

ORDINANCE NO. 2021-716

AN ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS AMENDING THE ZONING ORDINANCE, ORDINANCE NO. 2001-64, AS AMENDED; BY AMENDING THE ZONING MAP DISTRICT CLASSIFICATION OF CERTAIN PROPERTY LOCATED ON THE WEST SIDE OF NORTH JOE WILSON ROAD AND ON THE NORTH SIDE OF EAST BELT LINE ROAD, LEGALLY DESCRIBED AS A PORTION OF LOT 2, BLOCK A OF THE SNAPCLEAN CARWASH ADDITION, FROM THE "LR" (LOCAL RETAIL) DISTRICT TO THE "PD" (PLANNED DEVELOPMENT) DISTRICT; INCORPORATING A CONCEPT PLAN ESTABLISHING SPECIFIC STANDARDS; ADOPTING DEVELOPMENT STANDARDS; ACCEPTING A CONSENT AGREEMENT FROM THE OWNER; PROVIDING FOR CONFLICTS, A SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION.

WHEREAS, the owner of the Property, as defined in Section 1 below, duly filed a request with the City of Cedar Hill, Texas (the "City"), for a change in zoning classification from the "LR" (Local Retail) District to the "PD" (Planned Development) District, and was assigned case no. PD-274-2020; and

WHEREAS, on July 24, 2001, City Council of the City of Cedar Hill (the "City Council") adopted Ordinance No. 2001-71, amending ordinance No. 2001-64, being Chapter 23, entitled "Zoning Ordinance" of the Code of Ordinances of the City of Cedar Hill, Texas (the "City's Zoning Ordinance") to incorporate building materials standards that are differentially applicable to residential and non-residential structures; and

WHEREAS, such standards substantially further the preservation of property values and the promotion of economic development within the City; and

WHEREAS, such standards also establish the character of community development and embody architecturally and, in some contexts, culturally significant features of continuing duration; and

WHEREAS, the City's Zoning Ordinance also provides for planned development districts, which enable departures from traditional zoning district standards in recognition of the unique character of a development project; and

WHEREAS, the City's policy in creating or amending a planned development district is to incorporate and enhance to the fullest extent feasible the design and building materials standards that are integral to the City's character and zoning regulations in all planned development districts; and

WHEREAS, the City Council finds and determines that the incorporation of such standards lends long-term viability to the planned development project; and

WHEREAS, the owner and/or developer who applied for and requested the planned development district established by this Ordinance stated in the application that the development of the Property warrants the architectural and building material standards contained in this Ordinance; and

WHEREAS, the owner and/or developer of the Property has consented in writing to the enforcement of the City's design and building materials standards within the planned development district.

WHEREAS the zoning classification of the Property and the surrounding area are shown on **Exhibit "A"**, attached hereto and incorporated as if fully set forth herein; and

WHEREAS the proposed "PD" (Planned Development) District is accompanied by a Concept Plan that depicts the proposed development, which is shown on **Exhibit "B"**; and

WHEREAS the requested "PD" District is in conformance with the City's adopted Comprehensive Plan, as amended; and

WHEREAS, the City of Cedar Hill caused notice of the required public hearings regarding the zoning change to this Ordinance to be published in the Focus Daily News on October 4, 2020 and October 25, 2020, and mailed notice to property owners within 200 feet of the Property; and

WHEREAS the City's Planning and Zoning Commission held a public hearing and accepted comments regarding the zoning change of this Ordinance on October 20, 2020; and

WHEREAS, following its public hearing, the Planning and Zoning Commission forwarded its report and recommendation regarding this zoning change to the City Council; and

WHEREAS, the City Council, after conducting a public hearing on November 10, 2020, found the proposed amendment to be in the best interests of the City of Cedar Hill.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILL, TEXAS, THAT:

SECTION 1 – PROPERTY DESCRIPTION. Approximately 16.72 acres legally described as a portion of Lot 2, Block A of the Snapclean Carwash Addition and being more particularly described in **Exhibit "C"**, attached hereto and incorporated as if fully set forth herein (the "Property").

SECTION 2 – CHANGE IN ZONING DISTRICT CLASSIFICATION APPROVED.

The zoning district classification on the Property is hereby changed from "LR" (Local Retail) District to "PD" (Planned Development) District.

SECTION 3 – APPLICABILITY OF STANDARDS. The Property shall be subject to the regulations set forth in this Ordinance plus all applicable City Ordinances and regulations including, but not limited to, the City's Zoning Ordinance, as the above may subsequently be amended.

SECTION 4 – PURPOSE AND INTENT. The purpose and intent of this Planned Development District is to provide for attached and detached single-family residential dwellings in accordance with: (a) the development standards as herein provided; (b) the attached Concept Plan – Exhibit “B”; (c) the attached Landscape and Screening Plan – Exhibit “D”; and (d) the design and construction standards that uphold the architectural integrity of the community and the Property as consented to by the owner/developer in the Consent Form – Exhibit “E”, with Exhibits “B”, “D” and “E” being attached hereto and incorporated as if fully set forth herein. The City Council hereby directs the Planning Director to cause the Consent Form attached as Exhibit “E” to be filed in the land records of the county.

SECTION 5 – CONCEPT PLAN. Development of the Property shall be consistent with the Concept Plan – Exhibit “B” and Landscape and Screening Plan – Exhibit “D”.

SECTION 6 – DEVELOPMENT PLAN. Due to the limited number of uses and the absence of construction phases, a development plan required by Section 3.19.7 of the City's Zoning Ordinance shall not be required.

SECTION 7 – SITE PLAN. A site plan shall be required to be submitted and approved prior to any construction or development within the PD District in accordance with the standards in Section 3.19.3.C and Section 3.19.8 of the City's Zoning Ordinance.

SECTION 8 – TRAFFIC IMPACT ANALYSIS. A Traffic Impact Analysis (TIA) shall be required with the site plan submission. In lieu of a TIA, all recommended on-site and off-site improvements shall be installed as required by the Public Works Department to mitigate traffic impacts from development of this site.

