

ORDINANCE NO. 23-07-06-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, AMENDING THE OFFICIAL ZONING MAP FOR THE APPROXIMATELY 109.522 ACRES OF THE D&W RR CO. SURVEY NO. 99, ABSTRACT NO. 246 AND THE RICHARD CRAIG SURVEY NO. 1867, ABSTRACT NO. 2754 FROM THE TR-1 ("TEMPORARY RESTRICTED") DISTRICT TO A PLANNED DEVELOPMENT DISTRICT ("PDD") TO BE KNOWN AS "THE LUNA RIDGE PDD;" AND PROVIDING FOR RELATED MATTERS.

WHEREAS, WB Lago Vista Land LLC, the owner of approximately 109.522 acres of land, more particularly described in Exhibit "A" attached hereto and historically known as the "Groseclose Tract" (described hereinafter as the "Property"), has requested a change in zoning of the Property from the current TR-1 ("Temporary Restricted") district to a Planned Development District ("PDD") to be known as the "Luna Ridge PDD," and

WHEREAS, the Property currently resides within the corporate limits of the City of Lago Vista;

WHEREAS, the concept and detail plans for the Property are set forth in this Ordinance below and in Exhibit "B" attached hereto (the "Concept / Detail Plan"), which identifies and designates various specific and limited land uses for the Property as further described herein;

WHEREAS, after giving fifteen (15) days written notice to the owners of land in and within 200-feet of the area being rezoned, as well as having published notice to the public at least fifteen (15) days prior to the date of such hearings, the Planning and Zoning Commission and City Council each held separate public hearings on the proposed rezoning of the Property included in this Ordinance; and

WHEREAS, the Planning and Zoning Commission at its public hearing held on June 8, 2023 and the City Council at its public hearing held on July 6, 2023, have both reviewed the request and the circumstances of the Property, and find that a substantial change in the circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired; and

WHEREAS, the City, by and through its legislative discretion, has adopted a comprehensive plan for the City of Lago Vista, and having considered and reviewed such comprehensive plan, the City Council finds the rezoning approved herein is consistent with the comprehensive plan except as specifically described below, which shall not be interpreted as inconsistent with this rezoning; and

WHEREAS, the City desires that development within its corporate limits occur in an orderly manner in order to protect the health, safety, and welfare of its present and future citizens, protect property values and provide for the growth of the City's tax base; and

WHEREAS, the City desires to control the development standards for the Property, protect third party property owners in the City, and to ensure the benefits of planned development and an enhanced tax base that are achieved through rezoning the Property; and

WHEREAS, pursuant to Section 51.001 of the *Texas Local Government Code*, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Chapter 211 of the *Texas Local Government Code*, the City has the authority to zone and rezone property; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace or order of the City of Lago Vista to adopt this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact. The Planning and Zoning Commission and City Council find that this Ordinance satisfies the requirements of Section 10 and Section 13 of the City of Lago Vista Zoning Ordinance as more specifically described below, codified under Ordinance No. 98-04-27-03, as amended (the "Zoning Code").

Section 2. Enactment. The Zoning Ordinance and other applicable ordinances are hereby modified and amended by rezoning the Property as set forth in Section 3.

Section 3. Rezoned Property. The Zoning Ordinance is hereby amended by changing the zoning of the approximately 109.522-acre tract of land described in the attached **Exhibit "A"** from the TR-1 ("Temporary Restricted") district to a Planned Development District ("PDD") to be known as the "Luna Ridge PDD" with the uses and limitations of individual land areas as set forth in this Ordinance.

Section 4. Amendment of Applicable Zoning Ordinances. The zoning requirements established in this Ordinance shall apply to the Property. The comprehensive zoning requirements of the Zoning Ordinance and all other applicable ordinances, as they may be amended by this Ordinance, shall apply to the Property. Should any conflict appear between the requirements of the zoning and development ordinances of the City of Lago Vista as compared with the requirements for the Property set forth in this Ordinance, the requirements set forth in this Ordinance shall control.

Section 5. Identification of Parcels within the PDD. The Property consists of the following parcels of land which are depicted in **Exhibit "B"** attached hereto and incorporated herein for all purposes:

1. Parcel A, the “Residential Parcel,”
2. Parcel B, the “Commercial Parcel,” and
3. Parcel C, the “Open Space Parcel.”

Section 6. Zoning Requirements. The following use and site development requirements established herein shall apply to the Property:

1. Zoning. The use and development of the Property shall comply with the zoning requirements and development standards of the City of Lago Vista, except as specifically modified herein.
 - A. Parcel A, the “Residential Parcel.” The uses and development standards for this area shall comply with the requirements of the existing R-4 (“Multifamily Residential”) zoning district except as specifically modified herein.
 - i. In addition to the uses permitted by right in the R-4 zoning district, condominiums may be included in Parcel A.
 - ii. The existing single-family residence may be renovated for use as an amenity center serving the development that includes the leasing and management offices, subject to compliance with all applicable building code requirements.
 - iii. The maximum number of residential living units within Parcel A shall be as shown in **Exhibit “B”** which complies with the requirements for a concept and detail plan approval.
 - iv. The minimum living area for any residential unit, exclusive of the required garage, shall be 1,000 square feet.
 - v. Each unit shall include a two-car or larger garage, but there is no minimum area for that garage beyond the required size of each parking space.
 - vi. There is no required enclosed storage area associated with the parking requirement.
 - vii. Residential structures shall maintain a minimum front yard setback of twenty (20) feet and a minimum reverse corner setback of fifteen (15) feet from a lot line or parcel designation.
 - viii. Except for the ten (10) townhouse units fronting the alley at the southeast corner of the Property which shall be a maximum of twenty-five (25) feet as measured from the finished ground floor elevation and include no more than two stories or levels, the maximum height for any structure within Parcel A shall be thirty (30) feet as measured from the

finished ground floor elevation and may not include more than two stories or levels.

