

I.
GENERAL PROVISIONS

1. **CONFORMITY WITH DEVELOPMENT STANDARDS**

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

2. **CHANGES AND MODIFICATIONS**

No changes or modifications will be made to this plan unless all provisions pertaining to changes or modifications as stated in Section 10.

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 149.343 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. **THE PLAN**

The Plan includes: this document with its the attached Exhibits, plus the Project Application and cover letter, and the Planned Unit Development ("PUD") Application (collectively "Plan").

4. **PURPOSE**

The purpose of this Plan is to ensure a PUD that: 1) is equal to, superior to 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 materially dominate, by scale or massing of structures, the immediate neighboring properties or interfere with their development or use.

5. **APPLICABILITY OF CITY ORDINANCES**

5.1 **Zoning and Subdivision Ordinances**

The Property shall be regulated for the purposes of zoning and subdivision by this Plan. All aspects not specifically covered by this Plan shall be regulated by the **LI (Light Industrial)** 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.

5.2 **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.

5.3 **Comprehensive Plan**

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

5.4 **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.

5.5 The Code is defined herein as the City of Round Rock, Texas, Code of Ordinances (“Code”).

6. **LAND USE AND PERMITTED USES**

6.1 **Land Use**

The purpose of the Plan is to provide for light industrial development on the property as described below and identified in Exhibit B.

6.2 **Permitted Uses**

- a) Warehouse and distribution - An establishment engaged in receiving, storing, assembling, shipping, distributing, preparing, selling, and serving as pick-up/drop-off location for products, materials, food, grocery, and liquor items; parking, storage, and use (including driving into and through any buildings for loading, unloading and parking inside of buildings) of automobiles, trucks, machinery, and trailers, including outdoor loading and unloading; cold storage plants, frozen food lockers; temporary outdoor storage of products and materials; printing; warehouse and office use; office; driver training and education; auto service and repair of combustion engine fleet vehicles serving the warehouse and distribution operation; ancillary and related uses for any of the foregoing.
- b) In addition to the uses permitted in Section 6.2.a above, the following uses shall be permitted within the area labeled as “Development Area B” on the Concept Plan (Exhibit B).
 - 1) Data Center
 - 2) Major Utility – Primary Electric Substation shall be permitted in conjunction with Data Center Use

6.3 **Prohibited Uses**

- a) Bus barns; Major post offices; Grain terminals; permanent stockpiling of sand, gravel or other aggregate materials); Industrial; Household moving storage; Self-Enclosed Monopole; WTF, Attached; WTF, Stealth; Retail Sales and Services consisting of predominantly outdoor storage or consumer loading areas; Fuels Sales (not including electric vehicle (“EV”) charging stations); the primary use of the Property for auto service, on-site fueling, and maintenance services for combustion engine fleet vehicles, (not including EV charging stations);

Industrial Food Processing Plant; Rail Road Spur.

- b) Any use that is not specified above in Section 6.2 Permitted Uses.

6.4 **Use Definitions:**

- a) Industrial Food Processing Plant - production of prepared food for wholesale distribution. This use includes the on-site slaughter of animals.
- b) Railroad Spur - secondary railroad to allow for customers and products to be loaded and unloaded on rail cars.
- c) Data Center - an establishment primarily involved in the compiling, storage, and maintenance of digital documents, records, and other types of information in digital form utilizing accessory offices, mainframe computer, switches, routers, and other infrastructure critical for technology providers.

7. **GENERAL DEVELOPMENT STANDARDS**

7.1 **Transportation**

a) **Right-of-Way Reserve:**

- 1) For a period of ten (10) years from the approval date of this PUD, no permanent improvements shall occur in the area depicted as Right-of-Way reserve, near the intersection of CR 172 and McNeil, on the Concept Plan "Exhibit B".
- 2) If the land has not been purchased by the City of Round Rock within ten (10) years of the approval date of this PUD, permanent improvements may occur in the area designated as Right-of-Way reserve.

7.2 **Signage:**

- a) Electronic Messaging Center (EMC) signs are prohibited on the Property.

