, Myers, Yellowjacket every day

September 14th, 2020 game start date with November 13th, 2020 completion date

190 players are registered and the only division with enough teams at this point would be T-Ball 4/5 U. Registration closes August 7th.

Angel League Fall Season – Yellow Jacket

Estimated attendance 75 per game on Wednesday

September – October

Shot clinic (Animals) - Harry Myers Community Center

Estimated attendance 150

August 15th

29 Private Rentals – Harry Myers Community Center

Average expected attendance of 58

August 1st – August 31st

0 Private rentals – Lone Star Room

This is normal as everyone is generally getting ready to go back to school

August 1st – August 31st

Senior Programs – The Center

Bingo – Average attendance 40

Bridge – Average attendance 45

Canasta – Average attendance 10

Exercise Class – Average attendance 40

Yarn n’ darn – Average attendance 12

Senior Luncheons – Average attendance 60

Out to lunch bunch – Average attendance 10

August 1st – August 31st

Dance Classes with Mrs. Kristine – The Center

Estimated attendance 20

(Mondays) August 3rd – August 31^s

R.I.P.P.I.D. with Robyn – The Center

Estimated attendance 20

(Mon. & Wed.) August 3rd – August 31st

Outdoor Day – Harry Myers Park

Estimated attendance 300

August 28th

Little Athletes – Myers Park

Estimated attendance 25

September 14th

Mother-Son Dance – Springhill Suites

Estimated attendance 200

September 19th

San Jacinto Music Series - San Jacinto Plaza

Estimated attendance 100-150

August - October

- **Harry Myers CC versus The Center Lone Star Room**

There are no reservations at The Center during August

There is no senior programming at this time

Thoughts on moving reservations from HMCC to Lone Star Room

Harry Myers C.C. (occupancy 100)

Lone Star Room (occupancy 420)

This will allow for better social distancing since the room is not being utilized to full potential at this time.



MEMORANDUM

TO: Rick Crowley, City Manager

CC: Honorable Mayor and City Council

FROM: Kristy Cole, City Secretary/Assistant to the City Manager

DATE: August 3, 2020

SUBJECT: **BOARDS & COMMISSIONS (RE)APPOINTMENTS**

Attachments

Summary/Background Information

(Johannesen) The following are eligible for reappointment to the **Park Board**, and there is ONE vacant seat (Charles Johnson has served the max. number of years and is 'termed out'):

- Peggy Marhouff
- Kevin Johnson
- Brandon Morris

(Fowler) The following are eligible for reappointment to the **Animal (Shelter) Advisory Board**:

- Steve Albers
- Gary Freedman

(Pruitt, Macalik, Fowler) - Airport Advisory Board - there is ONE, vacant seat available for a one year term (to expire Aug. 2021)

FULL COUNCIL - Board of Adjustments- There are TWO, vacant seats on the BOA, and Glenn Carr is eligible for reappointment. **Planning & Zoning Commission** - There are TWO, vacant seats on the P&Z.

