

VERONA PUD

PLANNED UNIT DEVELOPMENT NO. 149

§

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON

(this "**Plan**") is adopted and approved by the CITY OF ROUND ROCK, TEXAS (hereinafter referred to as the "**City**"). For purposes of this Plan, the term Owner shall mean Verona Finance LLC, as its respective interests may appear in the respective portions of the hereinafter described property; and its respective successors and designated assigns. Upon sale, transfer or conveyance of portions of the hereinafter described property by a respective Owner to a designated third party owner/developer, the duties and obligations of the respective Owner, as it relates to the respective property being sold, shall be assigned to and assumed by the new owner/developer, and upon such sale and assignments of the duties and obligations hereunder, the respective Owner shall have no further liability relating to the respective property so sold and conveyed.

WHEREAS, the Owner is the owner of certain real property consisting of 71.64 acres, as more particularly described in Exhibit "A" (Legal Description), (herein after referred to as the "Property") attached hereto and made a part hereof; and

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

WHEREAS, pursuant to Part III, Section 10-22 of the Code of Ordinances of the City of Round Rock, Texas, the Owner has submitted Development Standards setting forth the development conditions and requirements within the PUD, which Development Standards are contained in Section II of this Plan; and

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

WHEREAS, on _April 5, 2023, the City's Planning and Zoning Commission recommended approval of the Owner's application for PUD zoning; and

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

NOW THEREFORE:

GENERAL PROVISIONS

1. CONFORMITY WITH DEVELOPMENT STANDARDS

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

2. <u>CHANGES AND MODIFICATIONS</u>

No changes or modifications will be made to this plan unless all provisions pertaining to changes or modifications as stated in section 11.7.

3. **ZONING VIOLATION**

Owner understands that any person, firm, corporation, or other entity violating any conditions or terms of the plan shall be subject to any and all penalties for the violation of any zoning ordinance provisions as stated in Part III, Article II, Code of Ordinances, City of Round Rock, Texas, as amended.

4. MISCELLANEOUS PROVISIONS

4.1 Severability

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

4.2 Venue

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

4.3 Effective Date

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

II. DEVELOPMENT STANDARDS

1. **DEFINITIONS**

Words and terms used herein shall have their usual force and meaning, or as defined in the Code.

2. **PROPERTY**

This Plan covers approximately 71.64 acres of land, located within the City of Round Rock, Texas, and more particularly described in Exhibit "A", hereinafter referred to as "the Property."

3. <u>PURPOSE</u>

The purpose of this Plan is to ensure a PUD that 1) is equal to, superior top, 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 as to not interfere with the use of the immediate neighboring properties.

4. <u>APPLICABILITY OF CITY ORDINANCES</u>

4.1 Zoning and Subdivision Ordinances

The Property shall be regulated for purposes of zoning and subdivision by this Plan. All aspects not specifically covered by this Plan shall be regulated by the TH (Townhouse) zoning district and other sections of the Code, as applicable and as amended. If there is a conflict between this Plan and the Code, this Plan shall supersede the specific conflicting provisions of the Code.

4.2 Concept Plan

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

4.3 Other Ordinances

All other Ordinances within the Code, 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.

4.4 The Code is defined herein as the City of Round Rock, Texas, Code of Ordinances ("Code").

5. LAND USE AND PERMITTED USES

5.1 Land Use

The purpose of the Plan is to provide an attached single-family residential development on the property as identified in Exhibit B.

5.2 <u>Permitted Uses</u>

a) A maximum density of ten (10) dwelling units per acre shall be allowed.

- b) Single-family attached townhome residential units (with a minimum of 3 and a maximum of seven attached units per building) on fee simple lots, with each dwelling unit having a private external entrance and a private yard area "Townhome".
- c) Single-family attached "duplex" residential units
- d) A maximum of five percent (5%) of the total number of dwelling units within a single townhouse development may be duplex residential structures consisting of two (2) dwelling units sharing a common wall.
- e) Amenity Center for the property shall be a permitted use.

6. **DEVELOPMENT STANDARDS**

6.1 Lots

Lots may be platted and built without frontage on a dedicated public street. Such lots shall have frontage on a private drive. Private drives shall be illustrated on plats as special purpose lots and shall meet the requirements of the subdivision ordinance.