7.3 **Utilities:**

- a) A 15' wide reuse water easement shall be provided adjacent to the existing waterline easement that divides the property from east to west as depicted on Exhibit B. If the existing waterline easement is relocated, the proposed 15' reuse water easement shall be aligned with the relocated waterline easement. Coordination with the City shall be required to ensure the proposed reuse water easement location meets the location requirements of the City.

7.4 **Access:**

- a) The site design will not preclude an access drive to SH 45.

7.5 County Road 172 Streetscape:

a) Sidewalks and Pedestrian Connectivity

- 1) Along the CR 172 frontage, a sidewalk shall be provided with a minimum width of ten (10) feet. The sidewalk shall be located a minimum distance of eight (8) feet from the curb of County Road 172.
- 2) A pedestrian path shall be provided from the sidewalk along CR 172 to the main entrance of each primary structure.

b) Street Trees

- 1) Street trees shall be provided along County Road 172 adjacent to the ten (10) foot sidewalk described above.
- 2) Where large species trees are proposed, tree spacing shall be 40 feet on center.
- 3) Where medium species trees are proposed, tree spaces shall be 30 feet on center.

7.6 Upper Brushy Creek WCID

- a) At the time of the site development permit application submittal, applicant shall provide documentation to the City confirming that coordination with the Upper Brushy Creek WCID has occurred.

7.7 Noise

- a) When measured at the property line of the PUD boundary, no noise emitting from the subject property shall exceed the parameters set forth in Part II, Section 14-212 Tables I-II, Table III for the commercial and light industrial land use district, and the specific noise prohibitions of Part II, Section 14-213.

7.8 Lighting

- a) Only light-emitting diodes (LED) fixtures shall be utilized for the project. Uniform fixture types shall be used for the same or similar types of lighting throughout the development.
- b) Maximum foot candle readings at the PUD boundary shall not exceed one (1) foot candle and all light fixtures shall be “full cut-off”.

7.9 Screening

Screening shall be in accordance with the Code, Part III, Chapter 8, Article II, Section 8-

40 with the following modifications:

a) Screening for Loading Docks and Temporary Storage Areas:

- 1) A decorative wall, comprised of masonry or architectural CMU, with a minimum height of eight (8) feet shall screen loading docks and temporary storage areas from McNeil Road and CR 172.
 - a. If the wall includes a gate, it shall be constructed with an opaque, non-masonry material.
 - b. The construction materials of the wall shall match material used on the principal building located on the same lot.
- 2) Where landscaping is required to screen loading docks and temporary outdoor storage areas that are visible from McNeil Road and CR 172 pursuant to Part III, Chapter 8, Article II, Section 8-40(a)(8)(a), the minimum tree caliper inch requirements shall be required at time of installation:
 - a. Large trees: four (4) inches
 - b. Medium trees: three (3) inches
 - c. Small/ornamental trees: two (2) inches

b) Screening for Water Quality/Detention ponds:

- 1) All water quality/detention ponds shall comply with Part III, Chapter 8, Article V, Section 8-40 of the Code.
- 2) When located between a screening wall and a street, water quality/detention ponds with earthen walls shall provide a 10-foot wide planting area around the boundary of the pond that includes the following plant material:
 - a. One (1) large or medium tree, installed at three (3) inch caliper, for every 40 linear feet around the boundary of the non-structured detention/retention pond.
 - b. Nine (9) shrubs for every 40 linear feet around the boundary of the non-structured detention/retention pond.

8. DEVELOPMENT STANDARDS APPLICABLE TO DEVELOPMENT AREA “A”

In addition to the general development standards listed in Section 7 above, the following apply to “Development Area A” as depicted on the Concept Plan “Exhibit B”:

8.1 Building Height:

- a) Maximum building height for principal buildings shall be limited to sixty (60) feet.

- b) Accessory building height shall be in accordance with the standards of the **LI (Light Industrial)** zoning district with the following exception:
 - 1) Accessory buildings greater than fifteen (15) feet in height shall be permitted where located between a principal building and CR 172.
 - 2) Accessory buildings shall be permitted within the CR 172 street yard where a minimum setback of one hundred (100) feet from the property line adjacent to CR 172 is provided.
 - 3) Maximum height for accessory buildings shall be limited to thirty (30) feet.
- c) Measurement of height is based on the vertical distance between the highest point on a structure, including parapets and mechanical equipment, and the finished floor elevation.

