

ORDINANCE NO. 2022-752

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 SOUTHWEST CORNER OF WEST PARKERVILLE ROAD AND SOUTH CLARK ROAD, LEGALLY DESCRIBED AS TRACT 14 OF THE HENRY WAND SURVEY, ABSTRACT NUMBER 1552, PAGE 275 FROM “LR” (LOCAL RETAIL) DISTRICT TO THE “PD” (PLANNED DEVELOPMENT) DISTRICT; INCORPORATING A CONCEPT PLAN; ESTABLISING SPECIFIC STANDARDS; ADOPTING DEVELOPMENT STANDARDS; ACCEPTING A CONSENT AGREEMENT FROM THE OWNER; PROVIDING FOR CONFLICTS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; PROVIDING PENALTY FOR VIOLATIONS; 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-380-2021; 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 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 "C"**; 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 January 30, 2022 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 February 15, 2022; 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 March 8, 2022, 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. This ordinance applies solely to approximately 7.2080 acres legally described as Tract 14 of the Henry Wand Survey, Abstract Number 1552, page 275; located on the southwest corner of West Parkerville Road South and Clark Road as more particularly described in **Exhibit “B”** which is attached hereto and incorporated by reference herein as if fully set forth.

SECTION 2 – CHANGE IN ZONING DISTRICT CLASSIFICATION. The zoning district classification for the property described in Section 1 hereby is changed from “LR” (Local Retail) District to “PD” (Planned Development) District. The official zoning map for the city shall be changed to reflect this change in zoning district classification.

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 single-family residential dwellings in accordance with: (a) the development standards as herein provided; (b) Concept Plan – **Exhibit “C”**; (c) Building Elevations – **Exhibit “D”**; and (d) Alternating Building Elevations – **Exhibit “F”**. 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 of Dallas.

SECTION 5 – CONCEPT PLAN. Development of the Property shall be consistent with the Concept Plan – **Exhibit “C”**, Building Elevations – **Exhibit “D”** and Alternating Building Elevations – **Exhibit “F”**.

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. 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 only land uses that shall be permitted on the Property to be “single-family attached dwellings (townhouses)” and “open space”.

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 Grouping* – a building containing a minimum of two single-family attached dwelling units.
- B. *Building Grouping Elevation* – the exterior wall of a building grouping including the building materials, siding details, design features and material colors.

SECTION 11 – DEVELOPMENT STANDARDS. Development shall conform to the standards of the “TH” – Single-Family Attached Residential District of the Zoning Ordinance, except as otherwise expressly provided in this ordinance.

- A. *Lot Dimension Requirements*
 - 1. Maximum number of Dwelling Units – 30
 - 2. Minimum Lot Area – 2,881 square feet
 - 3. Minimum Lot Width – 33.5 feet
 - 4. Minimum Lot Depth – 86 feet
- B. *Yard Requirements*
 - 1. Minimum Front Yard – 20 feet
 - 2. Minimum Rear Yard – 10 feet from ground level with a maximum 2-foot cantilever for the second floor
- C. *Structure Standards*
 - 1. Maximum Building Length – A structure shall have a minimum of two attached units and shall not exceed 60 feet wide.
 - 2. Maximum Height – 35 feet

2. Minimum Living Area – 1,650 square feet.

D. Minimum Off-Street Parking and Visitor Parking

1. Minimum number of off-street guest parking spaces – 22 spaces as shown on the Concept Plan – **Exhibit "C"**.
2. Minimum number of parking spaces per dwelling units – a total of 4 parking spaces per lot including the following: an attached garage that can accommodate two vehicles; and a driveway that can accommodate two vehicles external from the sidewalk.
3. Carports are prohibited.
4. All parking areas shall be maintained by the Homeowners Association.

E. Construction and Building 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. Primary Building Materials: Brick material, glass walls, and stone material as defined in the City's Zoning Ordinance.
 - b. Secondary Building Material:
 - i. 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.
 - ii. James Hardie® Fiber Cement Siding or a similar quality as approved by the Building Official.
 - iii. The maintenance, repair, and replacement of the exterior wall coverings and roofing shall be maintained by the Property Owners Association when there is not a physical separation in the vertical walls and/or roof by a parapet or elevation separation.
2. Building Elevation Variety – In order to avoid monotonous block patterns, this district shall incorporate the following elements.
 - a. Alternating Elevations
 - i. Each building grouping elevation shall be finished with at least one (1) primary building material as shown on **Exhibit "D"**.
 - ii. A minimum of two (2) primary or secondary building materials, excluding windows and doors, shall be utilized on each building

grouping elevation that contains the front-entry garages. Multiple distinctive types of brick, stone or fiber cementitious building materials may be utilized to meet this requirement.

