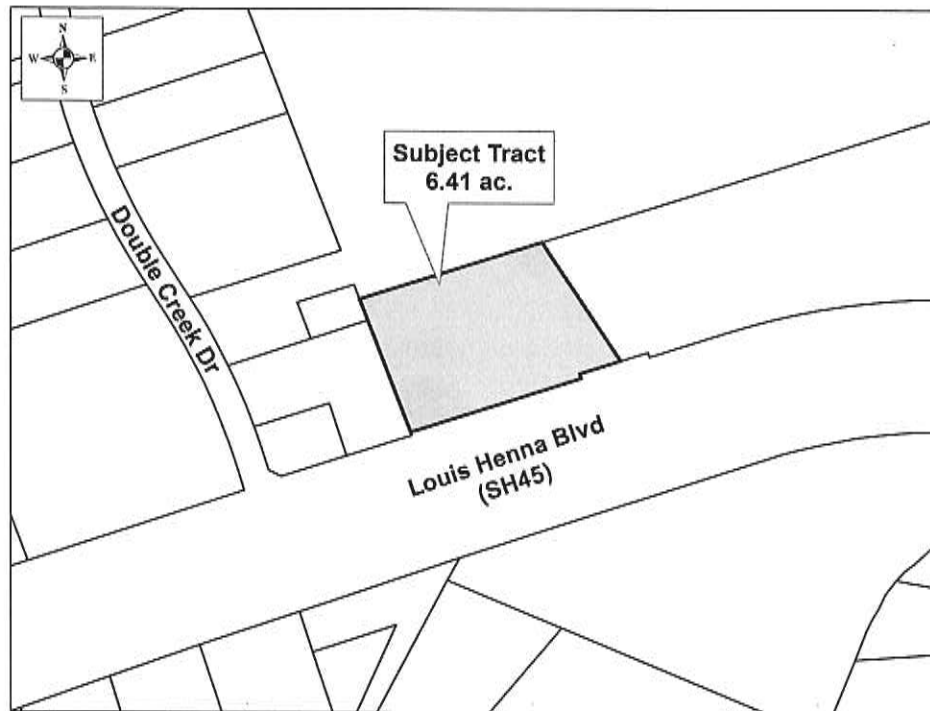


SE PID: BCWB (PUD 20 - Amendment No. 1)
ZONING ZON1508-003



CASE PLANNER: Clyde von Rosenberg

REQUEST: Approval of Amendment No. 1 to PUD No. 20

ZONING AT TIME OF APPLICATION: PUD No. 20 (multi-family or business park)

DESCRIPTION: 6.41 acres out of the ASA Thomas Survey, Abstract No. 609

CURRENT USE OF PROPERTY: undeveloped

GENERAL PLAN LAND USE DESIGNATION: residential

ADJACENT LAND USE:

North: PUD No. 21 - high school campus

South: State Highway 45

East: PUD No. 20 - multi-family

West: C-1 (General Commercial) - undeveloped

PROPOSED LAND USE: senior housing

TOTAL ACREAGE: 6.41

Owner:

E.W. Whatley Enterprises, Ltd.
Dana Bird Rock, Managing Director
P.O. Box 1114
Fairfax, VA 22038

Agent

The Kucera Companies
Gay Ruggiano
7200 N. Mopac #400
Austin, TX 78731

**SE PID: BCWB (PUD 20 - Amendment No. 1)
ZONING ZON1508-003**

HISTORY: The PUD (Planned Unit Development) No. 20 zoning district was adopted in September of 1995. The property was divided into three parcels and allowed for three land uses. Parcels One and Two were each designated for either multi-family residential or light industrial uses. Parcel Three was designated for commercial uses, but was eliminated by the location of SH 45. Parcel Two was developed as multi-family housing and Parcel One remains undeveloped.

DATE OF REVIEW: October 6, 2015

LOCATION: Northeast of the intersection of Double Creek Dr. and Louis Henna Blvd.

STAFF REVIEW AND ANALYSIS:

Parcel One of PUD No. 20 is the only remaining undeveloped portion of the property. It contains approximately 6.41 acres and the proposed use is for senior residential, including independent living, assisted living and memory care. All senior living development will be subject to the SR (Senior) zoning district standards, except that the building height limit will be four (4) stories and the exterior design must meet the standards required for a multi-family structure in the MF-2 zoning district.

Parking requirements for senior developments are based upon the specific needs of the type of facility. City staff has reviewed the number of parking spaces proposed by the developer and has determined that it will be sufficient to serve the project.

RECOMMENDED MOTION:

Staff recommends approval of the amendment to PUD No. 20 to allow for senior residential uses on Parcel One.

AMENDMENT NO. 1
BCWB
PLANNED UNIT DEVELOPMENT NO. 20

THE STATE OF TEXAS §
COUNTY OF WILLIAMSON §

WHEREAS, the BCWB (PUD) No. 20 zoning district was adopted and approved by the City Council of the City of Round Rock, Texas (hereinafter referred to as the "City") on September 28, 1995 (Z-95-09-28-9I); and

WHEREAS, the City and E.W. Whatley Enterprises, Ltd. (hereinafter referred to as the "Owner") has submitted a request to the City for a Major Amendment, as defined in Section 13.2 of the PUD; and

WHEREAS, pursuant to Chapter 11, Section 11.314, Code of Ordinances (1995 Edition), City of Round Rock, Texas, the Owner has submitted revised Development Standards setting forth the development conditions and requirements within the PUD, which Development Standards are contained in this Major Amendment; 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 October 6, 2015, the City's Planning and Zoning Commission recommended approval of the Owner's application for a Major Amendment to the PUD; and

WHEREAS, the City Council has reviewed the proposed Major Amendment 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.

Section II.5.1 of the Development Plan of PUD No. 20, as approved in Ordinance No. Z-95-09-28-9I, is hereby deleted in its entirety, and replaced with a new Section II.5.1 which shall read as follows:

5.1. Parcel One

The permitted use of Parcel One, more particularly described in Exhibit "C", attached hereto and incorporated herein, shall be one of the following:

- (1) MF-2 (Multifamily – medium density), except as modified in Exhibit "D", attached hereto and incorporated herein; or
- (2) BP (Business Park), except as modified in Exhibit "E", attached hereto and incorporated herein; or
- (3) SR (Senior), except as modified in Exhibit "G", attached hereto and incorporated herein.

II.

Section II.7 of the Development Plan of PUD No. 20, as approved in Ordinance No. Z-95-09-28-9I, is hereby deleted in its entirety, and replaced with a new Section II.7, which shall read as follows:

7. BUILDINGS

7.1 Parcel One

Building size, dimension, height and setbacks shall be in accordance with the MF-2 zoning district, except as modified in Exhibit "D"; or the BP zoning district, except as modified in Exhibit "E"; or the SR zoning district, as applicable, except that:

- (1) the maximum principal building height for SR zoning district uses shall be four (4) stories; and
- (2) SR zoning district buildings shall be in accordance with the design standards contained in Exhibit "G".

7.2 Parcels Two and Three

Building size, dimension, height and setbacks shall be as modified in Exhibit "D" and Exhibit "E", as applicable to each parcel and its designated use.

III.

Section II.8 of the Development Plan of PUD No. 20, as approved in Ordinance No. Z-95-09-28-9I, is hereby deleted in its entirety, and replaced with a new Section II.8, which shall read as follows:

8. LANDSCAPING AND BUFFERING

8.1 Parcel One

Landscaping and buffering shall be in accordance with the MF-2 zoning district, except as modified in Exhibit "D"; or the BP zoning district, except as modified in Exhibit "E"; or the SR zoning district, as applicable.

8.2 Parcels Two and Three

Landscaping and buffering shall in as modified in Exhibit "D" and Exhibit "E", as applicable to each parcel and its designated use.

III.

Section II.12.2 of the Development Plan of PUD No. 20, as approved in Ordinance No. Z-95-09-28-9I, is hereby deleted in its entirety, and replaced with a new Section II.12.2, which shall read as follows:

12.2 Access

- (1) Driveway access to Parcel One from Louis Henna Boulevard shall be as determined by the approved site development plan for the development, in accordance with City standards.
- (2) Driveway access to Parcel Two from Louis Henna Boulevard shall be as designated on the 'Henna Townhomes' site development plan, approved by the City on July 2, 1998.

