



**TOWN OF SHADY SHORES
PLANNING AND ZONING COMMISSION
SPECIAL CALLED SESSION
DECEMBER 14, 2020; 7:00 PM
VIRTUAL MEETING/PHYSICAL MEETING
SHADY SHORES COMMUNITY CENTER
101 S. SHADY SHORES ROAD
SHADY SHORES, TX 76208**

AGENDA

In response to the coronavirus pandemic, effective March 16, 2020, Texas Governor Abbott suspended certain Open Meeting rules to allow meetings of government bodies that are accessible to the public to decrease large groups of people from assembling. The suspension temporarily removes the requirement that government officials and members of the public be physically present at a meeting location.

THE COMMUNITY CENTER WILL BE OPEN FOR PERSONS WISHING TO ADDRESS THE COMMISSION. PERSONS ENTERING THE BUILDING WILL BE REQUIRED TO WEAR A MASK AND HAVE THEIR TEMPERATURE TAKEN AT THE DOOR. COMMISSION MEMBERS MAY BE PHYSICALLY PRESENT OR PARTICIPATING VIA A ZOOM CALL

TO VIEW THE MEETING LIVE: <https://shadyshorestx.civicclerk.com/>

1. MEETING LOG IN INSTRUCTIONS

1. Register in advance for this webinar:
https://us02web.zoom.us/webinar/register/WN_dQesN5GqSwmDDosv-QBXnw
After registering, you will receive a confirmation email containing information about joining the webinar.

2. CALL TO ORDER

3. ROLL CALL

Establish a quorum

4. REGULAR BUSINESS

1. Public Hearing- Conduct a joint public hearing relative to a zoning change request for a 13.584 acre tract of land situation in the R. B. Brown Survey, Abstract Number 110, same being a tract of land described to B.B. Hemphill Jr. by deed recorded in Volume 610 Page 131, Deed Records, Denton County, Texas. The property is located directly adjacent to the Cielo Ranch Subdivision within the Town Limits of Shady Shores. The property is currently known as Lakeside Villas.

A) Open Public Hearing - Mayor Aughinbaugh
B) Staff Report- Jim Shepherd
C) Applicant
D) Those In Favor of the Request
E) Those Opposed to the Request
F) Rebuttal
G) Close Public Hearing
2. Action Regarding Public Hearing- Consider an act on a recommendation to the Shady Shores Town Council regarding a zoning change for a 13.584 acre tract of land situation in the R. B. Brown Survey, Abstract Number 110, same being a tract of land described to B.B. Hemphill Jr. by deed recorded in Volume 610 Page 131, Deed Records, Denton County, Texas. The property is located directly adjacent to the Cielo Ranch Subdivision within the Town Limits of Shady Shores.

5. ADJOURN

I, _____, _____ of the Town of Shady Shores do hereby certify that the above notice of the Planning and Zoning Commission was posted on the bulletin board at the Community Center, 101 S. Shady Shores Road, Shady Shores, Texas on _____ Day of _____, _____, at _____ .M.

IN ADDITION, A QUORUM OF CITY COUNCIL MEMBERS MAY CHOOSE TO ATTEND THE PLANNING AND ZONING MEETING POSTED ABOVE. THEREFORE, THIS IS NOTICE OF A CITY COUNCIL MEETING AT THE SAME TIME AND PLACE, WITH THE SAME AGENDA AS THE P&Z MEETING. IN THE EVENT A QUORUM OF COUNCIL IS PRESENT AT THE MEETING, NO ACTION OF THE COUNCIL WILL BE TAKEN. THIS NOTICE IS POSTED AT THE TIME STATED ABOVE.

Wendy Withers, Town Secretary



AGENDA MEMORANDUM

DATE: December 14, 2020
TO: Town Council
FROM: Wendy Withers, Town Administrator

Public Hearing- Conduct a joint public hearing relative to a zoning change request for a 13.584 acre tract of land situation in the R. B. Brown Survey, Abstract Number 110, same being a tract of land described to B.B. Hemphill Jr. by deed recorded in Volume 610 Page 131, Deed Records, Denton County, Texas. The property is located directly adjacent to the Cielo Ranch Subdivision within the Town Limits of Shady Shores. The property is currently known as Lakeside Villas.

