



City of Round Rock

City Council

Meeting Agenda - Final

Alan McGraw, Mayor
George White, Mayor Pro-Tem, Place 2
Craig Morgan, Place 1
Frank Leffingwell, Place 3
Will Peckham, Place 4
Writ Baese, Place 5
Kris Whitfield, Place 6

Thursday, April 14, 2016

7:00 PM

City Council Chambers, 221 East Main St.

Supplemental Agenda

H. ORDINANCES:

- H.4 [2016-3335](#) [Consider an ordinance annexing 19.70 acres located Northeast of the intersection of Old Settlers Blvd. and A.W. Grimes Boulevard. \(First Reading\)*](#)
- H.5 [2016-3336](#) [Consider public testimony regarding, and an ordinance approving original zoning as the PUD \(Planned Unit Development\) No. 106 zoning district, providing for single family common lot development on 19.70 acres located Northeast of the intersection of Old Settlers Blvd. and A.W. Grimes Boulevard. \(First Reading\)*](#)

POSTING CERTIFICATION

I certify that this supplemental agenda of the Round Rock City Council Meeting was posted on this 8th day of April 2016 at 5:00 p.m. as required by law in accordance with Section 551.043 of the Texas Government Code.

*/ORIGINAL SIGNED/
Sara L. White, TRMC, City Clerk*



City of Round Rock

Agenda Item Summary

Agenda Number: H.4

Title: Consider an ordinance annexing 19.70 acres located Northeast of the intersection of Old Settlers Blvd. and A.W. Grimes Boulevard. (First Reading)*

Type: Ordinance

Governing Body: City Council

Agenda Date: 4/14/2016

Dept Director: Brad Wiseman, AICP, Director of Planning and Development Services

Cost:

Indexes:

Attachments: Ordinance, Exhibit A, Exhibit B, Aerial Photo, Vicinity Map with zoning

Department: Planning and Development Services Department

Text of Legislative File 2016-3335

The owner of the property, Wallin Family Investments, has requested annexation into the city limits of Round Rock. The property is contiguous to the city limits and is to be zoned for single family common lot development as a separate agenda item.

Staff recommends approval

ORDINANCE NO. O-2016-3335

AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ROUND ROCK, TEXAS, TO WIT: 19.70 ACRES OF LAND, OUT OF THE WILLIS DONAHO, JR. SURVEY, ABSTRACT NO. 173, IN WILLIAMSON COUNTY; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH AREA SHALL BECOME A PART OF THE CITY AND THAT THE OWNERS AND INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS AND ORDINANCES NOW IN EFFECT AND TO BE HEREINAFTER ADOPTED; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, the City is a duly constituted Home Rule City pursuant to Chapter 9, Local Government Code, as amended, and

WHEREAS, pursuant to Section 43.028, Local Government Code, the owners of a 19.70 acre tract of land out of the Willis Donaho, Jr. Survey, Abstract No. 173, in Williamson County (the "Property"), more fully described in Exhibit "A", have petitioned the City Council in writing to annex the Property, and

WHEREAS, the petition for annexation is attached as Exhibit "B" hereto and incorporated herein for all purposes, and

WHEREAS, the petition was filed more than five (5) days and less than thirty (30) days before the City Council heard the petition and the arguments for and against the annexation, and

WHEREAS, the Property is (1) one-half mile or less in width; (2) contiguous to the City; and (3) vacant and without residents, or on which less than three (3) qualified voters reside, and

WHEREAS, the City Council has determined that all requirements of Section 43.028, Local Government Code have been complied with and hereby consider it appropriate to grant the petition for annexation, Now Therefore

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

I.

That all of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

II.

That the City Council has heard the arguments for and against the annexation and has determined to grant the petition for annexation.

III.

That the property described in Exhibit "A" attached hereto and incorporated herein for all purposes, be and is hereby annexed and brought within the corporate limits of the City of Round Rock, Williamson County, Texas, and same is hereby made an integral part hereof.

IV.

That the owners and future inhabitants of the area herein annexed be entitled to all of the rights and privileges of other citizens and property owners of said City and are hereby bound by all acts, ordinances and all other legal action now in full force and effect and all those which may be hereafter adopted.

V.

That the official map and boundaries of the City, heretofore adopted and amended be and is hereby amended so as to include the aforementioned territory as part of the City of Round Rock, Texas.

VI.

That the City Manager is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the City to add the territory hereby annexed as required by law.

VII.

That this Ordinance shall become effective after its passage.

VIII.

That the City Clerk is hereby directed and authorized to file a certified copy of this Ordinance in the Office of the County Clerk of Williamson County, Texas.

IX.

If any section, subsection, sentence, phrase, or word of this Ordinance be found to be illegal, invalid or unconstitutional or if any portion of said property is incapable of being annexed by the City, for any reason whatsoever, the adjudication shall not affect any other section, sentence, phrase, word, paragraph or provision of this Ordinance or the application of any other section, sentence, phrase, word, paragraph or provision of any other Ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this Ordinance and would have annexed the valid property without the invalid part, and to this end the provisions of this Ordinance are declared to be severable.

X.

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.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

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 _____ day of _____, 2016.

Alternative 2.

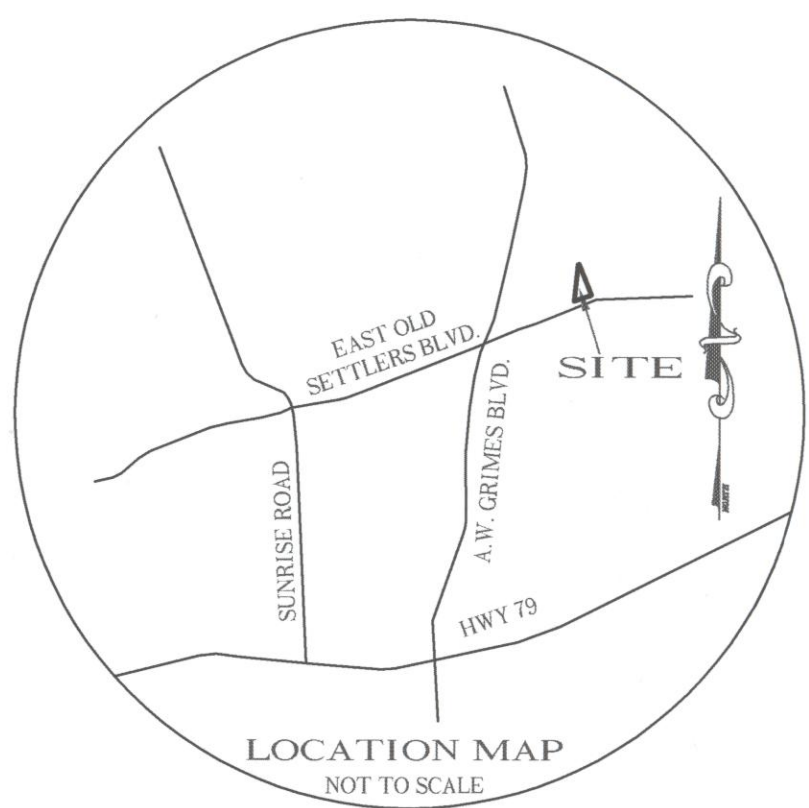
READ and APPROVED on first reading this the _____ day of _____, 2016.