- ix. Attached residential units may be constructed with distinct ground floor elevations to help preserve the existing topography and to minimize the natural slope excavation otherwise required. This “split-level” or “multi-level” alignment of floor levels between separate attached residential units shall not be construed as creating additional floor levels beyond the number in each individual unit.
 - x. The locations of entrances to Parcel A shown in Exhibit “B” are subject to confirmation by the required traffic impact analysis (TIA) referenced below. Each entrance to Parcel A may be controlled by an access gate at the discretion of the Developer, subject to compliance with the provisions of the International Fire Code for emergency vehicle access.
- B. Parcel B, the “Commercial Parcel.” The uses and development standards for this area shall comply with the requirements of the existing C-2 (“Commercial, Large Scale”) zoning district except as specifically modified herein.
- i. The boundaries of the “Commercial Parcel” shall be as shown in Exhibit “B” which complies with the requirements for a concept plan only approval upon the effective date of an ordinance amending the comprehensive plan to attain the consistency required by the Lago Vista Zoning Ordinance.
 - ii. Parcel B may be used to accommodate temporary construction operations associated with Parcel A in accordance with the provisions of the Lago Vista Zoning Ordinance.
 - iii. In addition to the required subsequent detail plan approval, development of the “Commercial Parcel” is contingent upon a successful site development plan review, an amended plat that complies with the Lago Vista subdivision regulations including Section 3.16 and all applicable building and permit regulations.
 - iv. A traffic impact analysis (TIA) shall be provided to inform the required site development plan review for any proposed commercial use that generates the threshold volume specified in the Lago Vista Code of Ordinances (two hundred vehicle trips per day).
 - v. The public utility and drainage easements requirements shall be determined during the site development plan review and prior to the required plat amendment but may include depths of up to twenty-five (25) feet adjacent to any public right-of-way.
- C. Parcel C, the “Open Space Parcel.” The uses and development standards for this area shall comply with the requirements of the existing P-1A

(“Undeveloped Park, Active”) zoning district except as specifically modified herein.

- i. The boundaries and uses for Parcel C shall be as shown in **Exhibit “B”** which complies with the requirements for a concept and detail plan approval.
- ii. Any or all of Parcel C may be included in a platted lot within Parcel A or B as required to ensure compliance with Section 3.16 of the Lago Vista subdivision regulations which contain the provisions of the current interlocal agreement between the City of Lago Vista and the City of Austin.
- iii. A portion of Parcel C may remain private for the sole use and enjoyment of the residents within the development.
- iv. Fences and gates in compliance with the Lago Vista Zoning Ordinance shall be allowed between parcels to preclude public access from the trails to Parcel A, the “Residential Parcel.”

2. Other Development Standards.

- A. Impervious Surfaces. Impervious surfaces across the entire development and within each separate platted lot designated as a building site shall be limited to a maximum of twenty-five (25) percent of the gross area above the 6810foot contour in accordance with Section 3.16 of the Lago Vista subdivision regulations and the interlocal agreement between the City of Lago Vista and the City of Austin.
- B. Setbacks. Front, rear, side, corner, and reverse corner building setbacks specified herein or in the Lago Vista Zoning Ordinance refer to the minimum distances required between structures and property boundary lines, including those adjacent to a public right-of-way. In addition, a minimum of ten (10) feet shall be maintained between each separate structure, and the minimum vision triangle required by the Lago Vista Code of Ordinances maintained adjacent to any driveway, alley, or street.
- C. Streets and Sidewalks.
 - i. All streets within the Property shall be private, compliant with the design parameters included herein including **Exhibit “B”** and be maintained by the property owners’ association required below.
 - ii. The minimum right-of-way width for all private streets within the Property shall be fifty (50) feet. The minimum right-of-way width for all private alleys within the Property shall be twenty-five (25) feet.
 - iii. The minimum pavement width for all private streets within the Property shall be twenty-eight (28) feet, inclusive of a curb and gutter

on each side as needed. The minimum pavement width for all alleys within the Property shall be twenty-two (22) feet.

- iv. All private streets and alleys shall also be dedicated as public utility easements and as a public access easement for the use by the staff or agents of any governmental, public utility, or public service entity as required to provide and maintain municipal services to the Property.
- v. Sidewalks are not required but may be provided on one or both sides of a private street or alley at the discretion of the Developer. However, when sidewalks are included, they shall comply with the Lago Vista subdivision regulation design standards.

D. Parking. In addition to the minimum two-car garage required above for each unit within the "Residential Parcel," the Developer shall meet or exceed the parking requirements within the Zoning Ordinance applicable at the time each separate site development plan review application is submitted. In addition, the parking or storage of watercraft, trailers, recreational vehicles and other similar items is prohibited.

E. Topography. Permissible levels of cut or fill shall be subject to the current interlocal agreement between the City of Lago Vista and the City of Austin as documented in Section 3.16 of the Lago Vista subdivision regulations. Within those parameters, proposed levels of cut or fill shall be administratively reviewed and approved pursuant to the required site development plan application. Site grading shall also comply with accepted engineering best practices, the American with Disabilities Act (ADA-AG) and all other applicable federal, state, or local regulations. Beyond compliance with these provisions and design standards, there is no limitation or prohibition of construction improvements on slopes.

F. Signage and Lighting. All signage shall comply with Chapter 5 of the Lago Vista Code of Ordinances, the Lago Vista Sign Ordinance. All outdoor or exterior lighting, including any lighting associated with the entry landscaping and signage, shall comply with Article 3.800 of Chapter 3 of the Lago Vista Code of Ordinances, the Lago Vista "dark sky" regulations.