SECTION 9 – AUTHORIZED LAND USES. The following land uses are authorized on the Property in compliance with the requirements set forth herein.

- A. Single-family attached dwellings
- B. Single-family detached dwellings

SECTION 10 – DEFINITIONS. The definitions in Section 5.8 of the City's Zoning Ordinance shall be applicable to the Property in this Planned Development District with the exception of those terms defined in this Section.

- A. *Building Elevation* – The exterior wall of a building including the building materials, siding details, design features and material colors.
- B. *Common Yard* – The open space in between groupings.

- C. *Grouping* – Units that are aligned along one side of a common yard, collectively face the private street or a recreational area.
- D. *Single-Family Attached Dwelling* – One dwelling unit connected to at least 1 (one) other dwelling unit by a shared, vertical wall that provides living space for one family.
- E. *Single-Family Detached Dwelling* – One dwelling unit that is completely separated by open space on all sides from any other structures, except its own garage, and provides living space for one family.

SECTION 11 – DEVELOPMENT STANDARDS. Development shall conform to the standards of the “MF” – Multiple-Family Residential District of the City’s Zoning Ordinance, except as otherwise expressly provided in this Ordinance.

- A. *Density* – The maximum number of dwelling units shall not exceed 158 dwelling units.

B. *Yard Requirements*

- 1. Minimum Front Yard (North Joe Wilson Road) – 55 feet
- 2. Minimum Side Yard – 10 feet
- 3. Minimum Rear Yard – 10 feet
- 4. Minimum Building Separation – 10 feet

C. *Building Separation*

- 1. *Adjacent Properties* – No building shall be closer than 30 feet to buildings on adjoining property. In lieu of this building separation requirement, shade or ornamental trees that have a minimum growth height of the structure may be planted in the yard setback. The plantings shall be subject to approval by the Landscape Administrator.
- 2. *Between Groupings* – The minimum building separation between groupings shall be 37 feet.
- 3. *Between Detached Units* – The minimum building separation between detached units and building that contain attached units shall be 10 feet.

D. *Structure Standards* – Structures shall adhere to the height requirements as follows:

- 1. Maximum Height – 36 feet; 2 stories
- 2. Minimum Living Area – 721 square feet + 250 square feet per each additional bedroom

E. *Minimum Off-street Parking*

- 1. Minimum number of parking spaces – 2.5 per dwelling unit
- 2. Minimum number of enclosed parking spaces
 - a. One (1) attached, enclosed parking space per one-bedroom unit.
 - b. Two (2) attached, enclosed parking spaces for each two- or more bedroom units.

F. *Construction and Design Standards* – The following minimum design and construction standards shall apply within the Property in this Planned Development District, as volunteered by the applicant and as reflected in the consent form attached as Exhibit “E”. At minimum, the development shall incorporate the following:

1. The building materials shall be limited to the following types:
 - a. Brick material, glass walls, and stone material as defined in the City’s Zoning Ordinance.
 - b. Acrylic matrix or synthetic plaster finish and stucco, as defined in the City’s Zoning Ordinance, above the bottom eight (8) feet of the structure.
 - c. Fiber cementitious material that meets the following minimum specifications.
 - i. 50-year, limited transferable warranty;
 - ii. 15-year warranty on the finish; and
 - iii. Class A fire rating.
2. A minimum of two building materials, excluding windows and doors, shall be utilized on the following building facades: facing a common area; facing a private street/access easement; and adjoining Joe Wilson Road. Two distinctive pattern types of fiber cementitious materials may be utilized to meet this requirement.
3. Each dwelling unit shall have a roofed porch with a minimum depth of six (6) feet on the front façade entry.
4. The building elevations shall incorporate the following elements:
 - a. Except for a maximum of two single-family attached dwelling units, no two adjoining units shall have the same building elevation or color hue.
 - b. No more than two units within a grouping shall have the same building elevation.
 - c. If a grouping has four or fewer units, then the same building elevation shall not be utilized in that grouping.
5. Garages with entries fronting a private street shall be offset by a minimum of 3 feet from the building and designed so that they do not dominate the front façade of the unit.
6. The front façade of each unit and any exterior façades adjoining Joe Wilson Road shall incorporate at least three (3) of the following design features. Additional design features may be submitted for consideration with the site plan application.

- a. Dormers
- b. Shutters
- c. Gables
- d. Enhanced roof line
- e. Cupola
- f. Bay Windows

G. Landscaping Requirements –

1. Landscape Setback – A minimum 10-foot landscape setback along North Joe Wilson Road to be west of the existing easements is required with the following elements and consistent with Exhibit “D”:
 - a. one medium or large canopy tree every 30 feet, spaced on center;
 - b. 1 Spartan Juniper per every 50 linear feet of street frontage, in groupings no more than three; and
 - c. ornamental grass groupings of 5-7 plants, spaced every 50 feet of street frontage.
2. No off-street parking space shall be located further than 50 feet from a permeable landscaped island, peninsula, or median. Each landscape island, peninsula or median shall be the size of a required parking space and shall have a minimum of one shade tree.
3. Landscaping along the detention pond shall consist of the following:
 - a. Ornamental grasses and 4-foot evergreen shrubs will be required along the wrought iron fence,
 - b. A shade tree every 50 feet on center will be required.
 - c. Landscaping adjacent to the sidewalk and internal 24-foot street will be required.

H. Screening Requirements –

1. A minimum 4-foot-tall wrought iron fence is required around the detention pond.
2. A 6-foot-tall wall constructed of a primary building material is required along the property lines that adjoin single-family residential zoning and Joe Wilson Road. If a fence or wall that is not constructed of a primary building material is utilized along the remaining property lines, then shrubs with a minimum growth height of 4 (four) feet shall also be planted along the length of the fence at intervals to be approved by the Landscape Administrator.
3. Where windows are located on the second floor of dwelling units adjoining single-family residential zoning, shade or ornamental trees that have a minimum growth height of the structure shall be planted in the yard setback. The plantings shall be subject to approval by the Landscape Administrator.
- I. *Open Space Requirements –* At minimum, the development shall comply with the open space requirements as provided in the City’s Zoning Ordinance for multiple-family residential zoning.