- iii. A minimum of two (2) primary or secondary building materials, excluding windows and doors, shall be utilized on each side and rear building grouping elevation. Multiple distinctive types of brick, stone or fiber cementitious building materials may be utilized to meet this requirement.
- iv. The same front building grouping elevation, as defined, shall not be used within any adjacent 4 or less building groupings or the three (3) building groupings directly across the street from the subject building.
- v. The same color palette of building materials shall not be used on an adjacent building grouping or on a building grouping directly across the street from the subject building as seen in **Exhibit "F"**.
- vi. Each color palette shall be collectively distinct in nature from one another as shown in **Exhibit "F"**.
- vii. Each building grouping will have at least one unit containing a gable or hip roof element.

b. Building Mass and Form

- i. The front elevations shall incorporate at least three of the following design features to provide visual relief: gables; enhanced roof line; recessed entries that are a minimum of three (3) feet deep; covered porches; cupolas; bay windows with a minimum 24-inch projection; ornamental garage doors; and trellis featured entrances. Additional design features may be approved by the Planning Director or Building Official at the time of building permit.
- ii. Garages shall be ornamental in design and consistent with doors as seen in **Exhibit "D"**. All garage doors shall be a minimum of 20 feet from the sidewalk.

c. Detailed building elevations for each building will be required for PD site plan submittal.

F. Landscaping Requirements

- 1. A minimum of one (1), 3-inch caliper shade tree shall be provided on each lot that contains a dwelling unit within the front yard setback.

2. **Landscape Setback** – A minimum 15-foot landscape setback along South Clark Road and Parkerville Road is required with the following elements:
 - a. One (1) medium or large shade tree every 40 linear feet, spaced on center.
 - b. A mixture of evergreen shrubs, deciduous shrubs and ornamental grass along the length of the screening wall.
3. No programmed parking space shall be located further than 50 feet from a permeable landscaped area or median. The landscape median shall have 1 shade tree spaced every 40 linear feet maximum.
4. All landscaped HOA lots shall be irrigated with an automatic underground irrigation system, owned, and maintained by the Homeowner Association.
5. Detail drawings of all landscape areas shall be submitted with the Site Plan submittal.

G. *Screening Requirements* – Screening walls and fence requirements as described in Article XIV of the Code of Ordinance and in Chapter 20, Section 20-22 of the Subdivision Ordinance, shall apply except as described in this section.

1. A 6-foot masonry wall shall be required along the single-family attached property lines adjacent to South Clark Road and West Parkerville Road.
2. A 6-foot tubular fence shall be required along the HOA lots adjacent to South Clark Road and West Parkerville Road.
3. Fences and walls shall not be erected within any existing or proposed utility easement.
4. Consolidation and screening of utility apparatuses shall be required in locations where possible.
5. All screening walls and fences shall be owned and maintained by the HOA.
6. Detail drawings of all the walls and fencing shall be submitted with the Site Plan submittal.

H. *Sidewalks*

1. Sidewalks shall generally be constructed in locations shown in the Concept Plan documents. If sidewalks are constructed at the edge of pavement, the minimum width shall be five (5) feet.
2. All sidewalks and trails adjacent to and within HOA open spaces shall be constructed by the developer at the time of construction for the streets and utilities to ensure connectivity within the neighborhood. Where there may be conflict with the construction of nearby structure(s), the construction of sidewalks may be deferred to prior to the issuance of a Certificate of Occupancy for the structure(s).
3. Sidewalk connections shall be coordinated and provided to connect future trail along South Clark Road and the existing sidewalk along West Parkerville Road.
4. A trail connecting the existing trail along West Parkerville Road and South Clark Road within the creek area will be evaluated during the PD site plan.
5. All sidewalks along the frontage of lots containing dwelling units shall be constructed prior to the issuance of a certificate of occupancy for the dwelling units.
6. All sidewalks located within an HOA lot shall be owned and maintained by the Homeowners Association.

I. *Open Space Requirements*

1. The development shall provide a minimum of 1,200 square feet per dwelling unit and as defined per Section 3.10.3.i.1 of the Zoning Ordinance and accordance with the Concept Plan – **Exhibit “C”**.
2. All open space areas shall be owned and maintained by the Homeowners Association.
3. The creek area will be evaluated during the PD site plan to determine if a trail can be constructed along the creek area to allow for a public corridor.
4. Detail drawings will need to identify areas that exceed 10% slope as these areas do not qualify for open space. City Council of all the open space areas and amenities shall be submitted with the PD site plan submittal.