- 3. Traffic. The Developer shall submit a traffic impact analysis (TIA) to the City prior to the submission of a preliminary plat application and as an integral part of any required site development plan review. The traffic impact analysis shall include any improvement or cost sharing required to mitigate any adverse impact of the development and to maintain the existing level of service of all impacted public streets, including additional right-of-way dedication. With the express written approval of the City, specific required improvements and cost sharing may be attributed to a corresponding phase of the development. The Developer shall also be precluded from permitting or constructing improvements within the area

adjacent to the Lohman Ford Road right-of-way designated for preservation in the 2021 Thoroughfare Plan Update adopted by the Lago Vista City Council on August 5, 2021, and as might be updated prior to the approval of the required site development plan.

4. Municipal Utility Services. All water and wastewater services to the Property shall be provided by the City of Lago Vista. Wells and private wastewater systems are prohibited. The Developer shall be responsible for the cost of all extensions and offsite improvements to the City's municipal utility systems required to provide service to the Property. The Developer shall also be responsible for the cost of all onsite improvements required to provide municipal utility services to the Property or any separate parcel or lot within it.
5. Property Owners' Association. A property owners' association shall be established prior to the issuance of any permits and will be responsible for maintenance of all streets, alleys, common areas, and community facilities.
6. Parkland Dedication. The parkland required by the Lago Vista subdivision regulations shall be satisfied by a fee-in-lieu of dedication in the amount current within the Lago Vista Code of Ordinances at the time approval of the final plat that includes the "Residential Parcel" is sought.
7. Building Permits. The Developer shall be eligible to apply for building permits when all prerequisite approvals specified herein and in the Lago Vista Code of Ordinances have been obtained and any required fiscal security delivered.
8. The City Council finds that this Ordinance serves as both a concept plan and a detail plan approval for both the "Residential Parcel" and the "Open Space Parcel," that no additional detail plans are required by the Zoning Ordinance, and that the requirements of Section 10.20 and Section 13.20 have been met. The City Council also finds that this Ordinance serves as a concept plan only approval for the "Commercial Parcel," upon the effective date of an ordinance amending the comprehensive plan to attain the consistency required by Section 13.20 of the Lago Vista Zoning Ordinance. Only after that amendment to the comprehensive plan has been approved may the application for the detail plan approval required for development of the "Commercial Parcel" be submitted. It is with this specific condition and limitation that the appropriate departments of the City, the Planning and Zoning Commission and the City Council hereby find and agree that this Ordinance and the project contemplated herein complies with and satisfies the requirements of Section 10.20 and Section 13.20 of the Zoning Ordinance as well as the comprehensive plan of the City of Lago Vista.
9. Phasing. Given the additional approvals required for the "Commercial Parcel," it is understood that it will be pursued as a separate future phase of development. In addition, components of the "Residential Parcel" and "Open Space" may be

developed in distinct phases so long as the health and safety of the public and residents is maintained by an approved staging plan.

10. **Land Use Plans.** The depiction of the concept and detail plan for the “Residential Parcel” and “Open Space Parcel” of the “Luna Ridge PDD” in Exhibit “B” is not intended to reflect the level of detail and finality associated with construction permit documents. In accordance with Section 10.60 of the Zoning Ordinance, non-substantive changes which do not alter the basic relationship of the proposed development to adjacent property, which do not alter the uses permitted, increase the density, height, or impervious surface coverage of the site, which do not decrease the off-street parking ratio or reduce the required setbacks within the boundary of the site and which do not decrease any buffers shown on the approved detail plan may be administratively approved. Conversely, substantive changes in any component of an approved detail plan shall be considered in accordance with the requirements of Section 10 of the Zoning Ordinance.

Section 7. Repealer. The Zoning Ordinance and all other applicable portions of the Lago Vista Code of Ordinances are amended as required to incorporate the “Luna Ridge PDD” as described herein. Any portion of the Zoning Ordinance or any other applicable ordinance in conflict with this Ordinance is hereby repealed or amended to the extent of such conflict only.

Section 8. Severability. Should any section or part of this Ordinance be held illegal, unconstitutional, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Ordinance are declared to be severable.

Section 9. Penalty. Any person, firm or corporation violating any of the provisions or terms of this Ordinance or of the Code of Ordinances as amended hereby, shall be subject to the same penalty as provided for in the Code of Ordinances, Section 1.109 General Penalty for Violations of Code; Continuing Violations of the City of Lago Vista, and upon conviction shall be punished by a fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense.

Section 10. Publication Clause. The City Secretary of the City of Lago Vista is hereby directed to publish in the Official Newspaper of the City of Lago Vista the Caption, and Effective Date Clause of this Ordinance as required by Section 52.013 of the *Texas Local Government Code*.

Section 11. Effective Date. This Ordinance shall be in force and effect from and after its passage on the date shown below in accordance with the provisions of the *Texas Local Government Code* and the City’s Charter.

Section 12. Change of Zoning Map. The City Manager is hereby authorized to and shall promptly cause the zoning change to be included on the official Zoning Map of the City of Lago Vista, Texas.

Section 13. Proper Notice and Meeting. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapter 551, Texas Local Government Code*.

AND, IT IS SO ORDERED.

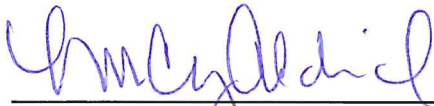
PASSED AND APPROVED this 6th day of July 2023.



Ed Tidwell, Mayor

ATTEST:





Lucy Aldrich, City Secretary

On a motion by Councilman Hunt, seconded by Councilman Sullivan, the above and foregoing ordinance was passed and approved.

