



**DEVELOPMENT PLAN  
OLD SETTLERS TOWNHOMES  
PLANNED UNIT DEVELOPMENT NO. 135**

**THE STATE OF TEXAS           §  
COUNTY OF WILLIAMSON   §**

**THIS DEVELOPMENT PLAN** (this “**Plan**”) is made and entered by and between the CITY OF ROUND ROCK, TEXAS, a Texas municipal corporation, 221 East Main Street, Round Rock, Texas 78664 (hereinafter referred to as the “City”, and Hossain & Orlena Mehrabian, their successors and assigns, 3200 Old Settlers Blvd, Round Rock, TX 78665 (hereinafter referred to as the “Owner”).

**WHEREAS**, the Owner is the owner of certain real property consisting of 6.50 acres, as more particularly described in **Exhibit “A” (Legal Description)**, (herein after referred to as the “Property”) attached hereto and made a part hereof; and

**WHEREAS**, the Owner has submitted a request to the City to zone the Property as a Planned Unit Development (the "PUD"); and

**WHEREAS**, pursuant to Section 46-106 of the Code of Ordinances of the City of Round Rock, Texas, the Owner has submitted Development Standards setting forth the development conditions and requirements within the PUD, which Development Standards are contained in Section II of this Plan; and

**WHEREAS**, the City has held two public hearings required by law to solicit input from all interested citizens and affected parties; and

**WHEREAS**, on December 1, 2021, the City's Planning and Zoning Commission recommended approval of the Owner's application for PUD zoning; and

**WHEREAS**, the City Council has reviewed the proposed Plan and determined that it promotes the health, safety, and general welfare of the citizens of Round Rock and that it complies with the intent of the Planned Unit Development Ordinance of the City;

**NOW THEREFORE:**

# I.

## GENERAL PROVISIONS

### 1. CONFORMITY WITH DEVELOPMENT STANDARDS

That all uses and development within the Property shall conform to the Development Standards included in Section II herein.

### 2. CHANGES AND MODIFICATIONS

No changes or modifications will be made to this Plan unless all provisions pertaining to changes or modifications are approved as stated in Section II.8.

### 3. ZONING VIOLATION

Owner understands that any person, firm, corporation, or other entity violating any conditions or terms of the Plan shall be subject to any and all penalties for the violation of any zoning ordinance provisions as stated in Section 1-32, Code of Ordinances, City of Round Rock, Texas, as amended.

### 4. MISCELLANEOUS PROVISIONS

#### 4.1. Severability

In case one or more provisions contained in this Plan are deemed invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions of this Plan and in such event, this Plan shall be construed as if such invalid, illegal or unenforceable provision had never been contained in this Plan.

#### 4.2 Venue

All obligations of the Plan are performable in Williamson County, Texas, and venue for any action shall be in Williamson County, Texas.

#### 4.2. Effective Date

This Plan shall be effective from and after the date of approval by the City Council.

## II.

### OLD SETTLERS TOWNHOMES DEVELOPMENT STANDARDS

#### 1. **DEFINITIONS**

Words and terms used herein shall have their usual force and meaning, or as defined in the City of Round Rock Code of Ordinances, as amended, hereinafter referred to as "the Code."

#### 2. **PROPERTY**

This Plan covers approximately 6.50 acres of land located within the City of Round Rock, Texas, and more particularly as described in **Exhibit "A"**.

#### 3. **PURPOSE**

The purpose of this Plan is to ensure a PUD that: 1) is equal to, superior than and/or more consistent than that which would occur under the standard ordinance requirements, 2) is in harmony with the General Plan, as amended, 3) does not have an undue adverse effect 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 not to dominate, by scale or massing of structures, the immediate neighboring properties or interfere with their development or use.

#### 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 the **TH (Townhouse)** zoning district and other sections of the Code, as applicable and as amended. If there is a conflict between this Plan and the Code, this Plan shall supersede the specific conflicting provisions of the Code.

##### **4.2 Concept Plan**

This Plan, as depicted in **Exhibit "B"**, shall serve as the Concept Plan required by Part III, Section 10-26 of the Code, as amended.

##### **4.3 Other Ordinances**

All other Ordinances within the Code, in existence upon the date of adoption of this ordinance, shall apply to the Property, as applicable and as amended, except as clearly modified by this Plan. In the event of a conflict the terms of this Plan shall control.