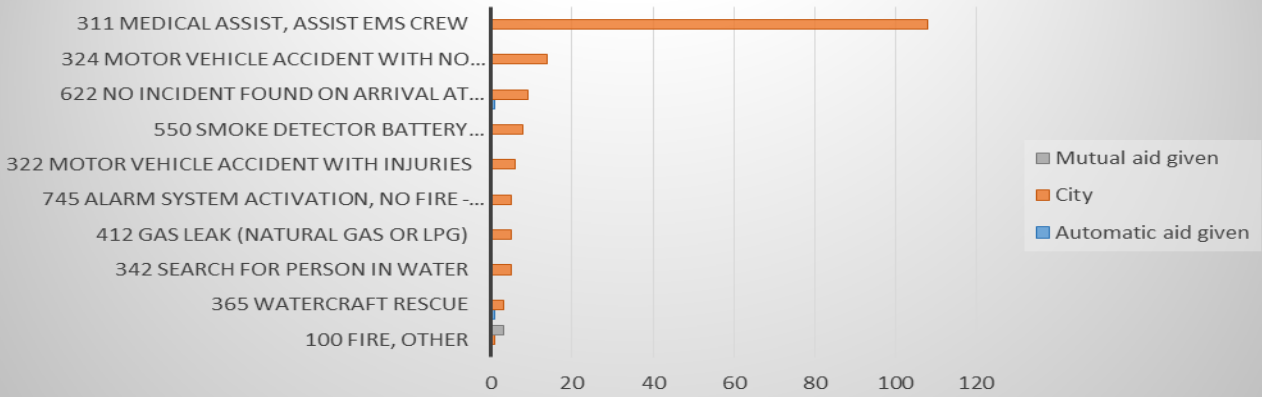
Action Needed



June Monthly Report

2020

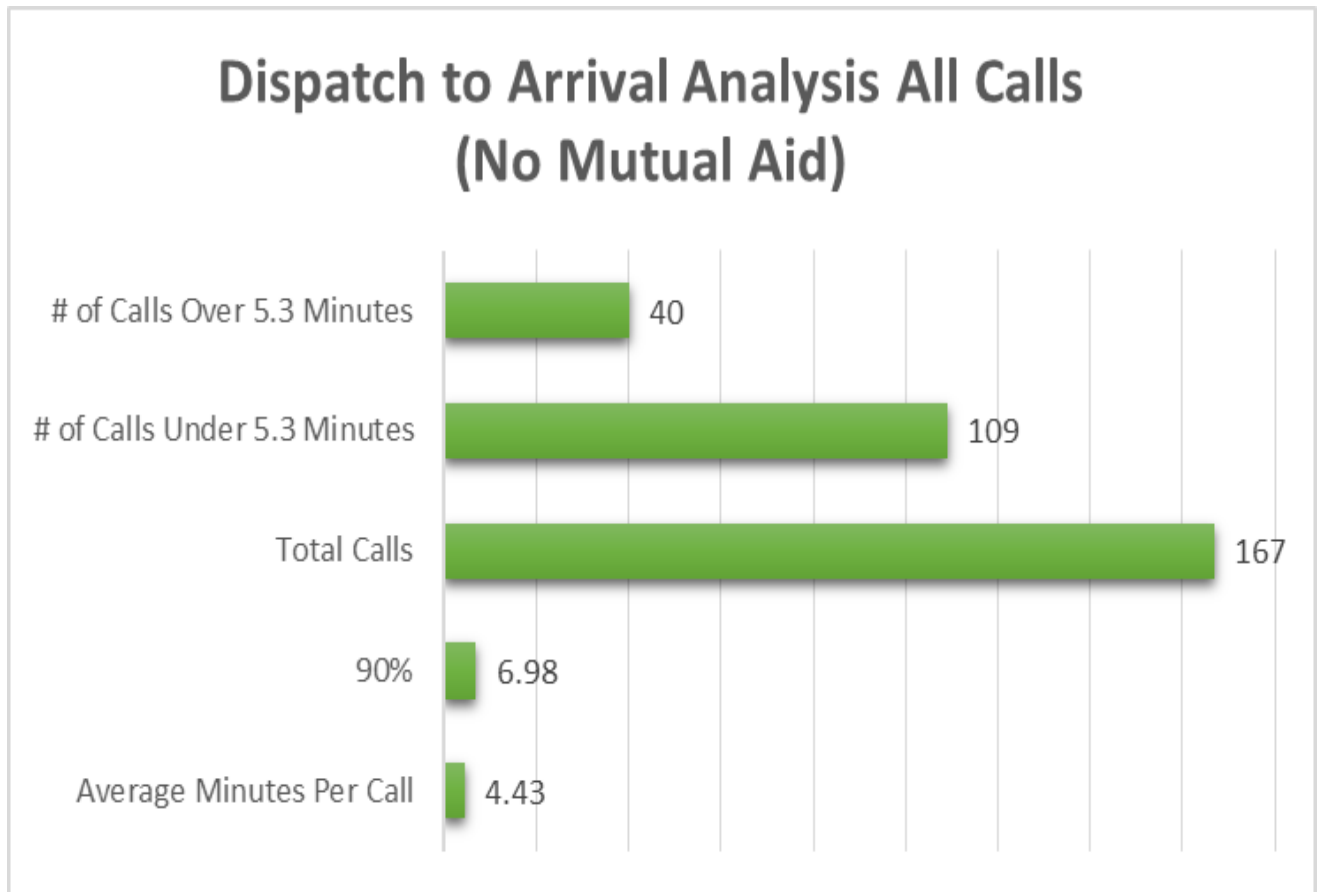
June 2020 Top Ten Calls

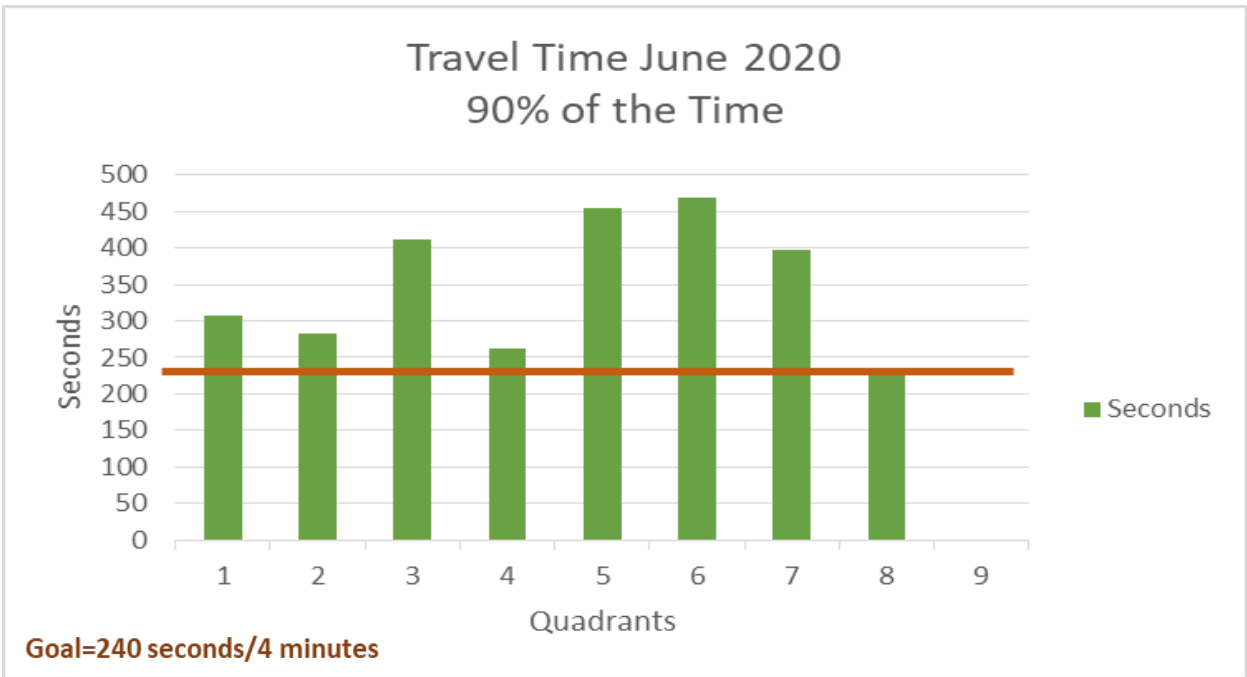


June 2020 - All Calls			
Situation Type	Automatic aid given	Mutual aid given	City
622 No incident found on arrival at dispatch address	1		9
365 Watercraft rescue	1		3
600 Good intent call, other			2
444 Power line down			3
735 Alarm system sounded due to malfunction			1
131 Passenger vehicle fire (cars, pickups, SUV's)			2
511 Lock-out			1
132 Road freight or transport vehicle fire (Commercial Vehicles)			1
661 EMS call, party transported by non-fire agency			1
134 Water vehicle fire			1
745 Alarm system activation, no fire - unintentional			5
142 Brush or brush-and-grass mixture fire			1
460 Accident, potential accident, other			1
143 Grass fire			1
550 Smoke Detector Battery Change/Install			8
151 Outside rubbish, trash or waste fire			2
111 Building fire			2
154 Dumpster or other outside trash receptacle fire			1
731 Sprinkler activation due to malfunction			1
160 Special outside fire, other			2
743 Smoke detector activation, no fire - unintentional			2
311 Medical assist, assist EMS crew			108
442 Overheated motor			1
322 Motor vehicle accident with injuries			6
445 Arcing, shorted electrical equipment			2
323 Motor vehicle/pedestrian accident (MV Ped)			2
510 Person in distress, other			1
324 Motor vehicle accident with no injuries.			14
520 Water problem, other			1
342 Search for person in water			5
553 Public service			1
352 Extrication of victim(s) from vehicle			1
611 Dispatched & canceled en route			4
361 Swimming/recreational water areas rescue			1
651 Smoke scare, odor of smoke			3
671 HazMat release investigation w/no HazMat			1
113 Cooking fire, confined to container			1
700 False alarm or false call, other			1
730 System malfunction, other			2
400 Hazardous condition, other			2
733 Smoke detector activation due to malfunction			3
411 Gasoline or other flammable liquid spill			1
736 CO detector activation due to malfunction			1
412 Gas leak (natural gas or LPG)			5
744 Detector activation, no fire - unintentional			2
413 Oil or other combustible liquid spill			1
100 Fire, other		3	1
423 Refrigeration leak			1
Totals	2	3	222