READ, APPROVED and ADOPTED on second reading this the _____ day of _____, 2016.

ALAN MCGRAW, Mayor
City of Round Rock, Texas

ATTEST:

SARA L. WHITE, City Clerk



ALTA SURVEY OF 19.700 ACRES (858,150 SQUARE FEET) OF LAND BEING ALL OF THE REMAINDER OF A CALLED 152.38 ACRE TRACT OF LAND OUT OF AND A PART OF THE WILLIS DONAHO, JR. SURVEY, ABSTRACT NUMBER 173, CONVEYED TO WALLIN FAMILY INVESTMENTS IN DOCUMENT NUMBER 2003057841, 2003057843, AND 2003057844, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS,

SCALE: 1" = 200'

LEGEND

- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- 1/2" CAPPED IRON ROD SET
- ⦿ GUY POLE
- ⦿ POWER POLE
- ⦿ WASTEWATER MANHOLE
- ou — OVERHEAD ELECTRIC LINE
- x — WIRE FENCE
- # — WOOD FENCE
- S — SIGN
- BOC BACK OF CURB
- () RECORD INFORMATION DOCUMENT NO. 2003057841
- [] RECORD INFORMATION VOL. 1950, PG. 515

THIS TRACT IS SUBJECT TO THE FOLLOWING TITLE EXCEPTIONS:

- EASEMENT DATED AUGUST 22, 1977, BY RUDOLPH WALLIN TO TEXAS POWER AND LIGHT COMPANY AND SOUTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN VOLUME 699, PAGE 899, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. — unable to locate with description provided, but easement is for parent tract
- EASEMENT DATED JUNE 21, 2006, BY WALLIN FAMILY INVESTMENTS, L.P. TO THE CITY OF ROUND ROCK, RECORDED UNDER DOCUMENT NO. 2006050947, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS. — as shown on drawing
- EASEMENT DATED JANUARY 8, 2014, BY WALLIN FAMILY INVESTMENTS, L.P. TO THE CITY OF ROUND ROCK, RECORDED UNDER DOCUMENT NO. 2014003159, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS. — as shown on drawing
- EASEMENT DATED FEBRUARY 12, 2015, BY WALLIN FAMILY INVESTMENTS, L.P., ET AL TO QWEST COMMUNICATIONS COMPANY, L.L.C., ET AL, RECORDED UNDER DOCUMENT NO. 2015058336, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS. — no easement description provided in document
- THE RIGHTS OF UPPER BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT TO LEVY TAXES AND ISSUE BONDS.

THIS TRACT MAY OR MAY NOT BE SUBJECT TO THE FOLLOWING TITLE EXCEPTIONS:

- EASEMENT DATED SEPTEMBER 18, 1936, BY A.A. BOOTY TO TEXAS POWER AND LIGHT COMPANY, RECORDED IN VOLUME 282, PAGE 530, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. — no parent tract Volume and Page listed in easement document Vol. 282, Page 530

THIS TRACT IS NOT SUBJECT TO THE FOLLOWING TITLE EXCEPTIONS:

- EASEMENT DATED OCTOBER 19, 1997, BY RUDOLPH G. WALLIN TO TEXAS POWER AND LIGHT COMPANY AND SOUTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN VOLUME 710, PAGE 42, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. — easement is for 2 acre Wallin tract located west of subject tract
- EASEMENT DATED SEPTEMBER 6, 1979, BY RUDOLPH WALLIN TO TEXAS POWER AND LIGHT COMPANY AND SOUTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN VOLUME 801, PAGE 263, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. — easement now located in right-of-way of County Road 113
- EASEMENT DATED NOVEMBER 13, 1985, BY RUDOLPH WALLIN AND WIFE, DORIS A. WALLIN TO TEXAS UTILITIES ELECTRIC COMPANY AND SOUTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN VOLUME 1472, PAGE 1, OFFICIAL RECORDS, WILLIAMSON COUNTY, TEXAS. — easement now located in right-of-way of County Road 113
- EASEMENT DATED JUNE 20, 2001, BY RUDOLPH WALLIN AND DORIS WALLIN TO THE CITY OF ROUND ROCK, RECORDED UNDER DOCUMENT NO. 2001044953, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS. — easement located west of subject tract, ingress egress rights from Kiphen Road
- EASEMENT DATED JANUARY 5, 2002, BY RUDOLPH WALLIN AND DORIS WALLIN TO TXU ELECTRIC DELIVERY COMPANY, RECORDED UNDER DOCUMENT NO. 2002034946, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS. — easement located west of subject tract, ingress egress rights from Kiphen Road and F.M. 1460
- EASEMENT DATED MARCH 22, 2004, BY WALLIN FAMILY INVESTMENTS, L.P. TO THE CITY OF ROUND ROCK, RECORDED UNDER DOCUMENT NO. 2004021668, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS. — easement located west of subject tract, ingress egress rights from Kiphen Road and F.M. 1460
- EASEMENT DATED JUNE 29, 2004, BY WALLIN FAMILY INVESTMENTS, L.P. TO THE CITY OF ROUND ROCK, RECORDED UNDER DOCUMENT NO. 2004052037, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS. — easement located west of subject tract, ingress egress rights from Kiphen Road

TITLE COMMITMENT GF# 150070966.

TO: KB HOME LONE STAR INC., ITS SUCCESSORS AND ASSIGNS, WALLIN FAMILY INVESTMENTS, L.P., GEORGETOWN TITLE COMPANY, INC., WESTCOR LAND TITLE INSURANCE COMPANY AND WINSTEAD PC

EFFECTIVE DATE SEPTEMBER 25, 2015.

STATE OF TEXAS:
COUNTY OF WILLIAMSON:

I hereby certify that on the 23rd day of October, 2015:

- This survey was made on the ground as per the field notes shown on this survey and correctly shows (i) all corners and points of course change, (ii) the boundaries and areas of the subject property and the size, location and type of buildings and improvements thereon (if any) and the distance therefrom to the nearest facing exterior property lines of the subject property; (iii) the location of all rights-of-way, easements and any other matters of record together with appropriate recording references (or of which I have knowledge or have been advised, whether or not of record) affecting the subject property; (iv) all abutting dedicated public streets providing access to the subject property together with the width and name thereof, and (v) all other significant items on the subject property;
- Except as shown on the survey, there are no (i) encroachments upon the subject property by improvements on adjacent property, (ii) encroachments on adjacent property, streets or alleys by any improvements on the subject property, or (iii) party walls conflicts or protrusions;
- This survey shows all roads, streets and rights-of-way which abut and/or are adjacent to the subject property and no gap, strip or gore exists between any such road, street or right-of-way, or adjacent property and the subject property;
- All required building set back lines on the subject property are located as shown hereof;
- Except as shown on the survey, the subject property does not serve any adjoining property for drainage, utilities or ingress or egress;
- The location of each easement, right-of-way, servitude, and other matters affecting subject property and listed in the Commitment for Title Insurance issued by Georgetown Title Company, Inc., under GF#150070966, issued October 06, 2015, with respect to the subject property, has been shown on the survey, together with appropriate recording references to the extent that such matters can be located. The subject property shown on the survey is the property described in that Title Commitment.
- The metes and bounds description contained hereon is correct and the record description of the subject property forms a mathematically closed figure;
- No portion of the subject property lies within a flood plain or flood prone area or a flood way of any body of water per the Federal Emergency Management Agency Rule Map, Community F.I.R.M. Map prepared for Williamson County, dated effective September 26, 2008, as shown on Community Panel No. 48491C 0495E or within any Aquifer Recharge Zone, Aquifer Transition Zone or Contributory Zone, Tract lies in Zone X, 0.2% Annual Chance Flood Hazard; and
- This survey conforms to the current 2011 "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by the American Land Title Association ("ALTA"), the American Congress on Surveying and Mapping ("ACSM"), and the National Society of Professional Surveyors ("NSPS") pursuant to the Accuracy Standards (as adopted by ALTA, ACSM and NSPS and in effect on the date of this certification, and includes items 1,2,3,4,6(a),7(b)(1), 8,9,10(a),11(a),13,14,16,17,18,19, of Table A thereof.

ALTA SURVEY TABLE A NOTES:

- NO BUILDINGS LOCATED ON SITE.
- NO PARKING SPACES ARE LOCATED ON THE SITE.
- NO DIVISION OR PARTY WALLS ARE LOCATED ON THE SITE.
- DISTANCE TO NEAREST INTERSECTION STREET: +/- 2648 FEET TO THE INTERSECTION OF F.M. 1460 AND COUNTY ROAD 113.
- THERE IS NO EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS
- THERE IS NO INFORMATION ON PROPOSED CHANGES IN STREET RIGHT-OF-WAYS. NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- THERE IS NO EVIDENCE OF SITE USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
- NO WETLANDS LOCATED ON SITE.

PHYSICAL ADDRESS AS LISTED IN THE WILLIAMSON COUNTY APPRAISAL DISTRICT:
E OLD SETTLERS BLVD.
ROUND ROCK, TEXAS 78665

TRACT IS LOCATED IN THE ETJ, NO ZONING

TAX PARCEL ID # R384605

BEARING BASIS: TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4203)



Carlson, Brigrance & Doering, Inc.
FIRM ID #E3791 REG. # 10024900
Civil Engineering
5501 West William Cannon
Phone No. (512) 280-5160
Surveying
Austin, Texas 78749
Fax No. (512) 280-5165

PATH-J: \4752-082\DWG\ALTA.DWG

ROBERT J. GERTSON, RPLS# 6367
Carlson, Brigrance & Doering, Inc.
5501 West William Cannon
Austin, Texas 78749
(512)280-5160 (512)280-5165 (fax)
rgertson@cbbdeng.com

ORIGINAL COPY VALID ONLY IF SEALED IN RED INK



ANNEXATION OR CITY LIMITS EXTENSION**TO THE MAYOR AND GOVERNING BODY OF THE CITY OF ROUND ROCK, TEXAS**

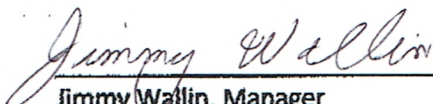
The undersigned owners of the hereinafter described tract of land, which is (1) one-half mile or less in width, (2) contiguous to the city limits, and (3) vacant and without residents, or on which less than three (3) qualified voters reside, hereby petition your Honorable Body to extend the present city limits so as to include as a part of the City of Round Rock, Texas, the property described in Exhibit "A", attached hereto and made a part thereof.

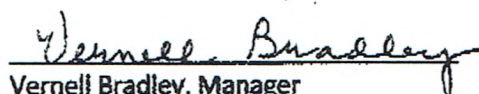
We hereby certify, under oath, that:

WE ARE THE TRUE AND ONLY OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, as conveyed to us in Deeds recorded as Document Numbers 2003057841, 2003057843 and 2003057844, Official Public Records of Williamson County, Texas.

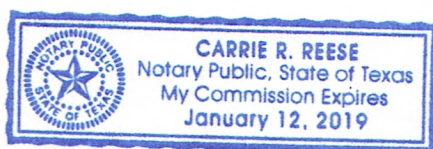
WALLIN FAMILY INVESTMENTS, L.P.
a Texas limited partnership
By: Wallin Management Company, LLC
General Partner

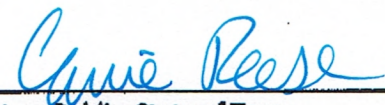
WALLIN FAMILY INVESTMENTS, L.P.
a Texas limited partnership
By: Wallin Management Company, LLC
General Partner


Jimmy Wallin, Manager


Vernell Bradley, Manager


This instrument was acknowledged before me on the 24th day of March, 2016, by Jimmy Wallin, the Manager, of Wallin Family Investments, L.P., a Texas limited partnership, on behalf of said partnership.