5. **LAND USES**

The use shall be Townhouse, Common Lot, with a maximum number of 78 living units, in addition to the remaining permitted uses in the **TH (Townhouse)** zoning district contained in Section 2-25 of the Code.

6. **DENSITY AND DEVELOPMENT STANDARDS**

**6.1 Height**

Maximum building height shall be three (3) stories, not to exceed 45 feet.

**6.2 Building Orientation**

All buildings, garages and balconies shall be oriented with the front and rear facing the south and north, so that no front or rear of the structures face the adjacent single family lots to the east.

7. **AMENITIES AND LANDSCAPE BUFFER**

**7.1 Amenities**

The following three amenities shall be provided, in accordance with Part III, Chapter 2, Article II, Section 2-20 of the code:

- 1) Playground equipment
- 2) Fenced dog park, to measure no smaller than 2,500 sq. ft. with a min. depth 25 ft.
- 3) Picnic area, to contain no fewer than two tables and two cooking grills

**7.2 Compatibility Buffer**

- 1) A setback of a minimum of 10 feet in width along the eastern property line, abutting single family lots, as indicted on **Exhibit 'B'**, shall be provided.
- 2) Use of the area within the setback shall be limited to fencing, landscaping, and natural drainage. No buildings, parking areas, refuse containers or similar development shall be permitted.
- 3) The following shall be required within the setback:
  - a) A pre-cast concrete panel or architectural concrete masonry unit (CMU) fence, with materials, construction standards, and miscellaneous requirements as follows:
    - i. Pre-cast concrete panels shall be installed per manufacturer's specifications.
    - ii. Construction details or shop drawings must be sealed by a civil engineer, structural engineer, or landscape architect and provided prior to the issuance of a building permit.
    - iii. Both sides of the fence shall have a finished face; and
    - iv. The fence shall have a minimum height of six (6) feet.
  - b) A landscape buffer at least eight (8) feet wide with one large tree with a minimum of three (3) caliper inches per 50 linear feet and one medium tree with a minimum of two (2) caliper inches per 50 linear feet. The trees shall be selected from the list of approved evergreen tree species in Appendix B of the Tree Technical Manual, City of Round Rock.

**8. CHANGES TO DEVELOPMENT PLAN**

**8.1 Minor Changes**

Minor changes to this Plan which do not substantially and adversely change this Plan may be approved administratively if approved in writing by the Director of Planning and Development Services and the City Attorney.

**8.2 Major Changes**

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

**LIST OF EXHIBITS**

Exhibit "A"	Survey
Exhibit "B"	Concept Plan

**PROPERTY DESCRIPTION:**

BEING A 6.500 ACRE TRACT OF LAND SITUATED IN THE WILLIS DONAHO SURVEY, ABSTRACT NO. 173, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO HOSSAIN MEHRABIAN AND WIFE, ORLENA MEHRABIAN, AS RECORDED IN VOLUME 2386, PAGE 208, DEED RECORDS, WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD FOUND AT THE WEST CORNER OF SAID MEHRABIAN TRACT AND THE SOUTH CORNER OF LOT 4, BLOCK B, OF SADDLE BROOK I, AN ADDITION TO WILLIAMSON COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET F, SLIDE 40, PLAT RECORDS, WILLIAMSON COUNTY, TEXAS, SAID IRON ROD BEING ON THE NORTHEAST LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO ROBERT D. WARREN AND WIFE, LISA A. WARREN, AS RECORDED IN VOLUME 1519, PAGE 216, SAID DEED RECORDS;

THENCE NORTH 72° 38' 59" EAST, A DISTANCE OF 136.00 FEET ALONG THE COMMON LINE OF SAID MEHRABIAN TRACT AND SAID LOT 4 TO A 1/2-INCH IRON ROD FOUND AT THE COMMON CORNER OF SAID MEHRABIAN TRACT, SAID LOT 4, AND LOT 5, SAID BLOCK B;

THENCE NORTH 72° 30' 49" EAST, A DISTANCE OF 135.78 FEET ALONG THE COMMON LINE OF SAID MEHRABIAN TRACT AND SAID LOT 5 TO A FENCE CORNER AT THE NORTH CORNER OF SAID MEHRABIAN TRACT AND THE EAST CORNER OF SAID LOT 5, SAID FENCE CORNER BEING ON THE SOUTHWEST LINE OF SETTLERS OVERLOOK, SECTION 1, AN ADDITION TO WILLIAMSON COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET X, SLIDE 281, AFORESAID PLAT RECORDS;