IV.

Section II.12.3 of the Development Plan of PUD No. 20, as approved in Ordinance No. Z-95-09-28-9I, is hereby deleted in its entirety, and replaced with a new Section II.12.3, which shall read as follows:

12.3 Sidewalks

Sidewalks shall be located and constructed according to the Code.

V.

Exhibit "G", attached hereto is hereby incorporated herein.

EXHIBIT "G"

SENIOR HOUSING DEVELOPMENT STANDARDS

1. **Building elevation variation** - Any wall in excess of 60 feet in length shall include offsets of at least two feet. There shall be no less than one offset for every 40 feet of horizontal length.
2. **Exterior wall color finishes** - Day-Glo, luminescent, iridescent, neon or similar types of color finishes are not permitted.
3. **Exterior wall finish**
 - 3.1. The exterior finish of all buildings shall be masonry, 3-step hard coat stucco, fiber cement siding, glass, architectural steel or metal with a minimum 30-year warranty, or a combination thereof, except for doors, windows, accents and trim.
 - 3.2. Masonry shall be defined as stone, simulated stone, or brick.
 - 3.3. The ground floor of all buildings shall be a minimum of 75 percent masonry.
 - 3.4. A minimum of two different materials shall be used on each structure, and each material used shall comprise no less than 20 percent of the exterior wall finish.
 - 3.5. No more than 33 percent of the building facade may be fiber cement siding or architectural steel or metal.
 - 3.6. The use of materials such as wood shingles or wood siding shall be limited to accent features.
 - 3.7. Other wall finishes, accent materials, or recognized architectural styles, as approved by the Zoning Administrator.
4. **Exterior stairwells** - Exterior stairwells facing the public right-of-way shall comply with the following standards:
 - 4.1. They shall be concealed within a fully enclosed structure, except for appropriately sized cutouts to allow for ventilation and pedestrian access;
 - 4.2. The landing shall be recessed a minimum of five feet into said structure; and
 - 4.3. The stairwell structure shall not protrude more than eight feet beyond the facade of the residential structure.

5. **Glass** - Mirrored glass with a reflectivity of 20 percent or more is not permitted on the exterior walls and roofs of all buildings and structures.

6. **Orientation requirements**

- 6.1. Buildings adjacent to a public street shall be oriented such that their longest facade faces the street, unless a building is located on the corner of a lot where two streets intersect.
- 6.2. Building elevations that face a public street shall have at least 15 percent of the wall facing the street consist of windows, balconies and/or stairwells.
- 6.3. Alternative orientation due to physical site constraints such as topography may be approved by the Zoning Administrator.

7. **Windows** - Windows shall be provided with trim and shall not be flush with exterior wall treatment unless approved by the Zoning Administrator as part of a recognized architectural style.

8. **Roofing materials**

- 8.1. Roofing materials shall consist of 25-year architectural dimensional shingles, tile (clay, cement, natural or manufactured stone), non-reflective prefinished metal, or reflective metal such as copper or other similar metals as approved by the Zoning Administrator.
- 8.2. Portions of the roof shall be permitted to be flat to provide for mechanical equipment wells or roof decks, provided that such flat areas are screened by pitched sections of the roof that meet the roofing material requirements.
- 8.3. Alternative roof designs associated with recognized architectural styles may be permitted by the Zoning Administrator.

9. **Special design features.** A minimum of five features from the following list shall be incorporated into the building design:

- 9.1. Bay window.
- 9.2. Arched window.
- 9.3. Gable window.
- 9.4. Oval or round windows.
- 9.5. Shutters.

- 9.6. Arched entry, balcony or breezeway entrance.
- 9.7. Stone or brick accent wall.
- 9.8. Decorative stone or brick band.
- 9.9. Decorative tile.
- 9.10. Veranda, terrace, porch or balcony.
- 9.11. Projected wall or dormer.
- 9.12. Variation of roof lines on the building.
- 9.13. Decorative caps on chimneys.
- 9.14. Entry onto the public facade for ground floor units facing the public ROW.
- 9.15. Other feature as approved by the Zoning Administrator.

10. Compatibility standards. Compatibility standards are intended to protect adjacent properties and residential neighborhoods from the adverse impacts sometimes associated with higher intensity development.

- 10.1. Screening standards for detention/water quality ponds; dumpsters, trash receptacles, outdoor storage; ground-mounted equipment; and other similar structures shall comply with the requirements located in subsection 46-195(i).
- 10.2. Mechanical equipment:
 - 1) All roof-mounted mechanical equipment shall be screened from public view.
 - 2) Screening shall utilize the same or similar materials as the principal structure.
 - 3) All ground-mounted mechanical equipment shall be screened with opaque fencing, a masonry wall, or landscaping in the form of one large shrub every four linear feet around the boundary of the equipment.
 - 4) Wall- or window-mounted mechanical equipment shall not be permitted.
- 10.3. Lighting:

- 1) External lighting shall be arranged and controlled so as to deflect light away from any residential district.
- 2) Site lighting design requirements:
 - a) Fixture (luminaire) - The light source shall be completely concealed (recessed) within an opaque housing and shall not be visible from any street right-of-way or residential district.
 - b) Light source (lamp) - Only incandescent, fluorescent, metal halide, or color corrected high-pressure sodium may be used. The same type shall be used for the same or similar types of lighting on any one site throughout any master-planned development.
 - c) Mounting - Fixtures shall be mounted in such a manner that the cone of light does not cross any property line of the site.
 - d) Height of fixture - The height of a fixture shall not exceed 20 feet in parking areas and 12 feet in pedestrian areas.
 - e) Additional setback restriction - Recreational uses with overhead illumination such as swimming pools, tennis courts, ball fields or playground areas shall not be permitted within 50 feet of any SF-R, SF-1, SF-2, TF or TH district lot line.
- 3) Excessive illumination:
 - a) Lighting within any lot that unnecessarily illuminates and substantially interferes with the use or enjoyment of any other lot is not permitted. Lighting unnecessarily illuminates another lot if it clearly exceeds the requirements of this section, or if the standard could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.
 - b) Lighting shall not be oriented so as to direct glare or excessive illumination onto streets in a manner that may distract or interfere with the vision of drivers on such streets.

10.4. **Off-Street Parking** - The required off-street parking shall be 188 total Spaces:

- 1) Independent Living: 118 spaces:
 - a) One vehicle space per each of the 78 independent living units;

- b) 20 visitor spaces, including handicap spaces as required;
 - c) 20 employee parking spaces.
- 2) Assisted Living: 70 spaces:
 - a) 20 spaces for residents;
 - b) 28 employee spaces;
 - c) 22 visitor spaces, including handicap spaces as required.

PUD 20
ORIGINAL

(re-record due to
county error)

* per Christine Martinez
DOCH# 2549250 2.8.96
Doc# 9601667

ORDINANCE NO. Z-95-09-28-9I

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROUND ROCK, TEXAS ADOPTED IN SECTION 11.305(2), CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO ZONE 26.773 ACRES OF LAND OUT OF THE ASA THOMAS SURVEY, ABSTRACT NO. 609 AND THE C.E. ROWE SURVEY, ABSTRACT 871, IN ROUND ROCK, WILLAMSON COUNTY, TEXAS PLANNED UNIT DEVELOPMENT (PUD) DISTRICT NO. 20.