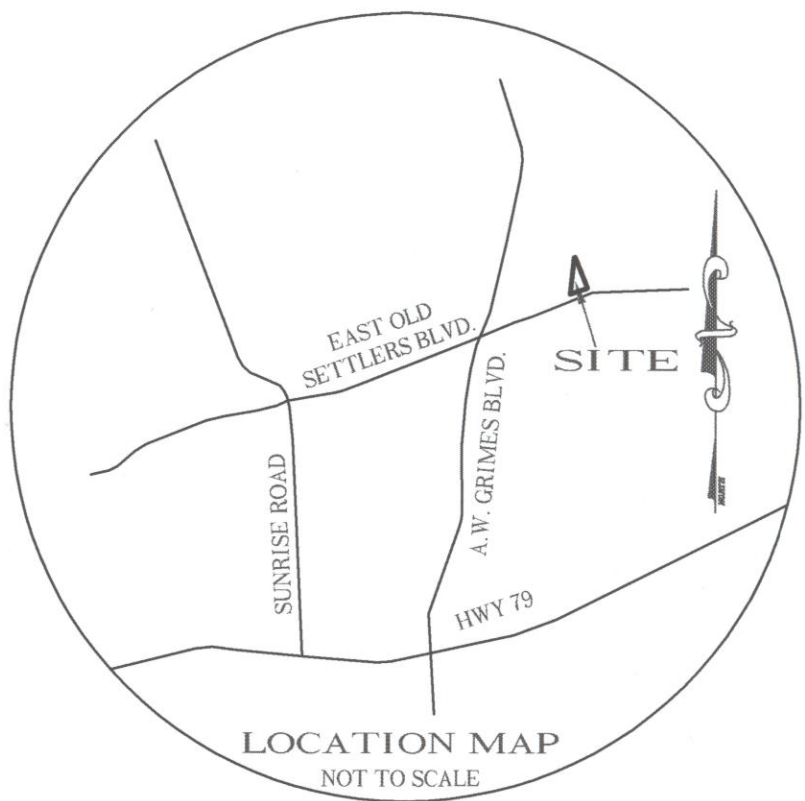



Notary Public, State of Texas

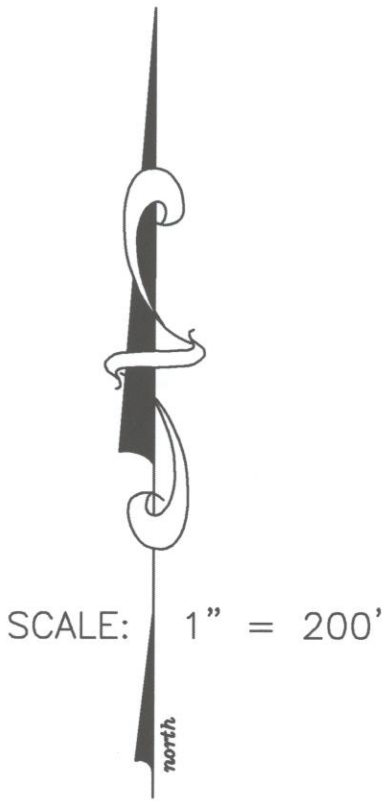
This instrument was acknowledged before me on the 24th day of March, 2016, by Vernell Bradley, the Manager, of Wallin Family Investments, L.P., a Texas limited partnership, on behalf of said partnership.




Notary Public, State of Texas



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LEGEND

- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- 1/2" CAPPED IRON ROD SET
- GUY POLE
- POWER POLE
- WASTEWATER MANHOLE
- OVERHEAD ELECTRIC LINE
- WIRE FENCE
- WOOD FENCE
- SIGN
- BACK OF CURB
- RECORD INFORMATION DOCUMENT NO. 2003057841
- RECORD INFORMATION VOL. 1950, PG. 515

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- EASEMENT DATED SEPTEMBER 18, 1936, BY A.A. BOOTY TO TEXAS POWER AND LIGHT COMPANY, RECORDED IN VOLUME 282, PAGE 530, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. — no parent tract Volume and Page listed in easement document Vol. 282, Page 530

THIS TRACT IS NOT SUBJECT TO THE FOLLOWING TITLE EXCEPTIONS:

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TITLE COMMITMENT GF# 150070966.

TO: KB HOME LONE STAR INC., ITS SUCCESSORS AND ASSIGNS, WALLIN FAMILY INVESTMENTS, L.P., GEORGETOWN TITLE COMPANY, INC., WESTCOR LAND TITLE INSURANCE COMPANY AND WINSTEAD PC

EFFECTIVE DATE SEPTEMBER 25, 2015.

STATE OF TEXAS:
COUNTY OF WILLIAMSON:

I hereby certify that on the 23rd day of October, 2015:

- This survey was made on the ground as per the field notes shown on this survey and correctly shows (i) all corners and points of course change, (ii) the boundaries and areas of the subject property and the size, location and type of buildings and improvements thereon (if any) and the distance therefrom to the nearest facing exterior property lines of the subject property; (iii) the location of all rights-of-way, easements and any other matters of record together with appropriate recording references (or of which I have knowledge or have been advised, whether or not of record) affecting the subject property; (iv) all abutting dedicated public streets providing access to the subject property together with the width and name thereof, and (v) all other significant items on the subject property;
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- Except as shown on the survey, the subject property does not serve any adjoining property for drainage, utilities or ingress or egress;
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ALTA SURVEY TABLE A NOTES:

- NO BUILDINGS LOCATED ON SITE.
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- NO DIVISION OR PARTY WALLS ARE LOCATED ON THE SITE.
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- THERE IS NO INFORMATION ON PROPOSED CHANGES IN STREET RIGHT-OF-WAYS. NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- THERE IS NO EVIDENCE OF SITE USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
- NO WETLANDS LOCATED ON SITE.

PHYSICAL ADDRESS AS LISTED IN THE WILLIAMSON COUNTY APPRAISAL DISTRICT:
E OLD SETTLERS BLVD.
ROUND ROCK, TEXAS 78665

TRACT IS LOCATED IN THE ETJ, NO ZONING

TAX PARCEL ID # R384605

BEARING BASIS: TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4203)

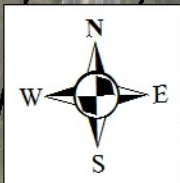
Carlson, Brigrance & Doering, Inc.
FIRM ID #E3791 REG. # 10024900
Civil Engineering Surveying
5501 West William Cannon Austin, Texas 78749
Phone No. (512) 280-5160 Fax No. (512) 280-5165

PATH-J: \4752-082\DWG\ALTA.DWG

ROBERT J. GERTSON, RPLS# 6367
Carlson, Brigrance & Doering, Inc.
5501 West William Cannon
Austin, Texas 78749
(512)280-5160 (512)280-5165 (fax)
rgertson@cbbdeng.com



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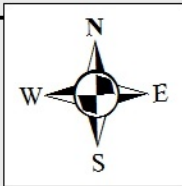


**Subject Tract
19.70 ac.**

Fairview Cv

Bluestone Dr

E Old Settlers Blvd



PUD

City Limit

ETJ

SF2

ETJ

City Limit

Unzoned

Subject Tract
19.70 ac.

Fairview-CV

E Old Settlers Blvd

Unzoned

City Limit

ETJ

LI



City of Round Rock

Agenda Item Summary

Agenda Number: H.5

Title: Consider public testimony regarding, and an ordinance approving original zoning as the PUD (Planned Unit Development) No. 106 zoning district, providing for single family common lot development on 19.70 acres located Northeast of the intersection of Old Settlers Blvd. and A.W. Grimes Boulevard. (First Reading)*

Type: Ordinance

Governing Body: City Council

Agenda Date: 4/14/2016

Dept Director: Brad Wiseman, AICP, Director of Planning and Development Services

Cost:

Indexes:

Attachments: Ordinance, Exhibit A, Exhibit B, Aerial Photo, Vicinity Map with zoning

Department: Planning and Development Services Department

Text of Legislative File 2016-3336

The site contains approximately 19.7 acres and is being annexed as a separate agenda item. The development will take public street access from Old Settlers Boulevard in two locations and there will be a third access point solely for emergency vehicles. The proposed PUD zoning district provides for a maximum of 100 single family detached units on a common lot, with each dwelling unit having a private external entrance, private parking, and a private yard area. All units are to be sold as condominiums and maintenance of the common areas and private drive aisles will be the responsibility of the property owners association. The size and density of the development is consistent with other common lot single family projects that have been recently approved.

Exterior finish requirements for the homes include 100% masonry with a maximum of 75% 2-step hard coat stucco, on both the front and rear elevations. This same finish is also required on any side elevation that faces a private drive aisle. Masonry is defined as stone, simulated stone, brick or a minimum of 2-step hard coat stucco. In addition, shake style cement based siding may be used on the front facades of 25% of the total number of homes, only on non-load bearing elements. All homes with a rear side facing Old Settlers Boulevard or facing the eastern or western property boundaries will have a minimum 10-foot by 10-foot covered patio. Two story homes in these configurations will also have a window enhancement on the second floor elevation. Upgraded garage doors are required on all units, except for side entry garages. The site will have perimeter fencing consisting of

masonry or concrete panels. The private drive aisles that provide access to the single family units will be designed to provide for parallel parking on one side and also allow sufficient width for a fire lane. Each unit will provide four (4) parking spaces outside of the private drive aisle, two in the garage and two on the driveway behind the garage.

