

**EXHIBIT
A**

Exhibit A

II.

DEVELOPMENT PLAN

EXHIBIT “B”

AGREEMENT AND DEVELOPMENT PLAN FOR Vogler-Prewitt Tract PUD NO. 32

II.

DEVELOPMENT PLAN

1. **DEFINITIONS**

Words and terms used herein shall have their usual force and meaning, or as defined in the Code of Ordinances (2018 Edition), City of Round Rock, Texas, hereinafter referred to as “the Code”.

2. **PROPERTY**

This Development Plan (“Plan”) covers approximately **15.07 acres** of land, located within the city limits of Round Rock, Texas, and more particularly described by metes and bounds in **Exhibit “A”** attached hereto.

3. **PURPOSE**

The purpose of this Plan is to insure a Planned Unit Development (“PUD”) that 1) is equal to or superior to development that would occur under the standard ordinance requirements, 2) is in harmony with the General Plan as amended, 3) does not have an undue adverse affect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety and welfare, 4) is adequately provisioned by essential public facilities and services, and 5) will be developed and maintained so as to not dominate, by scale or massing of structures, the immediate neighboring properties or interfere with their development or use in accordance with any existing zoning district.

4. **APPLICABILITY OF CITY ORDINANCES**

4.1 **Zoning and Subdivision Ordinances**

The Property shall be regulated for purposes of zoning and subdivision by this Plan. All aspects not specifically covered by this Plan shall be regulated by applicable sections of the Code.

4.2 **Other Ordinances**

All other Ordinances within the Code shall apply to the Property,

5. PERMITTED USES

The Property shall be used and developed for the uses set forth in **Exhibit “C”**, attached hereto and incorporated herein.

6. DEVELOPMENT STANDARDS

The Property shall be developed in accordance with the Development Standards set forth in **Exhibits “D”, “E”, “F”, and “H”** attached hereto and incorporated herein.

7. BUILDINGS

Building size, dimension, height and setbacks for all parcels shall be as modified in **Exhibits “D”, “E”, “F”, and “H”** attached hereto, as applicable to each parcel and its designated use.

8. LANDSCAPING and BUFFERING

Landscaping and buffering shall be modified in **Exhibit “D”, “E”, “F”, and “H”** attached hereto, as applicable to each parcel and its designated use.

9. UNDERGROUND UTILITY SERVICE

Except where approved in writing by the Director of Public Works, all electrical, telephone and cablevision distribution and service lines, other than overhead lines which are three phase or larger, shall be placed underground.

10. ACCESS

Vehicular access to the Property shall be restricted as follows:

- 10.1** Primary vehicular access to all residential uses on the Property shall be from Westwood Drive. Secondary access to residential uses on the Property may be from Chisholm Trail. Westwood Drive shall be terminated with a fifty foot (50') radius cul de sac. Westwood Drive shall not be extended to connect with Chisholm Trail. No vehicular access shall be permitted to either Brentwood Street or Briarwood Street. Access to these streets for emergency vehicles shall be permitted provided they are designed to prevent normal vehicular access.
- 10.2** Vehicular access to all permitted commercial uses shall be from Chisholm Trail.
- 10.3** Vehicular access to all institutional uses shall be from either Westwood Drive and/or Chisholm Trail.
- 10.4** The right of way for Chisholm Trail shall be widened to provide a total width of

fifty feet (50') to accommodate future road improvements. The additional right of way shall be dedicated at time of platting.

11. CHANGES TO AGREEMENT AND DEVELOPMENT PLAN

11.1 Minor Changes

- a) The Planning and Development Services Director shall have the authority to administratively approve a minor change to a development plan of up to ten percent (10%) of any numerical standard contained within the plan. Minor changes may include, but not be limited to, adjustments to lot lines, parking and loading areas, driveways, parking counts, building configurations and orientations, architectural design, building and landscaping materials, tree retention, street alignments, sidewalks, drainage facilities, project phasing, lighting, and site layout. The Planning and Development Services Director shall also have the authority to administratively approve a change in the development plan to the maximum height of a free-standing sign or a change to the maximum allowable display area of any signage.
- b) Minor amendments shall not include:
 - 1. Changes in land use;
 - 2. Increases in density, building height, or coverage of the site;
 - 3. Decreases in setbacks abutting residential land uses and zoning districts;
 - 4. Decreases in parkland or open space;
 - 5. Any proposed modification that reduces the quality of the PUD, as determined by the Planning and Development Services Director; or any proposed modification that seeks to alter a condition, standard, or requirement that was incorporated into the development plan as a result of public testimony during a Planning & Zoning Commission or a City Council hearing.

11.2 Major Changes

All changes not permitted above shall be resubmitted following the same procedure required by the original PUD application.