THENCE SOUTH 19° 08' 06" EAST (DEED = SOUTH 19° 07' 00" EAST), A DISTANCE OF 1,327.03 FEET ALONG THE NORTHEAST LINE OF SAID MEHRABIAN TRACT TO A 1/2-INCH IRON ROD FOUND ON THE NORTH LINE OF E. OLD SETTLERS BOULEVARD;

THENCE NORTH 88° 38' 40" WEST, A DISTANCE OF 221.68 FEET ALONG SAID NORTH LINE TO A 1/2-INCH IRON ROD FOUND AT THE COMMON SOUTH CORNER OF AFORESAID MEHRABIAN TRACT AND THAT CERTAIN TRACT OF LAND CONVEYED IN DEED AS "2" TO BROOKS CLARK PROPERTIES, LTD., AS RECORDED IN INSTRUMENT NO. 2003114990, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS (DESCRIBED BY METES AND BOUNDS IN VOLUME 790, PAGE 888, AFORESAID DEED RECORDS);

THENCE NORTH 18° 51' 20" WEST, A DISTANCE OF 984.49 FEET ALONG THE COMMON LINE OF SAID MEHRABIAN AND BROOKS TRACTS TO A 1/2-INCH IRON ROD FOUND AT THE NORTH CORNER OF SAID BROOKS TRACT;

THENCE SOUTH 71° 32' 46" WEST (DEED = SOUTH 71° 11' 00" WEST), A DISTANCE OF 68.60 FEET (DEED = 69.48 FEET) ALONG SAID COMMON LINE TO A 1/2-INCH IRON ROD FOUND AT THE MOST NORTHERLY SOUTH CORNER OF SAID MEHRABIAN TRACT AND THE EAST CORNER OF AFORESAID WARREN TRACT;

THENCE NORTH 19° 10' 44" WEST (DEED = NORTH 18° 49' 00" WEST), A DISTANCE OF 272.28 FEET ALONG THE COMMON LINE OF SAID MEHRABIAN AND WARREN TRACTS TO THE POINT OF BEGINNING AND CONTAINING 283,132 SQUARE FEET OR 6.500 ACRES OF LAND.

**THIS PROPERTY MAY BE SUBJECT TO THE FOLLOWING:**  
**(109)-EASEMENT, VOL. 238, PG. 15, R.P.R.W.C.T.**  
**(109)-EASEMENT, VOL. 308, PG. 22, R.P.R.W.C.T.**