The Planning and Zoning Commission voted 7-0 to recommend approval of the original zoning at their meeting on March 2, 2016.

Staff recommends approval.

ORDINANCE NO. O-2016-3336

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROUND ROCK, TEXAS ADOPTED IN SECTION 46-132(b)(1), CODE OF ORDINANCES (2010 EDITION), CITY OF ROUND ROCK, TEXAS, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO ORIGINALLY ZONE 19.70 ACRES OF LAND OUT OF THE WILLIS DONAHO, JR. SURVEY, ABSTRACT NO. 173, IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS, AS PLANNED UNIT DEVELOPMENT (PUD) NO. 106; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, the City of Round Rock, Texas has recently annexed 19.70 acres of land out of the Willis Donaho, Jr. Survey, Abstract No. 173 in Round Rock, Williamson County, Texas, being more fully described in Exhibit "A" (the "Property"), attached hereto and incorporated herein, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the original zoning of the Property on the 2nd day of March, 2016, 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 Property in Exhibit "A" be originally zoned as Planned Unit Development (PUD) No. 106, and

WHEREAS, on the 14th day of April, 2016, after proper notification, the City Council held a public hearing on the proposed original zoning, 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, Sections 46-92, 46-104, and 46-106, Code of

Ordinances (2010 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 CITY COUNCIL OF THE CITY OF ROUND ROCK,
TEXAS:**

I.

That the City Council has hereby determined the Planned Unit Development (PUD) No. 106 meets the following goals and objectives:

- (1) The development in PUD No. 106 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) P.U.D. No. 106 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) P.U.D. No. 106 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. 106 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. 106 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 46-132(b)(1), Code of Ordinances (2010 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 hereafter designated as, Planned Unit Development (PUD) No. 106, and that the Mayor is hereby authorized and directed to enter into the Development Plan for PUD No. 106 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.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

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 ____ day of _____, 2016.

Alternative 2.

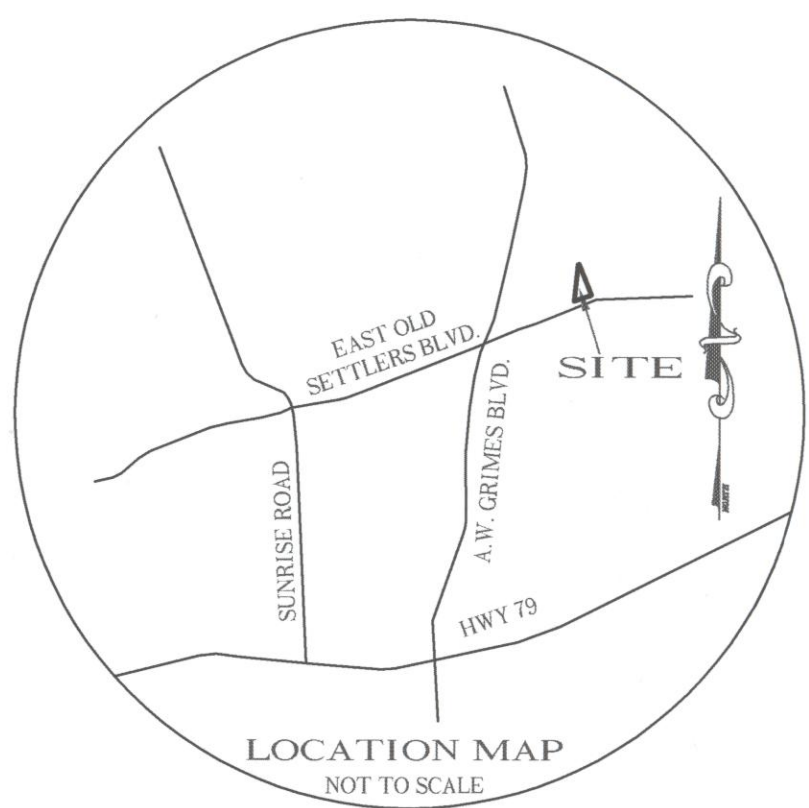
READ and APPROVED on first reading this the ____ day of _____, 2016.

READ, APPROVED and ADOPTED on second reading this the ____ day of _____, 2016.

ALAN MCGRAW, Mayor
City of Round Rock, Texas

ATTEST:

SARA L. WHITE, City Clerk



ALTA SURVEY OF 19.700 ACRES (858,150 SQUARE FEET) OF LAND BEING ALL OF THE REMAINDER OF A CALLED 152.38 ACRE TRACT OF LAND OUT OF AND A PART OF THE WILLIS DONAHO, JR. SURVEY, ABSTRACT NUMBER 173, CONVEYED TO WALLIN FAMILY INVESTMENTS IN DOCUMENT NUMBER 2003057841, 2003057843, AND 2003057844, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS,

SCALE: 1" = 200'

LEGEND

- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- 1/2" CAPPED IRON ROD SET
- ⦿ GUY POLE
- ⦿ POWER POLE
- ⦿ WASTEWATER MANHOLE
- ou — OVERHEAD ELECTRIC LINE
- x — WIRE FENCE
- # — WOOD FENCE
- S — SIGN
- BOC BACK OF CURB
- () RECORD INFORMATION DOCUMENT NO. 2003057841
- [] RECORD INFORMATION VOL. 1950, PG. 515

THIS TRACT IS SUBJECT TO THE FOLLOWING TITLE EXCEPTIONS:

- EASEMENT DATED AUGUST 22, 1977, BY RUDOLPH WALLIN TO TEXAS POWER AND LIGHT COMPANY AND SOUTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN VOLUME 699, PAGE 899, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. — unable to locate with description provided, but easement is for parent tract
- EASEMENT DATED JUNE 21, 2006, BY WALLIN FAMILY INVESTMENTS, L.P. TO THE CITY OF ROUND ROCK, RECORDED UNDER DOCUMENT NO. 2006050947, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS. — as shown on drawing
- EASEMENT DATED JANUARY 8, 2014, BY WALLIN FAMILY INVESTMENTS, L.P. TO THE CITY OF ROUND ROCK, RECORDED UNDER DOCUMENT NO. 2014003159, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS. — as shown on drawing
- EASEMENT DATED FEBRUARY 12, 2015, BY WALLIN FAMILY INVESTMENTS, L.P., ET AL TO QWEST COMMUNICATIONS COMPANY, L.L.C., ET AL, RECORDED UNDER DOCUMENT NO. 2015058336, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS. — no easement description provided in document
- THE RIGHTS OF UPPER BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT TO LEVY TAXES AND ISSUE BONDS.