SUBJECT: A) Open Public Hearing - Mayor Aughinbaugh
B) Staff Report- Jim Shepherd
C) Applicant
D) Those In Favor of the Request
E) Those Opposed to the Request
F) Rebuttal
G) Close Public Hearing

BACKGROUND/INFORMATION:

The Planning and Zoning Commission will conduct a joint public hearing to receive public input for a zoning change request for a 13.584 acre tract of land situation in the R. B. Brown Survey, Abstract Number 110, same being a tract of land described to B.B. Hemphill Jr. by deed recorded in Volume 610 Page 131, Deed Records, Denton County, Texas. The property is located directly adjacent to the Cielo Ranch Subdivision within the Town Limits of Shady Shores.

The Town of Shady Shores entered into a Development agreement for this tract of land on 10/12/2020.

Preliminary Plat was approved on November 9, 2020.
The property was annexed per Ordinance; November 9 2020.

FINANCIAL IMPLICATIONS:

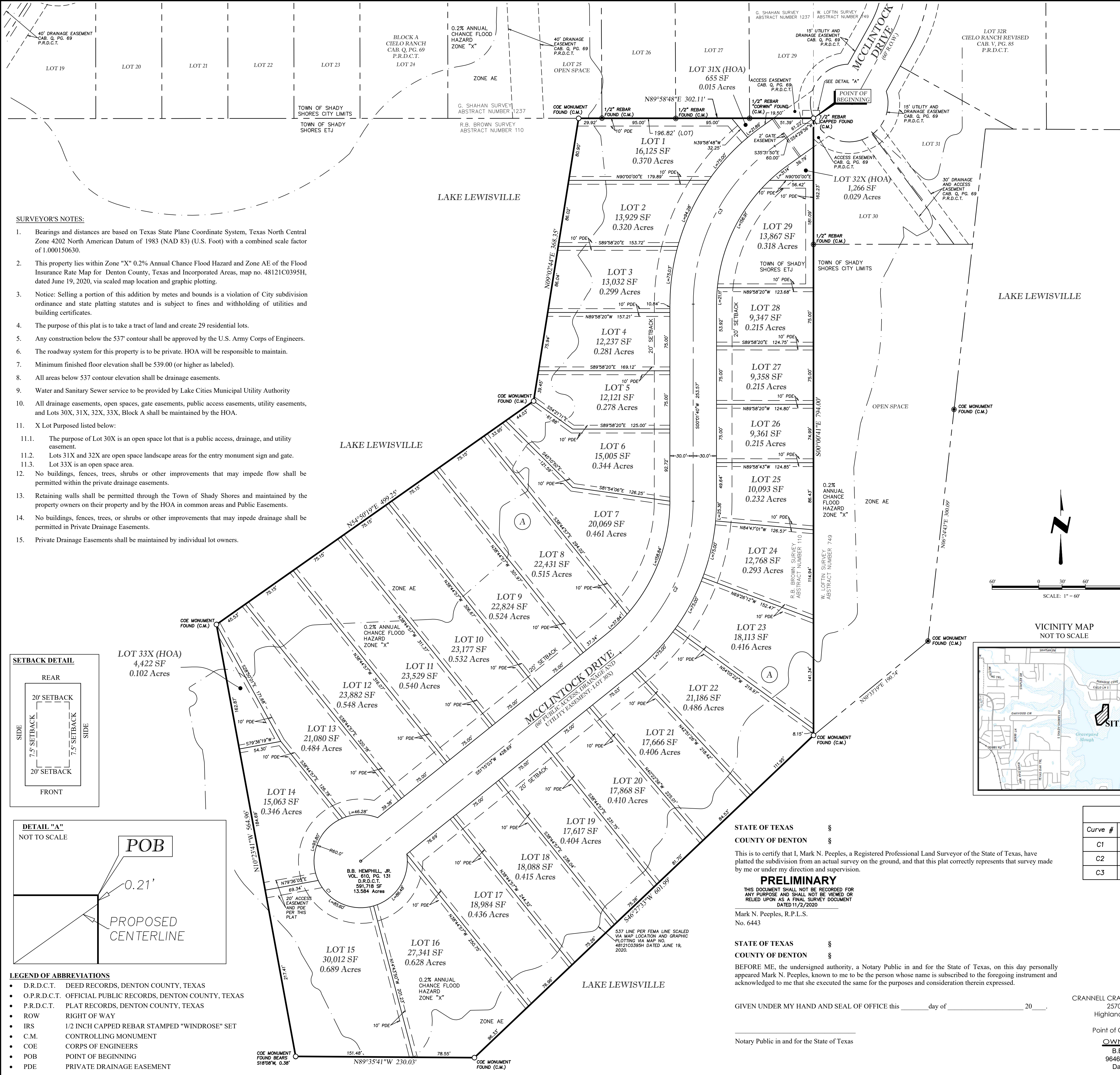
None

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

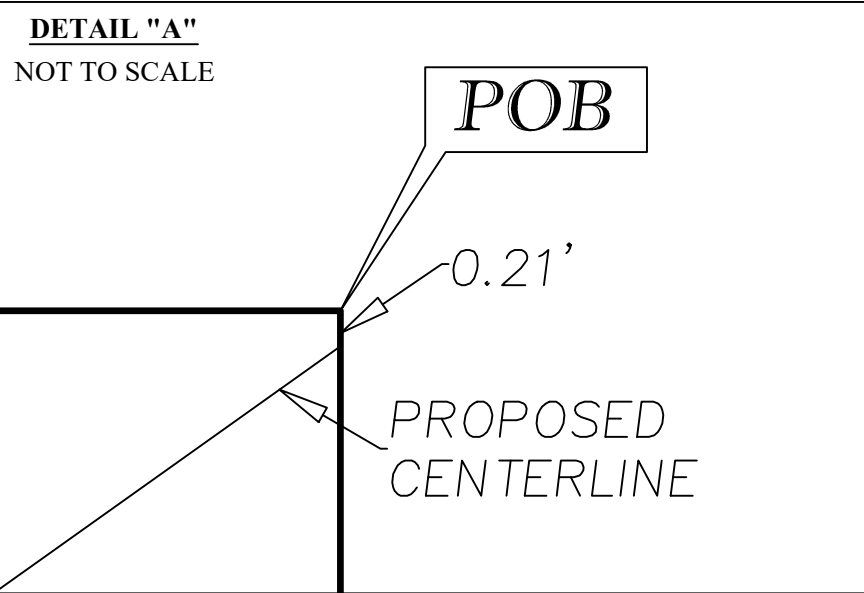
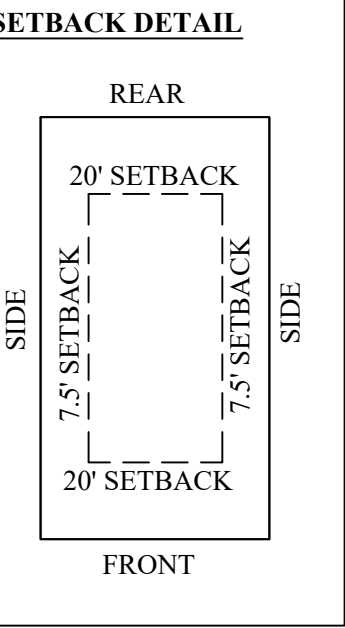
1. Lakeside Villas Preliminary Plat

REVIEWED BY:



SURVEYOR'S NOTES:

- Bearings and distances are based on Texas State Plane Coordinate System, Texas North Central Zone 4202 North American Datum of 1983 (NAD 83) (U.S. Foot) with a combined scale factor of 1.000150630.
- This property lies within Zone "X" 0.2% Annual Chance Flood Hazard and Zone AE of the Flood Insurance Rate Map for Denton County, Texas and Incorporated Areas, map no. 48121C0395H, dated June 19, 2020, via scaled map location and graphic plotting.