June 2020 Dispatch to Arrival Analysis

<i>Dispatch to Arrival Analysis-(No Mutual Aid)</i>				Total Calls
72.46%	On Scene in	5.3	minutes or less	109
81.44%	On Scene in	6.0	minutes or less	121
91.02%	On Scene in	7.0	minutes or less	133
94.61%	On Scene in	8.0	minutes or less	143
98.20%	On Scene in	9.0	minutes or less	146
100.00%	On Scene in	11.0	minutes or less	149
Total Calls			167	





Travel Time Analysis- <i>By District</i> ALL CALLS - (No Mutual Aid)				Total Number of	Average Travel	Percent of Runs
% in 4 min or less	All Code 3 Calls-No Cancelled enroute calls			Calls	Time Minutes	per District
<u>100s</u>						
79%	On Scene in	4.0	minutes or less	47	2.93	28.14%
<u>200s</u>						
77%	On Scene in	4.0	minutes or less	56	2.81	33.53%
<u>300s</u>						
79%	On Scene in	4.0	minutes or less	19	2.98	11.38%
<u>400s</u>						
85%	On Scene in	4.0	minutes or less	28	2.87	16.77%
<u>500s</u>						
13%	On Scene in	4.0	minutes or less	8	5.73	4.79%
<u>600s</u>						
0%	On Scene in	4.0	minutes or less	2	6.73	1.20%
<u>700s</u>						
17%	On Scene in	4.0	minutes or less	6	5.44	3.59%
<u>800s</u>						
100%	On Scene in	4.0	minutes or less	1	3.78	0.60%
<u>900s</u>						
	On Scene in	4.0	minutes or less			
Total Calls				167		



Total Dollar Losses

June 2020



City of Rockwall
The New Horizon

Rockwall Fire Department

Print Date/Time: 07/22/2020 16:57
Login ID: rck\ihatcher
Layer: All
Areas: All

ORI Number: TX504
Incident Type: All
Station: All

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	\$8,400.00	\$0.00	\$0.00	\$37,211.00	\$125,715.00
Total Content Loss:	\$0.00	\$0.00	\$0.00	\$46,250.00	\$45,000.00
Total Property Pre-Incident Value:	\$15,359,500.00	\$0.00	\$0.00	\$30,183,855.00	\$4,714,306.92
Total Contents Pre-Incident Value	\$5,200.00	\$0.00	\$0.00	\$1,092,700.00	\$527,916.35
Total Losses:	\$8,400.00	\$0.00	\$0.00	\$83,461.00	\$8,400.00
Total Value:	\$15,364,700.00	\$0.00	\$0.00	\$31,276,555.00	\$5,242,223.27



Fire Marshal Division

June 2020 Report



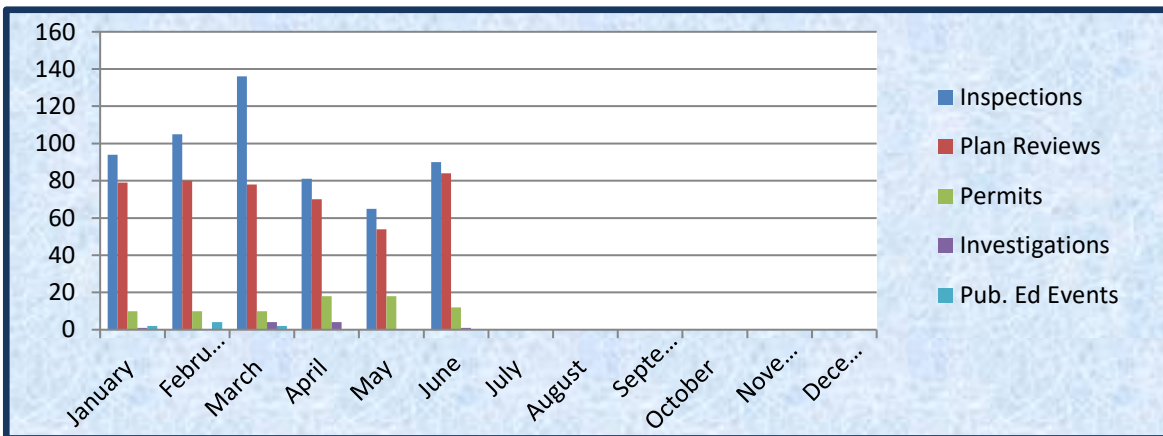
Inspections Conducted	
Total for the Month	90