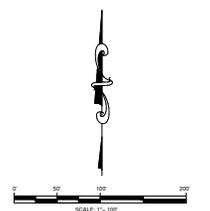
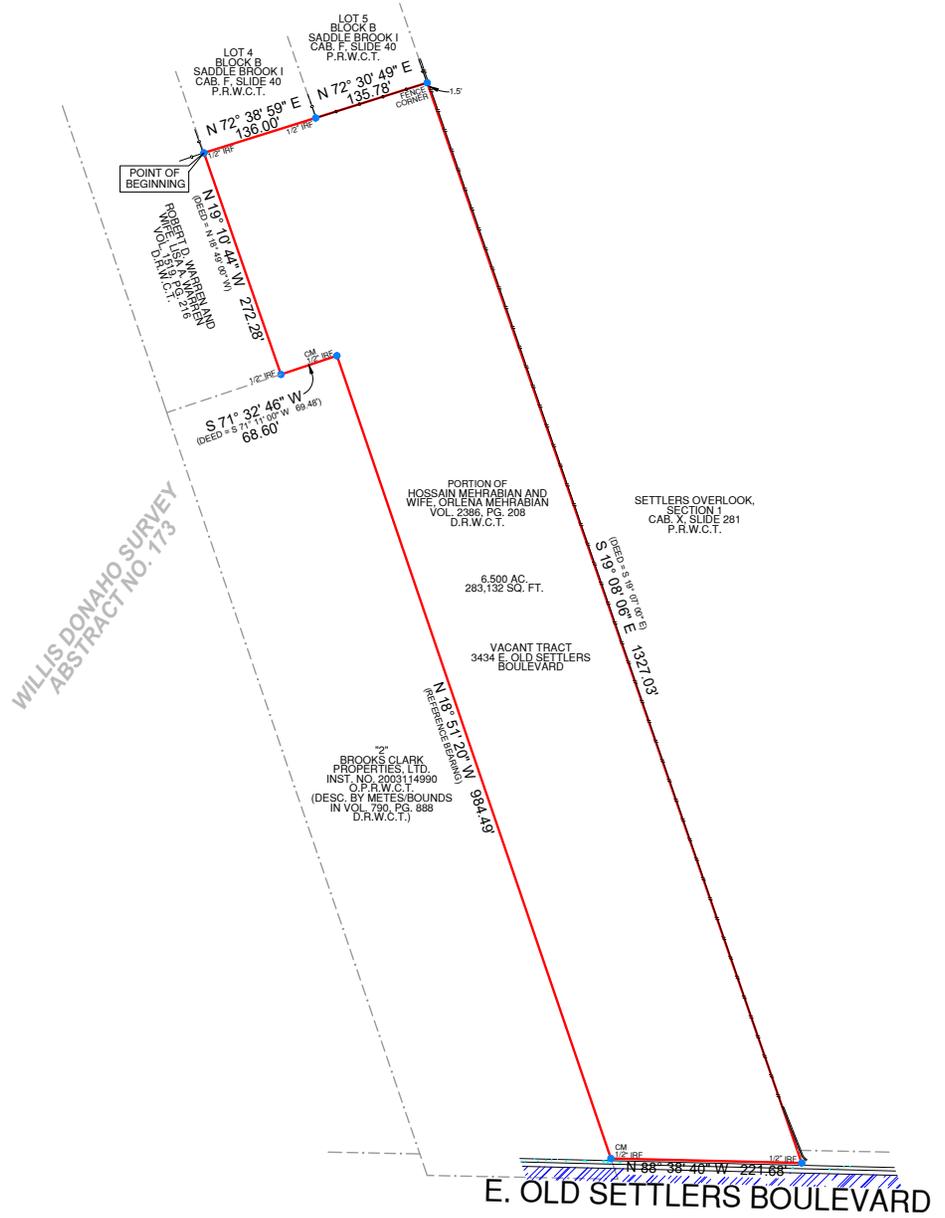
**FEMA NOTE**

FLOOD INFORMATION:  
 THE SUBJECT PROPERTY DOES NOT APPEAR TO LIE WITHIN THE LIMITS OF A 100-YEAR FLOOD HAZARD ZONE ACCORDING TO THE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND HAS A ZONE "X" RATING AS SHOWN BY MAP NO. 48491C0492 F, DATED DECEMBER 20, 2019.

**SURVEYOR'S CERTIFICATION:**  
 THIS IS TO CERTIFY THAT ON THIS DATE A SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION AND REFLECTS A TRUE AND CORRECT REPRESENTATION OF THE DIMENSIONS AND CALLS OF PROPERTY LINES AND LOCATION AND TYPE OF IMPROVEMENTS. THERE ARE NO VISIBLE AND APPARENT EASEMENTS, CONFLICTS, INTRUSIONS OR PROTRUSIONS, EXCEPT AS SHOWN. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES AND IS FOR THE EXCLUSIVE USE OF THE HEREIN NAMED PURCHASER, MORTGAGEE COMPANY, AND TITLE COMPANY ONLY AND THIS SURVEY IS MADE PURSUANT TO THAT CERTAIN TITLE COMMITMENT UNDER THE GF NUMBER SHOWN HEREON, PROVIDED BY THE TITLE COMPANY NAMED HEREON AND THAT THIS DATE, THE EASEMENTS, RIGHTS-OF-WAY, OR OTHER LOCATABLE MATTERS OF RECORD THAT THE UNDERGROUND HAS KNOWLEDGE OR HAS BEEN ADVISED ARE AS SHOWN OR NOTED HEREON. THIS SURVEY IS SUBJECT TO ANY AND ALL COVENANTS AND RESTRICTIONS PERTAINING TO THE RECORDED DEED REFERENCED HEREON.