J. *Streets*

1. All streets shall be public.
2. Parking shall be prohibited along the frontage of the single-family attached townhomes. No parking signs shall be erected along the street side at specific locations to be approved by the Public Works Department.

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 – HOMEOWNER ASSOCIATION. The dwelling units shall not be owned and managed by a sole entity for rent. The individual lots are to be sold to individual property owners whose intent is to occupy or to have them occupied by someone with a familial relationship with the property owner. All dwellings shall be required to incorporate into a Homeowners Association (HOA). Documents establishing the Homeowners Association and the Home-Homeowners Association By-Laws shall be submitted to the city for approval prior to the recordation of the final plat and be filed concurrently with the final plat.

SECTION 14 – 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 15 – 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.

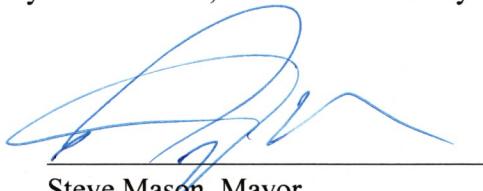
SECTION 16 – EFFECTIVE DATE. Because of the nature of the interests sought to be protected and of the safeguards sought to be provided by this Ordinance, and in the interest of the health, safety, and welfare of the citizens of Cedar Hill, Texas, this Ordinance shall take effect immediately after its passage, approval, and publication as required by law.

SECTION 17 – 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 or seeking monetary damages or other relief. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 18 – 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 22nd day of March 2022.



Steve Mason, Mayor
City of Cedar Hill, Texas

ATTEST:



Belinda Berg
City Secretary

APPROVED AS TO FORM:



Ron G. MacFarlane, Jr.
City Attorney

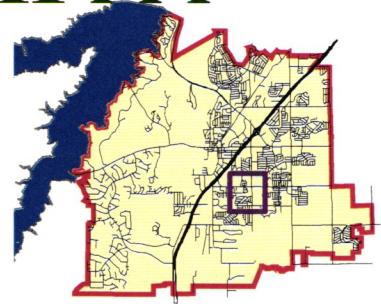
City of Cedar Hill

EXHIBIT A Case PD-380-2021



1 inch = 250 feet

0 150 Feet



Map Printed - January 2022
Cedar Hill Planning Department

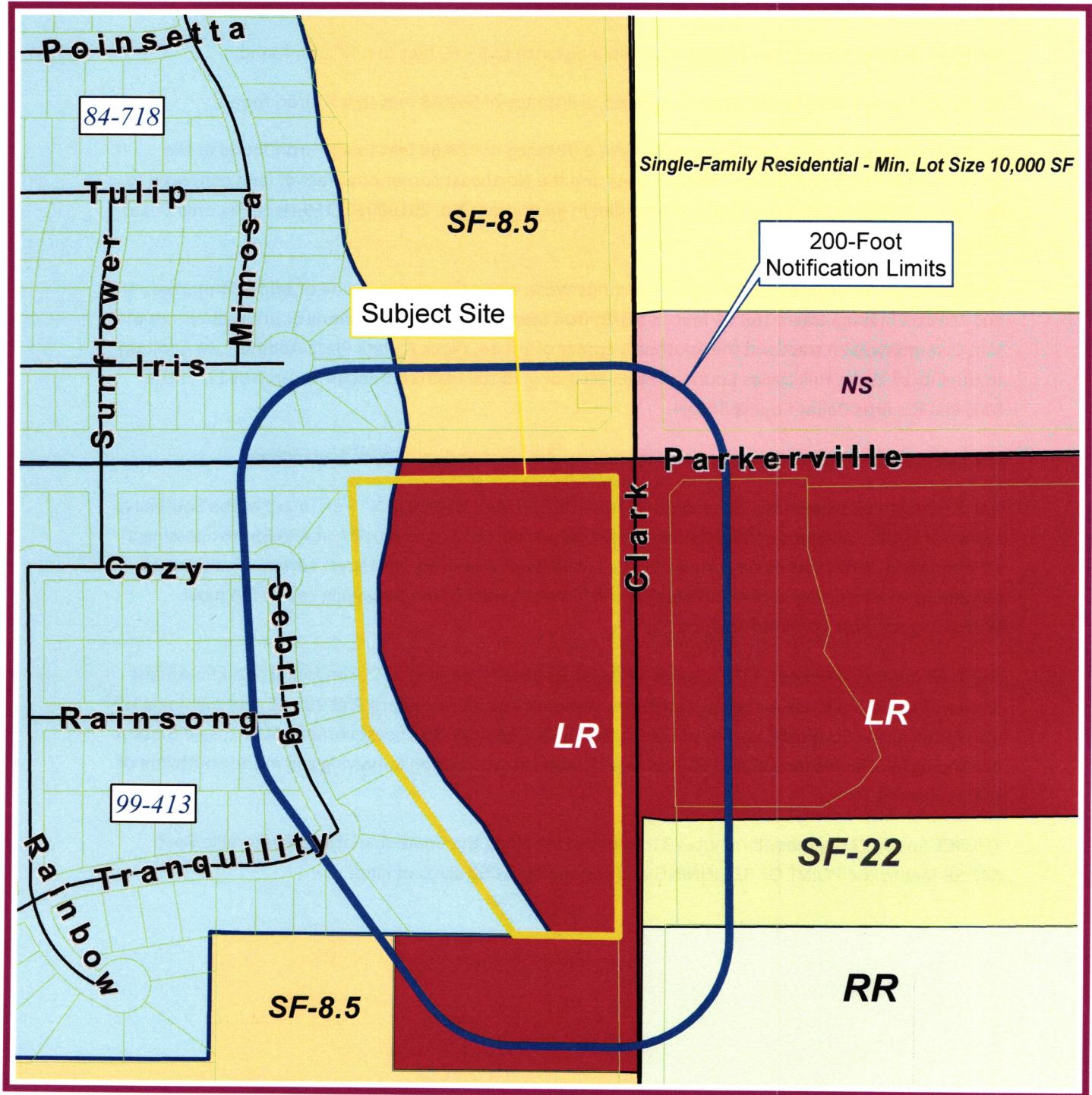


EXHIBIT B

Being a tract of land situated in the Henry Wand Survey, Abstract No. 1552, Dallas County, Texas, and being a portion of that certain tract of land conveyed to Commonwealth Securities Corporation by deed recorded in Volume 93190, Page 2689, Deed Records Dallas County Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a $\frac{1}{2}$ " iron found at the intersection of the South line of Parkerville Road (R.O.W. varies) and the West line of Clark Road (100' R.O.W.);

THENCE along the West line of said Clark Road as follows:

South 44 degrees 46 minutes 24 seconds East, a distance of 55.69 feet to a $\frac{1}{2}$ " iron found;

South 00 degrees 33 minutes 09 seconds West, a distance of 551.38 feet to a $\frac{1}{2}$ " iron found;

South 01 degrees 24 minutes 02 seconds West, a distance of 223.69 feet to a $\frac{1}{2}$ " iron found at the Southeast corner of said Commonwealth tract and the Northeast corner of a tract of land conveyed to Metro Christian Academy Inc. by deed recorded in Instrument No. 201000127159 Deed Records Dallas County Texas;

THENCE North 89 degrees 45 minutes 36 seconds West, along the common line of said Commonwealth and Metro Christian tracts 168.51 feet to a $\frac{5}{8}$ " iron found at the most Southerly Southwest corner of said Commonwealth tract and the Southeast corner of Lot 14, Block A, Park Plaza Addition, an Addition to the City of Cedar Hill, Dallas County, Texas, according to the Plat recorded in Volume 99127, Page 827, Plat Records Dallas County Texas;

THENCE along the common line of said Commonwealth tract and said Block A as follows:

North 35 degrees 16 minutes 23 seconds West at 367.59 feet, passing a $\frac{1}{2}$ " iron found at the Southeast corner of Lot 12, said Block A and the Northeast corner of Lot 13, said Block A at 428.55 feet passing a $\frac{1}{2}$ " iron found at the Southeast corner of Lot 11, said Block A and the Northeast corner of said Lot 12 continuing in all a distance of 461.88 feet to a $\frac{1}{2}$ " iron set with Fulton Surveying cap at the most Westerly Southeast corner of said Lot 11;

North 02 degrees 47 minutes 42 seconds West, at 90.66 feet, passing a $\frac{1}{2}$ " iron found at the Southeast corner of Lot 9 said Block A and the Northeast corner of Lot 10, said Block A at 292.65 feet passing a $\frac{1}{2}$ " iron found at the Southeast corner of Lot 6, said Block A and the Northeast corner of Lot 7, said Block A continuing in all a distance of 424.51 feet to a $\frac{1}{2}$ " iron set with Fulton Surveying cap in the South line of said Parkerville Road;

THENCE South 89 degrees 48 minutes 31 seconds East along the South line of said Parkerville Road 441.58 feet to the POINT OF BEGINNING and containing 7.060 acres of land.