Plan Reviews Completed	
Total for the Month	84

Permits Issued	
Total for the Month	12

Fire Investigations	
Active Investigations	0
Closed Investigations	1
Total for the Month	1

Public Education Events	
Total for the Month	0



Rockwall Police Department

Monthly Activity Report

June-2020

ACTIVITY	CURRENT MONTH JUNE	PREVIOUS MONTH MAY	YTD 2020	YTD 2019	YTD % CHANGE
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PART 1 OFFENSES

Homicide / Manslaughter	0	0	0	0	0.00%
Sexual Assault	2	0	1	7	-85.71%
Robbery	0	1	7	6	16.67%
Aggravated Assault	2	1	11	11	0.00%
Burglary	3	3	31	27	14.81%
Larceny	50	48	294	290	1.38%
Motor Vehicle Theft	5	3	34	20	70.00%
TOTAL PART I	62	56	378	361	4.71%
TOTAL PART II	119	138	711	835	-14.85%
TOTAL OFFENSES	181	194	1089	1196	-8.95%

ADDITIONAL STATISTICS

FAMILY VIOLENCE	11	19	71	105	-32.38%
D.W.I.	13	16	80	102	-21.57%

ARRESTS

FELONY	29	19	162	199	-18.59%
MISDEMEANOR	56	61	288	379	-24.01%
WARRANT ARREST	8	6	60	63	-4.76%
JUVENILE	1	0	29	21	38.10%
TOTAL ARRESTS	94	86	539	662	-18.58%

DISPATCH

CALLS FOR SERVICE	1461	1459	8066	8837	-8.72%
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ACCIDENTS

INJURY	1	2	25	70	-64.29%
NON-INJURY	49	38	284	372	-23.66%
FATALITY	0	1	1	0	100.00%
TOTAL	50	41	310	442	-29.86%

FALSE ALARMS

RESIDENT ALARMS	39	33	252	335	-24.78%
BUSINESS ALARMS	163	130	752	775	-2.97%
TOTAL FALSE ALARMS	202	163	1004	1110	-9.55%
Estimated Lost Hours	133.32	107.58	662.64	732.6	-9.55%
Estimated Cost	\$3,171.40	\$2,559.10	\$15,762.80	\$17,427.00	-9.55%

ROCKWALL NARCOTICS UNIT

Number of Cases	7
Arrests	5
Arrest Warrants	3
Search Warrants	2
Seized	
Cocaine	2kg
Marijuana	12.5oz
Methamphetamine	148kg
THC Oil	15g
Xanax	21 pills

Rockwall Police Department

Dispatch and Response Times

June 2020

Police Department

	Average Response Time	
Priority 1		Number of Calls 98
Call to Dispatch	0:01:16	
Call to Arrival	0:05:42	
% over 7 minutes	28%	

	Average Response Time	
Priority 2		Number of Calls 284
Call to Dispatch	0:02:51	
Call to Arrival	0:09:26	
% over 7 minutes	51%	

	Average Response Time	
Priority 3		Number of Calls 63
Call to Dispatch	0:03:16	
Call to Arrival	0:08:20	
% over 7 minutes	44%	

Average dispatch response time goals are as follows:

Priority 1: 1 Minute

Priority 2: 1 Minute, 30 Seconds

Priority 3: 3 Minutes

JUNE 2020 MONTHLY REPORT



ROCKWALL PARKS
& RECREATION

PARTICIPATION



REC EVENTS: POSTPONED DUE TO COVID-19



REC EVENTS: POSTPONED DUE TO COVID-19



REC EVENTS: POSTPONED DUE TO COVID-19

MONTHLY OVERVIEW

JUNE '20

Part Time Labor Hours	0
Program Offerings	0
Program Participants	0
Resident Participants	0
Non-Resident Participants	0
Programs that Made	0
Cancelled Programs	0
% of Programs Cancelled	0%