**GENERAL NOTES**

- 1.) THE BASIS OF BEARINGS FOR THIS SURVEY WAS DERIVED FROM DATA PROVIDED IN THE RECORDED DEED.
- 2.) THERE ARE NO VISIBLE CONFLICTS OR PROTRUSIONS, EXCEPT AS SHOWN. FENCES MAY BE MEANINGFUL.
- 3.) THIS SURVEY IS FOR THE EXCLUSIVE USE OF THE NAMED CLIENT, MORTGAGE COMPANY, TITLE COMPANY, OR OTHER, AND IS MADE PURSUANT TO THAT ONE CERTAIN TITLE COMMITMENT UNDER THE GF NUMBER LISTED HEREON.
- 4.) AS OF THIS DATE, ALL EASEMENTS, RIGHTS-OF-WAY OR OTHER LOCATABLE MATTERS OF RECORD SHOWN OR NOTED HEREON WERE DERIVED FROM THE RECORDED PLAT, THE VESTING DEED, OR THE TITLE REPORT AND SUPPORTING DOCUMENTS. ALL SUCH ITEMS WERE OBTAINED DURING THE RESEARCH PHASE OF THIS SURVEY OR PROVIDED BY THE CLIENT/TITLE COMPANY LISTED HEREON. PREMIER SURVEYING MAKES NO REPRESENTATION AS TO THE ACCURACY OR COMPLETENESS OF SUCH ITEMS AND HAS MADE NO ATTEMPTS TO OBTAIN OR SHOW ANY ADDITIONAL RESTRICTIONS ON OR NEAR THIS PROPERTY PUT IN PLACE BY LOCAL MUNICIPALITIES OR ASSOCIATIONS.
- 5.) THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.
- 6.) THIS SURVEY IS NOT INTENDED TO ADDRESS OR IDENTIFY WETLANDS, FAULT LINES, TOXIC OR HAZARDOUS WASTE AREAS, SUBSISTENCE OR ANY OTHER ENVIRONMENTAL OR GEOLOGICAL ISSUE.
- 7.) THE EXISTING UTILITIES DEPICTED HEREON ARE BASED ON FIELD LOCATION OF VISIBLE, ABOVE GROUND EVIDENCE, UTILITIES AND OTHER MINOR IMPROVEMENTS MAY EXIST THAT ARE NOT SHOWN ON THIS SURVEY. PREMIER SURVEYING IS NOT RESPONSIBLE FOR THE EXACT LOCATION OF SUBSURFACE UTILITIES, NOR FOR ANY DAMAGES BY ANY CONSTRUCTION OR EXCAVATION ON OR NEAR SAID UTILITIES.
- 8.) SYMBOLS AS SHOWN IN THE LEGEND ARE NOT TO SCALE AND MAY HAVE BEEN MOVED FROM THE ACTUAL HORIZONTAL LOCATION FOR CLARITY.



**3434 E. OLD SETTLERS BOULEVARD  
 CITY OF ROUND ROCK  
 TRAVIS COUNTY, TEXAS**

GF#: 21-629001-RR	
BORROWER: RGC MULTIFAMILY OR ASSIGNEE	
TITLE CO.: CAPITAL TITLE	
PREMIER JOB #: 21-04448	
TECH: MSP	DATE: 10/29/21
FIELD: MW	FIELD DATE: 10/28/21

CONCRETE	WOOD FENCE
BRICK	CHAIN LINK FENCE
WOOD	WROUGHT IRON FENCE
STONE	BARB WIRE FENCE
GRAVEL	R.I.T.E. RETAINING WALL
COVERED AREA	BRICK WALL
CM - CONTROLLING MONUMENT	STONE WALL
	OVERHEAD TELEPHONE LINE
	OVERHEAD ELECTRIC LINE
	IRP - IRON ROD FOUND
	IPF - IRON PIPE FOUND
	IRS - IRON ROD SET W/CAP
	STAMPED "PREMIER SURVEYING"
	WFPC - WOOD FENCE COR POST

**Sandy Steed**  
 Escrow Officer/Branch Manager

**Capital Title**  
 A BankOne Company

2300 Greenhill Dr #1000 | Round Rock, TX 78664  
 office (512) 330-4180 | fax (800) 476-5156  
 ssteed@ctt.com

**Premier**  
 Surveying LLC

5700 W. Plano Parkway  
 Suite 1200  
 Plano, Texas 75093  
 Office: 972-612-3600  
 Fax: 855-892-0468  
 Firm Registration No. 10146200



# EXHIBIT 'B'

## Old Settlers Townhomes Planned Unit Development