EXHIBIT "A"

Legal Description

109.522 ACRES OF LAND OUT OF THE D&W RR CO SURVEY NO. 99, ABSTRACT NO. 246 AND THE RICHARD CRAIG SURVEY NO. 1867, ABSTRACT NO. 2754 TRAVIS COUNTY, TEXAS; BEING ALL OF THE REMAINING PORTION OF A CALLED 169.54 ACRE TRACT OF LAND AS CONVEYED TO LINDA L. GROSECLOSE, TRUSTEE OF THE LINDA GROSECLOSE 1998 INTERVIVOS TRUST BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2002229115 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 109.522 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found on the curing south right-of-way line of Boggy Ford Road (a variable width public right-of-way) as dedicated by instrument recorded in Volume 3911, Page 2059 of the Deed Records of Travis County, Texas at the northwest corner of the above described 169.54 acre tract of land, for the northwest corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, with the south right-of-way line of said Boggy Ford Road, along a curve to the left, an arc distance of 25.82 feet, having a radius of 242.46 feet, a central angle of 06°06'02" and chord which bears N84°45'20"E a distance of 25.81 feet to a 1/2-inch iron rod found at a point of compound curvature;

THENCE, continuing with the south right-of-way line of said Boggy Ford Road, along said curve to the left, an arc distance of 66.70 feet, having a radius of 120.24 feet, a central angle of 31°47'03" and chord which bears N65°36'15"E a distance of 65.85 feet to a 1/2-inch iron rod with a plastic cap stamped "BGE INC" set at a point of compound curvature, on the south line of right-of-way described as Exhibit C and dedicated by instrument recorded in Volume 11174, Page 701 of the Real Property Records of Travis County, Texas;

THENCE, with the south right-of-way line of said Boggy Ford Road, along said curve to the left, an arc distance of 78.69 feet, having a radius of 348.31 feet, a central angle of 12°56'38" and chord which bears N69°12'27"E a distance of 78.52 feet to a 1/2-inch iron rod with a plastic cap stamped "BGE INC" set;

THENCE, continuing with the south right-of-way line of said Boggy Ford Road, N62°44'43"E a distance of 25.75 feet to a 1/2-inch iron rod with a plastic cap stamped "BGE INC" set at the intersection with the west right-of-way line of Lohman Ford Road (a variable width public right-of-way), for the northeast corner of the herein described tract;

THENCE, with the east line of said 169.54 acre tract and the west right-of-way of said Lohman Ford Road, S27°15'33"E a distance of 537.00 feet to a mag nail found for an interior corner of the herein described tract;

EXHIBIT "A"

Legal Description (continued)

THENCE, continuing with the east line of said 169.54 acre tract and the west right-of-way line of said Lohman Ford Road, **N63°00'44"E** a distance of **14.86** feet to a 1/2-inch iron rod found for corner;

THENCE, continuing with the east line of said 169.54 acre tract and the west right-of-way line of said Lohman Ford Road, along a curve to the right, an arc distance of 512.98 feet, having a radius of 1,030.52 feet, a central angle of 28°31'16" and chord which bears **S12°59'53"E** a distance of **507.70** feet to a 1/2-inch iron rod found;

THENCE, continuing with the east line of said 169.54 acre tract and the west right-of-way line of said Lohman Ford Road, **S01°16'12"W** a distance of **1,317.73** feet to a 1/2-inch iron rod found at a point of curvature of a curve to the left;

THENCE, continuing with the east line of said 169.54 acre tract and the west right-of-way line of said Lohman Ford Road, along said curve to the left, an arc distance of 461.50 feet, having a radius of 990.25 feet, a central angle of 28°42'07" and chord which bears **S12°05'56"E** a distance of **457.33** feet to a 1/2-inch iron rod found;

THENCE, continuing with the east line of said 169.54 acre tract and the west right-of-way line of said Lohman Ford Road, **S25°25'32"E** a distance of **250.69** feet to a 1/2-inch iron rod with a cap stamped "CARSON BUSH" found at the northeast corner of a called 60.048 acre tract of land as conveyed to Michael J. Cadigan and Mary Eileen Cadigan by Warranty Deed with Vendor's Lien recorded in Document Number 2000123186 of the Official Public Records of Travis County, Texas, for an easterly southeast corner of the herein described tract;

THENCE, departing the west right-of-way line of said Lohman Ford Road and with the north line of said Cadigan 60.048 acre tract, **N80°59'10"W** a distance of **806.28** feet to a 1/2-inch iron rod with a cap stamped "CARSON BUSH" found at the northwest corner of said Cadigan 60.048 acre tract, for an interior corner of the herein described tract;

THENCE, with a westerly line of said Cadigan 60.048 acre tract, **S28°32'52"W** a distance of **1,243.25** feet to a 1/2-inch iron rod with a cap stamped "CARSON BUSH" found at an interior corner of said Cadigan 60.048 acre tract, for a southeast corner of the herein described tract;

THENCE, with a northeasterly line of said Cadigan 60.048 acre tract, **N62°08'34"W** a distance of **1,188.10** feet to a 1/2-inch iron rod with a cap stamped "CARSON BUSH" found at an exterior corner of said Cadigan 60.048 acre tract, for an interior corner of the herein described tract;

THENCE, with a westerly line of said Cadigan 60.048 acre tract, **S28°30'06"W** a distance of **100.07** feet to a 1/2-inch iron rod found at the southwest corner of said Cadigan 60.048 acre tract, for an exterior corner of the herein described tract;

EXHIBIT "A"

Legal Description (continued)

THENCE, with the southerly line of said 169.54 acre tract, **N62°05'24"W** a distance of **88.62** feet to a 5/8-inch iron pipe found at an interior corner of a called 318.54 acre tract of land as conveyed to Firefly Cove, LLC by Special Warranty Deed recorded in Document No. 2021006320 of the Official Public Records of Travis County, Texas, for the southwest corner of the herein described tract;