6.2 **Private Drives and Sidewalks**

- a) All units shall provide front-loaded garages to a private driveway, except for end units, which may provide garage access from the side.
- b) Private drive aisles shall not be gated.
- c) Each private drive aisle shall be a minimum of 26 feet (26') in width from 'face of curb' to 'face of curb'.
- d) Private drive aisles shall be designed and constructed according to the currently adopted City of Round Rock Transportation Criteria Manual for the purposes of pavement design including but not limited to, geotechnical reports, asphalt thickness, flexible base type and thickness, and subgrade preparation and thickness.
- e) Parking shall be permitted along the private drives in accordance with the dimensional standards of City Code.
- f) All refuse storage and pick-up shall be from the private drive.

g) Internal walkways consisting of five feet (5') minimum wide sidewalks shall be provided along both sides of all private drives.

6.3 Ground Level Mechanical Equipment

- a) All mechanical equipment shall be located within the side or rear yards of all units.
- b) Mechanical equipment shall be screened where visible from private drives or common areas.

6.4 Building Setbacks, Separation, and Height

- a) The setbacks for lots shall comply with the following and shall include both units and garages:
 - 1) Setbacks from private drives:
 - a. 25 foot minimum front building setback measured from the back of curb or edge of the private drive pavement.
 - b. 10 foot minimum side street yard building setback measured from the back of curb or edge of private drive pavement.
 - 2) Setbacks abutting existing or proposed single-family residential development:
 - a. 20' minimum rear building setback measured from the property line adjacent to single family residential development.
 - b. 20' minimum side setback measured from the property line adjacent to single family residential development.
 - 3) Ten (10) foot minimum rear building setback.
 - 4) Five (5) foot minimum side building setback; Zero (0) foot setback is permitted for internal attached units sharing a common wall.
 - 5) Recreational uses such as swimming pools, tennis courts, ballfields, and playground areas shall be setback a minimum of 50 feet from adjacent single family residential zoning or use.
- b) A maximum building height of 2.5 stories shall be allowed.
- c) The separation requirements between buildings shall be as follows:
 - 1) 10' minimum separation between buildings, however a side setback of zero feet is allowed only for internal attached units with a common wall.

2) Building separation shall be a minimum of 10 feet, measured from roof eave to roof eave, or a minimum of 5 feet, measured from the assumed lot line to the roof eave unless the eaves are one hour fire-rated, and the decking is fire retardant for the length of the roof or as otherwise approved by the Building Official.

6.5 Compatibility Buffer

a) A compatibility buffer shall be provided along property lines adjacent to existing or proposed single family residential development within a common open space lot that includes of the following:

- 1) An eight (8) foot wide landscape buffer that shall meet the standards of Chapter 8, Article 1, Section 8-2(e) of the Code.
- 2) A landscape compatibility fence that shall meet the standards of Chapter 8, Article 1, Section 8-2(f) of the Code.
 - a. Along the north property boundary, adjacent to single family residential development, the compatibility fence shall be six (6) feet minimum height.
 - b. Along the west property boundary, adjacent to single family residential, the compatibility fence shall be eight (8) feet minimum height.

6.6 Fencing for Private Yards and Amenities

- a) All fences shall provide a finished face to abutting drive aisles and/or public rights-of-way.
- b) Fences shall not conflict with sight visibility triangles at drive aisle intersections or obstruct views from adjacent driveways.
- c) Fence posts for all new fences shall be constructed of rust-resistant metal parts, concrete-based masonry, or concrete pillars of sound structural integrity, or other type of post approved by the Zoning Administrator.
- d) Fence posts and fence panels for non-wood fences shall be capped or have an integral finished top.
- e) Maximum fence height: six (6) feet.

6.7 Landscaping

The landscape development standards outlined in the Code, Part III, Chapter 8, Article II, Section 8-10 shall apply, with the following modifications:

a) All development areas which include turf shall utilize Drought Tolerant Turf

Grasses, as defined by the Code.