- Notice: Selling a portion of this addition by metes and bounds is a violation of City subdivision ordinance and state platting statutes and is subject to fines and withholding of utilities and building certificates.
- The purpose of this plat is to take a tract of land and create 29 residential lots.
- Any construction below the 537' contour shall be approved by the U.S. Army Corps of Engineers.
- The roadway system for this property is to be private. HOA will be responsible to maintain.
- Minimum finished floor elevation shall be 539.00' (or higher as labeled).
- All areas below 537' contour elevation shall be drainage easements.
- Water and Sanitary Sewer service to be provided by Lake Cities Municipal Utility Authority
- All drainage easements, open spaces, gate easements, public access easements, utility easements, and Lots 30X, 31X, 32X, 33X, Block A shall be maintained by the HOA.
- X Lot Purposed listed below:
 - The purpose of Lot 30X is an open space lot that is a public access, drainage, and utility easement.
 - Lots 31X and 32X are open space landscape areas for the entry monument sign and gate.
 - Lot 33X is an open space area.
- No buildings, fences, trees, shrubs or other improvements that may impede flow shall be permitted within the private drainage easements.
- Retaining walls shall be permitted through the Town of Shady Shores and maintained by the property owners on their property and by the HOA in common areas and Public Easements.
- No buildings, fences, trees, or shrubs or other improvements that may impede drainage shall be permitted in Private Drainage Easements.
- Private Drainage Easements shall be maintained by individual lot owners.