COMPREHENSIVE PLAN

Approval of this development plan amends the Future Land Use Map of the Round Rock 2030 Comprehensive Plan land use designation from Residential to Public Facilities.

EXHIBIT “C”

PERMITTED USES

1. PERMITTED USES

The following land uses are permitted on the following tracts, as described in the map attached to and made a part of this Exhibit.

TRACT ONE:

1.1 Condominiums or Townhomes

Condominium or townhouse residential uses, at a density not to exceed 12 units per acre, designed and constructed to provide for condominium or fee simple ownership of each individual dwelling unit. If fee simple ownership is desired, private streets or drives shall be permitted in lieu of public streets, provided title is in the name of the homeowner's association and maintenance of such streets is the responsibility of said association. All such uses shall be designed and constructed in accordance with the Development Standards contained in Exhibit “F”.

1.2 Institutional Uses

Churches, schools, daycare, senior citizens housing and assisted care facilities as defined by the Texas Department of Human Services, nursing homes and libraries. All such uses shall be designed and constructed in accordance with the Development Standards contained in Exhibit “D”.

TRACT TWO:

1.1 Institutional Uses

Churches, schools, daycare, senior citizens housing and assisted care facilities as defined by the Texas Department of Human Services, nursing homes and libraries. All such uses shall be designed and constructed in accordance with the Development Standards contained in Exhibit “D”.

1.2 Commercial Uses

Offices, medical and dental clinics, and other commercial uses listed in Exhibit “E”. All such uses shall be designed and constructed in accordance with the Development Standards contained in Exhibit “E”.

TRACT THREE:

1.1 Condominiums or Townhomes

Condominium or townhouse residential uses, at a density not to exceed 12 units per acre, which are designed and constructed to provide for condominium or fee simple ownership of each individual dwelling unit. If fee simple ownership is desired, private streets or drives shall be permitted in lieu of public streets, provided title and maintenance of such streets is the responsibility of a homeowners association established for that purpose. All such uses shall be designed and constructed in accordance with the Development Standards contained in Exhibit "F".

1.2 Institutional Uses

Churches, schools, daycare, senior citizens housing and assisted care facilities as defined by the Texas Department of Human Services, nursing homes and libraries. All such uses shall be designed and constructed in accordance with the Development Standards contained in Exhibit "D".

1.3 Commercial Uses

Offices, medical and dental clinics, and other commercial uses contained in Exhibit "E". All such uses shall be designed and constructed in accordance with the Development Standards contained in Exhibit "E".

TRACT FOUR:

1.1 Civic/Arts Uses

Performing arts theater, art galleries, broadcasting studios, private schools, place of worship, and other uses contained in Exhibit "H". All uses shall be designed and constructed in accordance with the Development Standards contained in Exhibit "H".

EXHIBIT “D” DEVELOPMENT STANDARDS

Institutional

1. PERMITTED USE:

Churches, schools, daycare, senior citizens housing and assisted care facilities as defined by the Texas Department of Human Services, nursing homes, and library.

3. HEIGHT:

3.1 The maximum height of any buildings shall be two stories.

3.2 Buildings or the portion of buildings within 100 feet of the boundary of the Little Oak Addition shall be restricted to one story in height, or constructed so that no second story window is within 100 feet of the boundary that faces Little Oak subdivision.

4. DESIGN STANDARDS

4.1 The exterior finish of all buildings shall be designed and constructed of one hundred percent (100%) masonry. Masonry shall be defined as stone, brick, stucco or fiber cement siding. Windows, doors and trim are exempt from the masonry requirement.

4.2 All roofs shall have a pitch of no less than 4 feet in 12 feet.

4.3 Roofing materials shall consist of tile, non-reflective metal, or architectural dimensional shingles with a minimum 25 year rating.

5. BUILDING SETBACKS:

5.1 Front yard: 10 feet from property line

5.2 Side yard: 10 feet from property line

5.3 Rear yard: 10 feet from property line

6. LANDSCAPE REQUIREMENTS

6.1 All front yards, as defined by building setback requirements, shall be one hundred percent (100%) landscaped except for all sidewalks and those driveways which provide direct access to the street.

6.2 All trees which are identified on Exhibit “G” shall be shown on the Site Plan required by the Development Review Board, and all reasonable efforts to protect these trees shall be made in the planning and developing of the property.

7. **UNDERGROUND ELECTRIC AND UTILITY LINES:** Except where approved in writing by the Director of Public Works all electrical, telephone and cable vision distribution and service lines, other than currently existing overhead lines and lines three phase or larger shall be installed underground. No rooftop or anchored antennas shall be allowed. Individual satellite dishes less than 36 inches in diameter are not prohibited by this requirement.