FEE BASED RESIDENT VS NON-RESIDENT

0 programs



RENTALS



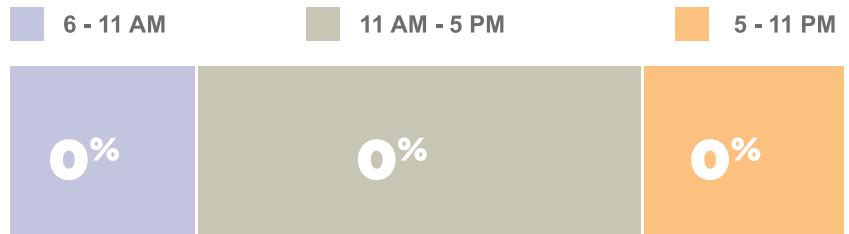
HMCC

JUNE '20

Time Blocks Rented	0
Monthly Revenue	\$0

HMCC RENTAL ACTIVITY BY TIME BLOCK

0 Rentals



PAVILIONS

JUNE '20

Time Blocks Rented	0
Monthly Revenue	\$0

PAVILION RENTAL ACTIVITY BY TIME BLOCK

0 Rentals

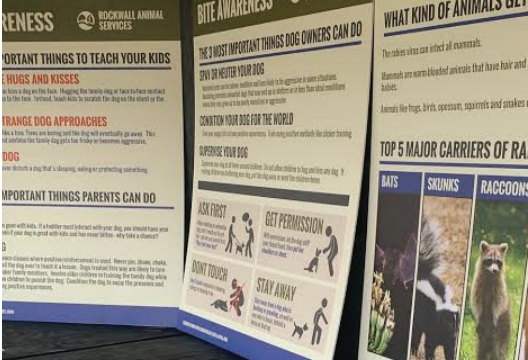


PARKS



FACILITY PARTNERSHIP

Myers Eagle Scout Project



DEPARTMENT ACTIVITY:

Animal Services Wild Trailer (Bite Prevention Update)



DEPARTMENT PARTICIPATION:

4th of July setup and 4th July Parade Float



MARKETING

FACEBOOK PAGE LIKES



MAY

GAIN OR LOSS

+76

JUN

+110

TOTAL LIKES THRU 6/30/2020



14,637

ONLINE REGISTRATION ACCOUNTS THROUGH ACTIVE

MAY

ACCOUNTS

9444

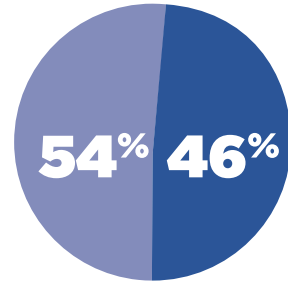
GAIN OR LOSS

+0

JUN

9444

+0



RESIDENT VS NON-RESIDENT ACCOUNTS

PLAYROCKWALL.COM PERFORMANCE METRICS

PLAYROCKWALL.COM

PAGEVIEWS

Pageviews represent the total individual pages viewed by visitors to playrockwall.com within the month of June 2020.

105,700

SESSIONS

Sessions represent an individual collection of a user's visit while viewing pages on playrockwall.com