THIS TRACT MAY OR MAY NOT BE SUBJECT TO THE FOLLOWING TITLE EXCEPTIONS:

- EASEMENT DATED SEPTEMBER 18, 1936, BY A.A. BOOTY TO TEXAS POWER AND LIGHT COMPANY, RECORDED IN VOLUME 282, PAGE 530, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. — no parent tract Volume and Page listed in easement document Vol. 282, Page 530

THIS TRACT IS NOT SUBJECT TO THE FOLLOWING TITLE EXCEPTIONS:

- EASEMENT DATED OCTOBER 19, 1997, BY RUDOLPH G. WALLIN TO TEXAS POWER AND LIGHT COMPANY AND SOUTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN VOLUME 710, PAGE 42, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. — easement is for 2 acre Wallin tract located west of subject tract
- EASEMENT DATED SEPTEMBER 6, 1979, BY RUDOLPH WALLIN TO TEXAS POWER AND LIGHT COMPANY AND SOUTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN VOLUME 801, PAGE 263, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. — easement now located in right-of-way of County Road 113
- EASEMENT DATED NOVEMBER 13, 1985, BY RUDOLPH WALLIN AND WIFE, DORIS A. WALLIN TO TEXAS UTILITIES ELECTRIC COMPANY AND SOUTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN VOLUME 1472, PAGE 1, OFFICIAL RECORDS, WILLIAMSON COUNTY, TEXAS. — easement now located in right-of-way of County Road 113
- EASEMENT DATED JUNE 20, 2001, BY RUDOLPH WALLIN AND DORIS WALLIN TO THE CITY OF ROUND ROCK, RECORDED UNDER DOCUMENT NO. 2001044953, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS. — easement located west of subject tract, ingress egress rights from Kiphen Road
- EASEMENT DATED JANUARY 5, 2002, BY RUDOLPH WALLIN AND DORIS WALLIN TO TXU ELECTRIC DELIVERY COMPANY, RECORDED UNDER DOCUMENT NO. 2002034946, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS. — easement located west of subject tract, ingress egress rights from Kiphen Road and F.M. 1460
- EASEMENT DATED MARCH 22, 2004, BY WALLIN FAMILY INVESTMENTS, L.P. TO THE CITY OF ROUND ROCK, RECORDED UNDER DOCUMENT NO. 2004021668, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS. — easement located west of subject tract, ingress egress rights from Kiphen Road and F.M. 1460
- EASEMENT DATED JUNE 29, 2004, BY WALLIN FAMILY INVESTMENTS, L.P. TO THE CITY OF ROUND ROCK, RECORDED UNDER DOCUMENT NO. 2004052037, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS. — easement located west of subject tract, ingress egress rights from Kiphen Road

TITLE COMMITMENT GF# 150070966.

TO: KB HOME LONE STAR INC., ITS SUCCESSORS AND ASSIGNS, WALLIN FAMILY INVESTMENTS, L.P., GEORGETOWN TITLE COMPANY, INC., WESTCOR LAND TITLE INSURANCE COMPANY AND WINSTEAD PC

EFFECTIVE DATE SEPTEMBER 25, 2015.

STATE OF TEXAS:
COUNTY OF WILLIAMSON:

I hereby certify that on the 23rd day of October, 2015:

- This survey was made on the ground as per the field notes shown on this survey and correctly shows (i) all corners and points of course change, (ii) the boundaries and areas of the subject property and the size, location and type of buildings and improvements thereon (if any) and the distance therefrom to the nearest facing exterior property lines of the subject property; (iii) the location of all rights-of-way, easements and any other matters of record together with appropriate recording references (or of which I have knowledge or have been advised, whether or not of record) affecting the subject property; (iv) all abutting dedicated public streets providing access to the subject property together with the width and name thereof, and (v) all other significant items on the subject property;
- Except as shown on the survey, there are no (i) encroachments upon the subject property by improvements on adjacent property, (ii) encroachments on adjacent property, streets or alleys by any improvements on the subject property, or (iii) party walls conflicts or protrusions;
- This survey shows all roads, streets and rights-of-way which abut and/or are adjacent to the subject property and no gap, strip or gore exists between any such road, street or right-of-way, or adjacent property and the subject property;
- All required building set back lines on the subject property are located as shown hereof;
- Except as shown on the survey, the subject property does not serve any adjoining property for drainage, utilities or ingress or egress;
- The location of each easement, right-of-way, servitude, and other matters affecting subject property and listed in the Commitment for Title Insurance issued by Georgetown Title Company, Inc., under GF#150070966, issued October 06, 2015, with respect to the subject property, has been shown on the survey, together with appropriate recording references to the extent that such matters can be located. The subject property shown on the survey is the property described in that Title Commitment.
- The metes and bounds description contained hereon is correct and the record description of the subject property forms a mathematically closed figure;
- No portion of the subject property lies within a flood plain or flood prone area or a flood way of any body of water per the Federal Emergency Management Agency Flood Map, Community F.I.R.M. Map prepared for Williamson County, dated effective September 26, 2008, as shown on Community Panel No. 48491C 0495E or within any Aquifer Recharge Zone, Aquifer Transition Zone or Contributory Zone, Tract lies in Zone X, 0.2% Annual Chance Flood Hazard; and
- This survey conforms to the current 2011 "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by the American Land Title Association ("ALTA"), the American Congress on Surveying and Mapping ("ACSM"), and the National Society of Professional Surveyors ("NSPS") pursuant to the Accuracy Standards (as adopted by ALTA, ACSM and NSPS and in effect on the date of this certification, and includes items 1,2,3,4,6(a),7(b)(1), 8,9,10(a),11(a),13,14,16,17,18,19, of Table A thereof.

ALTA SURVEY TABLE A NOTES:

- NO BUILDINGS LOCATED ON SITE.
- NO PARKING SPACES ARE LOCATED ON THE SITE.
- NO DIVISION OR PARTY WALLS ARE LOCATED ON THE SITE.
- DISTANCE TO NEAREST INTERSECTION STREET: +/- 2648 FEET TO THE INTERSECTION OF F.M. 1460 AND COUNTY ROAD 113.
- THERE IS NO EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS
- THERE IS NO INFORMATION ON PROPOSED CHANGES IN STREET RIGHT-OF-WAYS. NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- THERE IS NO EVIDENCE OF SITE USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
- NO WETLANDS LOCATED ON SITE.

PHYSICAL ADDRESS AS LISTED IN THE WILLIAMSON COUNTY APPRAISAL DISTRICT:
E OLD SETTLERS BLVD.
ROUND ROCK, TEXAS 78665

TRACT IS LOCATED IN THE ETJ, NO ZONING

TAX PARCEL ID # R384605

BEARING BASIS: TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4203)

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EXHIBIT

"B"

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 19.70 acres of land, located within the City of Round Rock, Texas, and more particularly 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 Ordinance**

All aspects not specifically covered by this Plan shall be regulated by the **TH (Townhouse)**, 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. **Other Ordinances**

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

5. **PROJECT OVERVIEW**

5.1. **Purpose of Plan**

The purpose of the Plan is to provide a single family residential development.