THENCE, with a east line of said Firefly 318.54 acre tract, **N28°00'50"E** a distance of **335.33** feet to a 1/2-inch iron rod with a plastic cap stamped "BGE INC" set at an angle point;

THENCE, continuing with the east line of said Firefly 318.54 acre tract, **N29°27'35"E** a distance of **349.03** feet to a 1/2-inch iron rod found at an angle point;

THENCE, continuing with the east line of said Firefly 318.54 acre tract, **N27°42'32"E** a distance of **658.96** feet to a 1/2-inch iron rod found at an angle point;

THENCE, continuing with the east line of said Firefly 318.54 acre tract, **N29°00'22"E** a distance of **290.73** feet to a 5/8-inch iron rod found at an angle point;

THENCE, continuing with the east line of said Firefly 318.54 acre tract, **N28°20'44"E** a distance of **1,360.79** feet to a 1/2-inch iron rod found at an angle point;

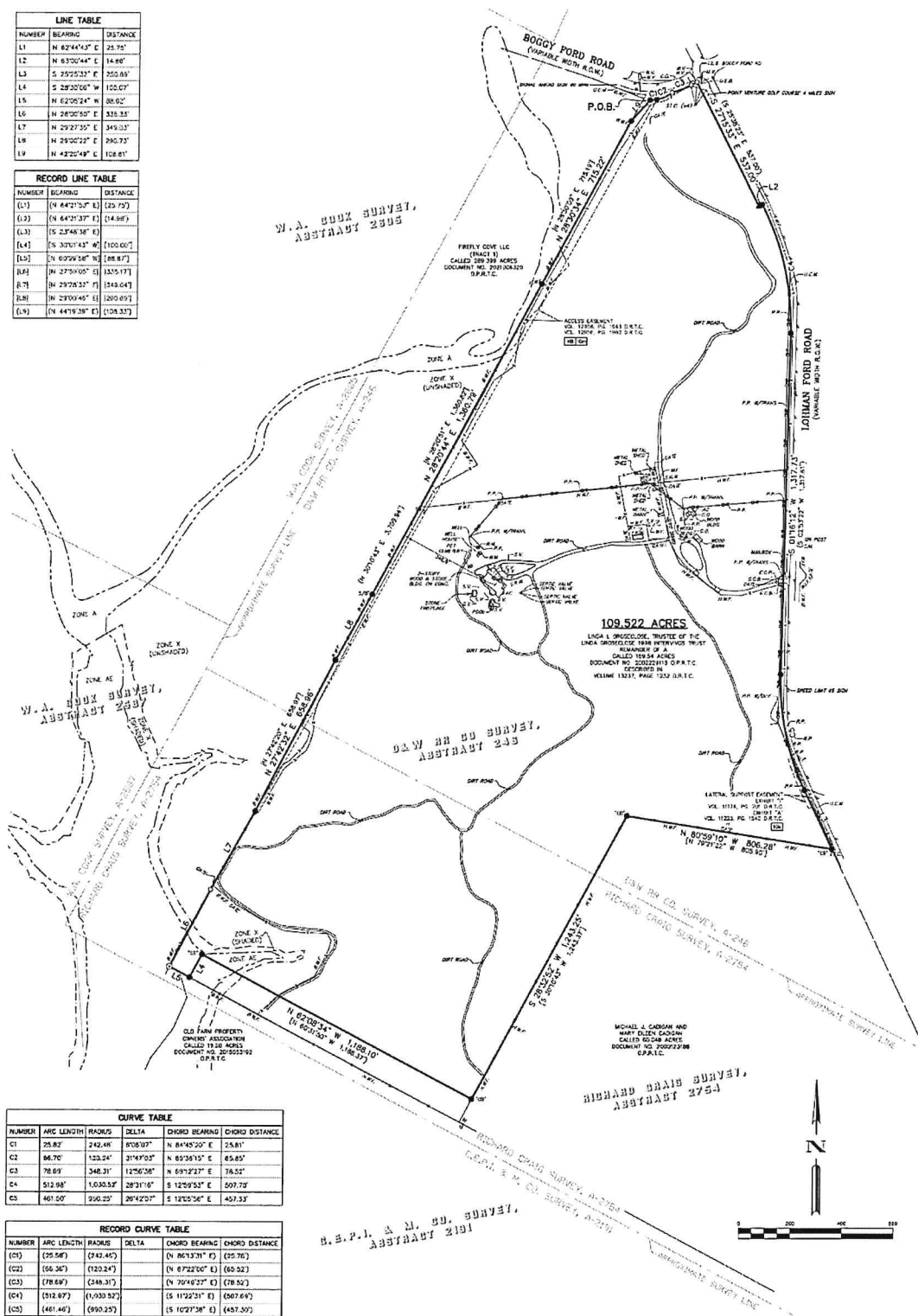
THENCE, continuing with the east line of said Firefly 318.54 acre tract, **N28°30'34"E** a distance of **715.22** feet to a 1/2-inch iron rod found at an angle point;

THENCE, with a northwest line of said 169.54 acre tract, **N42°20'49"E** a distance of **108.81** feet to the **POINT OF BEGINNING** and containing 109.522 acres of land, more or less.