SECTION 12 – PROPERTY MAINTENANCE PLAN. A plan for the maintenance of the buildings, driveways, landscaping, and grounds on the Property shall be established and submitted with the site plan. The Property shall be maintained in accordance with the maintenance plan, which shall be subject to approval by the City.

SECTION 13 – NEIGHBORHOOD ASSOCIATION. A neighborhood association shall be established for the tenants and owners of the Property and registered with the City prior to issuance of a Certificate of Occupancy.

SECTION 14 – HOMEOWNER ASSOCIATION. If the Property is subdivided by metes and bound or plat, all dwellings shall be required to incorporate into a Homeowner Association (HOA).

SECTION 15 – CONFLICTS. This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances for the City of Cedar Hill, Texas, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event, conflicting provisions of such ordinances and Code are hereby repealed; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance.

SECTION 16 – SEVERABILITY. The terms and provisions of this ordinance shall be deemed to be severable and if the validity of any section, subsection, sentence, clause or phrase of this ordinance should be declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause or phrase of this Ordinance.

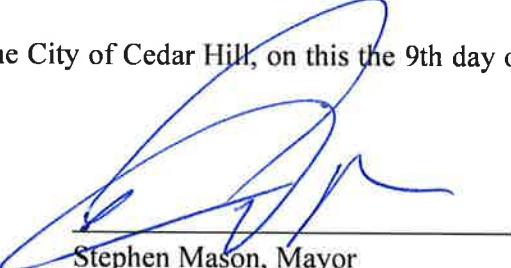
SECTION 17 – EFFECTIVE DATE. Because of the nature of the interests sought to be protected and of the safeguards sought to be provided by this Ordinance, and in the interest of the health, safety, and welfare of the citizens of Cedar Hill, Texas, this Ordinance shall take effect immediately after its passage, approval, and publication as required by law. The City Secretary is hereby authorized and directed to cause publication of the descriptive caption hereof as an alternative method of publication provided by law.

SECTION 18 – PENALTY. Any person, firm, entity, or corporation who violates any provision of this Ordinance or the City's Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined in a sum not exceeding Two Thousand and No/100 Dollars (\$2,000.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this

Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 19 – PUBLICATION. The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

PASSED AND APPROVED by the City Council, the City of Cedar Hill, on this the 9th day of February 2021.



Stephen Mason, Mayor
City of Cedar Hill, Texas

ATTEST:



Belinda Berg
City Secretary

APPROVED AS TO FORM:



Ron G. MacFarlane, Jr.
City Attorney

City of Cedar Hill

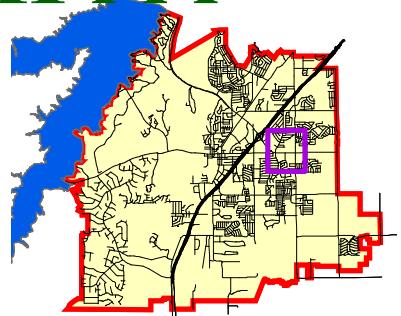
Exhibit "A" - page 1 of 1



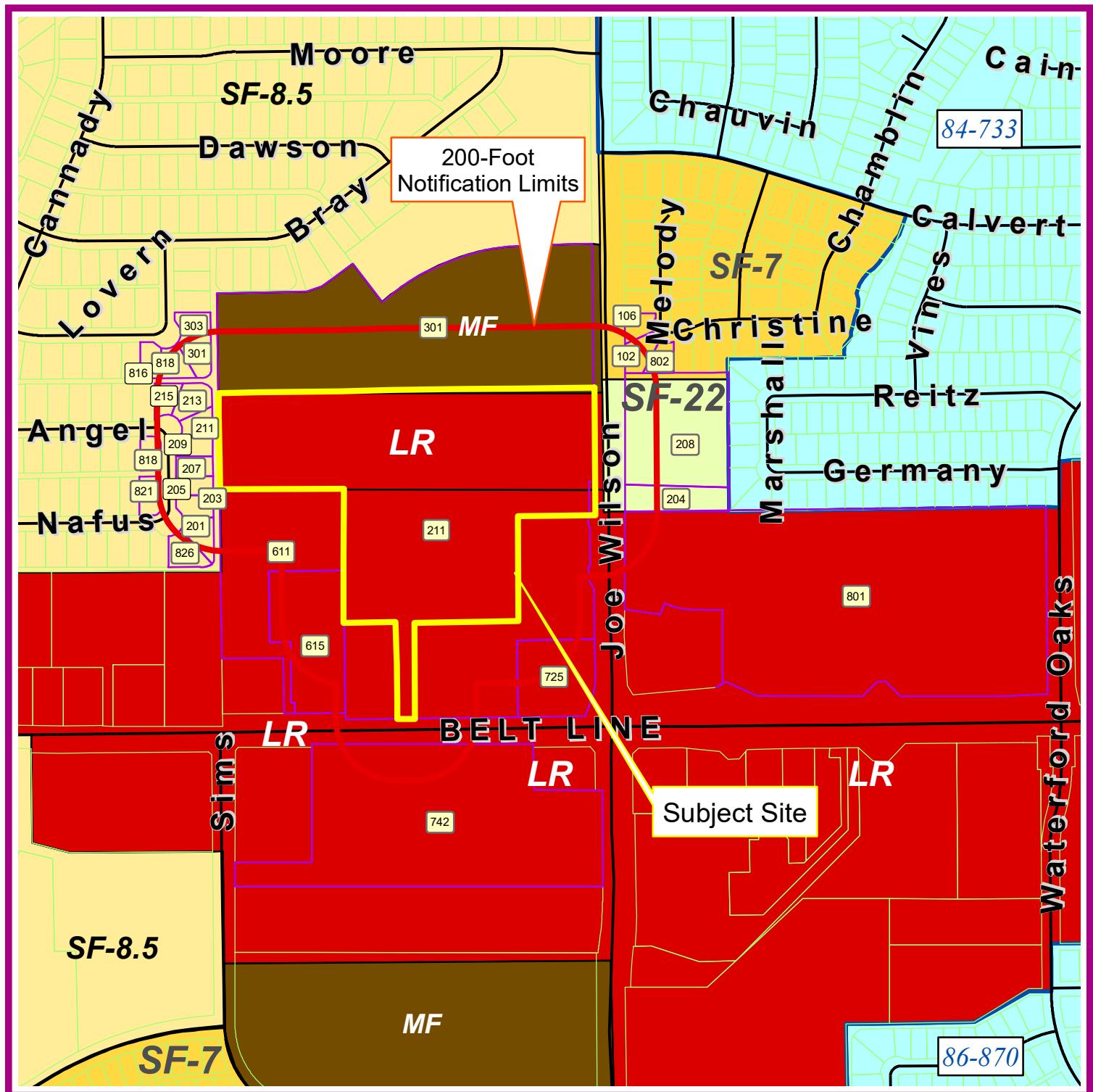
1 inch = 452 feet

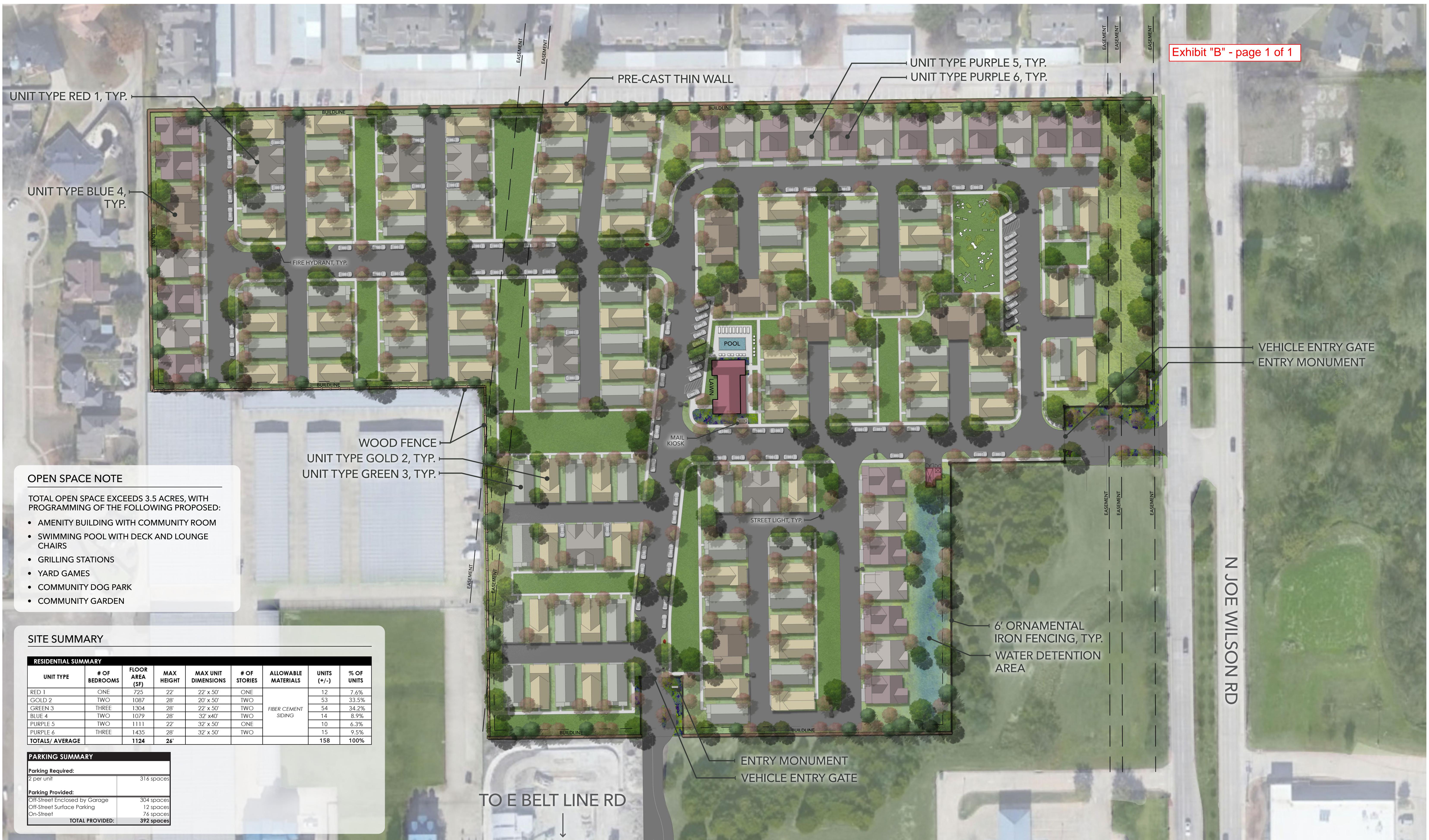
0 150 Feet

Case PD-274-2020



Map Printed - September 2020
Cedar Hill Planning Department





NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION. LANDSCAPE VEGETATION SHOWN FOR INTENT AND GRAPHIC PURPOSES ONLY. FINAL VEGETATION COUNT TO BE PROVIDED AT A LATER DATE.

Scale: 1" = 50'-0"
0' 25' 50' 100'

Exhibit "C" - Page 1 of 4

LAND DESCRIPTION

BEING a tract of land situated in the Zachariah Jackson Survey, Abstract No. 711, City of Cedar Hill, Dallas County Texas and being a portion of a tract of land described in instrument to Beltline/Joe Wilson 2, Ltd. as recorded in Volume 2003207, Page 8652 of the Deed Records, Dallas County, Texas (D.R.D.C.T.) and being a portion of Lot 2, Block A, Snapclean Carwash, an addition to the City of Cedar Hill as recorded in Document No. 2019000214804 of the Plat records, Dallas County, Texas (P.R.D.C.T) and being more particularly described as follows:

COMMENCING at an X cut found at the most northerly southeast corner of said Lot 2, said point being on the westerly right-of-way line of N. Joe Wilson Road (a variable width right-of-way);