OF CEDAR HILL, DALLAS COUNTY, TEXAS

S. CLARK ROA

3333 ALCPHAR ROAD, SUITE 200, BURLINGTON, ONTARIO, L7R 3Z4
972.701.9636 • 972.701.9639 FAX
TX REGISTERED ENGINEERING FIRM F-12600
www.hpcvengineering.com

GRAPHIC SCALE

0	10	20	30	40
IN FEET	1.00	2.00	3.00	4.00

LEGEND

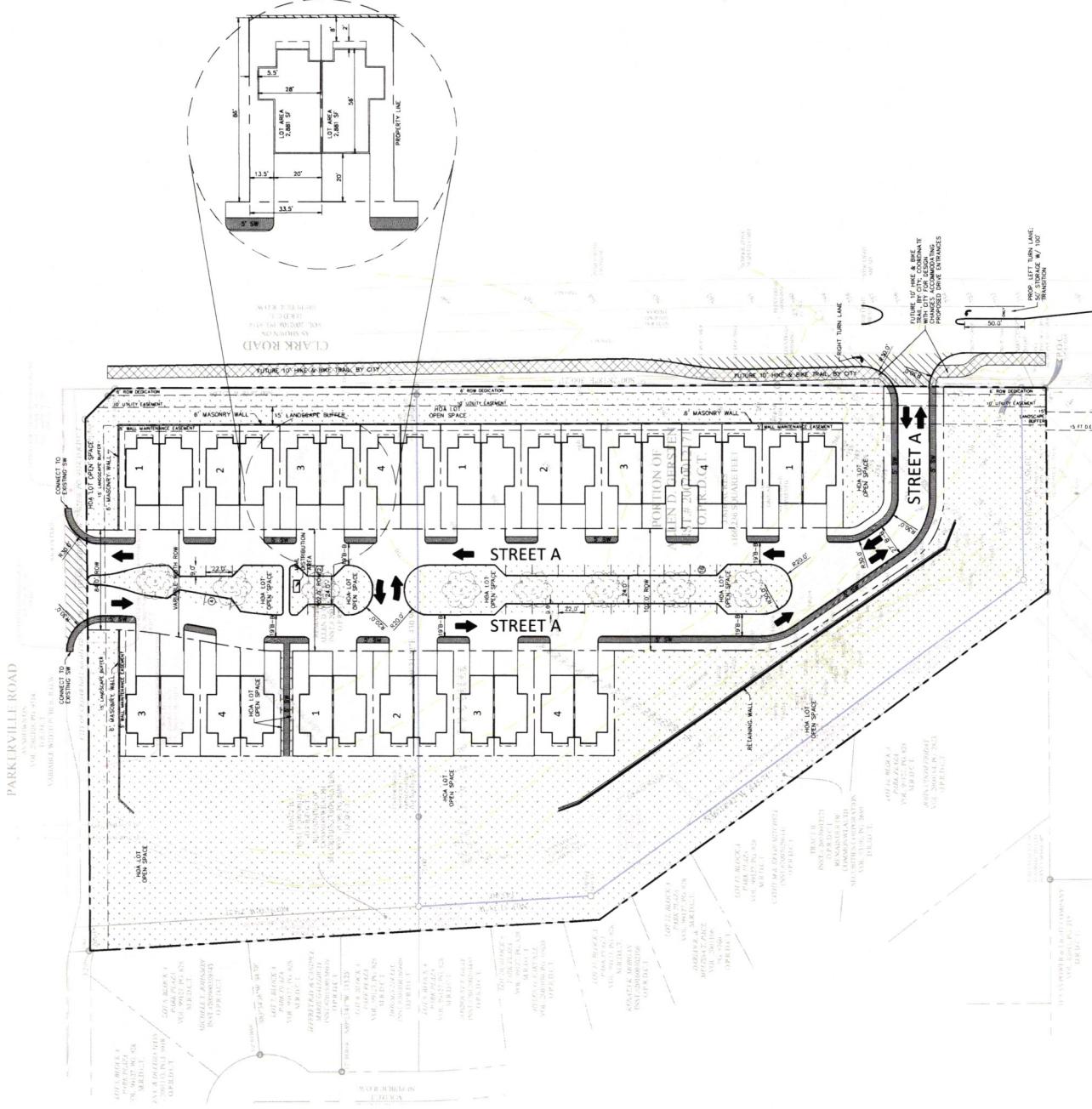
SITE DATA SUMMARY TABLE	
TOTAL SITE AREA (sq. ft.)	19,750.89' / 7,058 AC
TOTAL AREA OF (NONHOME) LOTS	
TOTAL UNDEVELOPED (sq. ft.)	4,251,016 AC
NUMBER OF SPACES PER UNIT (GARAGE & DRIVEWAY)	6 / SPACES/UNIT
PROPOSED ON STREET PARKING	32
VEHICLE OPEN SPACE (sq. ft. AC)	16,000.73' / 3.77 AC