EXHIBIT "A" **Legal Description (continued)**

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	N 82°41'52" E	25.75'
L2	N 63°52'44" E	14.40'
L3	S 29°52'33" E	225.83'
L4	S 29°52'00" W	125.07'
L5	N 63°52'44" W	30.62'
L6	N 24°52'50" E	335.33'
L7	N 29°27'35" E	349.33'
L8	N 24°52'22" E	290.73'
L9	N 42°22'48" E	128.81'

RECORD LINE TABLE		
NUMBER	BEARING	DISTANCE
(L1)	(N 84°21'52" E)	(25.75')
(L2)	(N 64°21'37" E)	(14.40')
(L3)	(S 28°48'38" E)	
(L4)	(S 30°11'43" W)	(100.00')
(L5)	(N 63°52'48" W)	(88.87')
(L6)	(N 27°51'05" E)	(325.17')
(L7)	(N 29°28'37" E)	(349.04')
(L8)	(N 29°00'45" E)	(290.05')
(L9)	(N 44°19'38" E)	(124.33')



CURVE TABLE					
NUMBER	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	25.82'	242.48'	8°08'07"	N 84°45'20" E	25.81'
C2	86.70'	123.24'	31°47'03"	N 85°35'15" E	85.85'
C3	78.61'	348.31'	12°56'58"	N 69°27'27" E	78.51'
C4	512.98'	1,030.52'	28°31'16"	S 12°59'53" E	507.73'
C5	461.00'	910.25'	26°42'07"	S 12°52'56" E	457.33'

RECORD CURVE TABLE					
NUMBER	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
(C1)	(25.58')	(242.45')		(N 84°13'31" E)	(25.76')
(C2)	(86.26')	(123.24')		(N 87°22'00" E)	(86.52')
(C3)	(78.69')	(348.31')		(N 70°49'27" E)	(78.52')
(C4)	(512.87')	(1,030.52')		(S 11°22'21" E)	(507.69')
(C5)	(461.46')	(910.25')		(S 10°27'38" E)	(457.50')

EXHIBIT "B"

Concept / Detail Plan

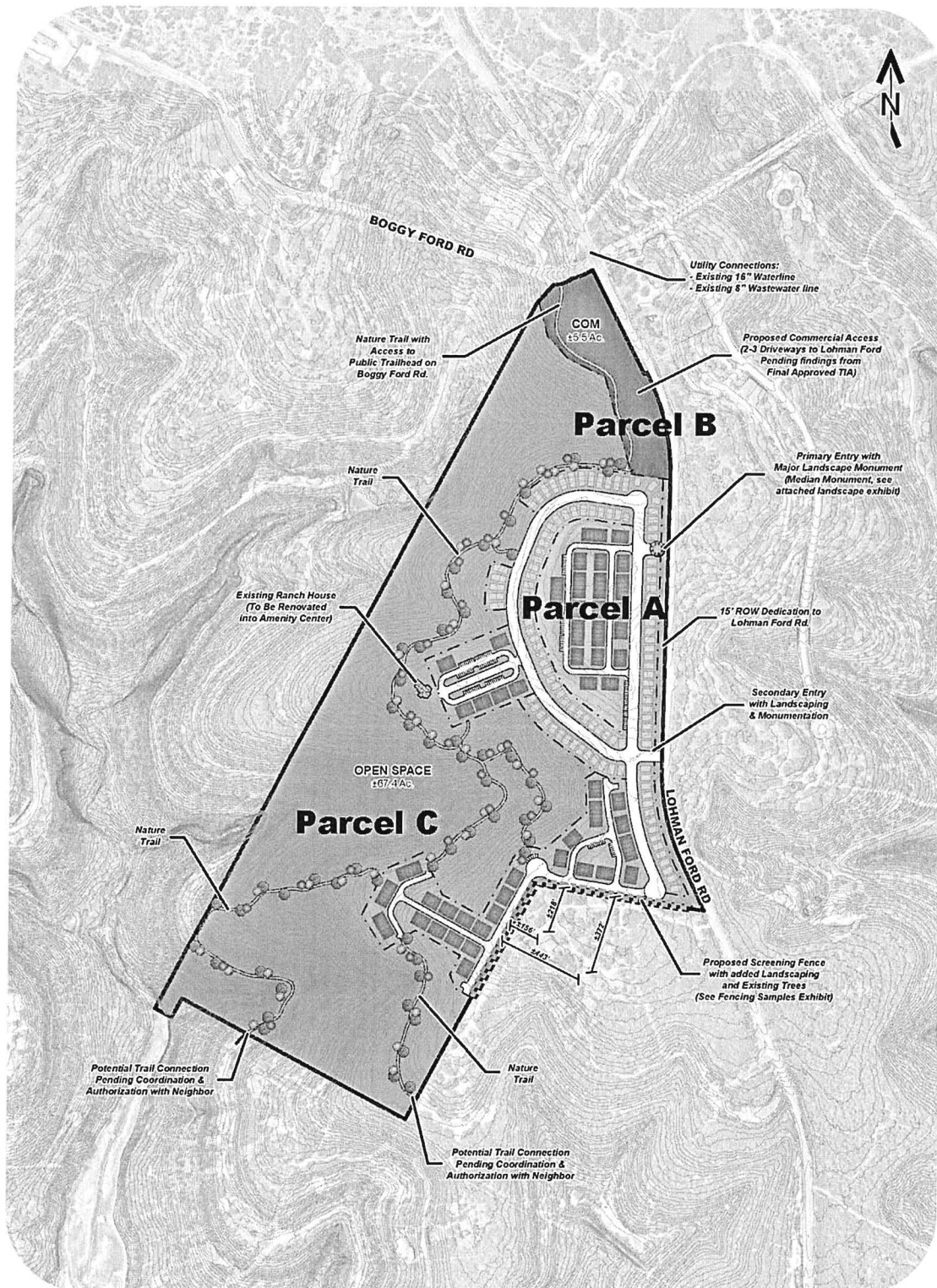
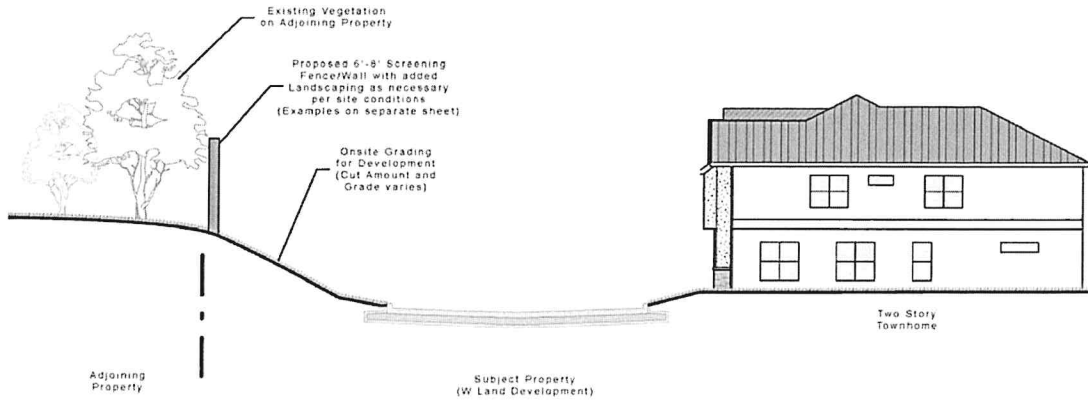
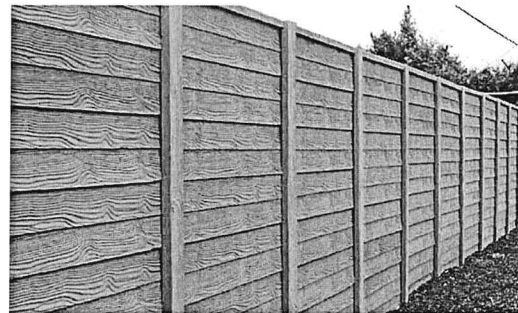