25,229

USERS

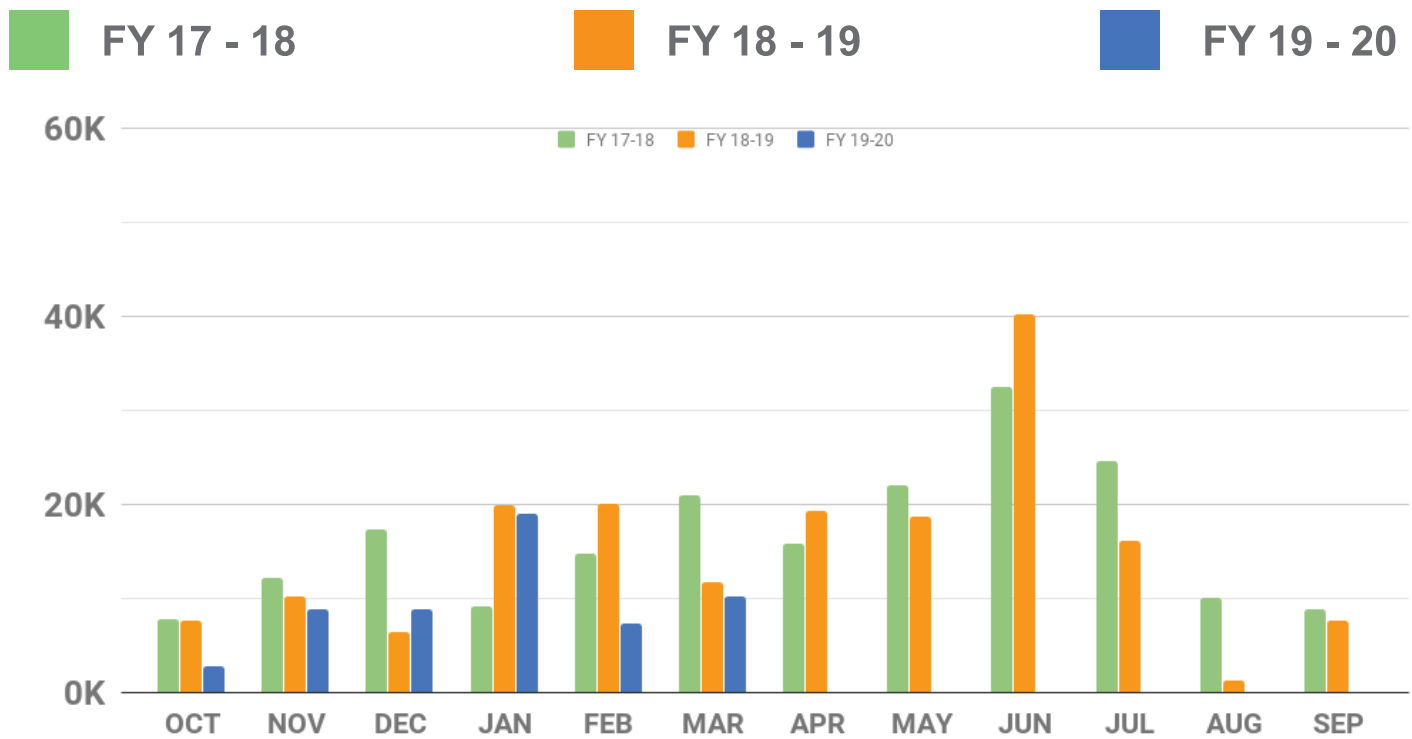
Visitors to playrockwall.com

19,425

REVENUE

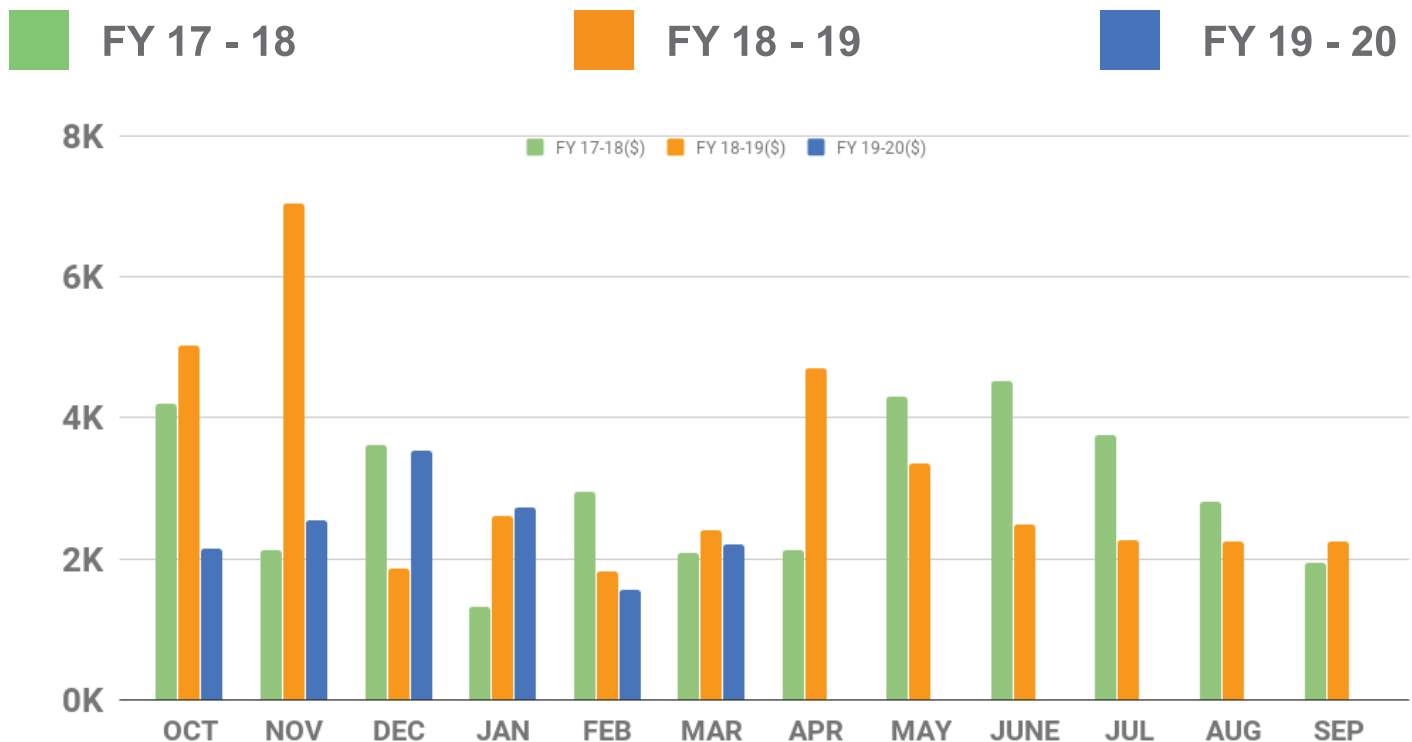
FEE BASED PROGRAM REVENUE BY MONTH

3 fiscal years



FACILITY REVENUE BY MONTH

3 fiscal years



Sales Tax Collections - Rolling 27 Months

	General Fund	TIF
	Sales Tax	Sales Tax
Apr-18	1,146,873	20,655
May-18	1,697,970	23,752
Jun-18	1,308,372	19,941
Jul-18	1,463,243	28,867
Aug-18	1,679,728	27,594
Sep-18	1,174,074	23,370
Oct-18	1,301,342	15,641
Nov-18	1,349,253	16,403
Dec-18	1,423,386	15,708
Jan-19	1,457,584	39,247
Feb-19	2,080,043	22,109
Mar-19	1,459,018	21,606
Apr-19	1,293,524	20,077
May-19	1,679,076	24,582
Jun-19	1,420,483	31,523
Jul-19	1,467,376	28,951
Aug-19	1,810,970	29,022
Sep-19	1,478,622	31,577
Oct-19	1,565,868	24,818
Nov-19	1,730,541	21,787
Dec-19	1,547,746	23,781
Jan-20	1,365,040	26,330
Feb-20	2,273,520	27,472
Mar-20	1,458,193	19,955
Apr-20	1,292,639	15,829
May-20	1,605,986	17,538
Jun-20	1,345,598	5,881

Notes:

75% of total sales tax collected is deposited to the General Fund each month

Comptroller tracks sales tax generated in the TIF and reports it monthly to the City

75% of TIF sales tax (city share) is pledged to the TIF

Monthly Water Consumption - Rolling 27 Months