WHEREAS, an application has been made to the City Council of the City of Round Rock, Texas to amend the Official Zoning Map to zone the property described in Exhibit "A" as District Planned Unit Development (PUD) No. 20, said exhibit being attached hereto and incorporated herein, and

WHEREAS, the City Council has submitted the requested change in the Official Zoning Map to the Planning and Zoning Commission for its recommendation and report, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested change on the 6th day of September, 1995, following lawful publication of the notice of said public hearing, and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that the Official Zoning Map be amended so that the zoning classification of the property described in Exhibit "A" be changed to District PUD No.20, and

OFFICIAL RECORDS
WILLAMSON COUNTY, TEXAS

WHEREAS, on the 14th day of September, 1995, after proper notification, the City Council held a public hearing on the requested amendment, and

WHEREAS, the City Council determines that the zoning provided for herein promotes the health, safety, morals and protects and preserves the general welfare of the community, and

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, and Section 11.300, Code of Ordinances (1995 Edition), City of Round Rock, Texas concerning public notices, hearings, and other procedural matters has been fully complied with, Now Therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS, THAT:

I.

That the City Council has hereby determined the Planned Unit Development (PUD) No. 20 meets the following goals and objectives:

- (1) The development in PUD No.20 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) P.U.D. No. 20 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) P.U.D. No. 20 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 general welfare.
- (4) P.U.D. No. 20 will be adequately provisioned by essential public facilities and services including streets, parking, drainage, water, wastewater facilities, and other necessary utilities.
- (5) P.U.D. No. 20 will be constructed, arranged and maintained so as not to dominate, by scale and massing of structures, the immediate neighboring properties or

interfere with their development or use in accordance with any existing zoning district.

II.

That the Official Zoning Map adopted in Section 11.305(2), Code of Ordinances (1995 Edition), City of Round Rock, Texas is hereby amended so that the zoning classification of the property described in Exhibit "A", attached hereto and incorporated herein shall be, and is heresfter designated as District Planned Unit Development (PUD) No. 20, and that the Mayor is hereby authorized and directed to enter into the Agreement and Development Plan for PUD No. 20 attached hereto as Exhibit "B", which agreement shall govern the development and use of said property.

III.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

Alternative 1.

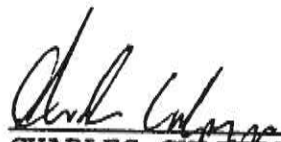
By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this 28th day of September, 1995.

Alternative 2.

READ and APPROVED on first reading this the _____ day of _____, 1995.

READ, APPROVED and ADOPTED on second reading this the _____ day of _____, 1995.



CHARLES CULPEPPER, Mayor
City of Round Rock, Texas

ATTEST:



JOANNE LAND, City Secretary

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

§
§
§

AGREEMENT AND
DEVELOPMENT PLAN
FOR BCWB
PUD NO. 20

THIS AGREEMENT and Development Plan is made and entered by and between the City of Round Rock, Texas, a Texas municipal corporation, having its offices at 221 East Main Street, Round Rock, Texas 78664 (hereinafter referred to as the "City"), and BCWB JOINT VENTURE, their respective successors and assigns, having its offices at 4131 Spicewood Springs Road, Suite C-1, Austin, Texas 78759 (hereinafter referred to as the "Owner").

WHEREAS, the Owner has submitted a request to the City to zone 26.773 acres of land, more or less, as a Planned Unit Development ("PUD"), said acreage being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof (hereinafter referred to as the "Property"), and

WHEREAS, on September 6, 1995, the Planning and Zoning Commission recommended approval of the Owner's application for a PUD, and

WHEREAS, pursuant to Chapter 11, Section 11.316(8), Code of Ordinances (1990 Edition), City of Round Rock, Texas, the Owner has submitted a Development Plan, attached hereto and incorporated herein as a part of this Agreement, said Development Plan stating in detail all development conditions and requirements within the PUD,

NOW THEREFORE BY THIS AGREEMENT WITNESSETH that, in consideration of the covenants and conditions set forth herein, the City and the Owner agree as follows:

I.

GENERAL PROVISIONS

1. CONFORMITY TO DEVELOPMENT PLAN

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

2. CHANGES AND MODIFICATIONS

That no changes or modifications will be made to this Agreement unless all provisions pertaining to changes or modifications as stated in Section II.15 below are followed.

3. ZONING VIOLATION

That the Owner understands that any person, firm, corporation or other entity violating any conditions or terms of the Development Plan shall be subject to any and all penalties for the violation of any zoning ordinance as stated in Section 1.601, Code of Ordinances, (1995 Edition), City of Round Rock, Texas, as amended.

4. LIENHOLDER CONSENT

That the lienholder of record has consented to this Agreement and Development Plan, including any and all dedications to the public. A lienholder consent is attached hereto and incorporated herein as Exhibit "B".

5. MISCELLANEOUS PROVISIONS

5.1 Assignment.

Neither party may assign its rights and obligations pertaining to Living Unit Equivalents, water usage and land use, under this Agreement without having first obtained the prior written consent of the other which consent shall not be unreasonably withheld. This section does not prevent the Owner from conveying the property, together with all development rights and obligations contained in this Agreement and Development Plan.

5.2 Necessary Documents and Actions.

Each party agrees to execute and deliver all such other and further instruments and undertake such actions as are or may become necessary or convenient to effectuate the purposes and intent of this Agreement.

5.3 Severability.

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

5.4 Entire Agreement.

This Agreement constitutes the entire agreement of the parties and supersedes any prior or contemporaneous oral or written understandings or representations of the parties respecting the subject matter hereof.

5.5 Applicable Law.

This Agreement shall be construed under and in accordance with the laws of the State of Texas.

5.6 Venue.

All obligations of the parties created hereunder are performable in Williamson County, Texas and venue for any action arising hereunder shall be in Williamson County.

5.7 No Third Party Beneficiaries.

Nothing in this Agreement, express or implied, is intended to confer upon any person or entity, other than the parties hereto, any rights, benefits, or remedies under or by reason of this Agreement.

5.8 Duplicate Originals.

This Agreement may be executed in duplicate originals each of equal dignity.

5.9 Notices.

Until changed by written notice thereof any notice required under this Agreement may be given to the respective parties by certified mail, postage prepaid or by hand-delivery to the address of the other party shown below:

OWNER

BCWB Joint Venture
4131 Spicewood Springs Road
Suite C-1
Austin, Texas 78759
Attn: Elnora Bird

ROUND ROCK

City of Round Rock, Texas
221 East Main Street
Round Rock, Texas 78664
Attn: Director of Planning

5.10 Effective Date.

This Agreement shall be effective from and after the date of due execution hereof by all parties.

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 (1990 Edition), City of Round Rock, Texas, hereinafter referred to as "the Code".

2. PROPERTY

This Development Plan ("Plan") covers 26.773 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 and incorporated herein.

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, 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 and 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 in the Code.

4.2 Other Ordinances

All other Ordinances within the Code shall apply to the Property, except where clearly modified by this Plan.

5. PERMITTED USES

The property listed below shall be used and developed as follows and shall conform to all requirements as set forth in this Agreement and Plan and, if not set forth herein, by applicable sections in the Code:

5.1 Parcel One

The permitted uses of Parcel One, more particularly described in Exhibit "C", attached hereto and incorporated herein, shall be either as (MF) Multi-Family Residential, except as modified in Exhibit "D", attached hereto and incorporated herein, or as (I-2) Industrial Park, except as modified in Exhibit "E", attached hereto and incorporated herein, but not both.

5.2 Parcel Two

The permitted uses of Parcel Two, more particularly described in Exhibit "C", attached hereto and incorporated herein, shall be either as (MF) Multi-Family Residential, except as modified in Exhibit "D", attached hereto and incorporated herein, or as (I-2) Industrial Park, except as modified in Exhibit "E", attached hereto and incorporated herein, but not both.

5.3 Parcel Three

The permitted use for Parcel Three, more particularly described in Exhibit "C", shall be as C-1 (General Commercial).

6. LOT SIZES

The minimum lot size shall be as modified in Exhibit "E", attached hereto, as applicable to each parcel and its designated use.

7. BUILDINGS

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

8. LANDSCAPING and BUFFERING

Landscaping and buffering shall be as modified in Exhibits "D" and "E", attached hereto, as applicable to each parcel and its designated use.

9. UTILITIES

9.1 Public Improvement District

The Property is included within the Southeast Public Improvement District, which was created to construct a 16 inch waterline loop connecting an existing 16 inch waterline in Louis Henna Boulevard to a 16 inch waterline in High Country Boulevard. The City of Round Rock shall make its best efforts to design and commence construction of the 16 inch waterline within thirty (30) days after final adoption of the Southeast Public Improvement District.