EXHIBIT "B"

Concept / Detail Plan



Screening / Edge Treatment



Proposed Development and/or Screening Fencing along Lohman Ford Road and abutting neighboring homeowner shall be constructed of a fencing material such as fencecrete or precast concrete wall panels.

Such fencing is typical for this type of development and offers a durable, long-lasting fence structure with minimal maintenance and provides some level of sound dampening to adjoining properties.

Location of fencing types to be delineated separately following Conceptual Plan Approval with final pattern/color/texture to be determined by Developer

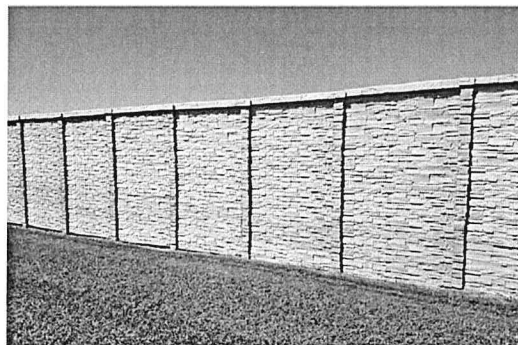
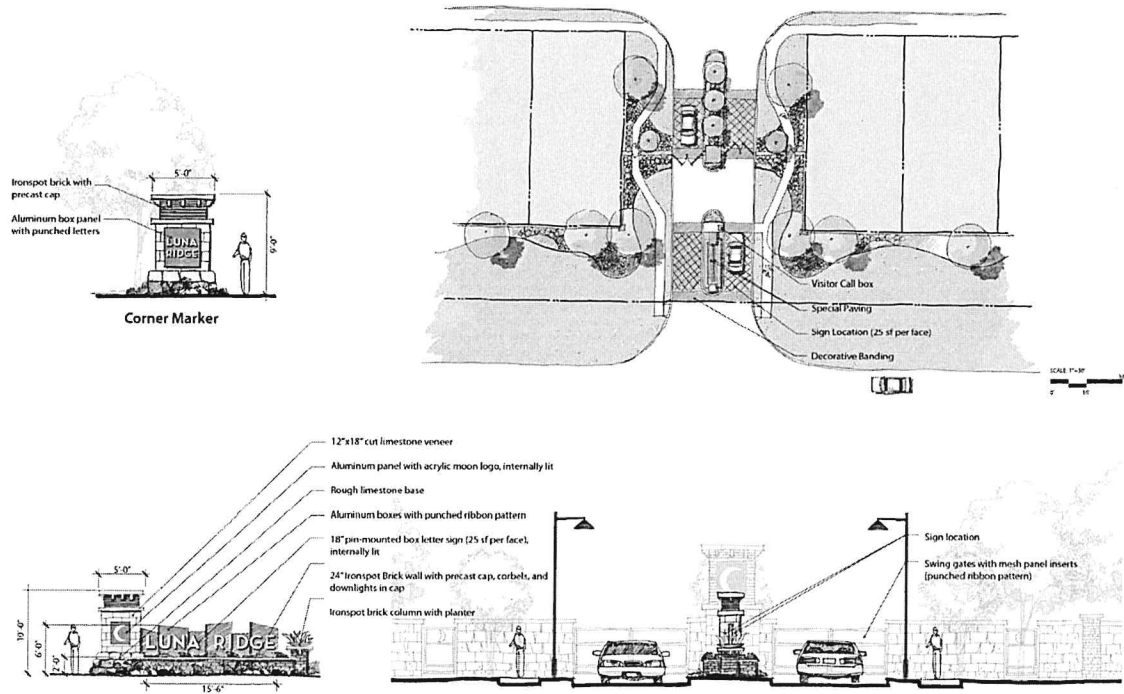
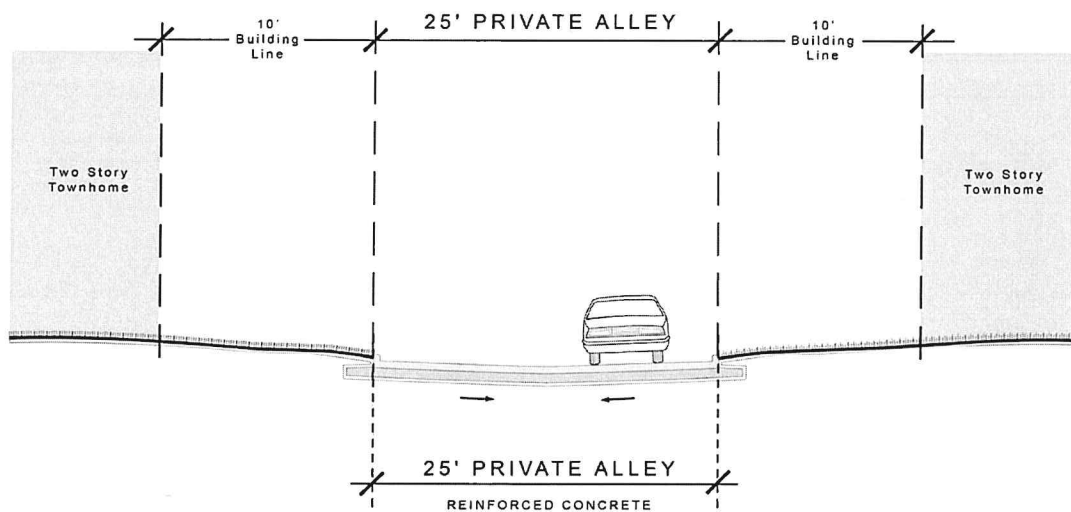