5.2. **Concept Plan**

This Plan, as depicted in **Exhibit "B"**, shall serve as the Concept Plan required by Section 36-39 of the Code.

5.3. Land Use

- (1) The residential housing type shall be single family detached units on a common lot, with each dwelling unit having a private external entrance, private parking, and a private yard area.
- (2) All dwelling units shall be established as condominium units, pursuant to the Texas Uniform Condominium Act, Section 82.001 et. seq., Texas Property Code.
- (3) A maximum of 100 units shall be allowed.

6. DEVELOPMENT STANDARDS

6.1. Exterior Finish

- (1) The front exterior finish of all units, except those described in (6) below, shall be 100% masonry, with no more than 75% consisting of 2-step hard coat stucco, excluding elements such as doors, windows, trim and accent features.
- (2) The rear exterior finish of all units shall be 100% masonry, with no more than 75% consisting of 2-step hard coat stucco, excluding elements such as doors, windows, trim and accent features.
- (3) The drive aisle-facing side of all corner units shall be 100% masonry, with no more than 75% consisting of 2-step hard coat stucco, excluding elements such as doors, windows, trim and accent features.
- (4) Masonry shall be defined as stone, simulated stone, brick or a minimum of 2-step hard coat stucco.
- (5) The use of materials such as wood shingles or wood siding shall be limited to accent features.
- (6) The front facades of 25% of the total number of units may use shake-style cement based siding, only on non-load bearing elements.
- (7) Horizontally installed cement based siding may be used on side elevations of all units other than those described in (3) above.
- (8) One of the following window enhancements shall be required on the second floor rear elevation of two story units, when the rear faces E. Old Settlers Boulevard or the eastern and western property boundaries:
 - (a) Shutters
 - (b) Awnings or shed roofs
 - (c) Window trim
 - (d) Arch windows
- (9) The following design feature shall be required on the rear elevation of any unit when the rear faces E. Old Settlers Boulevard or the eastern and western property boundaries.
 - (a) Covered 10' x 10' patio.

6.2. Garage Door Treatment

- (1) An upgraded garage door, defined as a metal door with the addition of window panels, a faux wood garage door with decorative hardware, or a wood clad garage door, shall be required.

- (2) Upgraded garage doors shall not be required for swing in, side entry garages.

6.3. Yard Fencing

Single family unit fencing shall be constructed of the following materials: brick, stone, reinforced concrete, decorative masonry, wrought iron, tubular steel, redwood or cedar with a picket size of 1" x 6" with metal posts and treated rails, or other equivalent materials approved by the Zoning Administrator.

6.4. Perimeter Fencing

The location and types of the required perimeter fencing are indicated on **Exhibit "C"**. The two types of perimeter fencing are:

- (a) Wood Fence: Cedar privacy fence with a picket size of 1" x 6", a top cap, treated rails, metal posts and masonry columns spaced at intervals of 100 feet; the finished side of the fence shall face the abutting properties.
- (b) Masonry Fence: In compliance with Section 36-116 of the Code.

6.5. Subdivision Identification Signs

Subdivision identification signs shall conform with the provisions of Section 30-17, Area identification and entry feature signs, of the Code.

6.6. Building Setbacks

The minimum setback for any lot on which multiple residential units are located shall be twenty feet (20') from any lot line, except that the minimum setback from the eastern property boundary shall be twenty five (25').

6.7. Parking

- (1) A total of 4 parking spaces per unit are required:
 - (a) 2 garage enclosed parking spaces
 - (b) 2 parking spaces located in front of the garage and outside of the private access drive. Parking spaces shall measure 9' x 18'.
- (2) Guest parking shall be provided by:
 - (a) Providing for parallel parking on one side of the private drive aisle, which requires a drive aisle width equivalent to 30-feet measured 'face of curb to face of curb'.

6.8. Private Drive Aisles

- (1) A minimum width of 30' from 'face of curb to face of curb' - parallel parking is to be provided on one side; parallel parking subject to City design regulations, including access for emergency vehicles
 - (a) Shall include a four foot (4') wide sidewalk on one side of the drive.

- (b) Subgrade to be approved by the City of Round Rock according to the Transportation Manual, Section 3 – Pavement Design
- (c) A private home owners association will be established for the maintenance of the private drive aisles.

6.9. Landscaping

- (1) The landscape development standards outlined in Section 46-195, Landscaping, shall apply, with the following modifications:
 - (a) All development areas, including residential, which include turf shall utilize Drought Tolerant Turf Grasses, as defined by the Code.
 - (b) Plant material shall be of a native and/or adapted species, including those selected from *Native and Adapted Landscape Plants, an Earth-Wish Guide for Central Texas*, created by the Texas Cooperative Extension, Grow Green and the Lady Bird Johnson Wildflower Center.
 - (c) Each single family dwelling unit shall be provided with a minimum of two (2) three-inch (3”) caliper large species trees, whether through the preservation of existing trees or planting of three-inch (3”) caliper container-grown trees.
- (2) A private home owners association will be established for the maintenance of any landscape and irrigation areas located between the private drive lanes and single family units as well as for all community signage, walls, medians, common open spaces and detention areas.

7. PARKLAND DEDICATION

Chapter 36, Article III of the Code shall be used to determine the parkland requirement, using the TH (Townhouse) zoning district, in accordance with Section 36-74 of the Code.