- b) Plant Material shall be of the 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 as revised or replaced.
- c) Townhome and Duplex Lot Trees
 - Each end lot shall provide one (1) large species tree, whether through the preservation of existing trees on the site or the planting of one (1) three-inch (3") caliper container-grown tree. Where two end lots abut, one tree shall satisfy the tree requirement for both lots.
 - 2) Each interior lot shall provide one (1) ornamental tree, whether through the preservation of existing trees on the site or the planting of a one- inch (1") caliper container-grown tree.
- d) Street trees shall be planted along private drives that abut common open space areas or other special purpose lots at rate of one (1) tree per 40 linear feet of private drive length.
- e) Trees required by Section 6.7(c-d) above may be counted toward tree replacement credits required by the Code.
- f) Tree planting location (for both lot and street trees).
 - 1) Trees may be planted either between the residential units and the sidewalk or between the sidewalk and the private drive aisle.
 - 2) Clustering of street trees may be permitted, if approved by the Zoning administrator or designee, and tree spacing is adequate for the tree species that is proposed.
- g) Foundation Planting Requirements.
 - 1) Amenity structures shall provide foundation treatment in accordance with the Code, Part II, Chapter 8, Article 11, Section 8-10.
 - 2) Each townhouse and duplex shall be landscaped with a minimum of the following foundation plantings:
 - a. Front Facades: A minimum of 75% of the length of the front facade, excluding the garage, shall be comprised of landscape shrub plantings.
 - b. Side Facades facing drive or common area: A minimum of 50% of the length of the side facade shall be comprised of landscape shrub plantings.

c. Side Facades not visible from drives or common areas: Where side facades are not visible from drives or common areas or are fenced with opaque privacy fencing, foundation shrub plantings shall not be required.

6.8 Architectural Standards

The following design elements shall be exhibited across the development:

- a) No more than two (2) buildings shall be repeated in a row with the same elevation.
- b) No more than two (2) adjacent buildings shall share the same color scheme.
- c) All buildings shall consist of 85% masonry, excluding doors and windows, and shall be predominately natural stone and/or brick.
- d) Building Articulation Elements
 - 1) Residential attached "duplex" buildings facing any public or private drive shall incorporate two (2) of the following:
 - a. Three unique material patterns or colors.
 - b. Two unique roof eave lines.
 - c. Changes in elevation depths of a minimum of 2' for every 25' of building façade, and
 - 2) Residential Townhome buildings facing any public or private drive shall incorporate two (2) of the following:
 - a. Three unique material patterns or colors.
 - b. Two unique roof eave lines.
 - c. Changes in elevation depths for a minimum of 2' for every 25' of building facade, and
 - 3) In addition to items specified in 6-7(d)(1-2) above, all residential dwelling units facing any public or private drive shall incorporate three (3) of the following:
 - a. Balcony
 - b. Front porch
 - c. Covered & recessed entrance

- d. Arched window
- e. Parapet wall
- f. Gable Dormer
- g. Awnings
- h. Gable brackets or beams
- 4) Upper story balconies are not permitted for unit facades facing single family residential development along the North and West PUD boundaries.

6.9 **Parking**

- 1) At minimum, each townhome and duplex lot shall provide 4 parking spaces; a minimum of 2 spaces per lot shall be garage enclosed.
- 2) Visitor Parking:
 - a. A minimum of 5% of the required parking spaces for the residential dwelling lots shall be required for visitor parking and may be located:
 - i. Parallel along the private drives; or
 - ii. 90-degree spaces adjacent to the drive aisles and in accordance with City Code.
 - b. Visitor Parking is exclusive of minimum parking requirements established in sections 6.8(1-3) above.
- b) Amenity Center Parking:
 - 1) 1.5 spaces for each 250 square feet of interior amenity area.
 - 2) 1 space for each 300 square feet of outdoor recreation area.

6.10 **Amenities**

- a) Amenities will be provided within the project and placed in all or some of the open space areas described in 6.11 below. The project will include at least one (1) amenity for each thirty (30) residential units proposed and shall be selected from the following amenities:
 - 1) Social room available for resident use *
 - 2) Playground equipment

- 3) Sport Courts (tennis, volleyball, basketball)
- 4) Minimum 2,500 SF pocket park with site furnishings and at least 25' in depth
- 5) Swimming Pool*
- 6) Minimum 2,500 SF fenced dog park with at least 25' in depth
- 7) Private fitness facility*
- 8) Outdoor BBQ facility to include a minimum of 4 tables and 2 grills
- 9) Bike racks for 20 bikes and repair station
- 10) Outdoor gaming areas to include no fewer than three communal games (including, but not limited to, corn hole, ping pong, horseshoes, darts, and bocce ball).
- 11) Dog wash station to include a tub basin with sprayer and cleaning supplies including, but not limited to, dog shampoo.
- b) Amenities with an asterisk * shall not be located within open space areas depicted on the Concept Plan "Exhibit B".