9. **DEVELOPMENT STANDARDS APPLICABLE TO DEVELOPMENT AREA “B”**

In addition to the general development standards listed in Section 7 above, the following apply to “Development Area B” as depicted on the Concept Plan “Exhibit B”:

9.1 **Building Height:**

- a) Maximum building height for principal buildings is limited to one hundred and twenty (120) feet.
- b) Accessory building height shall be in accordance with the standards of the **LI (Light Industrial)** zoning district with the following exception:
 - 1) Accessory buildings greater than fifteen (15) feet in height shall be permitted where located between a principal building and CR 172.
 - 2) Accessory buildings shall be permitted within the CR 172 street yard where a minimum setback of one hundred (100) feet from the property line adjacent to CR 172 is provided.
 - 3) Maximum height for accessory buildings shall be limited to thirty (30) feet.
- c) Measurement of height is based on the vertical distance between the highest point on a structure, including parapets and mechanical equipment, and the finished floor elevation.

9.2 **Location of Loading Areas:**

- a) For buildings that are ninety (90) feet tall and greater, the location of loading bays shall only be located on the southern and eastern sides of the building.

9.3 **Parking for Data Centers:**

- a) Where data center use proposed, parking shall be provided at a rate of one (1) parking space per 2,500 square feet of gross floor area (GFA), with a minimum of fifty (50) parking spaces provided for each data center building.

9.4 **Screening for Electric Substation and Data Center Mechanical Equipment Yards:**

- a) A decorative wall, comprised of masonry or architectural CMU, with a minimum height of eight (8) feet shall screen Electric Substations and Data Center Mechanical Equipment Yards, where proposed, from McNeil Road and CR 172.
 - 1) If the wall includes a gate, it shall be constructed with an opaque, non-masonry material.
 - 2) The construction materials of the wall shall match material used on the principal building located on the same lot.
- b) Between the wall and the street, the following landscape materials shall be provided:
 - 1) One (1) medium evergreen tree, with an upright growth habit, shall be provided for each twenty (20) linear feet of buffer length.
 - 2) Trees shall be installed at a minimum size of two (2) inches in caliper and chosen from the following species: Eastern Red Cedar, Arizona Cypress, Carolina Cherry Laurel, Magnolia grandiflora cultivars 'Greenback', 'Hasse', or 'Little Gem'.
 - 3) Tree species selections may be mixed to add visual interest.

10. **CHANGES TO DEVELOPMENT PLAN**

10.1 **Minor Changes**

- a) The PDS director shall have the authority to administratively approve a minor change to a development plan of up to ten percent (10%) of any numerical standard contained within the plan. Minor changes may include, but not be limited to, adjustments to lot lines, parking and loading areas, driveways, parking counts, building configurations and orientations, architectural design, building and landscaping materials, tree retention, street alignments, sidewalks, drainage facilities, project phasing, lighting, and site layout. The PDS director shall also have the authority to administratively approve a change in the development plan to the maximum height of a free-standing sign or a change to the maximum allowable display area of any signage.
- b) Minor amendments shall not include:

- 1) changes in land use;
- 2) increases in density, building height, or coverage of the site;
- 3) decreases in setbacks abutting residential land uses and zoning districts;
- 4) decreases in parkland or open space;
- 5) any proposed modification that reduces the quality of the PUD, as determined by the PDS director; or any proposed modification that seeks to alter a condition, standard, or requirement that was incorporated into the development plan as a result of public testimony during a planning and zoning commission or a city council hearing.

10.2 **Major Changes**

- a) All changes not permitted above shall be resubmitted following the same procedure required for the original Plan application.