9.2 Water and Wastewater Line Capacity

The creation of the Southeast Public Improvement District will accommodate approximately 263 Living Unit Equivalents (LUE's) within the PUD. Living Unit Equivalents shall be calculated as follows:

Single family residence: 1.0 LUE

Apartment of Condominium unit: 0.5 LUE

Business park: 2.4 LUE/acre

Commercial: 2.4 LUE/acre

9.3 Public Utility Easement

The Owner shall grant a fifteen (15) foot public utility easement along with an additional thirty-five (35) foot temporary easement, along the northern boundary of Parcel Three, as shown in Exhibit "C".

10. AMENITY AREAS

Private amenity areas may be developed, owned and maintained by the Owner or a Property Owner's Association and such amenities other than swimming pools and buildings may be located within the 100 year flood plain, provided said construction is approved by the Director of Public Works.

11. RIGHT OF FIRST REFUSAL

As a condition of this Agreement, the Owner agrees to grant to Williamson County a right of first refusal for a period of five (5) years from the date of this Agreement to acquire additional right of way along Louis Henna Boulevard, as more particularly described as Parcel 3 in Exhibit "C".

12. CONSTRUCTION

12.1 Utilities

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

12.2 Access

Approved driveway access to Louis Henna Boulevard from Parcels One and Two, as shown on Exhibit "C" shall be provided by private access easement across Parcel Three as shown on Exhibit "C".

12.3 Sidewalks

All sidewalks shall be constructed pursuant to Section 8.604 of the Code, except that sidewalks shall not be required along Louis Henna Boulevard.

13. CHANGES TO AGREEMENT AND DEVELOPMENT PLAN

13.1 Minor Changes

Minor changes to this Agreement or Plan required by engineering or other circumstances which do not substantially change this Plan may be approved by the Director of Planning and the Director of Public Works.

13.2 Major Changes

Major changes shall be resubmitted following the same procedure required in the original PUD application.

13.3 Changes in Writing

Neither this Agreement or Plan nor any provision hereof may be waived, modified, amended, discharged, or terminated except by an instrument in writing signed by the City and the current Owner.

14. PROPERTY OWNER'S ASSOCIATION

14.1 Review and Approval Before Recordation of Final Plat

A Property Owner's Association shall be established at time of final platting of any Single Family residential property located within the PUD. The association's creation documents shall be submitted for review and

approval to the Director of Planning and Community Development and the City Attorney at the final plat stage. These documents shall be recorded with the final plat and shall contain all of the items listed in Exhibit "F", attached hereto and incorporated herein, to insure incorporation of the items listed in Exhibit "F".

14.2 Responsibilities of Association

In addition to other responsibilities imposed on the association in this Plan, the association shall be responsible for maintaining all landscaping, irrigation systems, greenbelts and amenity areas within the PUD not dedicated to the City.

14.3 Enforcement of Deed Restrictions

The Property Owner's Association shall be the entity responsible for enforcing the deed restrictions. Although the City reserves the right to review, approve and enforce deed restrictions as well as any amendments or modifications to the deed restrictions, it is not the intent of the City to assume responsibilities normally reserved to a Property Owner's Association.

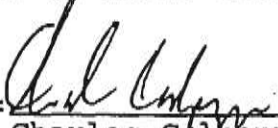
15. GENERAL PLAN AMENDED

The Round Rock General Plan 1990 is hereby amended to reflect the provisions of this agreement.

16. BINDING EFFECT

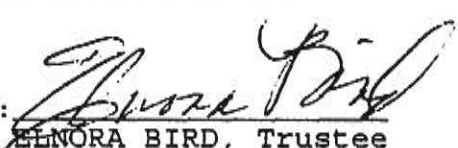
This Agreement and Plan binds and is to the benefit of the respective heirs, successors and assigns of the Owner.

CITY OF ROUND ROCK

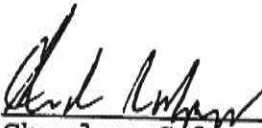
By: 
Charles Culpepper, Mayor

Date: 9-28-95

BCWB Joint Venture

By: 
ELMORA BIRD, Trustee

CITY OF ROUND ROCK

By: 
Charles Culpepper, Mayor

Date: 9-28-95

BCWB Joint Venture

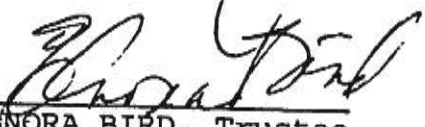
By: 
ELNORA BIRD, Trustee

EXHIBIT A

26.773 ACRE TRACT
WILLIAMSON COUNTY, TEXAS

A DESCRIPTION OF A 26.773 ACRE TRACT OF LAND OUT OF THE ASA THOMAS SURVEY, ABSTRACT NO. 609, AND C. E. ROWE SURVEY, ABSTRACT NO. 871, WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION OF A 100.16 ACRE TRACT CONVEYED TO NCNB TEXAS NATIONAL BANK AS RECORDED IN VOLUME 1861, PAGE 743 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a concrete monument found being the northeast corner of said 100.16 acre tract, and being in the west right-of-way line of County Road 169;

THENCE S 00°22'44" W, along the west right-of-way line of said County Road 169, a distance of 535.49 feet to a 1/2-inch rebar set for the point of curvature of a curve to the right;

THENCE continuing along the west right-of-way line of said County Road 169, along a curve to the right having a central angle of 05°39'11", a radius of 2000.00 feet, an arc distance of 197.33 feet, and whose chord bears S 03°04'59" W, a distance of 197.25 feet to a 1/2-inch rebar set for the Point of Compound Curvature;

THENCE with the south line of the herein described 26.773 acre tract same being the north right-of-way line of County Road 169 (120-foot width) as dedicated by a right-of-way deed recorded in Volume 1526, Page 8 of the Deed Records of Williamson County, Texas, the following three (3) courses:

1. Along a curve to the right having a central angle of 89°08'16", a radius of 25.00 feet, an arc distance of 38.90 feet, and whose chord bears S 50°37'07" W, a distance of 35.09 feet to a P-K nail set for the Point of Reverse Curvature;
2. Along a curve to the left having a central angle of 21°06'26", a radius of 2120.00 feet, an arc distance of 780.99 feet, and whose chord bears S 84°37'49" W, a distance of 776.58 feet to a 1/2-inch rebar set for the Point of Tangency;
3. S 74°04'36" W, a distance of 1008.74 feet to a 1/2-inch rebar found in the east line of a 19.00 acre tract as described in Volume 1866, Page 440 of the Deed Records of Williamson County, Texas;

THENCE N 19°25'30" W, along the west line of said 100.19 acre tract same being the east line of said 19.00 acre tract, a distance of 508.94 feet to a 1/2-inch rebar found being the southeast corner of Lot 7, Block B, of the Interchange Business Park Section Two as recorded in Cabinet J, Slide 27 of the Plat Records of Williamson County, Texas;

THENCE N 19° 01' 11" W, along the east line of said Lot 7, a distance of 69.76 feet to a 1/2-inch rebar found being the northwest corner of said 100.19 acre tract;

THENCE N 74° 13' 44" E, along the north line of said 100.19 acre tract, a distance of 2053.82 feet to the POINT OF BEGINNING and containing 26.773 acres of land, more or less.

I, Michael Snyder, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground under my direction and supervision.

K.C. Engineering
2800 Industrial Terrace
Austin, Texas 78759
(512) 836-4040

file:26_773ac
Ref.

Michael Snyder 9-27-90
Michael Snyder, Registered
Professional Land Surveyor
State of Texas - No. 4648

EXHIBIT B

STATE OF TEXAS
COUNTY OF WILLIAMSON

§
§

That I, _____, the outright owner of the certain tract of land recorded in Volume _____, Page _____, of the Official Records of Williamson County, Texas do hereby state there are no lien holders of the certain tract of land.