6.11 **Open Space and Trails**

- a) The Plan shall provide a minimum of 13.6 acres of centrally located open space as depicted on the Concept Plan "Exhibit B".
- b) A minimum of 2,300 linear feet of trails shall be constructed. All trails shall be concrete or decomposed granite and a minimum width of eight (8) feet.
- c) Enhanced amenity lakes and detention facilities, as described below, may be incorporated into open space areas but shall not exceed 50% of the open space area in which the lake or detention facility is located. All amenity lakes and detention areas shall meet the following requirements:
 - 1) All permanent bodies of water, such as lakes and retention ponds shall include an integrated management system to ensure acceptable water quality and to maintain ecological balance of oxygen, nutrients, light, and temperature. Aeration systems providing oxygen transfer and aerator fountains for aesthetic appeal shall be utilized as appropriate to the pond type, size, and depth.
 - 2) Retention lakes shall be designed as curvilinear, non-rectangular shapes with a slope not exceeding 3:1.
 - 3) Lake and detention facilities shall be either hard edge or contain landscaping. If landscaping is provided, the amount of plant material required shall be calculated by the number of square feet within a 30 foot perimeter of the lake or detention facility, as measured from the line of 25-year inundation of the lake or detention facility. Planting shall include a minimum of one (1) 3" caliper tree and two (2) 5 gallon shrubs for every 1000 square feet.
 - 4) If fencing is provided around the lake or detention facility, it shall be constructed of wrought iron, tubular steel, or other similar products.

6.12 Maintenance

A private association or management company for the property will be established

or retained for the maintenance of any landscape and irrigation of common areas and private yards, as well as for all community signage, walls, fencing, private drives, and sidewalks, medians, stormwater management facilities, and common open spaces.

7. CHANGES TO DEVELOPMENT PLAN

7.1 Minor Changes

All changes of use from those approved in the original PUD shall require city council approval. Minor additions and modifications to the approved development plans meeting the criteria below may be approved by the zoning administrator:

- a) Minor additions to structures, with a floor area no larger than ten percent of the existing floor area of the main floor, not to exceed 5,000 square feet, provided that overall density of the project does not increase.
- b) Minor new accessory structures if the location does not interfere with existing site layout (e.g., circulation, parking, loading, stormwater management facilities, open space, landscaping or buffering).
- c) Minor additions to parking lots comprising no more than ten percent of the original number of parking spaces required, not to exceed 25 spaces.
- d) Clearing or grading that does not exceed 5,000 square feet in area or ten percent of the site.

7.2 Major Changes

All changes not determined to be Minor Changes as defined above, shall be resubmitted following the same procedure required for the original Plan application.

8. **LIST OF EXHIBITS**

Exhibit "A" Property Description Exhibit "B" Concept Plan

EXHIBIT "A" Project Description

HOLT CARSON, INC. PROFESSIONAL LAND SURVEYORS 1904 FORTVIEW ROAD AUSTIN, TEXAS 78704 TELEPHONE: (512) 442-0990 www.hciaustin.com FIRM No. 10050700