11. **LIST OF EXHIBITS**

Exhibit “A” Property Description

Exhibit “B” Concept Plan

Exhibit A

METES & BOUNDS DESCRIPTION OF:

TRACT 1 - 149.343 ACRES

BEING A 149.343 ACRE (6,505,392 SQUARE FEET) TRACT OF LAND SITUATED IN THE JACOB M. HARRELL SURVEY, ABSTRACT 284, CITY OF ROUND ROCK, WILLIAMSON COUNTY, TEXAS; AND BEING A PORTION OF A CALLED 523.74 ACRE TRACT OF LAND CALLED TRACT 2(A) AS SHOWN ON INSTRUMENT RECORDED IN DOCUMENT NO. 1994019807 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND WITH PLASTIC SURVEYOR'S CAP STAMPED "RPLS 4748" FOUND APPROXIMATELY 50 FEET SOUTHEAST OF THE CENTERLINE OF THE UNION PACIFIC RAILROAD AS SHOWN ON INSTRUMENT RECORDED IN VOLUME 16, PAGE 622 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, ALONG THE NORTH BOUNDARY LINE OF THIS TRACT, THE FOLLOWING TWO (2) COURSES AND DISTANCES:

1. SOUTH 79°49'02" EAST, A DISTANCE OF 58.49 FEET TO A 1/2 INCH IRON ROD FOUND FOR AN ANGLE CORNER OF THIS TRACT;
2. SOUTH 79°21'27" EAST, A DISTANCE OF 51.20 FEET TO A 1/2 INCH IRON ROD FOUND IN THE WESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 172 (CALLED 120' RIGHT-OF-WAY WIDTH) AS SHOWN ON INSTRUMENT RECORDED IN VOLUME 1160, PAGE 547 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS; FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 172 AND THE EAST BOUNDARY LINE OF SAID 523.74 ACRE TRACT, THE FOLLOWING THE EIGHT (8) COURSES AND DISTANCES:

1. SOUTH 20°09'04" EAST, A DISTANCE OF 825.06 FEET TO A 1/2 INCH IRON ROD FOUND FOR AN ANGLE CORNER OF THIS TRACT;
2. SOUTH 20°26'04" EAST, A DISTANCE OF 996.06 FEET TO A 1/2 INCH IRON ROD FOUND FOR A POINT OF CURVATURE OF THIS TRACT;
3. IN A SOUTHEASTERLY DIRECTION, ALONG A TANGENT CURVE TO THE RIGHT, A CENTRAL ANGLE OF 21°34'00", A RADIUS OF 2040.19 FEET, A CHORD BEARING AND DISTANCE OF SOUTH 9°39'04" EAST, 763.42 FEET, AND A TOTAL ARC LENGTH OF 767.95 FEET TO A 1/2 INCH IRON ROD FOUND FOR AN ANGLE CORNER OF THIS TRACT;
4. SOUTH 1°07'56" WEST, A DISTANCE OF 568.02 FEET TO A 1/2 INCH IRON ROD FOUND FOR A POINT OF CURVATURE OF THIS TRACT;
5. IN A SOUTHEASTERLY DIRECTION, ALONG A NON-TANGENT CURVE TO THE LEFT, A CENTRAL ANGLE OF 7°22'06", A RADIUS OF 3720.44 FEET, A CHORD BEARING AND DISTANCE OF SOUTH 2°33'22" EAST, 478.13 FEET, AND A TOTAL ARC LENGTH OF 478.46 FEET TO A 1/2 INCH IRON ROD WITH PLASTIC SURVEYOR'S CAP STAMPED "KHA" SET FOR AN ANGLE CORNER OF THIS TRACT;
6. SOUTH 1°09'03" EAST, A DISTANCE OF 104.85 FEET TO A TXDOT MONUMENT (BRASS DISK) FOUND FOR A POINT OF CURVATURE FOR THIS TRACT;
7. IN A SOUTHEASTERLY DIRECTION, ALONG A NON-TANGENT CURVE TO THE LEFT, A CENTRAL ANGLE OF 1°34'56", A RADIUS OF 3080.81 FEET, A CHORD BEARING AND DISTANCE OF SOUTH 9°12'07" EAST, 85.08 FEET, AND A TOTAL ARC LENGTH OF 85.08 FEET TO A POINT IN SAID COUNTY ROAD 172;

THENCE, NORTH 87°41'30" WEST, OVER AND ACROSS SAID 184.435 ACRE TRACT, A DISTANCE OF 2987.97 FEET TO A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF SAID UNION PACIFIC RAILROAD, FOR A SOUTHWEST CORNER OF THIS TRACT;

THENCE, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID UNION PACIFIC RAILROAD, THE FOLLOWING SIX (6) COURSES AND DISTANCES:

