

EXHIBIT
"B"

DEVELOPMENT PLAN
THE DEPOT
PLANNED UNIT DEVELOPMENT NO. 110

THE STATE OF TEXAS §
COUNTY OF WILLIAMSON §

THIS DEVELOPMENT PLAN (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 Urban InTown Homes, their respective successors and assigns; provided, however, upon sale, transfer or conveyance of portions of the hereinafter described property, the duties and obligations of the Owner, as it relates to the respective property, shall be assumed by the new owner, and the Owner shall have no further liability relating to their respective property.

WHEREAS, the Owner is the owner of certain real property consisting of 3.88 acres, more or less, as more particularly described in **Exhibit "A"**, (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 rezone the Property as a Planned Unit Development (the "PUD"); and

WHEREAS, pursuant to the Code of Ordinances of the City of Round Rock (the "Code"), Section 46-106, 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 the 5th day of April, 2017, the City's Planning and Zoning Commission recommended approval of the Owner's application for a PUD; and

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

NOW THEREFORE:

I.

GENERAL PROVISIONS

1. CONFORMITY WITH DEVELOPMENT STANDARDS

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

2. CHANGES AND MODIFICATIONS

No changes or modifications will be made to this Plan unless all provisions pertaining to changes or modifications as stated in Section II. 14. below are followed.

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 the Code, 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 City of Round Rock Code of Ordinances, as amended, City of Round Rock, Texas, hereinafter referred to as “the Code.”

2. PROPERTY

This Plan covers approximately 3.88 acres of land, located within the city limits 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 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 **MU-1 (Mixed-Use Historic Commercial Core) 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. Other Ordinances

All other Ordinances within the Code, 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. PERMITTED USES

The following uses are permitted. Unless otherwise indicated, the definitions of all terms used to describe uses in this document shall be those found in the Zoning Code of the City of Round Rock, as amended. All uses not listed below are prohibited.

5.1 Single-family.

5.1.1. A minimum of 70 single-family dwelling units are required.

5.1.2 Dwelling units may be attached or detached.

5.2 Live/work and upper story residential.

5.2.1. Live/work is permitted on any lot.

5.2.2. Upper story residential is permitted only for lots with frontage on a public street.

5.2.3. Any unit may have nonresident employees.

5.2.4. The uses permitted in the nonresidential portion of any unit shall be restricted to the nonresidential uses permitted in the MU-L (Mixed Use – Limited) zoning district, with the following additional permitted uses: fitness studios and small animal grooming facilities (not to include small animal day care or boarding facilities).

5.2.5. The nonresidential portion shall be confined to the ground floor and second floor.

5.2.6. All units shall be constructed as a single-family dwelling unit. It shall be the responsibility of the owner of the unit to obtain the proper permits to convert residential space to nonresidential space.

6. DEVELOPMENT STANDARDS

6.1. Lots.

6.1.1. Minimum lot width: 15 feet

6.1.2. Lots may be platted and built without frontage on a public street. Such lots shall have access to a private alley.

6.1.3. Public utility easements are not required along public streets adjacent to any lot.

6.1.4. Lots are not required to be individually metered for water and wastewater service. Master meters shall be maintained by the homeowners association.

6.2. Setbacks.

6.2.1. Minimum setback from street right-of-way: 0 feet

- 6.2.2. Minimum setback from private alley: 0 feet
- 6.2.3. Minimum side and rear setback: 0 feet
- 6.2.4. Minimum setback from Block 11, Lots 7, 8, 9, and 10, City of Round Rock Original Plat (addressed at the time of this ordinance as 109 South Sheppard Street): 5 feet
- 6.2.5. Architectural features, including but not limited to chimneys, balconies, and cantilevers, may not project into the right-of-way more than 50% of the distance between the property line and the outside of the curb of the adjacent street. Any architectural feature projecting into the right-of-way shall be noted in a license agreement.
- 6.2.6. The MU-1 frontage occupancy requirement shall not apply to any lot.

6.3. Height.

- 6.3.1. No structure may exceed four stories in height.
- 6.3.2. Chimneys, rooftop decks, and similar architectural features may exceed the maximum building height.

6.4. Building design and exterior materials.

- 6.4.1. Building design and exterior materials shall generally conform to the renderings in Exhibit “C”, which depict natural stone and/or brick as the primary material with or without metal accents. Other materials shall be approved by the zoning administrator.
- 6.4.2. Unfinished corrugated metal and exterior insulation finishing systems (EIFS) are prohibited.
- 6.4.3. A minimum of one key architectural feature, such as but not limited to balconies, canopies/awnings, patios, or porches, shall be incorporated on all units fronting a public street.
- 6.4.4. Side walls facing a public street are not required to meet the MU-1 orientation, articulation, or window standards, but are required to incorporate glazing and other architectural features to provide visual interest. No blank wall shall face a public street.
- 6.4.5. Slight modifications to this section may be permitted by the zoning administrator to accommodate unique site constraints.