FIELD NOTE DESCRIPTION OF 71.64 ACRES OF LAND OUT OF THE HENRY MILLARD SURVEY ABSTRACT No. 452 IN WILLIAMSON COUNTY, TEXAS, BEING ALL OF THAT CERTAIN (71 ½ ACRE) TRACT OF LAND DESCRIBED AS "TRACT ONE" IN SPECIAL WARRANTY DEED TO GWENDOLYN OLSON AYRES AND PAULA OLSON GODINICH BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT No. 2018039073 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a capped iron rod (marked "RJ Surveying") in the South line of the Henry Millard Survey Abstract No. 452 and in the North line of the William Dunn Survey Abstract No. 196 for the Southwest corner of that certain (71 1/2 acre) tract of land as conveyed to Gwendolyn Olson Ayres and Paula Olson Godinich by Special Warranty Deed recorded in Document No. 2018039073 of the Official Public Records of Williamson County, Texas, and for the Southeast corner of Lot 93, Block E, Siena Section 31, a subdivision in Williamson County, Texas, according to the map or plat thereof recorded in Document No. 201903228 of the Official Public Records of Williamson County, Texas, and being the Southwest corner and PLACE OF BEGINNING of the herein described tract of land, and from which a 1/2" iron rod found for the Northwest corner of that certain (10.0062 acre) tract of land as conveyed to Russell D. Lewis and Lisa Lewis by deed recorded in Volume 2518 Page 130 of the Official Public Records of Williamson County, Texas, bears S 67 deg. 53' 33" W 72.69 ft., and also from which a 1/2" iron rod found at a very old fence corner post for the Northeast corner of that certain (99.27 acre) tract of land as conveyed to R.W. McMinn and wife, Earlette McMinn by deed recorded in Volume 668 Page 714 of the Deed Records of Williamson County, Texas, and for the Northeast corner of said Lewis (10.0062 acre) tract, bears N 68 deg. 37' 55" E 312.27 ft.;

THENCE with the West line of said Ayres and Godinich (71 ½ acre) tract and with the East lines of Siena Section 31 and Siena Section 14, respectively, according to the maps or plats of record in Document No. 2019103228 and Document No. 2020023552 of the Official Public Records of Williamson County, Texas, N 21 deg. 37' 43" W, passing multiple capped iron rods found (marked "RJ Surveying") for various lots in said subdivisions, and at 2512.62 ft. passing a capped iron rod found (marked "RJ Surveying") for the Northeast corner of Lot 63, in Block UU of said Siena Section 14, and continuing with the same bearing for a total distance of 2518.14 ft. to a 5/8" iron rod set with an aluminum cap imprinted with "Holt Carson, Inc" in the

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approximate center of an eighteen feet (18') wide Lane, (as mentioned in Volume 587 Page 949 of the Deed Records of Williamson County, Texas), for the Northwest corner of said Ayres and Godinich (71 ½ acre) tract and being the Northwest corner of this tract of land, and from which a ½" iron rod found in the North line of said Lane and for an angle corner in the South line of that certain (196.96 acre) tract of land as conveyed to Truett F. Pritchard and wife, Louise H. Pritchard by deed recorded in Volume 894 Page 855 of the Deed Records of Williamson County, Texas, bears N 81 deg. 17' 38" W 15.89 ft. (direct tie);

THENCE with the center of said Lane and with the North line of said Ayres and Godinich (71 ¹/₂ acre) tract, N 68 deg. 30' 56" E 1238.73 ft. to a capped iron rod found (marked "Forest") for the Northeast corner of said Ayres and Godinich (71 ¹/₂ acre) tract and for the Northwest corner of that certain (100 acre) tract of land as conveyed to Marshall Ford and wife, Ruby Ford by deed recorded in Volume 459 Page 157 of the Deed Records of Williamson County, Texas, and for the Southwest corner of that certain (75 acre) tract of land as conveyed to Tom Noren and wife, Norma Noren by deed recorded in Volume 781 Page 247 of the Deed Records of Williamson County, Texas, and being the Northeast corner of this tract of land, and from which a ¹/₂" iron rod found at a fence corner post in the West line of said Noren (75 acre) tract for the Northeast corner of said Pritchard (196.96 acre) tract bears N 21 deg. 29' 37" W 1340.98 ft., and also from which a point near a fence corner post and a double 15" Hackberry tree for the Southeast corner of said Pritchard (196.96 acre) tract bears N 21 deg. 29' 37" W 9.2 ft.;

THENCE leaving the center of said Lane with the common line of said Ayres and Godinich (71 ½ acre) tract and said Ford (100 acre) tract, S 21 deg. 38' 41" E 2518.89 ft. to a 5/8" iron rod set with an aluminum cap imprinted with "Holt Carson, Inc." in the South line of the Henry Millard Survey Abstract No. 452 and in the North line of the William Dunn Survey Abstract No. 196 for the Southeast corner of said Ayres and Godinich (71 ½ acre) tract and for the Southwest corner of said Ford (100 acre) tract and being the Southeast corner of this tract of land, and from which a ½" iron rod found at a fence corner post in the West line of Williams County Road No. 118 and in the South line of said Ford (100 acre) tract and for an angle corner in the North line of that certain (169.307 acre) tract of land as conveyed to Richard K. Ma and John F. Matthews by deed recorded in Volume 760 Page 676 of the Deed Records of Williamson County, Texas, bears N 68 deg. 33' 00" E 1686.03 ft., and also from which a point for the Southeast corner of the Henry Millard Survey Abstract No. 452 and for the Southeast corner of said Ford (100 acre) tract bears N 68 deg. 33' 00" E 1732.82 ft.;