Owner

STATE OF TEXAS
COUNTY OF WILLIAMSON

§
§

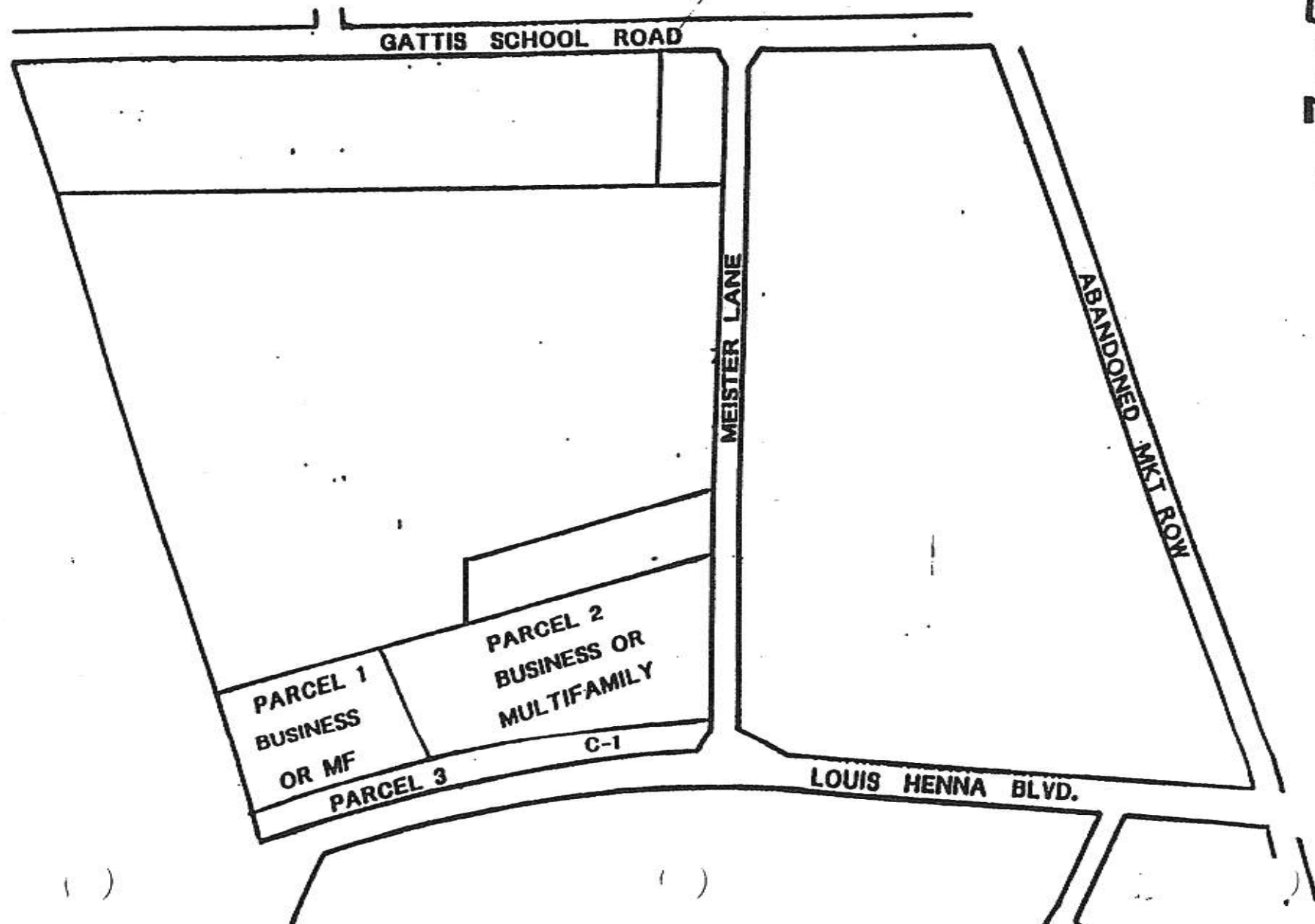
This instrument was acknowledged before me on the _____ day of _____, 199____,
by _____, _____ of _____, on behalf of said
_____.

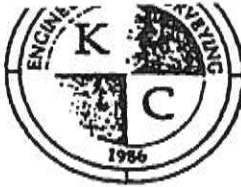
Notary Public, State of Texas

Printed Name: _____

My commission expires: _____

EXHIBIT C





K.C. ENGINEERING, INC.
CONSULTING ENGINEERS AND SURVEYORS

4601 SOUTH LAMAR BOULEVARD
SUITE 230
PHONE: (512) 892-5585

AUSTIN, TEXAS 78745
FAX: (512) 892-5586
MODEM: (512) 892-6165

**TRACT 1 - 14.442 ACRES OF LAND
WILLIAMSON COUNTY, TEXAS
ATTACHMENTS: DRAWING 12 P-1**

Page 1 of 2

A DESCRIPTION OF 14.442 ACRES OF LAND OUT OF THE ASA THOMAS SURVEY, ABSTRACT NO. 609, IN WILLIAMSON COUNTY, TEXAS AND ALSO BEING A PORTION OF THAT CERTAIN 26.773 ACRES OF LAND AS CONVEYED TO BCWB JOINT VENTURE BY SPECIAL WARRANTY DEED FROM THE FEDERAL DEPOSIT INSURANCE CORPORATION FILED OF RECORD ON FEBRUARY 22, 1994, IN VOLUME 2472, PAGES 0403-0410 IN THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 14.442 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a concrete monument found at the northeast corner of the aforementioned 26.773 acres of land and the herein described tract, said monument also being in the west right-of-way line of Williamson County Road No. 169 known as Meister Lane (a public road having a right-of-way width that varies);

THENCE South $00^{\circ}22'44''$ West, with the east line of the 26.773 acre tract of land and west right-of-way line of Meister Lane, a distance of 535.49 feet to a 1/2-inch rebar found for a Point of Curvature (record - S $00^{\circ}22'44''$ W, 535.49');

THENCE continuing with the east line of the 26.773 acres of land and west right-of-way line of Meister Lane, a curve to the right having a central angle of $2^{\circ}21'01''$, a radius of 2000.00 feet, and an arc distance of 82.04 feet (chord bears South $01^{\circ}25'54''$ West, a distance of 82.04 feet) to a 1/2-inch rebar set for a Point on Curve;

THENCE a curve to the left having a central angle of $21^{\circ}41'38''$, a radius of 2260.00 feet, and an arc distance of 855.70 feet (chord bears South $84^{\circ}55'25''$ West, a distance of 850.60 feet) to a 1/2-inch rebar set for a Point of Tangency;

THENCE South $74^{\circ}04'36''$ West, a distance of 329.79 feet to a 1/2-inch rebar set;

THENCE North $31^{\circ}47'19''$ West, a distance of 453.35 feet to a 1/2-inch rebar set in the north line of the 26.773 acres of land;

THENCE North $74^{\circ}13'44''$ East, passing a 1/2-inch rebar found on-line at a distance of 279.03 feet, passing a 1/4-inch rebar found 1.67 feet left of line at a distance of 666.03 feet, a total distance of 1463.92 feet to the POINT OF BEGINNING.

This tract contains 14.442 acres of land, more or less, out of the Asa Thomas Survey, Abstract No. 609 in Williamson County, Texas.

This description was prepared from an on the ground survey made during August-September, 1990 and September, 1995. Bearing basis is the description of the 26.773 acre tract of land contained in Volume 2472, Pages 0403-0410 of the Official Records of Williamson County, Texas.