- LEGEND OF ABBREVIATIONS
- D.R.D.C.T. DEED RECORDS, DENTON COUNTY, TEXAS
 - O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DENTON COUNTY, TEXAS
 - P.R.D.C.T. PLAT RECORDS, DENTON COUNTY, TEXAS
 - ROW RIGHT OF WAY
 - IRS 1/2 INCH CAPPED REBAR STAMPED "WINDROSE" SET
 - C.M. CONTROLLING MONUMENT
 - COE CORPS OF ENGINEERS
 - POB POINT OF BEGINNING
 - PDE PRIVATE DRAINAGE EASEMENT

STATE OF TEXAS §
COUNTY OF DENTON §

WHEREAS B.B. Hemphill, Jr. is the owner of a 13.584 acre tract of land situated in the R.B. Brown Survey, Abstract Number 110, same being a tract of land described to B.B. Hemphill, Jr. by deed recorded in Volume 610, Page 131, Deed Records, Denton County, Texas and being more particularly described by metes and bounds as follows: (Bearings and Distances are based on the Texas State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD83) (US Foot) with a combined scale factor of 1.000150630);

BEGINNING at a 1/2 inch rebar found for the southeast corner of Lot 29, Block A of Cielo Ranch, an addition to the Town of Shady Shores, as recorded in Cabinet Q, Page 69, Plat Records, Denton County, Texas, same being the northwest corner of Lot 30, Block A of said Cielo Ranch and lying at the end of the cul-de-sac of McClintock Drive (60 foot right-of-way);

THENCE South 00 degrees 00 minutes 41 seconds East, departing said McClintock Drive, with the west line of said Lot 30, passing at a distance of 162.23 feet a 1/2 inch rebar found for the southwest corner of said Lot 30, same being the northwest corner of an Open Space Lot in Block A of said Cielo Ranch, and continuing with the west line of said Open Space, a total distance of 794.00 feet to a Corps of Engineers Monument found for the southwest corner of said Open Space lot, same being a point on the north line of Lake Lewisville;

THENCE South 46 degrees 27 minutes 33 seconds West, with the southeast line of said Hemphill tract, and with a northwest line of said Lake Lewisville, a distance of 601.99 feet to a Corps of Engineers Monument found for corner;

THENCE North 89 degrees 35 minutes 41 seconds West, with the south line of said Hemphill tract and a north line of said Lake Lewisville, a distance of 230.03 feet to a point for the southwest corner thereof, from which a Corps of Engineers Monument found bears South 18 degrees 08 minutes, 0.38 feet;

THENCE North 10 degrees 23 minutes 41 seconds West, with a southwest line of said Hemphill tract, and a northeast line of said Lake Lewisville, a distance of 564.96 feet to a Corps of Engineers Monument found for corner;

THENCE North 54 degrees 50 minutes 19 seconds East, with a northwest line of said Hemphill tract and a southeast line of said Lake Lewisville, a distance of 499.25 feet to a Corps of Engineers Monument found for corner;

THENCE North 09 degrees 02 minutes 44 seconds East, with a west line of said Hemphill tract and an east line of said Lake Lewisville, a distance of 368.35 feet to a Corps of Engineers Monument found on the south lien of Lot 25, Block A of said Cielo Ranch, same being a northeast corner of said Lake Lewisville;