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THENCE with the South line of the Henry Millard Survey Abstract No. 452 and the North line of the William Dunn Survey Abstract No. 196 and with the South line of said Ayres and Godinich (71 ½ acre) tract, S 68 deg. 33' 00" W at 233.71 ft. passing a ½" iron rod found in the North line of that certain (5.00 acre) tract of land as conveyed to James T. Repass and wife, Geraldine A. Repass by deed recorded in Volume 2176 Page 749 of the Official Public Records of Williamson County, Texas, being 0.81 ft. North of this line, and at 399.35 ft. passing a ½" iron rod found at the Northwest corner of said Repass (5.00 acre) tract, being 0.83 ft. North of this line, and continuing with the same bearing for a total distance of 1239.45 ft. to the **PLACE OF BEGINNING**, containing 71.64 acres of land.

SURVEYED: April 5, 2022

Holt Carson Registered Professional Land Surveyor No. 5166

see accompanying map: B 1111064



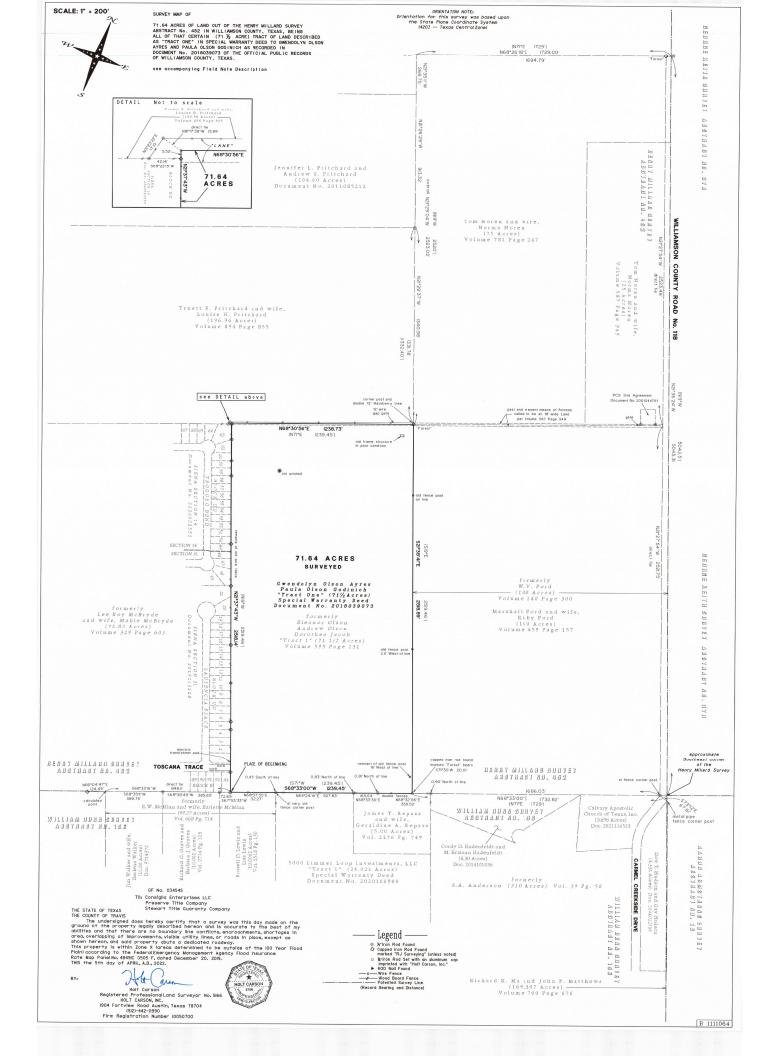


Exhibit B