THENCE, along the westerly right-of-way line of said N. Joe Wilson Road the following;

North 00 degrees 47 minutes 57 seconds West a distance of 161.53 feet to a 1/2 inch iron rod found with red plastic cap stamped "WAI";

North 28 degrees 51 minutes 33 seconds West a distance of 34.01 feet to a 1/2 inch iron rod found with red plastic cap stamped "WAI";

North 00 degrees 47 minutes 57 seconds West a distance of 44.98 feet to a 1/2 inch iron rod found with red plastic cap stamped "WAI";

North 89 degrees 12 minutes 23 seconds East a distance of 5.00 feet to a 1/2 inch iron rod found with red plastic cap stamped "WAI";

North 00 degrees 47 minutes 57 seconds West a distance of 125.00 feet to a 1/2 inch iron rod found with red plastic cap stamped "WAI";

North 22 degrees 36 minutes 01 seconds West a distance of 10.11 feet to the
POINT OF BEGINNING;

THENCE, departing the westerly right-of-way line of said N. Joe Wilson Road, over and across said Lot 2 the following;

South 89 degrees 16 minutes 29 seconds West a distance of 201.24 feet to a point for corner;

South 00 degrees 47 minutes 57 seconds East a distance of 370.90 feet to a point for corner on the north line of Lot 1, Block A of the South Trust Addition, an addition to the City of Cedar Hill as recorded in Volume 2003207, Page 122 (P.R.D.C.T.);

THENCE, along the north line of said Lot 1, South 89 degrees 16 minutes 27 seconds West a distance of 35.91 feet to an X cut found at the northwest corner of said Lot 1;

THENCE, along the west line of said Lot 1, South 00 degrees 45 minutes 43 seconds East a distance of 49.28 feet to point for corner;

THENCE, departing the west line of said Lot 1, over and across said Lot 2 of said Snapclean Carwash Addition, South 89 degrees 16 minutes 27 seconds West a distance of 390.03 feet to a point for corner on the west line of said Lot 2;

THENCE, along the west line of said Lot 2 the following;

North 00 degrees 43 minutes 33 seconds West a distance of 99.34 feet to a point for corner;

South 89 degrees 15 minutes 19 seconds West a distance of 170.10 feet to a point for corner;

North 00 degrees 44 minutes 41 seconds West a distance of 423.52 feet to a point from which a 1/2 inch iron rod found bears North 28 degrees 07 minutes 26 seconds East a distance of 0.27 feet;

South 89 degrees 15 minutes 19 seconds West a distance of 400.06 feet to a 1/2 inch iron rod found;

North 00 degrees 44 minutes 41 seconds West a distance of 341.57 feet to a point at the northwest corner of said Lot 2;

THENCE, North 89 degrees 15 minutes 19 seconds East, along the north line of said Lot 2, a distance of 1,214.66 feet to a point on the west line of a 5.24 foot right-of-way dedication of Joe Wilson Road (a variable width right-of-way);

THENCE, along the west right-of-way line of said Joe Wilson Road the following;

South 00 degrees 45 minutes 43 seconds East a distance of 304.64 feet to a point from which a 1/2 inch iron rod found with red plastic cap stamped "WAI" bears North 89 degrees 17 minutes 34 seconds East a distance of 5.27 feet;

South 89 degrees 14 minutes 17 seconds West a distance of 14.18 feet to a 1/2 inch iron rod found with red plastic cap stamped "WAI";

South 00 degrees 47 minutes 57 seconds East a distance of 115.21 feet to a 1/2 inch iron rod found with red plastic cap stamped "WAI";

South 21 degrees 00 minutes 09 seconds West a distance of 10.77 feet to a 1/2 inch iron rod found with red plastic cap stamped "WAI";

Exhibit "C" - Page 3 of 4

South 00 degrees 47 minutes 57 seconds East a distance of 14.00 feet to a 1/2 inch iron rod found with red plastic cap stamped "WAI";

South 22 degrees 36 minutes 01 seconds East a distance of 0.66 feet to the POINT OF BEGINNING and containing 16.72 Acres of land, more or less.

Exhibit "C" - Page 4 of 4

* Prepared by: Huitt-Zollars, Inc.

* Routine: Reduce Map Check File Coord File: CLOSURE.crd 2/03/21 8:15:15

* Input Scale Factor: 1.000000000 Output Scale Factor: 1.000000000

*-----

Correct Ending Coordinates, North: 0.00000 East: 0.00000

Ending Coordinates, North: -0.01122 East: 0.00981

Error, N: -0.01122 E: 0.00981 Total: 0.01491 Brg: N 41°10'53"W

Distance Traversed: 4156.07000 Closure: 278821

No Adjustment

Bearing	Distance	Northing	Easting	Elevation	Point ID
	0.00000	0.00000	82		
S 89°16'29"W	201.24000	-2.54733	-201.22388		83
S 00°47'57"E	370.90000	-373.41125	-196.05070		84
Bearing	Distance	Northing	Easting	Elevation	Point ID
S 89°16'27"W	35.91000	-373.86615	-231.95782		85
S 00°45'43"E	49.28000	-423.14179	-231.30249		86
S 89°16'27"W	390.03000	-428.08263	-621.30119		87
N 00°43'33"W	99.34000	-328.75060	-622.55962		88
S 89°15'19"W	170.10000	-330.96147	-792.64525		89
N 00°44'41"W	423.52000	92.52275	-798.14994		90
S 89°15'19"W	400.06000	87.32298	-1198.17615		91
N 00°44'41"W	341.57000	428.86412	-1202.61570		92
N 89°15'19"E	1214.66000	444.65165	11.94169		93
S 00°45'43"E	304.64000	140.03859	15.99281		94
S 89°14'17"W	14.18000	139.85002	1.81406		95
S 00°47'57"E	115.21000	24.65123	3.42097		96
S 21°00'09"W	10.77000	14.59674	-0.43909		97
S 00°47'57"E	14.00000	0.59810	-0.24382		98
S 22°36'01"E	0.66000	-0.01122	0.00981		99

Approx: Sq. Feet: 728272 Acres: 16.71882



Exhibit "D" - Page 1 of 2

PRELIMINARY
This document is released for the purpose of interim review under the authority of JOHN C. SCOTT, PLA

LIC NO. #1976

RELEASE DATE - August 28, 2020
It is not to be used for construction, bidding, or permit purposes.