THENCE North 89 degrees 58 minutes 48 seconds East, with the south line of said Lot 25, passing at a distance of 29.92 feet a 1/2 inch rebar found for the southeast corner of said Lot 25, same being the southwest corner of Lot 26 of said Cielo Ranch, and continuing with the south line of said Lot 26, passing at a distance of 124.92 feet a 1/2 inch rebar found for the southeast corner of said Lot 26, same being the southwest corner of Lot 27 of said Cielo Ranch, and continuing with the south line of said Lot 27, passing at a distance of 219.92 feet a 1/2 inch rebar capped "Corwin" found for the southeast corner of said Lot 27, same being the southwest corner of said Lot 29, and continuing with the south line of said Lot 29, a total distance of 302.11 feet to THE POINT OF BEGINNING and containing 591,718 square feet or 13.584 acres of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT B.B. Hemphill, JR., the owner of land shown on this plat and whose name is subscribed hereto, and in person or through a duly authorized agent do hereby adopt this Final Plat, designating the herein described property as Lewisville Lake Addition, an addition to the Town of Shady Shores, Denton County, Texas and does hereby dedicate to the use of public forever all streets, unless shown as private, and all easements shown and for the purposes indicated on this plat. The drainage easements that serve to recognize the known and obvious drainage ways used as natural water courses for the purpose of accommodating drainage are dedicated to the use of the public forever. No buildings or other improvements shall be constructed or placed upon, over or across the easements as shown on this plat. Any public utility, including the Town of Shady Shores, shall have the right to move and keep moved all or part of any building, tree, shrub, other growth or improvements which in any way endanger, or interfere with the construction, maintenance, or efficiency of its respective systems on any of the easements shown on the plat; and they shall have the right at all times to ingress and egress upon said easements for the purpose of construction, reconstruction, inspection, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

By: _____
B.B. Hemphill, JR

Printed Name

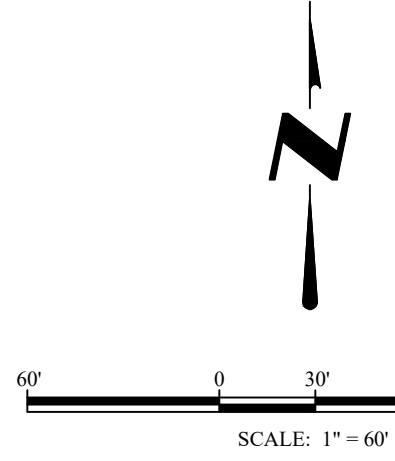
Date

STATE OF TEXAS §
COUNTY OF _____ §

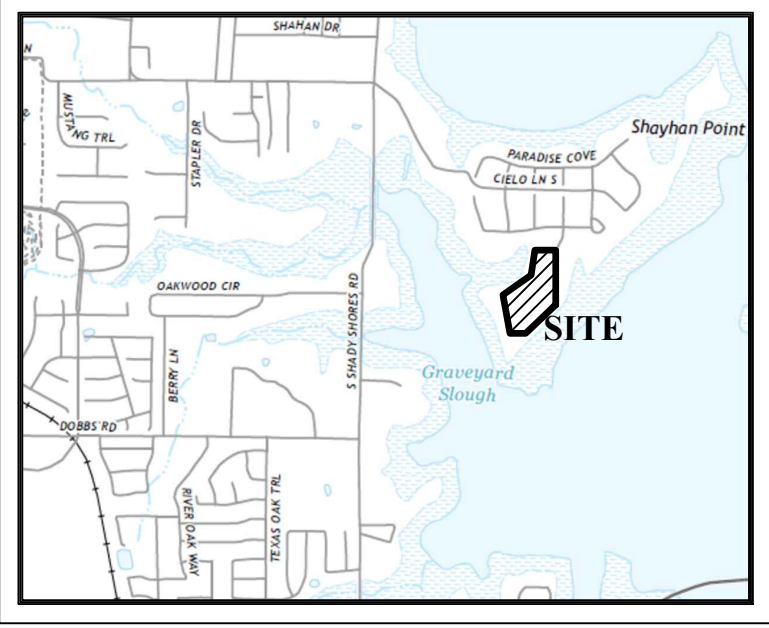
BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____ 20__.

Notary Public in and for the State of Texas



VICINITY MAP
NOT TO SCALE



STATE OF TEXAS §
COUNTY OF DENTON §

This is to certify that I, Mark N. Peoples, a Registered Professional Land Surveyor of the State of Texas, have plotted the subdivision from an actual survey on the ground, and that this plat correctly represents that survey made by me or under my direction and supervision.

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT DATED 11/2/2020

Mark N. Peoples, R.P.L.S.
No. 6443

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Mark N. Peoples, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____ 20__.