8. CHANGES TO DEVELOPMENT PLAN

8.1. Minor Changes

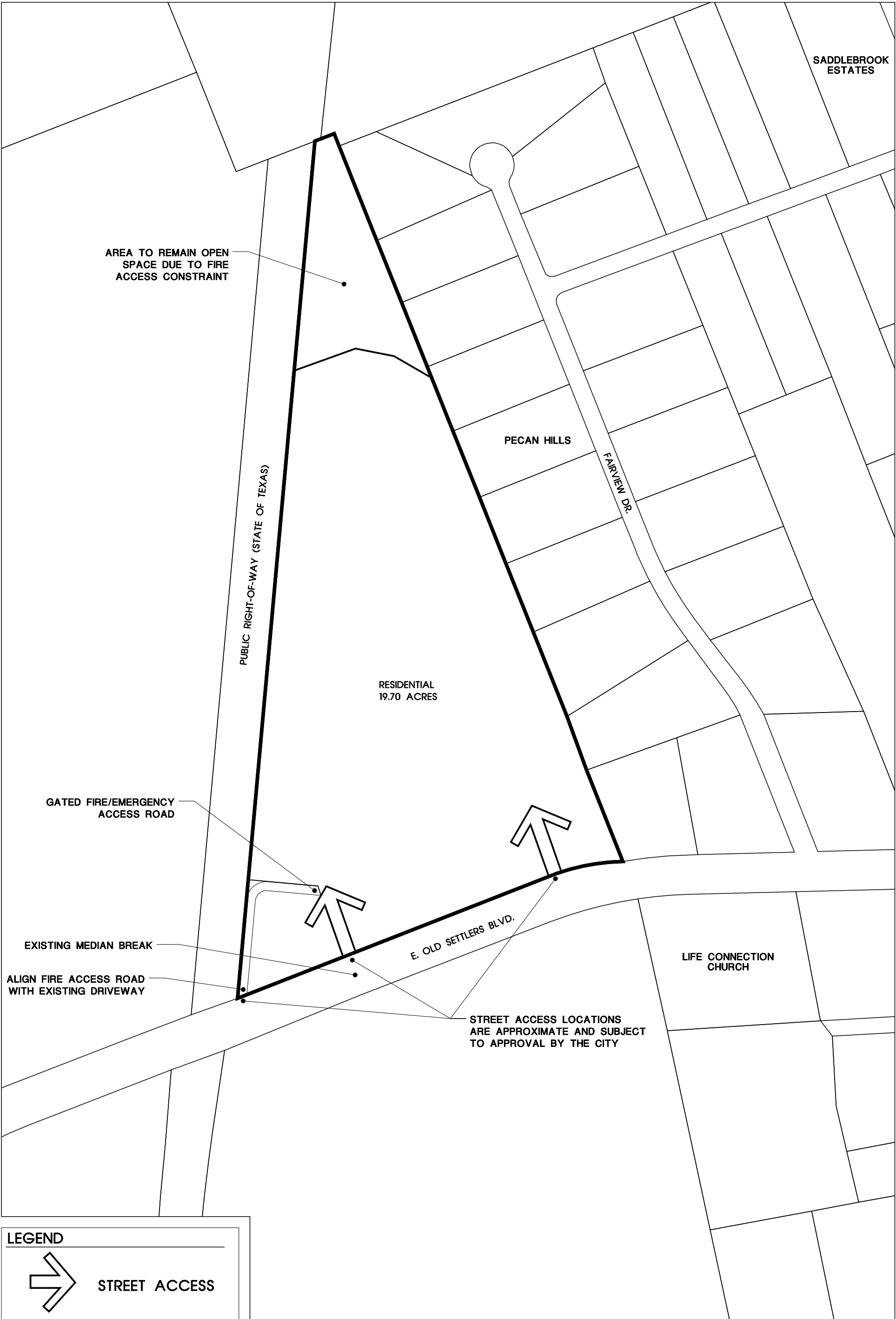
Minor changes to this Plan which do not substantially and adversely change this Plan may be approved administratively, if approved in writing by the Director of Planning and Development Services and the City Attorney.

8.2. Major Changes

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

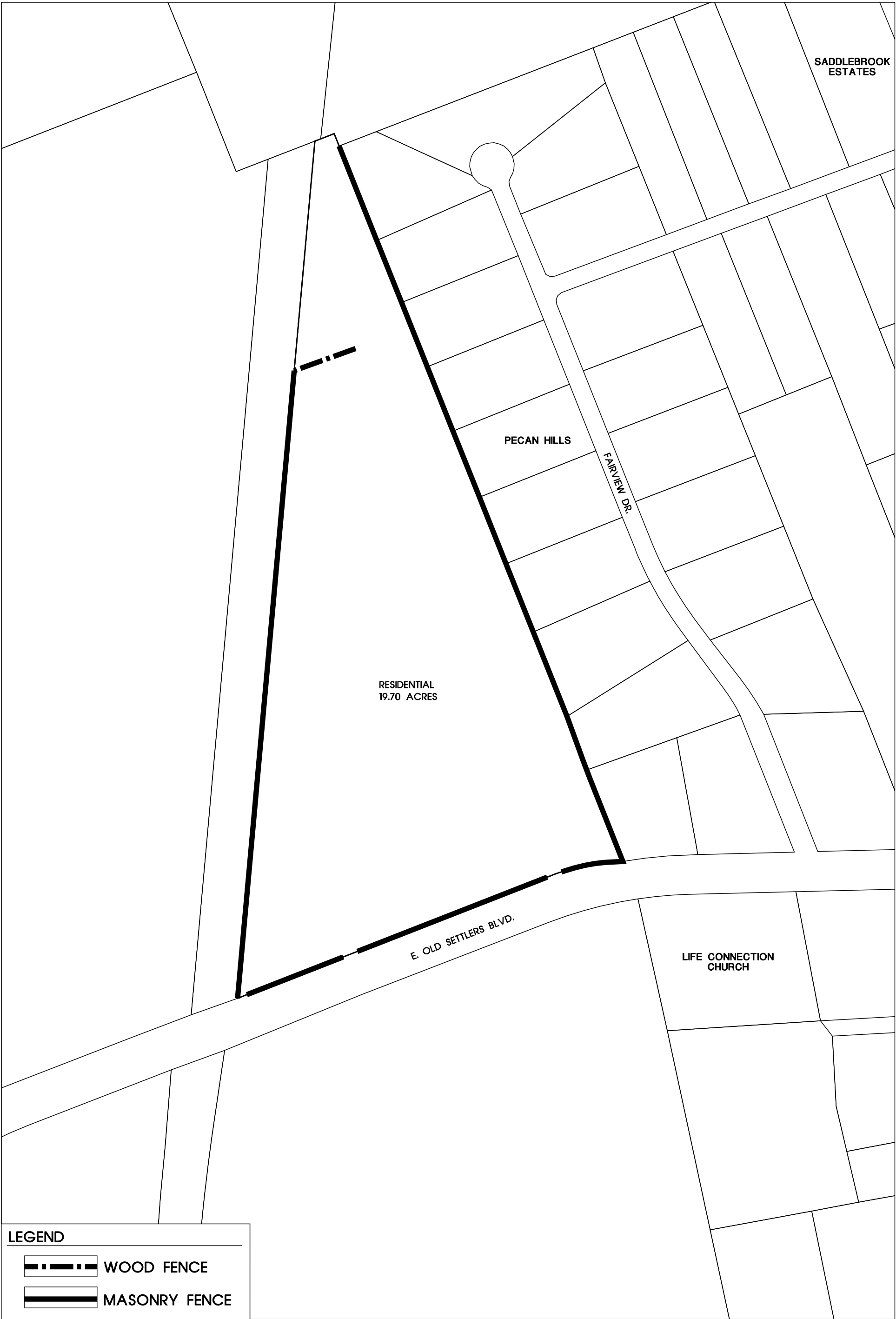
LIST OF EXHIBITS

Exhibit “A”	Survey Field Notes
Exhibit “B”	Concept Plan
Exhibit “C”	Fencing Exhibit




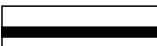
LEGEND

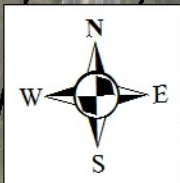
 **STREET ACCESS**



LEGEND

 **WOOD FENCE**

 **MASONRY FENCE**

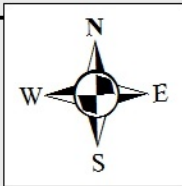


**Subject Tract
19.70 ac.**

Fairview Cv

Bluestone Dr

E Old Settlers Blvd



PUD

City Limit

ETJ

SF2

ETJ

City Limit

Unzoned

Subject Tract
19.70 ac.

Fairview-CV

E Old Settlers Blvd

Unzoned

City Limit

ETJ

LI