EXHIBIT "B"

Concept / Detail Plan



Entry Landscaping / Monument Signs



Typical Private Alley (Street)

EXHIBIT "B"
Concept / Detail Plan

Typical Elevations (two-story, maximum)

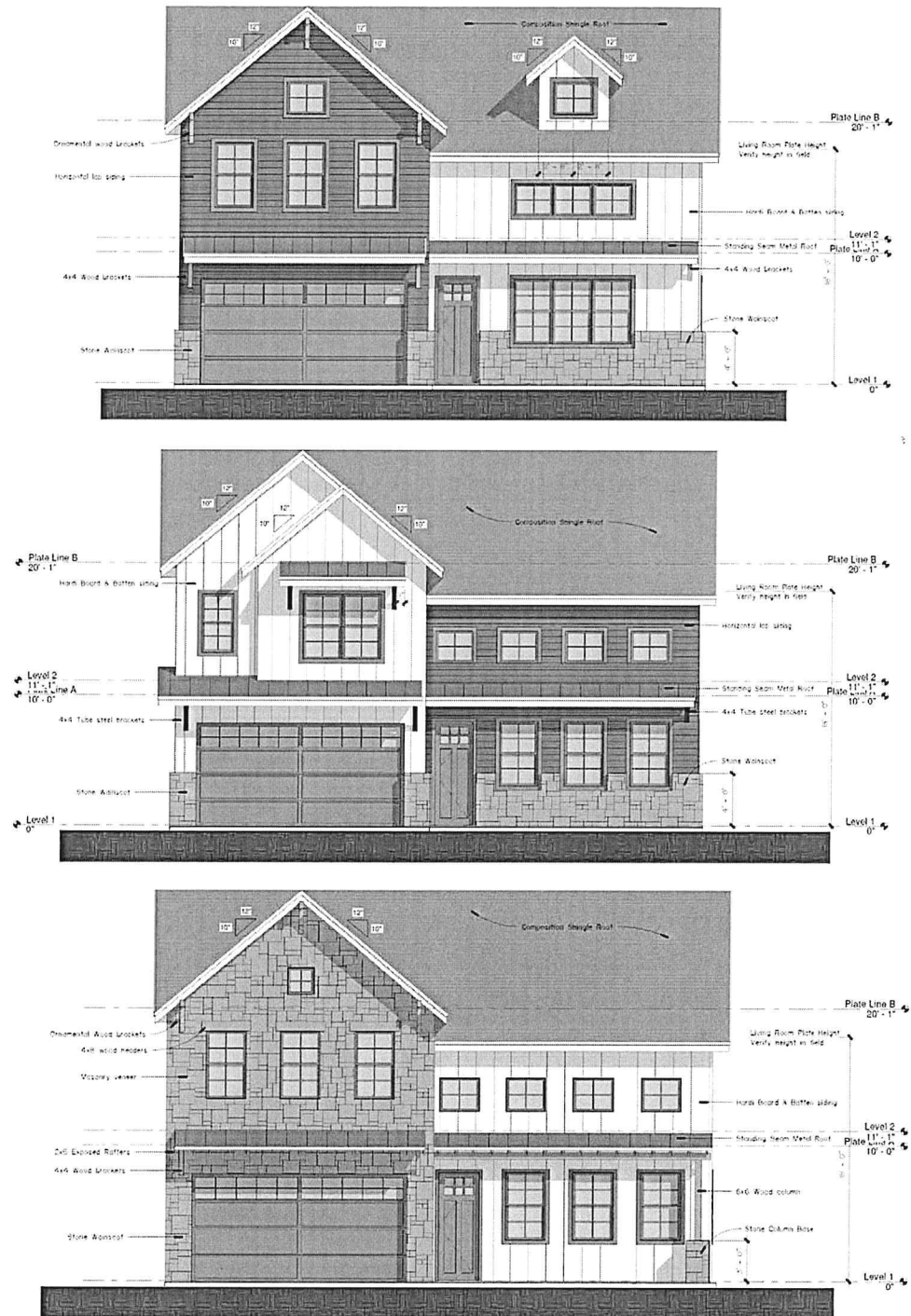


EXHIBIT "B"
Concept / Detail Plan



Typical Elevations (two-story, maximum)



EXHIBIT "B"
Concept / Detail Plan



Typical Elevations (two-story, maximum)