NOTES

- 1) ALL LIGHTING IS TO COMPLY WITH CITY OF CEDAR FALLS LIGHTING AND GUIDE STANDARDS FOR SECTION 5.6 OF THE CITY CODE.
- 2) ALL GROUND MOUNTED MECHANICAL EQUIPMENT SHALL BE LOCATED AND POSITIONED TO NOT STRELLK NEW PAVEMENT AREA.
- 3) HOGA WILL MAINTAIN ALL COMMON AREAS, SUCH AS PROPOSED AMENITY AREAS, LANDSCAPE AREAS, AND SHADING AREAS.
- 4) AMENITIES INCLUDE:
 - WALKING TRAILS
 - PICNIC TABLES
 - PARK GRILLS

DATE: 07/27/2022
SHEET TITLE: PD CONCEPT PLAN
SHEET NO.: C5
HPC# 20-006

EXHIBIT C



BUILDING ELEVATIONS

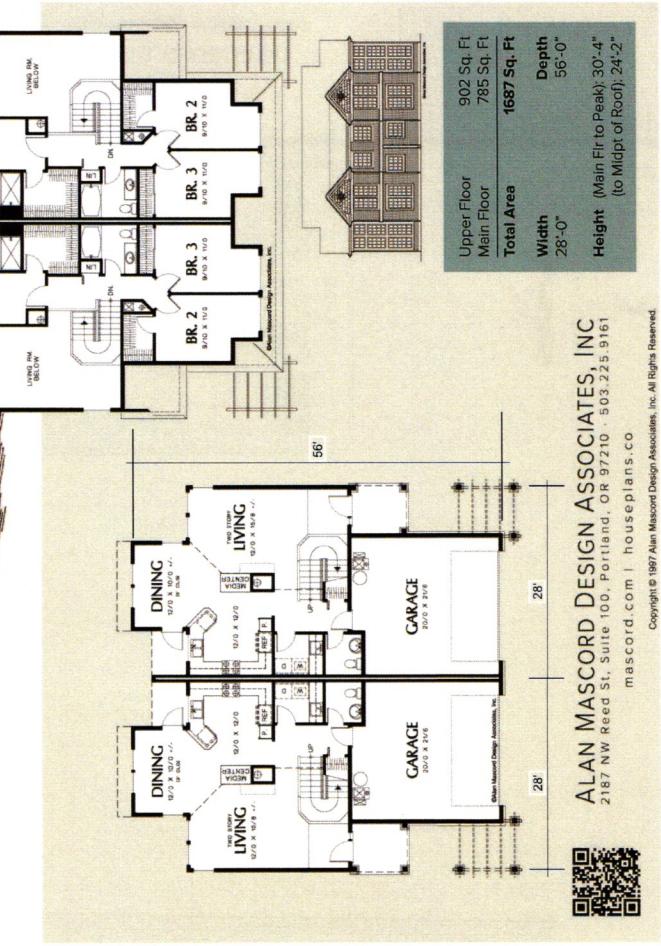
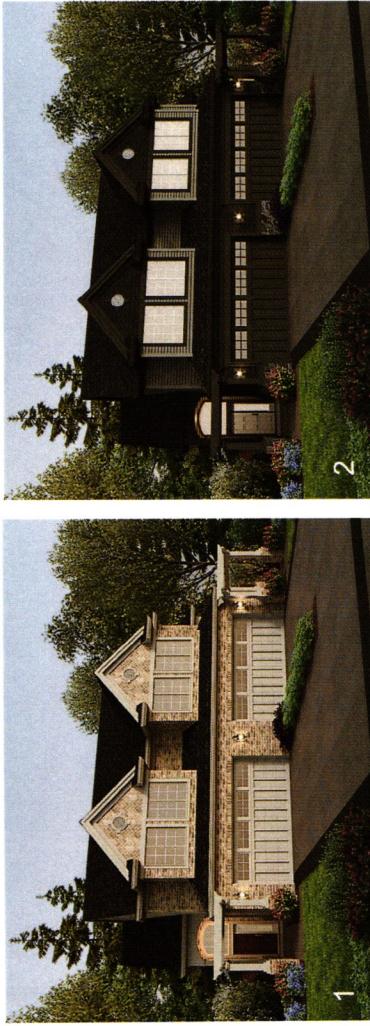