Curtis D. Wilson 9-5-95

Curtis D. Wilson
Registered Professional Land Surveyor
State of Texas No. 4763





K.C. ENGINEERING, INC.
CONSULTING ENGINEERS AND SURVEYORS

4601 SOUTH LAMAR BOULEVARD
SUITE 230
PHONE: (512) 892-5585

AUSTIN, TEXAS 78745
FAX: (512) 892-5586
MODEM: (512) 892-6165

**TRACT 2 - 6.406 ACRES OF LAND
WILLIAMSON COUNTY, TEXAS
ATTACHMENTS: DRAWING 12 P-1**

Page 1 of 2

A DESCRIPTION OF 6.406 ACRES OF LAND OUT OF THE ASA THOMAS SURVEY, ABSTRACT NO. 609, IN WILLIAMSON COUNTY, TEXAS AND ALSO BEING A PORTION OF THAT CERTAIN 26.773 ACRES OF LAND AS CONVEYED TO BCWB JOINT VENTURE BY SPECIAL WARRANTY DEED FROM THE FEDERAL DEPOSIT INSURANCE CORPORATION FILED OF RECORD ON FEBRUARY 22, 1994, IN VOLUME 2472, PAGES 0403-0410 IN THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 6.406 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch rebar found for the northwest corner of the aforementioned 26.773 acres of land and the herein described tract, said rebar also being in the east line of Lot 7, Block B of the Interchange Business Park, Section Two, a subdivision of record in Cabinet J, Slide 27, of the Plat Records of Williamson County, Texas;

THENCE North $74^{\circ}13'44''$ East, with the north line of said 26.773 acres of land, a distance of 589.90 feet to a 1/2-inch rebar set, from which a concrete monument found for the northeast corner of the said 26.773 acres of land bears North $74^{\circ}13'44''$ East, a distance of 1463.92 feet;

THENCE South $31^{\circ}47'19''$ East, a distance of 453.35 feet to a 1/2-inch rebar set;

THENCE South $74^{\circ}04'36''$ West, a distance of 687.55 feet to a 1/2-inch rebar set in the west line of said 26.773 acres of land, same being the east line of a 19.00 acre tract of land described in Volume 1866, Page 440 of the Official Records of Williamson County, Texas;

THENCE North $19^{\circ}25'30''$ West, with the west line of said 26.773 acres of land and same being the east line of the 19.00 acre tract, a distance of 368.68 feet to a 1/2-inch rebar found for the southeast corner of the previously mentioned Lot 7;

THENCE North 19°01'11" West, a distance of 69.76 feet to the POINT OF BEGINNING (record - N 19°01'11" W, 69.76').

This tract contains 6.406 acres of land, more or less, out of the Asa Thomas Survey, Abstract No. 609 in Williamson County, Texas.

This description was prepared from an on the ground survey made during August-September, 1990 and September, 1995. Bearing basis is the description of the 26.773 acre tract of land contained in Volume 2472, Pages 0403-0410 of the Official Records of Williamson County, Texas.

Curtis D. Wilson 9-5-95

Curtis D. Wilson
Registered Professional Land Surveyor
State of Texas No. 4763





K.C. ENGINEERING, INC.
CONSULTING ENGINEERS AND SURVEYORS

4601 SOUTH LAMAR BOULEVARD
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PHONE: (512) 892-5585

AUSTIN, TEXAS 78745
FAX: (512) 892-5586
MODEM: (512) 892-6165

**TRACT 3 - 5.925 ACRES OF LAND
WILLIAMSON COUNTY, TEXAS
ATTACHMENTS: DRAWING 12 P-1**

Page 1 of 2

A DESCRIPTION OF 5.925 ACRES OF LAND OUT OF THE ASA THOMAS SURVEY, ABSTRACT NO. 609, IN WILLIAMSON COUNTY, TEXAS AND ALSO BEING A PORTION OF THAT CERTAIN 26.773 ACRES OF LAND AS CONVEYED TO BCWB JOINT VENTURE BY SPECIAL WARRANTY DEED FROM THE FEDERAL DEPOSIT INSURANCE CORPORATION FILED OF RECORD ON FEBRUARY 22, 1994, IN VOLUME 2472, PAGES 0403-0410 IN THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 5.925 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch rebar found for the southwest corner of the aforementioned 26.773 acres of land; said rebar also being in the north right-of-way line of Williamson County Road No. 170 known as Louis Henna Boulevard (a public road having a right-of-way width of 120 feet), from which a concrete monument in the south right-of-way line of said roadway bears South $19^{\circ}25'30''$ East, a distance of 120.22 feet;

THENCE North $19^{\circ}25'30''$ West, with the west line of the said 26.773 acres of land, a distance of 140.26 feet to a 1/2-inch rebar set;

THENCE North $74^{\circ}04'36''$ East, a distance of 1017.34 feet to a 1/2-inch rebar set for a Point of Curvature;

THENCE a curve to the right having a central angle of $21^{\circ}41'38''$, a radius of 2260.00 feet, and an arc distance of 855.70 feet (chord bears North $84^{\circ}55'25''$ East, a distance of 850.60 feet) to a 1/2-rebar set for a Point of Curve Terminus, said rebar also being on the curving east line of the said 26.773 acres of land, same being the curving west right-of-way line of Williamson County Road No. 169 known as Meister Lane (a public road having a right-of-way width that varies);

THENCE with the east and south lines of the said 26.773 acres of land, same being the west and north right-of-way lines of Meister Lane and Louis Henna Boulevard, respectively, the following four (4) courses:

- (1) A curve to the right having a central angle of $3^{\circ}18'10''$, a radius of 2000.00 feet, and an arc distance of 115.29 feet (chord bears South $04^{\circ}15'29''$ West, a distance of 115.27 feet) to a 1/2-inch rebar found for a Point of Compound Curvature;
- (2) A curve to the right having a central angle of $89^{\circ}08'36''$, a radius of 25.00 feet, and an arc distance of 38.90 feet (chord bears South $50^{\circ}37'07''$ West, a distance of 35.09 feet) to a P-K nail found for a Point of Reverse Curve (record - CA = $89^{\circ}08'36''$, R = 25.00', A = 38.90', CH = S $50^{\circ}37'07''$ W, 35.09');
- (3) A curve to the left having a central angle of $21^{\circ}06'26''$, a radius of 2120.00 feet, and an arc distance of 780.99 feet (chord bears South $84^{\circ}37'49''$ West, a distance of 776.58 feet) to a 1/2-inch rebar found for a Point of Tangency (record - CA = $21^{\circ}06'26''$, R = 2120.00', A = 780.89', CH = S $84^{\circ}37'49''$ W, 776.58');
- (4) South $74^{\circ}04'36''$ West, a distance of 1008.77 feet to the POINT OF BEGINNING (record - S $74^{\circ}04'36''$ W, 1008.74').

This tract contains 5.925 acres of land, more or less, out of the Asa Thomas Survey, Abstract No. 609 in Williamson County, Texas.

This description was prepared from an on the ground survey made during August-September, 1990 and September, 1995. Bearing basis is the description of the 26.773 acre tract of land contained in Volume 2472, Pages 0403-0410 of the Official Records of Williamson County, Texas.

Curtis D. Wilson 9-5-95

Curtis D. Wilson
Registered Professional Land Surveyor
State of Texas No. 4763



EXHIBIT D

DEVELOPMENT STANDARDS MULTI-FAMILY RESIDENTIAL

1. **PERMITTED USE:** Apartments and Condominiums.
2. **DENSITY AND HEIGHT:**
 - 2.1 Twenty (20) units per acre, provided all other requirements of this Agreement are met.
 - 2.2 Allowed height 3 stories.
3. **BUILDINGS:**
 - 3.1 **Setbacks:**
 - 3.1.1 Front yard 50 feet.
 - 3.1.2 Rear yard 25 feet.
 - 3.1.3 Side yard (interior) 25 feet.
 - 3.1.4 Side yard (street) 50 feet.
 - 3.2 **Carports:** Carports may be constructed, provided the design is first approved by the Director of Planning. Carports shall meet the following setback requirements;
 - 3.2.1 Front yard - 25 feet.
 - 3.2.2 Rear yard - 5 feet from the edge of the roof.
 - 3.2.3 Side yard (interior) - 5 feet from the edge of the roof.
 - 3.2.4 Side yard (street) - 25 feet from the edge of the roof.
4. **ACCESS:** Driveway access points shall contain a divided drive with a landscaped median separating ingress and egress lanes with each a minimum of 24 feet wide.