	<u>Total Gallons</u>	<u>Daily Average</u>	<u>Maximum Day</u>
Mar-18	203,851,397	6,575,852	7,638,961
Apr-18	218,104,951	7,270,166	9,480,558
May-18	317,417,845	10,239,290	12,779,480
Jun-18	422,841,722	14,094,730	18,886,210
Jul-18	512,582,590	16,534,920	20,871,860
Aug-18	474,885,847	15,318,900	19,781,800
Sep-18	304,052,374	10,135,080	19,307,450
Oct-18	240,262,264	7,750,396	10,191,580
Nov-18	194,498,356	6,483,279	7,438,044
Dec-18	186,450,313	6,014,526	7,818,894
Jan-19	222,027,420	7,162,175	13,160,330
Feb-19	166,796,311	5,957,011	7,181,853
Mar-19	216,172,991	6,973,323	8,899,546
Apr-19	230,304,224	7,676,809	9,546,692
May-19	246,447,588	7,949,923	10,806,480
Jun-19	273,477,588	9,115,919	12,818,660
Jul-19	479,403,830	15,464,640	19,686,560
Aug-19	557,577,730	17,986,380	20,877,020
Sep-19	480,076,300	16,002,544	19,898,562
Oct-19	377,192,895	12,167,513	17,708,812
Nov-19	237,328,307	7,910,944	9,218,867
Dec-19	229,083,044	7,389,776	8,396,266
Jan-20	215,978,847	6,967,060	8,691,306
Feb-20	196,611,134	6,779,695	7,579,604
Mar-20	197,281,791	6,363,929	8,569,168
Apr-20	226,508,245	7,550,275	10,263,848
May-20	317,650,425	10,246,788	13,193,218
Jun-20	455,022,410	15,167,411	20,100,668

Source: SCADA Monthly Reports generated at the Water Pump Stations