EXHIBIT “E” DEVELOPMENT STANDARDS
Commercial

1. PERMITTED USE:

1.1 Permitted uses:

- a. Offices,
- b. Medical and dental clinics,
- c. Restaurants (excluding drive through),
- d. Retail uses contained entirely within a building, provided no single business premises exceeds 10,000 square feet,
- e. Commercial schools,
- f. Banks or other financial institutions (drive through facilities shall be limited to two lanes),
- g. Personal service establishment,
- h. Art studios, galleries, and theaters
- i. Broadcasting studios

1.2 Conditional permitted uses:

- a. In addition to the permitted uses listed above, additional commercial uses ordinarily permitted in the C-1 General Commercial Zone may be permitted with the written approval of the Director of Planning stating that such uses are similar to those listed as permitted uses, and are not expressly prohibited in the following Paragraph 2, “Prohibited Uses”, on the condition that the use will not normally be open for business between the hours of 10:30 PM to 7:00 AM. The decision of the Director of Planning shall be final.
- b. Residential uses combined with commercial uses, provided they receive a special permit in accordance with the provisions of the C-1 (General Commercial) zoning district of the Code.

2. PROHIBITED USES:

- 2.1** Convenience stores,
- 2.2** Liquor stores.
- 2.3** Night clubs and bars,
- 2.4** Gasoline stations,

- 2.5 Motor vehicle repair shops,
- 2.6 Motor vehicle body or paint shops,
- 2.7 Taxi cab or other motor vehicle dispatch facilities,
- 2.8 Bulk distribution centers,
- 2.9 Construction yards,
- 2.10 Kennels or Veterinarian Offices with Kennels,
- 2.11 Warehouses,
- 2.12 Motor vehicle sale and servicing,
- 2.13 Mobile or manufactured home sale and repair,
- 2.14 Tire, battery or other motor vehicle supply business which installs products on site,
- 2.15 Drive through facilities (except for banks and financial institutions), and
- 2.16 Outdoor storage.

3. DESIGN STANDARDS:

- 3.1 The exterior finish of all buildings shall be designed and constructed of one hundred percent (100%) masonry. Masonry shall be defined as stone, brick, stucco or fiber cement siding. Windows, doors and trim are exempted from the masonry requirement.
- 3.2 All roofs shall have a pitch of no less than 4 feet in 12 feet.
- 3.3 Roofing materials shall consist of tile, non-reflective metal, or architectural dimensional shingles with a minimum 25 year rating.
- 3.4 Any out buildings shall be of the same construction and architectural design as the primary buildings on the site.

4. HEIGHT:

- 4.1 The maximum height of any building shall be three stories.
- 4.2 Buildings or portions of buildings within 100 feet of the boundary of Little Oaks Addition shall be restricted to one story in height.

5. PARKING REQUIREMENTS:

- 5.1 The number of parking spaces provided shall be four (4) spaces per one thousand (1,000) square feet of floor space.
- 5.2 All parking spaces shall be “full size” spaces (162 square feet).
- 5.3 Parking may be located in side and rear yards only.
- 5.4 Parking is prohibited in the required 10 foot (10’) front yard.

6. BUILDING SETBACK REQUIREMENTS:

- 6.1** Front yard: 10 feet from property line
- 6.2** Side yard: 10 feet from property line
- 6.3** Rear yard: 10 feet from property line
- 6.4** Any yard which abuts residential development: 50 feet from property line.
- 6.5** All buildings, except those which are located wholly or partially behind another building, shall be located so that at least one corner of the building is located no more than five feet (5') behind the ten foot (10') front yard setback.

7. LANDSCAPING REQUIREMENTS:

- 7.1** All front yards, as defined by building setback requirements, shall be 100 percent (100%) landscaped, except for all sidewalks and those driveways which provide direct access to the street.
- 7.2** All trees which are identified on Exhibit "G" shall be shown on the Site Plan required by this agreement, and all reasonable efforts to protect these trees shall be made in the planning and development of the Property.

8. UNDERGROUND ELECTRIC AND UTILITY LINES:

Except where approved in writing by the Director of Public Works all electrical, telephone and cable vision distribution and service lines, other than currently existing overhead lines and lines three phase or larger shall be installed underground. No rooftop or anchored antennas shall be allowed. Individual satellite dishes less than 36 inches in diameter are not prohibited by this requirement.

EXHIBIT “F” DEVELOPMENT STANDARDS

Residential

1. PERMITTED USE:

Condominium or townhouse residential. Such development shall be designed and constructed to provide for condominium or fee simple ownership of each individual dwelling unit. If fee simple ownership is desired, private streets or drives shall be permitted, provided title and maintenance to such streets is the responsibility of a homeowners association established for that purpose.