5. **RECREATIONAL AMENITIES:** The following private recreational facilities shall be provided on site in lieu of parkland dedication:

- 5.1 One swimming pool, a minimum of 500 square feet.
- 5.2 A clubhouse with a minimum of 1,000 square feet plus sales leasing and office space. Only one clubhouse shall be required for the entire multi-family development if the development contains more than one of the parcels identified for multi-family use on Exhibit C of this agreement.

6. **PARKING REQUIREMENTS:** Parking shall be provided as follows:

- 6.1 Efficiency units - 1.5 spaces.
- 6.2 One bedroom units - 1.5 spaces.
- 6.3 Two bedroom units - 2.0 spaces.
- 6.4 Three bedroom units - 3.0 spaces.
- 6.5 Additional guest spaces shall be provided in a number equal to five percent of the number of parking spaces required for the total number of units.
- 6.6 All parking spaces shall be a minimum of nine feet (9') wide.
- 6.7 No recreational vehicles, boats or trailers shall be allowed to be parked in any street yard.

7. **LANDSCAPING & BUFFERING:**

- 7.1 **Trees:** Trees shall be planted in all street yards in accordance with the following standards:
 - 7.1.1 One tree for each (25) feet of frontage.
 - 7.1.2 Each tree shall have a minimum caliper size of two inch and a minimum height of six feet for softwoods and eight feet for hardwoods. Trees shall be alternated between hardwoods and softwoods.

7.2 **Maintenance:** All landscaping shall be maintained and irrigated by the property owner or a property owners association which has been approved by the City Attorney.

7.3 **Berms:** A landscaped berm with a minimum height of three (3) feet shall be provided adjacent to all public streets.

8. **FENCING:**

All perimeter fences shall be constructed as part of a comprehensively designed fence. Fencing materials shall be woodcrete, rust resistant iron, masonry, or masonry posts with wood fence. Fence supports shall be masonry or rust resistant steel or iron. All fencing shall be constructed so that a finished surface faces out. Fence construction plans shall be approved by the Director of Planning prior to construction to ensure stability, durability and aesthetics.

9. **SIGNS:**

9.1 All signs shall be masonry monument signs.

9.2 Signs shall not exceed six feet in height.

9.3 Signs shall not restrict visibility for traffic entering or leaving the site.

9.4 One sign shall be permitted at each entrance to the site. The maximum area of each sign, defined as the area contained within a polygon containing the actual lettering and any logo, shall be fifty square feet. Portions of the masonry structure on which the sign is located is not counted as part of this fifty feet provided it is not contained within the polygon.

9.5 Directional signs solely for the purpose of directing traffic or identifying buildings and facilities shall be permitted provided they are restricted to a size required for their function as determined by the Director of Planning.

10. NEIGHBORHOOD BOX UNITS: A postal delivery facility shall be provided and shall include parking and shall be handicapped accessible.
11. DEVELOPMENT REVIEW BOARD (DRB): A site plan shall be approved by the City DRB prior to the issuance of a building permit. The DRB shall review the site plan for compliance with the provisions of this agreement and other Code requirements.

EXHIBIT E

DEVELOPMENT STANDARDS BUSINESS PARK

1. **PERMITTED USES:**

- 1.1 **Primary Uses:** Including, but not limited to, office, office/warehouse, research & development, technical schools, light manufacturing and assembly, conducted wholly within a building.
- 1.2 **Secondary uses:** Including, but not limited to, caretakers residence, the sale of goods produced or assembled on site, day care and other employee services.

2. **PROHIBITED USES:** Including, but not limited to, automotive and machinery repair, automotive and machinery painting, wrecking yard, sexually oriented businesses, transmission and communication towers, trucking depots, bulk distribution centers and mini-warehouses.

3. **OUTDOOR STORAGE:** Outdoor storage of materials or equipment and loading docks shall provide a visual screen from abutting properties or city streets. All screening shall be approved by the Director of Planning prior to construction.

4. **INTERPRETATION OF USE:** Interpretation of uses not clearly permitted or prohibited shall be made in writing by the Director of Planning. A copy of interpretations shall be provided to the owner and the City Building Inspector.

5. **DENSITY:** Minimum lot size one (1) acre.

6. **BUILDINGS SETBACKS:**

- 6.1 Front yard - 50 feet.
- 6.2 Rear yard - 25 feet.
- 6.3 Side yard (internal) - 25 feet.
- 6.4 Side yard (street) - same as front yard.

7. **SIGN REGULATIONS:**

- 7.1 All freestanding signs shall be monument signs.
- 7.2 Freestanding signs shall not exceed six feet in height.
- 7.3 Freestanding signs shall not restrict visibility for traffic entering or leaving the site.
- 7.4 One freestanding sign shall be permitted for lots of less than three acres in size. The maximum area of the sign, defined as the area contained within a polygon containing the actual lettering and any logo, shall be fifty square feet. Portions of the masonry structure on which the sign is located are not counted as part of the fifty square feet provided they are not contained within the polygon.
- 7.5 Additional freestanding monument signs shall be permitted for lots of three acres or larger in accordance with the regulations contained in the City Sign Ordinance.
- 7.6 Directional signs solely for the purpose of directing traffic or identifying buildings and facilities shall be permitted provided they are restricted to a size required for their function as determined by the Director of Planning.

8. **LANDSCAPING & BUFFERING:**

- 8.1 If any parcel abuts Gattis School Road or if any visitor parking is provided in any front yard, then a landscaped berm shall be installed in accordance with the following design standards:
 - 8.1.1 The height of the berm shall be a minimum of three feet in height and be landscaped to provide a complete visual screen of any parking, loading or storage areas. A site plan shall be approved by the Director of Planning prior to the issuance of any building permit. The Director of Planning shall review the landscaping, elevations and abutting uses to ensure that the required visual screen will be provided. Trees shall be planted no less than thirty feet apart.

- 8.2 Trees shall be planted in all street yards. Said trees shall have a minimum caliper of two inches and a minimum height of six feet for softwoods and eight feet for hardwoods. Trees shall consist of a mix of hardwoods and softwoods to provide for both rapidly growing and slower growing species.
- 8.3 A minimum of 75 percent of required front yards and side street yards shall be landscaped, excluding driveways.

9. **PARKING & LOADING REQUIREMENTS:**

- 9.1 Parking and loading shall be provided in accordance with the current standards set forth in the Code.
- 9.2 No parking or loading shall be permitted in any required front yard or street side yard, except that visitor parking may be permitted in up to twenty-five percent of the streetyard if a landscaped screen & berm is first approved in writing by the Director of Planning and is installed in accordance with Section 8.1, above.

EXHIBIT F

1. **MULTI FAMILY LOTS:** The following items shall be included in the restrictive covenants which shall be recorded with a final plat for Multi Family lots:
 - 1.1 **Amendment:** This Declaration may be amended by recording in the Williamson County Real Property Records an instrument executed and acknowledge by the sole owners or if the development is a condominium by the President and Secretary of the Association setting forth the amendment and certifying that such amendment has been approved by Owners of at least two thirds (2/3) of the number of Lots entitled to be cast, and the Mayor on behalf of the Round Rock City Council as any amendment pertains to any item in this exhibit.
 - 1.2 **Masonry Requirements:** Each Building constructed shall have at least eighty percent (80%) of its exterior walls, facing a public street, constructed of stone or masonry construction. In computing these percentages (1) all gables shall be excluded from the total area of exterior walls; (2) all windows and door openings shall be excluded from the total area of the exterior walls; (3) masonry used to a fireplace or chimney may be included in the computation as masonry used; and (4) Stucco and all "Hardi plank" products may be included in the computation as masonry used.
 - 1.3 **Roofing Materials:** All roofing materials shall meet or exceed 20 year warranty composition shingles. Non-reflective metal, tile or similar quality materials are acceptable.
 - 1.4 **Antennas:** No exterior radio, television antenna, satellite dishes or aerial shall be erected or maintained without prior written approval of the City of Round Rock Director of Planning.
 - 1.5 **Signs:** All entry monumentation shall be constructed of low maintenance materials approved in advance by the Director of Planning. In the event that the sign is not properly maintained, the City may give the sign owner written notice that repairs must be

made within 14 business days of notification or the City shall have the right, but not the obligation, to have the repairs made and charged to the owner.