EXHIBIT D

EXHIBIT E

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]
CONSENT AGREEMENT

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

I, Allan Beaten, Owner 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.

Allan Gerster

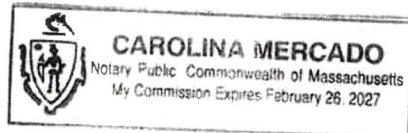
Owner

Date: January 24, 2022

(cw) Mass
STATE OF ~~TEXAS~~ §
§
COUNTY OF Norfolk §

This instrument was acknowledged before me on the 24th day of January, 2022 by
Allan Gerster.

Carolina Mercado
Notary Public, State of Texas
MASS



[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

I, Allan Gerster, 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.

Allan Gerster
Developer
Date: January 24, 2023

Mass
STATE OF ~~TEXAS~~ §
§
COUNTY OF Norfolk §

This instrument was acknowledged before me on the 24th day of January, 2022 by
Allan Gerster.

Carolina Mercado
Notary Public, State of Texas MASS



EXHIBIT A

Being a tract of land situated in the Henry Wand Survey, Abstract No. 1552, Dallas County, Texas, and being a portion of that certain tract of land conveyed to Commonwealth Securities Corporation by deed recorded in Volume 93190, Page 2689, Deed Records Dallas County Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a $\frac{1}{2}$ " iron found at the intersection of the South line of Parkerville Road (R.O.W. varies) and the West line of Clark Road (100' R.O.W.);

THENCE along the West line of said Clark Road as follows:

South 44 degrees 46 minutes 24 seconds East, a distance of 55.69 feet to a $\frac{1}{2}$ " iron found;

South 00 degrees 33 minutes 09 seconds West, a distance of 551.38 feet to a $\frac{1}{2}$ " iron found;

South 01 degrees 24 minutes 02 seconds West, a distance of 223.69 feet to a $\frac{1}{2}$ " iron found at the Southeast corner of said Commonwealth tract and the Northeast corner of a tract of land conveyed to Metro Christian Academy Inc. by deed recorded in Instrument No. 201000127159 Deed Records Dallas County Texas;

THENCE North 89 degrees 45 minutes 36 seconds West, along the common line of said Commonwealth and Metro Christian tracts 168.51 feet to a $\frac{5}{8}$ " iron found at the most Southerly Southwest corner of said Commonwealth tract and the Southeast corner of Lot 14, Block A, Park Plaza Addition, an Addition to the City of Cedar Hill, Dallas County, Texas, according to the Plat recorded in Volume 99127, Page 827, Plat Records Dallas County Texas;

THENCE along the common line of said Commonwealth tract and said Block A as follows:

North 35 degrees 16 minutes 23 seconds West at 367.59 feet, passing a $\frac{1}{2}$ " iron found at the Southeast corner of Lot 12, said Block A and the Northeast corner of Lot 13, said Block A at 428.55 feet passing a $\frac{1}{2}$ " iron found at the Southeast corner of Lot 11, said Block A and the Northeast corner of said Lot 12 continuing in all a distance of 461.88 feet to a $\frac{1}{2}$ " iron set with Fulton Surveying cap at the most Westerly Southeast corner of said Lot 11;

North 02 degrees 47 minutes 42 seconds West, at 90.66 feet, passing a $\frac{1}{2}$ " iron found at the Southeast corner of Lot 9 said Block A and the Northeast corner of Lot 10, said Block A at 292.65 feet passing a $\frac{1}{2}$ " iron found at the Southeast corner of Lot 6, said Block A and the Northeast corner of Lot 7, said Block A continuing in all a distance of 424.51 feet to a $\frac{1}{2}$ " iron set with Fulton Surveying cap in the South line of said Parkerville Road;

THENCE South 89 degrees 48 minutes 31 seconds East along the South line of said Parkerville Road 441.58 feet to the POINT OF BEGINNING and containing 7.060 acres of land.