Huitt-Zollars, Inc. - Firm Registration No. F-761

HZ PROJECT NO.:	R31-2719.01
ISSUE DATE:	August 28, 2020
DESIGNED BY:	JCS
DRAWN BY:	SG
REVIEWED BY:	JCS

HUITT-ZOLLARS

500 West 7th Street, Suite 300
Fort Worth, TX 76102-4773
817.335.3000
www.huitt-zollars.com
ADVANCEDDESIGN™
FIRM REGISTRATION NO. F-761

LANDSCAPE & SCREEN WALL PLAN

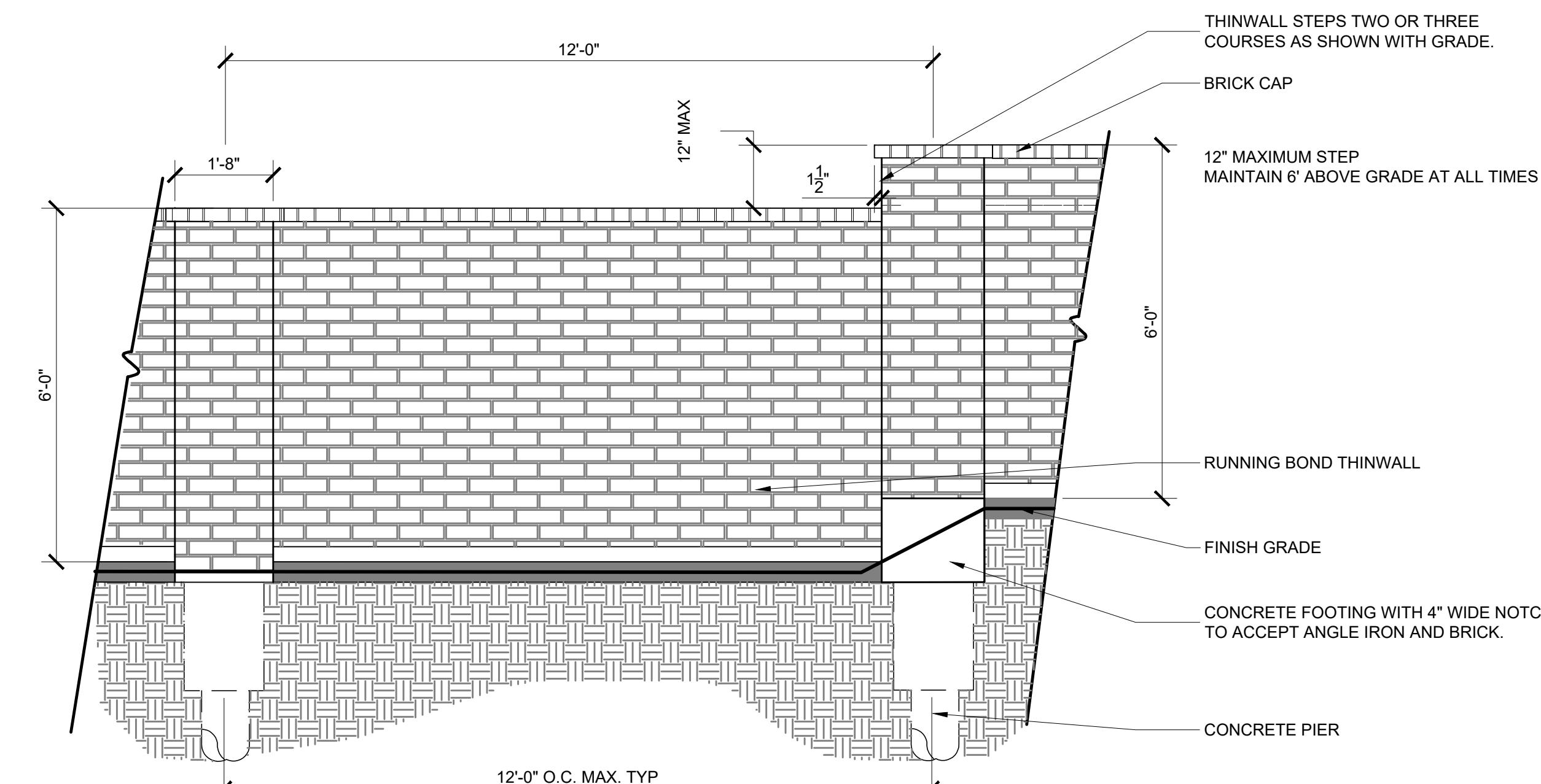
CEDAR HILL

REPUBLIC PROPERTY GROUP

400 S. RECORD STREET, SUITE 1200
DALLAS, TEXAS 75202-5204
214.293.3410

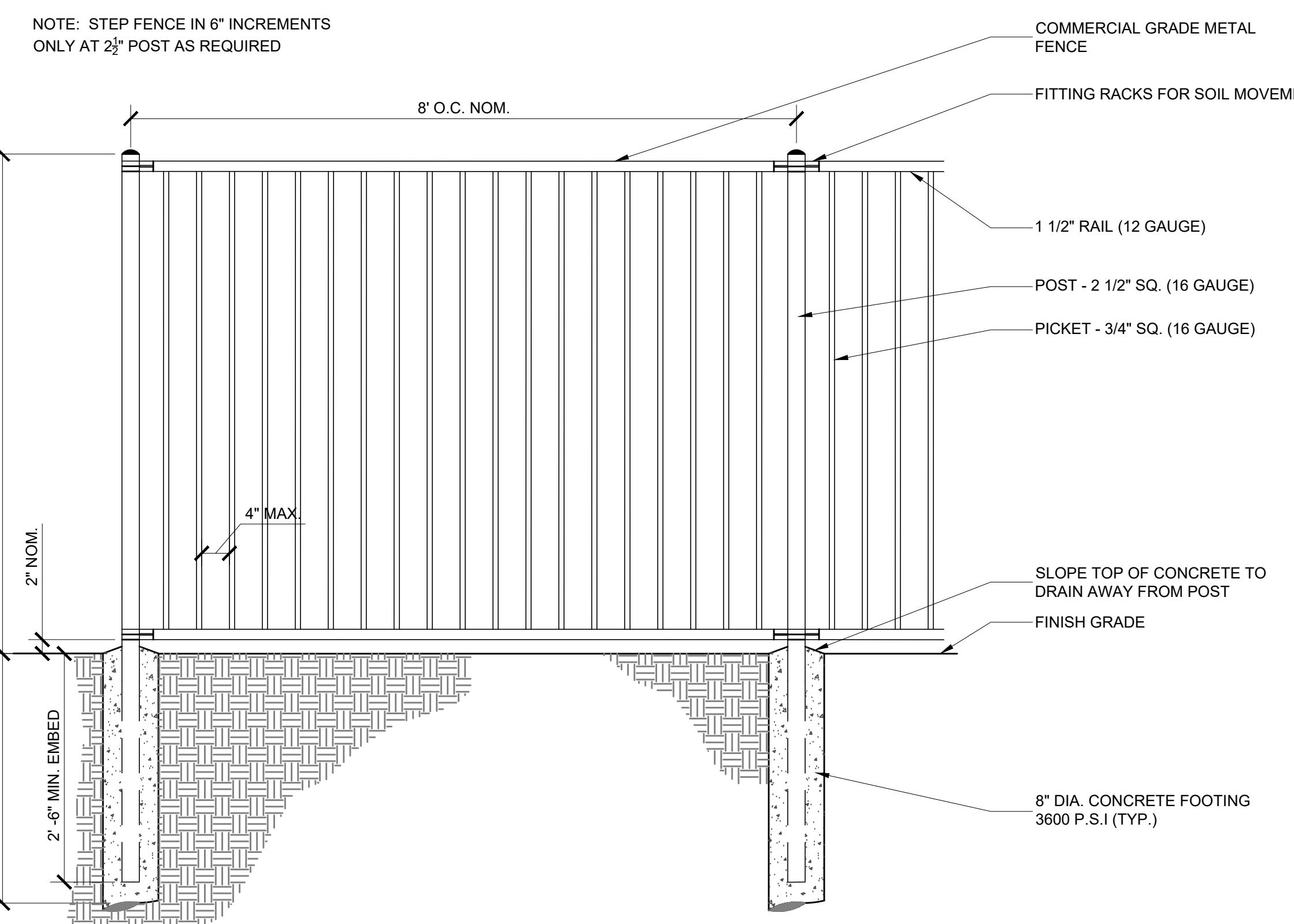
211 N. JOE WILSON ROAD
CEDAR HILL, TX 75104

PAGE 1 OF 2
COPYRIGHT 2020 HUITT-ZOLLARS INC.



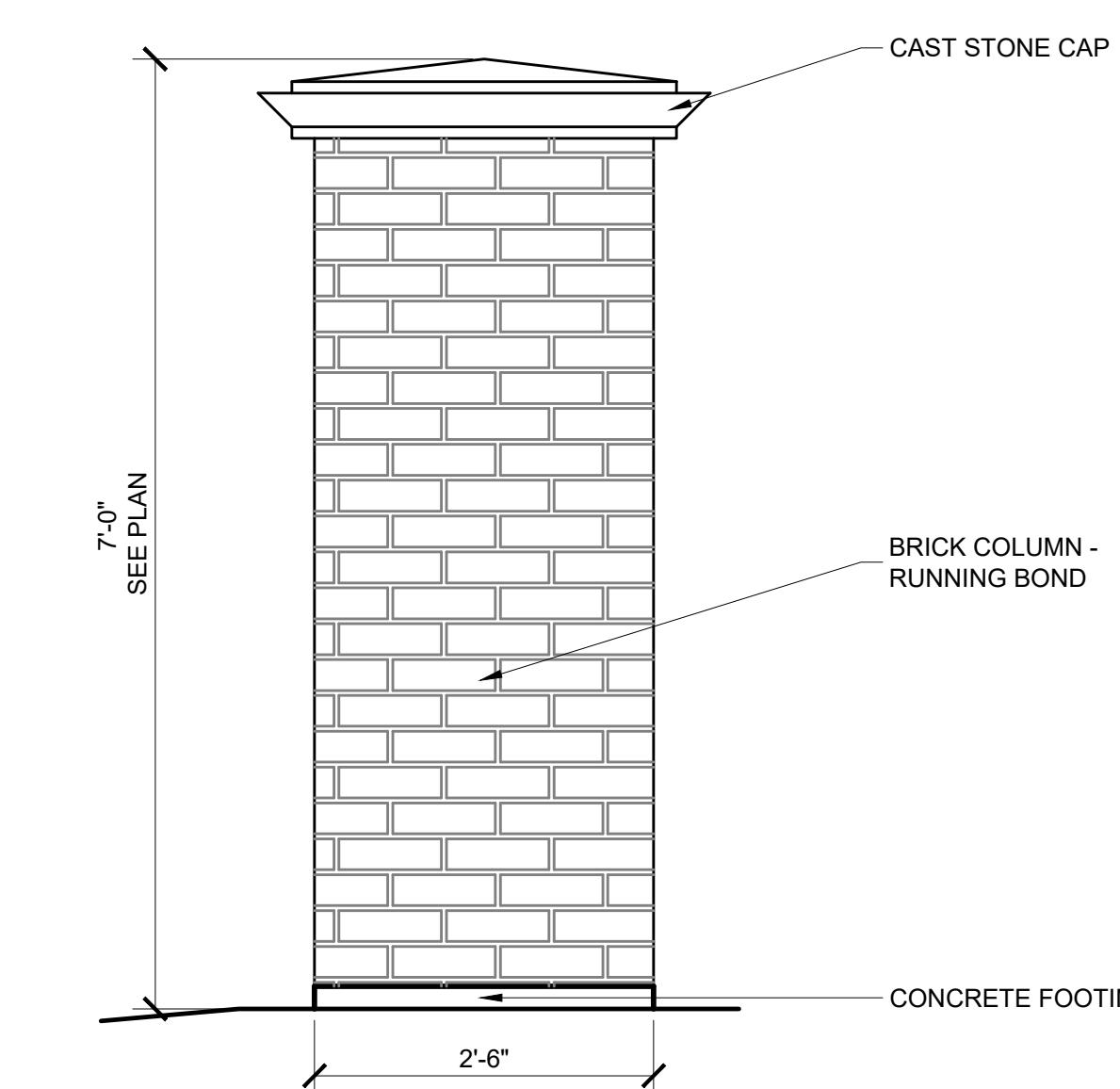
1 BRICK THINWALL ELEVATION

SCALE: 1/2" = 1'-0"