1. NORTH 27°50'19" EAST, A DISTANCE OF 601.89 FEET TO A 1/2 INCH IRON ROD FOUND FOR AN ANGLE CORNER OF THIS TRACT;
2. NORTH 27°51'47" EAST, A DISTANCE OF 1421.30 FEET TO A 1/2 INCH IRON ROD WITH PLASTIC SURVEYOR'S CAP STAMPED "KHA" SET FOR AN ANGLE CORNER OF THIS TRACT;
3. NORTH 69°12'10" EAST, A DISTANCE OF 158.33 FEET TO A 1 INCH IRON PIPE FOUND FOR AN INTERIOR CORNER OF THIS TRACT;
4. NORTH 20°47'50" WEST, A DISTANCE OF 139.61 FEET TO A 1/2 INCH IRON ROD WITH PLASTIC SURVEYOR'S CAP STAMPED "KHA" SET FOR AN ANGLE CORNER OF THIS TRACT;
5. NORTH 28°12'10" EAST, A DISTANCE OF 630.99 FEET TO A 1/2 INCH IRON ROD WITH PLASTIC SURVEYOR'S CAP STAMPED "KHA" SET FOR A POINT OF CURVATURE OF THIS TRACT;
6. IN A NORTHEASTERLY DIRECTION, ALONG A NON-TANGENT CURVE TO THE RIGHT, A CENTRAL ANGLE OF 12°10'37", A RADIUS OF 6131.80 FEET, A CHORD BEARING AND DISTANCE OF NORTH 35°12'20" EAST, 1300.73 FEET, AND A TOTAL ARC LENGTH OF 1303.18 FEET TO THE POINT OF BEGINNING AND CONTAINING 149.343 ACRES OF LAND, MORE OR LESS, IN WILLIAMSON COUNTY, TEXAS. THIS DOCUMENT WAS PREPARED IN THE OFFICE OF KIMLEY-HORN AND ASSOCIATES, INC. IN AUSTIN, TEXAS.

SURVEYOR'S NOTES:

THE BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (FIPS 4203) (NAD'83), AS DETERMINED BY THE GLOBAL POSITIONING SYSTEM (GPS). ALL DISTANCES SHOWN HEREON ARE ON THE SURFACE. TO CONVERT SURFACE DISTANCES TO THE GRID, APPLY THE COMBINED SURFACE TO GRID SCALE FACTOR OF 0.9998881092209. THE UNIT OF LINEAR MEASUREMENT IS U.S. SURVEY FEET. AN BOUNDARY EXHIBIT AND A LINE & CURVE TABLE WERE CREATED IN CONJUNCTION WITH THIS METES & BOUNDS DESCRIPTION.

THIS DOCUMENT WAS PREPARED UNDER 22 TEXAS ADMINISTRATIVE CODE §138.95, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.



ZACHARY KEITH PETRUS
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EXHIBIT "A"
LEGAL DESCRIPTION OF
TRACT A - 149.343 ACRES
BEING A PORTION OF THE
JACOB M. HARRELL SURVEY, ABSTRACT 284
CITY OF ROUND ROCK, WILLIAMSON COUNTY, TEXAS