2. DENSITY: The maximum residential density shall be 12 dwelling units per acre.

3. HEIGHT:

3.1 The maximum height of any building shall be two stories.

3.2 Buildings or the portion of buildings within 100 feet of the boundary of the Little Oak Addition shall be restricted to one story in height, or constructed so that no second story window is within 100 feet of the boundary that faces Little Oak subdivision.

4. DESIGN STANDARDS:

4.1 Residential uses may be developed as a gated community at the option of the Owner.

4.2 A privacy fence shall be constructed along the common property line with the Little Oak Addition. This fence shall be designed and constructed to prohibit both vehicular and pedestrian access to or from the Little Oak Addition, with the exception of emergency vehicles. This fence shall be constructed as part of the development of each site which abuts the Little Oak Addition and shall be completed prior to the issuance of the Certificate of Occupancy for that portion of the Property.

4.3 Masonry: The exterior finish of all exterior walls of residential buildings shall be designed and constructed of one hundred percent (100%) masonry. Masonry shall be defined as stone, brick, stucco or fiber cement horizontal siding. Gables, windows, doors and trim are exempted from the masonry requirement.

4.4 Roofs: All roofs on principal buildings shall have a pitch of no less than 4 feet in 12 feet, and shall be constructed of tile, non-reflective metal, or architectural dimensional shingles with a minimum 25 year rating.

5. **BUILDING SETBACKS:**

- 5.1 **Primary Building Setbacks:** All principal buildings shall be a minimum of 25 feet from all exterior property lines.
- 5.2 **Detached carports and garages:** All detached carports and garages shall be a minimum of 10 feet from all exterior property lines which do not abut a public street; or 25 feet from all exterior property lines which abut a public street.

6. **LANDSCAPING REQUIREMENTS:**

- 6.1 All required front yards, as defined by building setback requirements, shall be 100 percent (100%) landscaped, except for all sidewalks, and those driveways which provide direct access to the street.
- 6.2 All trees which are identified on Exhibit "G" shall be shown on the Site Plan required by this agreement, and all reasonable efforts to protect these trees shall be made in the planning and development of the Property.

7. **VEHICLES IN STREET YARDS:** No recreational vehicles, boats, trailers, or commercial trucks shall be permitted to be parked in a location which is visible from a public street.

8. **ACCESS:** A cul-de-sac turn around, with a radius of fifty (50) feet shall be constructed at the east end of Westwood Drive as part of any residential development. This turn-around shall be constructed as part of the platting process. This turn-around shall be located outside of any gates if Tract One is developed as a gated community.

9. **UNDERGROUND ELECTRIC AND UTILITY LINES:** Except where approved in writing by the Director of Public Works all electrical, telephone and cable vision distribution and service lines, other than currently existing overhead lines and lines three phase or larger shall be installed underground. No rooftop or anchored antennas shall be allowed. Individual satellite dishes less than 36 inches in diameter are not prohibited by this requirement.

EXHIBIT “G”

Twelve oak trees with a circumference in excess of fifty (50”) have been identified on the property. These oak trees will be required to be preserved and shown on the site plan, prior to the issuance of a building permit for the development of any tract on which an oak tree is located. These trees are located generally as follows:

Tract 1:

Three (3) oak trees immediately north of the existing residence Two (2) oak trees immediately south of the existing residence. Two (2) trees along the southern boundary of the tract.

Tract 2:

Four (4) trees immediately south of the existing residence. One (1) tree near the southeast corner of the Little Oaks Subdivision.

EXHIBIT “H” DEVELOPMENT STANDARDS
Civic/Arts Uses

1. PERMITTED USE:

1.1 Permitted uses:

- a. Performing arts theater
- b. Offices, excluding medical offices
- c. Art studios and galleries
- d. Broadcasting studios,
- e. Private School, Primary or Secondary
- f. Place of worship

2. DESIGN STANDARDS:

- 2.1** The exterior finish of all buildings shall be designed and constructed of one hundred percent (100%) masonry. Masonry shall be defined as stone, brick, stucco or fiber cement siding. Windows, doors and trim are exempted from the masonry requirement.
- 2.2** Roofing materials shall consist of tile, non-reflective metal, or architectural dimensional shingles with a minimum 25 year rating.
- 2.3** Any out buildings shall be of the same construction and architectural design as the primary buildings on the site.

3. HEIGHT:

- 3.1** Performing arts theaters may have a maximum height of 40 feet. All other uses shall have a maximum height of one story.

4. BUILDING SETBACK REQUIREMENTS:

- 4.1** Front yard: 10 feet from property line
- 4.2** Side yard: 10 feet from property line
- 4.3** Rear yard: 10 feet from property line
- 4.4** Any yard which abuts a residential development: 50 feet from property line.

5. LANDSCAPING REQUIREMENTS:

- 5.1** Landscaping shall be in accordance with Part III, Chapter 8, Article II of the Code of Ordinances.