Notary Public in and for the State of Texas

Curve Data Table					
Curve #	Arc	Radius	Delta	Chord Bearing	Chord
C1	314.16'	60.00'	300°00'00"	S38°44'57"E	60.00'
C2	223.50'	250.00'	051°13'23"	S25°38'22"W	216.13'
C3	237.68'	250.00'	054°28'16"	S27°15'48"W	228.82'

ENGINEER
CRANNELL CRANNELL MARTIN ENGINEERING
2570 FM 407, Suite 209
Highland Village, Texas, 75077
972-691-6633
Point of Contact: Austin Stueck
OWNER/DEVELOPER
B.B. Hemphill Estate
9646 Covemeadow Drive
Dallas, Texas 75238

WINDROSE
LAND SURVEYING | PLATTING
220 ELM STREET, SUITE 200 | LEWISVILLE, TX 75057 | 214.217.2544
FIRM REGISTRATION NO. 10194331 | WINDROSESERVICES.COM

DRAWN BY: G.L.C. DATE: 09/30/2020 CHECKED BY: M.P. JOB NO.: D56339

Point of Contact:
Grayson CeBallos
972-370-5871
grayson.ceballos@windroseservices.com
Last Revision Date: 11/02/2020

PRELIMINARY PLAT
LEWISVILLE LAKE ADDITION
LOTS 1-29, 30X, 31X,
32X, AND 33X BLOCK A
13.584 Acre Tract of Land
Situated in the R.B. Brown Survey
Abstract Number 110
Town of Shady Shores ETJ,
Denton County, Texas
-- 2020 --



AGENDA MEMORANDUM

DATE: December 14, 2020

TO: Planning and Zoning Commission

FROM: Wendy Withers, Town Administrator

SUBJECT: **Action Regarding Public Hearing- Consider an act on a recommendation to the Shady Shores Town Council regarding a zoning change for a 13.584 acre tract of land situation in the R. B. Brown Survey, Abstract Number 110, same being a tract of land described to B.B. Hemphill Jr. by deed recorded in Volume 610 Page 131, Deed Records, Denton County, Texas. The property is located directly adjacent to the Cielo Ranch Subdivision within the Town Limits of Shady Shores.**

BACKGROUND/INFORMATION:

Consider and Discuss a Zoning Ordinance to zone 13.584 acres in the RB Brown Survey Abstract Number 110. The proposed Ordinance zones the property as outlined in the Development Agreement. Consider and act on a recommendation to the Shady Shores Town Council.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. Zoning Ordinance (2) IAKESIDE VILLAS DRAFT

REVIEWED BY:

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF SHADY SHORES, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF SHADY SHORES AS HERETOFORE AMENDED, BY ZONING A PARCEL OF LAND OF APPROXIMATELY 13.584 ACRES AS SINGLE FAMILY R-2000-1/2, INCLUDING SPECIAL CONDITIONS FOR THE ZONING ON THE PARCEL ALL AS SET FORTH SPECIFICALLY HEREIN, SUCH PARCEL OF LAND BEING IN THE R.B. Brown Survey, Abstract Number 110, IN THE TOWN OF SHADY SHORES, DENTON COUNTY, TEXAS; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF \$2,000.00 FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Shady Shores Planning and Zoning Commission and the governing body of the Town of Shady Shores, in compliance with the laws of the State of Texas and the ordinances of the Town of Shady Shores, have given requisite notice by publication and otherwise, and after holding due hearings and affording 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 in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance of the Town of Shady Shores should be amended to zone the land described herein;

WHEREAS, BASEM NIMRI, OMAR OWEIS, ADAM LINGENFELTER, MOE NIMRI and AYMAN EL-NIMRI and THE LAKESIDE VILLAS AT SHADY SHORES LLC, a Texas limited liability company (collectively the “Applicant”) have requested the zoning of this property to be established upon the annexation of the Property (described in Exhibit A) to new permanent zoning of Single Family R-2000-1/2, with special conditions contained in the Development Agreement, which such special conditions shall control in the event of any conflict between them and the Single Family R-2000-1/2 zoning requirements, and

WHEREAS, the Applicant and the Town entered into a Development Agreement authorized by the Texas Local Government Code for the development of the Property, in which specific special conditions were agreed upon for the subdivision, by approval of the Development Agreement by the city council on the 12th day of October, 2020 and,

WHEREAS, the Property was subsequently annexed by the Town at the request of the Applicant by Ordinance Number 341-11-2020, on the 9th day of November, 2020, and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SHADY SHORES, TEXAS:

SECTION 1. ZONING CHANGE. The Comprehensive Zoning Ordinance of the Town of Shady Shores, Texas, (Chapter 14 of the Shady Shores Code of Ordinances), as heretofore amended, be, and the same is hereby amended by zoning all of the parcel of approximately 13.584 acres as Single Family R-2000-1/2, with special conditions contained in the Development Agreement, which such special conditions shall control in the event of any conflict between them and the Single Family R-2000-1/2 zoning requirements. The Property is more particularly

described by metes and bounds in the attached Exhibit A. A copy of the approved Preliminary Plat is attached as Exhibit B. The special conditions are set forth in the Development Agreement, dated the 19th day of October, 2020, a summary of which is attached as Exhibit C.