2 METAL FENCE ELEVATION

SCALE: 3/4" = 1'-0"



3 BRICK COLUMN

SCALE: 3/4" = 1'-0"

Exhibit "D" - Page 2 of 2

PRELIMINARY
This document is released for the purpose of interim review under the authority of JOHN C. SCOTT, PLA

LIC NO. #1976

RELEASE DATE - August 28, 2020
It is not to be used for construction, bidding, or permit purposes.

Huitt-Zollars, Inc. - Firm Registration No. F-761

HUITT-ZOLLARS

500 West 7th Street, Suite 300
Fort Worth, TX 76102-4773
817.335.3000
www.huitt-zollars.com
ADVANCEDDESIGN™
FIRM REGISTRATION NO. F-761

LANDSCAPE & SCREEN WALL DETAILS

CEDAR HILL

REPUBLIC PROPERTY GROUP
400 S. RECORD STREET, SUITE 1200
DALLAS, TEXAS 75202-5204
214.293.3410

HZ PROJECT NO.: R31-2719.01

ISSUE DATE: August 28, 2020

DESIGNED BY: JCS

DRAWN BY: SG

REVIEWED BY: JCS

PAGE 2 OF 2

COPYRIGHT 2020 HUITT-ZOLLARS INC.

After Recording Return To:

Planning and Development Department
City of Cedar Hill
285 Uptown Blvd.
Cedar Hill, TX 75104

Exhibit "E" - Page 1 of 4

PLANNED DEVELOPMENT DISTRICT CONSENT FORM

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Introduction: As an applicant for a new Planned Development District, or an amendment of an existing PDD, you are aware that the City's zoning regulations specify design elements and construction goals for both residential and non-residential zoning proposed planned developments. The City has determined that such elements of a planned development greatly further the long-term viability of the project, the economic development of surrounding areas, the preservation of property values and the architectural standards of the community. These standards thus are an important factor in the consideration of whether the departure from standard zoning district standards in a planned development represents an enhancement of the City. Because of recent changes in state law, however, that affect the City's capacity to employ and enforce architectural standards and building material regulations for development and construction, it is necessary to promulgate the following form. ***It is intended that your consent be observed by you and subsequent purchasers and that the attached covenants shall run with the land.***

Instructions: You have received this form because you have submitted a rezoning application for either creation or amendment of a Planned Development District. The signature of the property owner(s) and his or her designated representative (the developer) should both be affixed to this form only if you are in agreement with the statements that appear below. If you choose to sign this form, it should be returned to the City's Planning and Development Department for recordation at least 4 weeks before the date of the public hearing by the Planning & Zoning Commission so that staff can include whether or not you have consented in the staff report/agenda materials.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Exhibit "E" - Page 2 of 4

CONSENT AGREEMENT

EXECUTED AND DELIVERED to be effective as of the date of the last signature below:

I, Gordon Edwards, representing Owners of the property that is described in **Exhibit A** hereto ("Property") and is the subject of the application filed voluntarily for creation or an amendment of a planned development district in the City of Cedar Hill, Texas, do with my signature hereby affirm the City's intent expressed in the introductory paragraph and consent and covenant to uphold the design and construction standards within the project and upon the Property, as set forth in the City's zoning regulations, including but not limited to any Planned Development District Ordinance applicable to the Property, in order to further the expressed objectives and to uphold the architectural integrity of the community and my Property.

Robson/35W Investors, LP (as to its 52.62% interest)

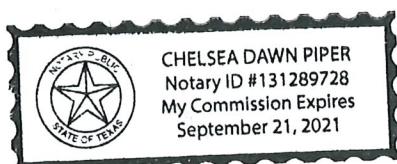
Gordon Edwards
signing for General Partner

Bethlene/Joe Wilson 2, LTD (as to its 47.38% interest)
Gordon Edwards
Owner signing for General Partner
Date: 08/17/2020

STATE OF TEXAS §

COUNTY OF Dallas §

This instrument was acknowledged before me on the 17 day of August, 2020 by
Gordon Edwards.



Notary Public, State of Texas

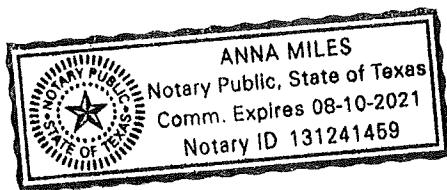
[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Exhibit "E" - Page 3 of 4

I, SETTY GREGOR, the duly authorized representative of Owner and the developer of the Property, described in **Exhibit A** hereto, and for which an application was voluntarily filed for creation or an amendment of a planned development district in the City of Cedar Hill, Texas, do with my signature hereby affirm the City's intent expressed in the introductory paragraph and consent and covenant to uphold the design and construction standards within the project and upon the Property, as set forth in the City's zoning regulations, including but not limited to any Planned Development District Ordinance applicable to the Property, in order to further the expressed objectives and to uphold the architectural integrity of the community and my development of the Property.

STATE OF TEXAS §
COUNTY OF Dallas §

This instrument was acknowledged before me on the 20th day of August, 2020 by
Seth Carpenter.



Notary Public, State of Texas

Exhibit "E" - Page 4 of 4

EXHIBIT A LEGAL DESCRIPTION OF PROPERTY