6.5. Parking.

- 6.5.1. Each unit shall contain a two-car garage for resident parking. Garages may accommodate tandem parking.
- 6.5.2. Garages shall not face a public street except for a maximum of two units near the southeast corner of the intersection of South Sheppard Street and East Bagdad Avenue.

6.5.3. Guest parking and parking for patrons of non-residential uses may be accommodated by on-street parking where available. On-street parking spaces are prohibited from being reserved for private use.

6.6. Courtyards.

Courtyards shall be incorporated throughout the site in any quantity and size. Courtyards are not required to be fenced.

6.7. Fire Code.

6.7.1. All units shall contain a fully operational NFPA 13R sprinkler system in living areas, attics, and garages.

6.7.2. The fire protection system shall be monitored by a third party and inspected annually.

6.7.3. Two-hour fire walls shall be constructed between each unit.

6.7.4. Aerial access requirements shall apply only for units along McNeil Road.

6.7.5. Fire lanes shall maintain a minimum clearance of 13 feet and 6 inches.

6.7.6. Spacing between fire hydrants shall not exceed 300 feet.

6.7.7. Spacing between fire hydrants and fire department connections shall not exceed 100 feet.

6.8. Fencing.

On-site fencing along any right-of-way shall be wrought-iron or similar decorative view fencing.

6.9. Mail delivery.

Lots shall be served by neighborhood box units (NBU) for mail delivery. A minimum of one NBU shall be required for each block.

6.10. Noise mitigation.

6.10.1. All walls facing the Union Pacific Railroad tracks to the south of the site shall be framed with 2-inch by 6-inch dimensional lumber to provide extra insulation for noise mitigation. All other walls may be framed with 2-inch by 4-inch lumber.

6.10.2. All windows shall be double-paned.

6.11. Interior features.

All units shall be constructed with upgraded finishes, such as but not limited to the following: stainless steel or stone countertops, soft-close cabinetry, natural or engineered wood flooring, smart home automation, tankless water heaters, low-e windows, radiant barrier in attics, and

mold and moisture resistant drywall that reduces VOCs to improve indoor air quality.

7. TRANSPORTATION

- 7.1. A traffic impact analysis is not required.
- 7.2. Private alleys shall serve each unit except for those units whose garages face a public street as noted in subsection 6.5.
- 7.3. Private alleys shall be a minimum of 26 feet wide, except for those serving three or fewer units, which may be a minimum of 20 feet wide.
- 7.4. Private alleys shall be named to allow for unique addressing of internal lots which do not have frontage on a public street. Alley names shall be approved by the city prior to recordation of the corresponding final plat.
- 7.5. No residential driveway shall access McNeil Road.

8. LANDSCAPING/SCREENING/SITE FURNITURE

- 8.1. Streetscape improvements shall match the downtown streetscape improvements installed by the city as part of the Southwest Downtown improvement project. Alternate materials or designs shall be approved by the transportation director.
- 8.2. Foundation treatment landscaping shall not be required for any unit.
- 8.3. Trash receptacles for each unit shall not be visible from any right-of-way.
- 8.4. Roof-mounted equipment shall be screened from public view by parapet walls or other screening mechanisms.
- 8.5. On-site and off-site retaining walls constructed by the developer shall have a decorative finish such as a limestone veneer and/or ornamental landscaping such as a living wall. All retaining walls and associated landscaping shall be maintained by the homeowners association and noted in a license agreement.
- 8.6. Site furniture, landscape planters, and similar decorative features may be placed in the right-of-way when part of an approved license agreement.
- 8.7. All sidewalks shall maintain a minimum width of 36" along accessible routes in accordance with the Americans with Disabilities Act.

9. SIGNS

- 9.1. Signs for the nonresidential portion of any unit shall be attached to the building and shall not exceed 12 square feet. Other regulations shall be in accordance with Chapter 30 of the Code.

10. HOMEOWNERS ASSOCIATION AND COMMON AREA AGREEMENTS

- 10.1. A private homeowners association shall be established for the maintenance of improvements constructed by the Owner, including but not limited to private alleys and driveways, retaining walls, sidewalks, private utilities, and fences.
- 10.2. A common area agreement governing courtyards, alleys, and other common areas shall be recorded for each block prior to the recordation of the final plat for each block.

11. GENERAL PLAN 2020

This Development Plan amends the Round Rock General Plan 2020, which was adopted on July 22, 2010.

12. CONCEPT PLAN

This Plan serves as the Concept Plan required by Section 36-39 of the Code.

13. UNDERGROUND UTILITY SERVICE

Except where approved in writing by the zoning administrator, all electrical, telephone and cablevision distribution and service lines, other than overhead lines that are three phase or larger, shall be placed underground.

14. CHANGES TO DEVELOPMENT PLAN

14.1. 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 zoning administrator and the city attorney.

14.2. Major Changes

All changes not permitted under section 14.1 above shall be resubmitted following the same procedure required by the original PUD application.

LIST OF EXHIBITS

EXHIBIT

DESCRIPTION

Exhibit "A"

Property Description

Exhibit "B"

Concept Plan

Exhibit "C"

Building Design