SECTION 2. LAKESIDE VILLAS SUBDIVISION. The Property is the subject of a Development Agreement in compliance with Section 212.072 of the Texas Local Government Code. The Development plan and specifications of each tract are set forth on the Preliminary Plat and the Development Agreement Conditions summary, attached hereto as Exhibits B and C, respectively. All provisions of the Development Agreement apply to the project unless modified by statute or written agreement of the Town and the Applicant.

SECTION 3. SEVERABILITY CLAUSE. Should any sentence, paragraph, Subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 4. REPEALER CLAUSE. All provisions of the ordinances of the Town of Shady Shores in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the Town of Shady Shores not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. PENALTY CLAUSE. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the Town of Shady Shores, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of \$2,000.00 for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 6. PUBLICATION. In accordance with Section 52.011 of the Local Government Code, the caption of this Ordinance shall be published either (a) in every issue of the official newspaper of the Town of Shady Shores for two days, or (b) one issue of the newspaper if the official newspaper is a weekly paper. An affidavit by the printer or the publisher of the official newspaper verifying the publication shall be filed in the office of the Town Secretary.

ADOPTED this _____ day of _____, 2020, by the Shady Shores Town Council.

APPROVED:

Cindy Aughinbaugh, Mayor

ATTEST:

Wendy Withers, Town Secretary

Approved as to Form:

James E. Shepherd, Town Attorney

Exhibits:

Exhibit A	Legal descriptions of the 13.584 acre tract, the “Property”
Exhibit B	Approved Preliminary Plat of the Property
Exhibit C	Special Conditions summary of Zoning of the Property

EXHIBIT A

Description of Property

WHEREAS B.B. Hemphill, Jr. is the owner of a 13.584 acre tract of land situated in the R.B. Brown Survey, Abstract Number 110, same being a tract of land described to B.B. Hemphill, Jr. by deed recorded in Volume 610, Page 131, Deed Records, Denton County, Texas and being more particularly described by metes and bounds as follows: (Bearings and Distances are based on the Texas State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD83) (US Foot) with a combined scale factor of 1.000150630);

BEGINNING at a 1/2 inch rebar found for the southeast corner of Lot 29, Block A of Cielo Ranch, an addition to the Town of Shady Shores, as recorded in Cabinet Q, Page 69, Plat Records, Denton County, Texas, same being the northwest corner of Lot 30, Block A of said Cielo Ranch and lying at the end of the culda-sac of McClintock Drive (60 foot right-of-way);

THENCE South 00 degrees 00 minutes 41 seconds East, departing said McClintock Drive, with the west line of said Lot 30, passing at a distance of 162.23 feet a 1/2 inch rebar found for the southwest corner of said Lot 30, same being the northwest corner of an Open Space Lot in Block A of said Cielo Ranch, and continuing with the west line of said Open Space, a total distance of 794.00 feet to a Corps of Engineers Monument found for the southwest corner of said Open Space lot, same being a point on the north line of Lake Lewisville;

THENCE South 46 degrees 27 minutes 33 seconds West, with the southeast line of said Hemphill tract, and with a northwest line of said Lake Lewisville, a distance of 601.99 feet to a Core of Engineers Monument found for corner;

THENCE North 89 degrees 35 minutes 41 seconds West, with the south line of said Hemphill tract and a north line of said Lake Lewisville, a distance of 230.03 feet to a point for the southwest corner thereof, from which a Corps of Engineers Monument found bears South 18 degrees 08 minutes, 0.38 feet;

THENCE North 10 degrees 23 minutes 41 seconds West, with a southwest line of said Hemphill tract, and a northeast line of said Lake Lewisville, a distance of 654.96 feet to a Corps of Engineers Monument found for corner;