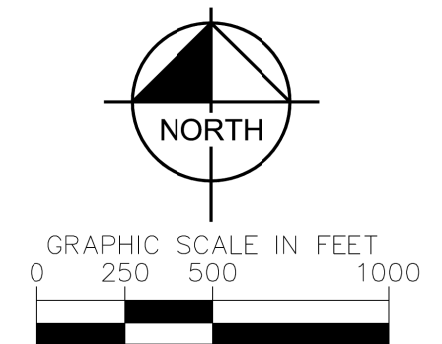
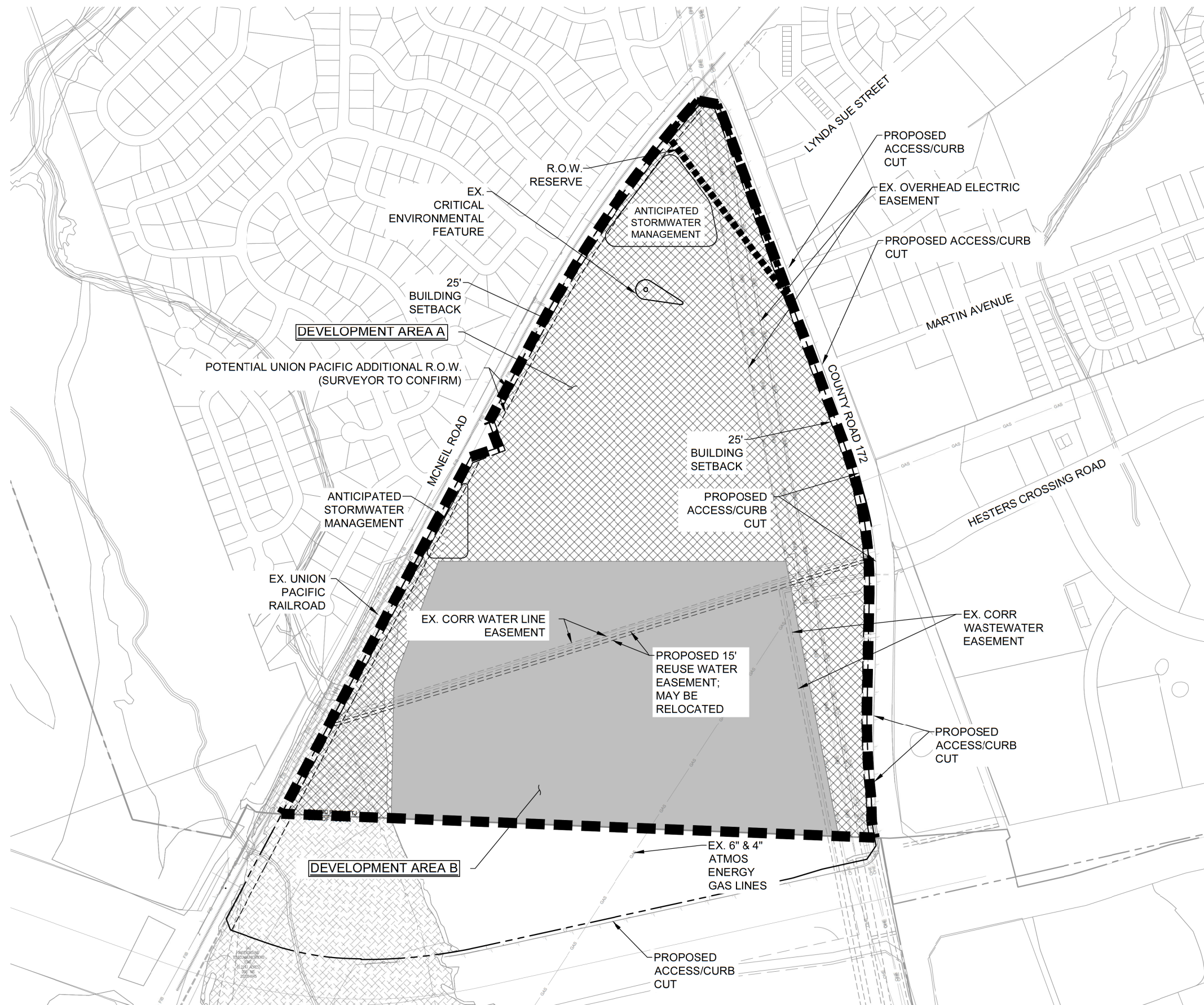
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SCALE	DRAWN BY	CHECKED BY	DATE	PROJECT NO.	SHEET NO.
N/A	RPP	ZKP	10/13/2021	168864169	1 OF 3



LEGEND	
	LIMITS OF LIGHT INDUSTRIAL
	FEMA 100-YR FLOODPLAIN
	LIMITS OF R.O.W. RESERVE
	DEVELOPMENT AREA A 60' MAX BUILDING HEIGHT
	DEVELOPMENT AREA B 120' MAX BUILDING HEIGHT

Note: Proposed access/curb cuts and stormwater management facilities are conceptual in nature. The configuration, location and quantity are subject to change and shall be reviewed and approved with a subsequent site plan application.

Note 2: Proposed reuse water easement is conceptual in nature. Location is subject to change and shall be reviewed and approved with a subsequent site plan application.

Exhibit B

CONCEPT PLAN + HEIGHT AND USE
EXHIBIT