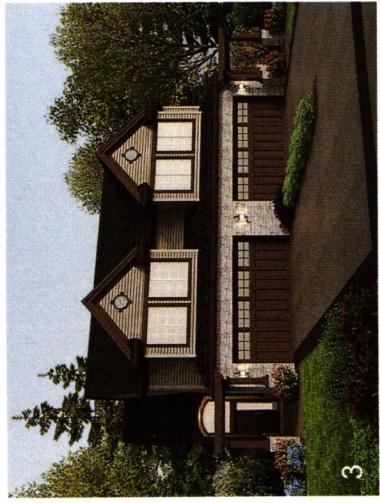
ALTERNATING BUILDING ELEVATIONS



Building #1
Surface Elevation = 908.22 sq ft
Total Doors, Windows and Shingles = 388.02
Building Surface Elevation = 520.2 sf
Total Masonry (primary) = 328.41 sf (63%)
Total Hardi (secondary) = 191.79 sf (37%)



Building #2
Surface Elevation = 908.22 sq ft
Total Doors, Windows and Shingles = 388.02
Building Surface Elevation = 520.2 sf
Total Masonry (primary) = 42.37 sf (8.4%)
Total Hardi (secondary) = 477.85 sf (91.6%)



Building #3
Surface Elevation = 908.22 sq ft
Total Doors, Windows and Shingles = 388.02
Building Surface Elevation = 520.2 sf
Total Masonry (primary) = 48.66 sf (28.6%)
Total Hardi & Stucco (secondary) = 371.37 sf (71.4%)



Building #4
Surface Elevation = 908.22 sq ft
Total Doors, Windows and Shingles = 388.02
Building Surface Elevation = 520.2 sf
Total Masonry (primary) = 42.37 sf (8.4%)
Total Hardi (secondary) = 477.85 sf (91.6%)

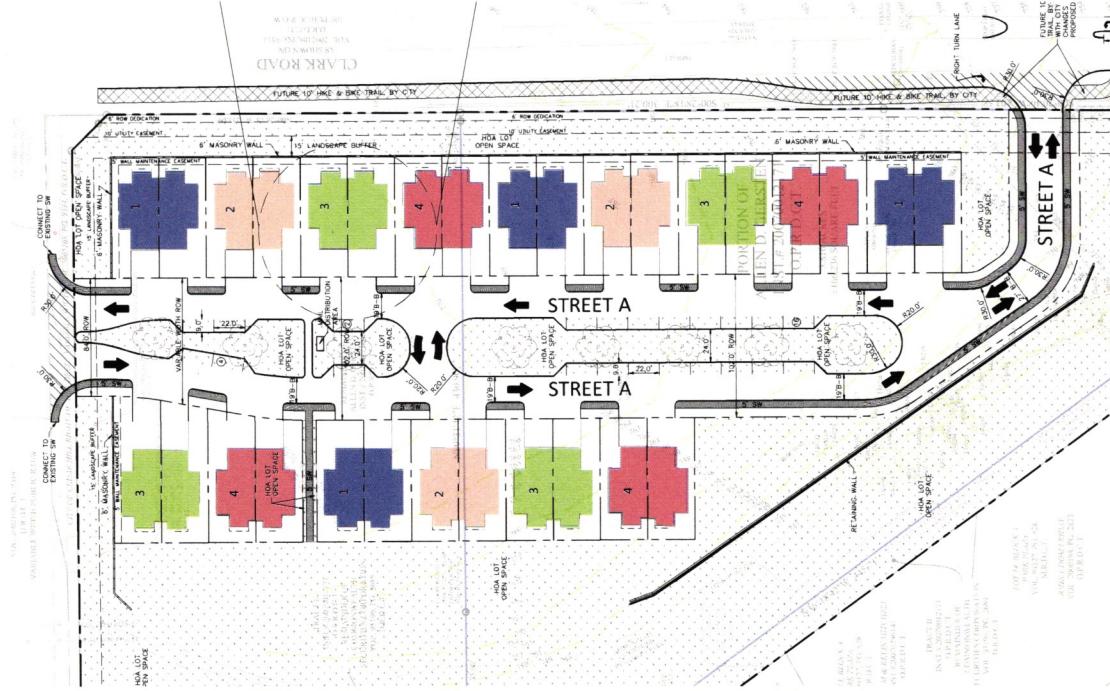


EXHIBIT "F"