THENCE North 54 degrees 50 minutes 19 seconds East, with a northwest line of said Hemphill tract and a southeast line of said Lake Lewisville, a distance of 499.25 feet to a Corps of Engineers Monument found for corner;

THENCE North 09 degrees 02 minutes 44 seconds East, with a west line of said Hemphill tract and an east line of said Lake Lewisville, a distance of 368.35 feet to a Corps of Engineers Monument found on the south lien of Lot 25, Block A of said Cielo Ranch, same being a northeast corner of said Lake Lewisville;

THENCE North 89 degrees 58 minutes 48 seconds East, with the south line of said Lot 25, passing at a distance of 29.92 feet a 1/2 inch rebar found for the southeast corner of said Lot 25, same being the southwest corner of Lot 26 of said Cielo Ranch, and continuing with the south line of said Lot 26, passing at a distance of 124.92 feet a 1/2 inch rebar found for the southeast corner of said Lot 26, same being the southwest corner of Lot 27 of said Cielo Ranch, and continuing with the south line of said Lot 27, passing at a distance of 219.92 feet a 1/2 inch rebar capped "Gorwin" found for the southeast corner of said Lot 27, same being the southwest corner of said Lot 29, and continuing with the south line of said Lot 29, a total distance of 302.11 feet to THE POINT OF BEGINNING and containing 591,718 square feet or 13.584 acres of land, more or less.

EXHIBIT B
APPROVED PELIMINARY PLAT



-- 2020 --

grayson.cebaillos@windroseservices.com
Last Revision Date: 11/02/2020

EXHIBIT C

Development Standards

The following uses and standards shall be applied to the Property:

1 . Uses:

a. Single Family Residential and accessory uses per R-2000-1/2 zoning district requirements in the Town Comprehensive Zoning Ordinance, as modified by this Agreement This development will be a gated community with a Home Owners Association. There will be no more than 29 lots, as shown in the Development Plan attached hereto as Ex. B.

2. Building Regulations for Property:

a. Minimum Lot Size: .21 acres

b. Average Lot Size: .468 acres / 0.406 acres net average

c. Minimum Width on lots to be 75' at front of lot.

1. Setbacks for all Lots: Front Setback 20', Side Setback 7.5,
Rear Setback =20', Corner Setback = 20'

e. Cul-de-sac may be up to 1,500 linear feet in length.

3. Building Materials

Total Exterior Elevation --- 90% brick, stucco, stone, cement siding or masonry, exclusive of windows, doors, gables and trim.

Any Single Elevation --- not less than 75% brick, stucco, stone or cement siding on any one elevation, exclusive of windows, doors, gables and trim.

4. Minimum Living Area — Minimum 3000 square feet (air conditioned) on all lots, except up to four lots which may have a minimum of 2200 square feet.

5. Accessory Buildings– Must comply with the Town ordinances on Accessory Buildings. Must comply with "Building Materials" requirement(s). Must be located behind the primary residence on the lot. Accessory dwellings, attached or detached, are not permitted.

6. Viewing Terrace/Patio: Homes will have the option of building a viewing terrace/patio ("Terrace") at a maximum height of 35 feet. Terrace will be part of the home structure and not be detached. No Terraces are permitted on lots adjacent to existing Cielo Ranch residents, including proposed lots 1,2,28, and 29.

7. Fencing – A. No fence, wall or hedge shall be erected, placed or altered on any Lot nearer to any street than the minimum building setback line indicated on the recorded Final Plat of the Property. No fence, wall or hedge shall exceed six (6) feet in height.

b. All fencing on the Property must strictly conform to the standards set forth in the Fence guidelines in this Exhibit C as to the type or design of fence, materials, and specific location for such fencing.

8. Utilities – All utilities shall be installed underground.

9. Mailboxes - to be constructed of brick or stone material and located at the edge of street or as required by USPS.

10. Entry – There will be only one point of entry into the development. The entry will include a monument sign (not to exceed 3x4 feet and shall be located on the Property.

11. Floodplain—All finished floor elevations shall be two feet higher than the floodplain elevation of 537 feet.

11. Other Standards – Unless addressed hereinabove, the development must comply with the requirements of the Town's R-2000-1/2 zoning district and Subdivision Ordinance in effect on the Effective Date of the Development Agreement, including its requirements for drainage of the Property. All fees for permits, inspections of construction, plat review and other required Town fees and permits are to be paid as required in the Town ordinances.