Prohibited signs include bench signs, billboards, signs with flashing or blinking lights or mechanical movement, dayglo colors, signs that make or create noise, animated or moving signs, exposed neon illumination, painted wall signs, pennants, trailer signs, signs with beacons, and any sign that obstructs the view in any direction of an intersection. Appropriate materials shall be made of masonry with a maximum height of six feet.

The Property Owners Association shall own and maintain all entry signs.

Doc# 9549250
Pages: 34
Date : 11-01-1995
Time : 10:28:14 A.M.
Filed & Recorded in
Official Records
of WILLIAMSON County, TX.
ELAINE BIZZELL
COUNTY CLERK
Rec. \$ 75.00

THE STATE OF TEXAS,
COUNTY OF WILLIAMSON:

This is to certify that this document was FILED and
RECORDED in the Official Public Records of
Williamson County, Texas on the date and time
stamped thereon.



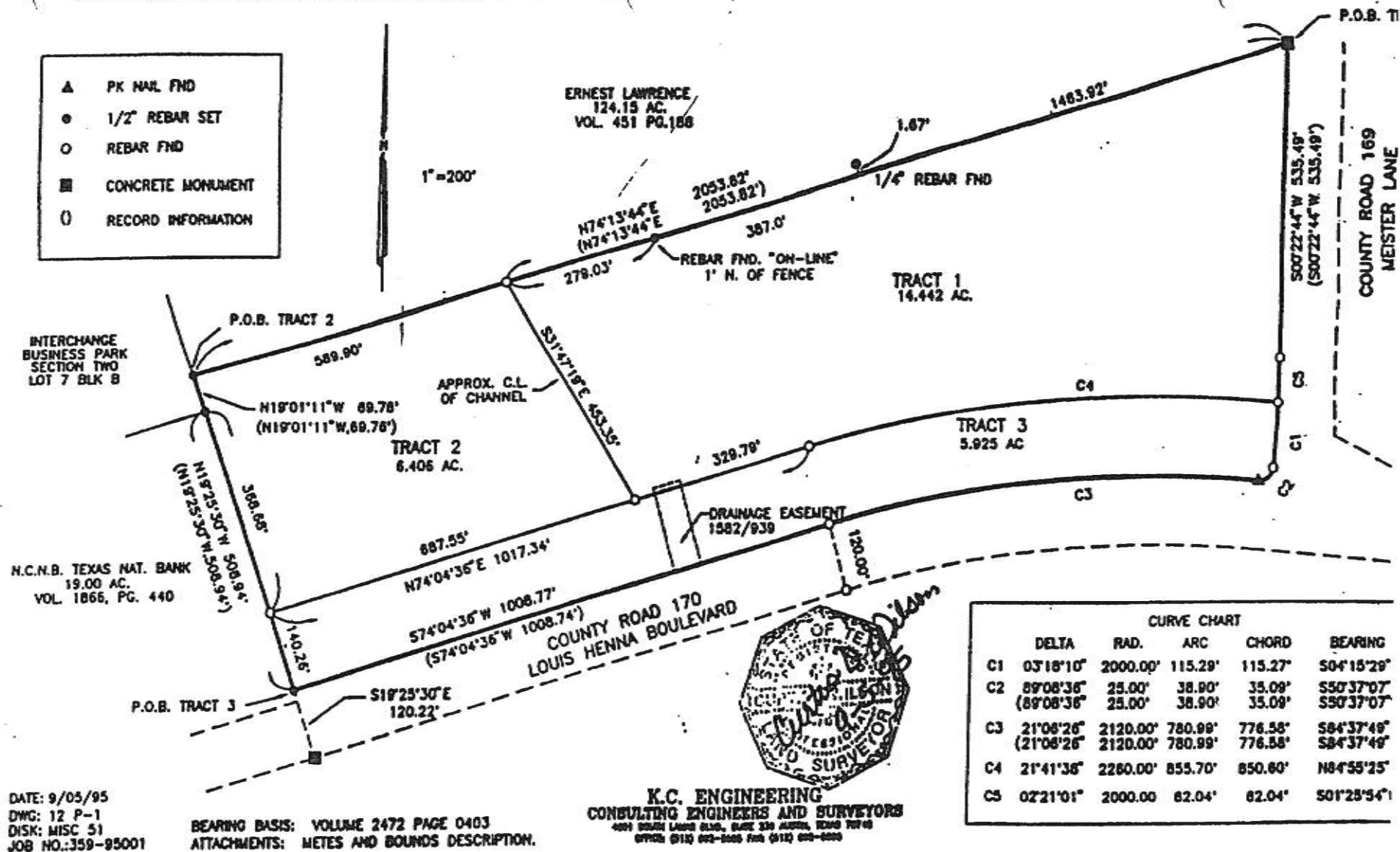
Elaine Bizzell
COUNTY CLERK
WILLIAMSON COUNTY, TEXAS

Please return to:

① CITY OF ROUND ROCK
ADMINISTRATION
221 EAST MAIN STREET
ROUND ROCK, TEXAS 78664

A SURVEY OF THREE TRACTS OF LAND AS SHOWN OUT OF THE ASA THOMAS SURVEY, A-408, IN WILLIAMSON COUNTY, TEXAS.
 SING A PORTION OF 28.773 ACRES OF LAND AS DESCRIBED IN VOLUME 2472, P 0403-0410 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS

- ▲ PK NAIL FND
- 1/2" REBAR SET
- REBAR FND
- CONCRETE MONUMENT
- () RECORD INFORMATION



RECORDERS MEMORANDUM
 All or parts of the text on this page was not
 clearly legible for satisfactory recordation.

5. PERMITTED USES

5.1 Parcel One

The permitted uses of Parcel One, more particularly described in Exhibit "C", attached hereto and incorporated herein, shall be either as medium density multifamily (MF-2) residential, except as modified in Exhibit "F", attached hereto and incorporated herein, or as (I-2) Industrial Park, except as modified in Exhibit "E", attached hereto and incorporated herein, but not both.

V.

That Sections II.5.1. and II.5.2. of the Development Plan of PUD No. 20, as approved in Ordinance No. Z-95-09-28-9I, by the City Council of the City of Round Rock on September 28, 1995, are hereby amended to read as follows:

5. PERMITTED USES

5.1 Parcel One

The permitted uses of Parcel One, more particularly described in Exhibit "C", attached hereto and incorporated herein, shall be either as medium density multifamily (MF-2) residential, except as modified in Exhibit "D", attached hereto and incorporated herein, or as (I-2) Industrial Park, except as modified in Exhibit "E", attached hereto and incorporated herein, but not both.

5.2 Parcel Two

The permitted uses of Parcel Two, more particularly described in Exhibit "C", attached hereto and incorporated herein, shall be either as medium

density multifamily (MF-2) residential, except as modified in Exhibit "D", attached hereto and incorporated herein, or as (I-2) Industrial Park, except as modified in Exhibit "E", attached hereto and incorporated herein, but not both.

VI.

That Section II.5.1. of the Development Plan of Exhibit "C" of PUD No. 26, as approved in Ordinance No. Z-96-06-13-9B by the City Council of the City of Round Rock on June 13, 1996, is hereby amended to read as follows:

5. PERMITTED USES

5.1 Multifamily Residential

The properties described in Exhibits "C-1" and "C-2" shall be used and developed for ~~standard~~ medium density multifamily (MF-2) uses, except as modified in accordance with the development standards set forth in Exhibit "C-4", attached hereto and incorporated herein.

VII.

That Section II.5. of the Development Plan of PUD No. 31, as approved in Ordinance No. Z-97-02-13-9F by the City Council of the City of Round Rock on February 13, 1997, and amended in Ordinance No. Z-98-08-13-9B1 by the City Council of the City of Round Rock on August 13, 1998, is hereby amended to read as follows:



**Subject Tract
6.41 ac.**

Double Creek Dr

**Louis Henna Blvd
(SH45)**

