DEVELOPMENT PLAN

EXHIBIT
"A"

PLANNED UNIT DEVELOPMENT NO. 116 - CLEAR CREEK RANCH

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 The Vera Mae Smith Marital Trust, James Carson Smith "Trust B" Bypass Trust and Deborah Lynn Stanford, et al; as their respective interests may appear in the respective portions of the hereinafter described property; and their 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 are the owners of certain real property consisting of 25.73 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 2-76 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 August 15, 2018, 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. 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.8.

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, Section 1-32, 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.

4.2. Effective Date

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

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 25.73 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**) zoning district, 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 Part III, Section 10-26 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 120 units shall be allowed.
- (4) Vehicle parking for events shall be allowed on an unimproved surface at the location indicated on **Exhibit** "C".

6. DEVELOPMENT STANDARDS

6.1. Exterior Finish

- (1) The exterior finish of all units shall be a minimum of 75% masonry, excluding elements such as doors, windows, trim and accent features.
 - (a) Masonry shall be defined as stone, simulated stone, brick or a minimum of 2-step hard coat stucco.
 - (b) The use of materials such as wood shingles or wood siding shall be limited to accent features.
- (2) The front of all homes and drive aisle-facing side of all corner units shall be 100% masonry, with no more than 75% consisting of 2-step hard coat stucco.
- (3) The front facades of 25% of the total number of units may use shake-style or board and batten style cement-based siding, only on non-load bearing elements.
- (4) Horizontally-installed or board and batten style cement-based siding may be used on rear and side elevations of all units, except as noted in (2) above.
- (5) The following shall be required on the rear second floor elevation of two story units when the rear faces Sam Bass Road:
 - (a) One window enhancement from the following list:
 - i. Shutters
 - ii. Awnings or shed roofs
 - iii. Window trim
 - iv. Arch windows
 - (b) One design feature from the following list:
 - i. Board and batten siding
 - ii. Stucco
 - iii. Balcony
 - iv. Building offset
 - v. Box window

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. Garages can be front load and placed forward of the front façade.

(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", top cap, metal posts and treated rails, or other equivalent materials approved by the Zoning Administrator.

6.4. Perimeter Fencing

- (1) The location and types of the required perimeter fencing are indicated on **Exhibit** "C". The three types of perimeter fencing are:
 - (a) <u>Wood Fence</u>: Cedar privacy fence with a picket size of 1" x 6", a top cap, treated rails and metal posts; the finished side shall face the abutting properties.
 - (b) Masonry Fence: In compliance with Part III, Section 4-30 of the Code.
 - (c) <u>12' Masonry Fence</u>: Materials used shall be in compliance with Part III, Section 4-30 of the Code.

6.5. Building Setbacks

- (1) Setbacks for the common platted lot containing the single-family units shall be according to those established for common lot townhouse lots in the TH (Townhouse) zoning district.
- (2) Individual condominium lot setbacks shall be according to **Exhibit "D"**.

6.6. 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 drive aisle, which requires a drive aisle width equivalent to 30-feet measured 'face of curb to face of curb'.

6.7. 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.

6.8. Landscaping

- (1) The landscape development standards outlined in Part III, Section 8-10 of the Code 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 by *Native and Adapted Landscape Plants, an Earth-Wise 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 three (3) two-inch (2") caliper large species trees, whether through the preservation of existing trees or planting of two-inch (2") 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.

6.9. Off-premise sign

- (1) The existing off-premise sign identifying the business located at 2601 Sam Bass Road ('Chateau on the Creek') shall be allowed on the Property.
- (2) Notwithstanding the prohibition on off-premise signs, any replacement of the existing off-premise sign for 'Chateau on the Creek' shall comply with all provisions of Part III, Chapter 8, Article IX of the Code with regard to its location on a commercial roadway.

7. PARKLAND DEDICATION

Part III, Section 4-63 of the Code shall be used to determine the parkland requirement, using the TH (Townhouse) zoning district.

8. CHANGES TO DEVELOPMENT PLAN

8.1. Minor Changes

Minor changes to the 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.

<u>LIST OF EXHIBITS</u>

Exhibit "A" Survey Field Notes

Exhibit "B" Concept Plan

Exhibit "C" Fencing

Exhibit "D" Condo Lot Setback

EXHIBIT "A"



Land Surveyors, Inc. 8000 Anderson Square Rd., Suite 101 Austin, Texas 78757 Office: 512.374.9722 Firm Reg. No. 10015100

METES AND BOUNDS DESCRIPTION

BEING 25.73 ACRES OF LAND, OUT OF THE DAVID CURRY SURVEY, ABSTRACT NUMBER 130 IN WILLIAMSON COUNTY, TEXAS; BEING A PORTION OF A CALLED 23.75 ACRE TRACT OF LAND CONVEYED TO THE JAMES CARSON AND VERA MAE SMITH TRUST, OF RECORD IN DOCUMENT NUMBER 1995031509 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS AND KNOWN AS "TRACT FIVE" THEREIN AND ALSO BEING A PORTION OF A 4.01 ACRE TRACT OF LAND CONVEYED TO DEBORAH LYNN STANFORD BY INSTRUMENTS OF RECORD IN DOCUMENT NUMBER 2016043342 AND DOCUMENT NUMBER 2016043344; BOTH OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found with cap stamped "J.S. COALTER RPLS LSLS" for the northeast corner of said 23.75 acre tract, being the southeast corner of a 2.30 acre tract of land conveyed to Casey Family Investments, LLC by instrument of record in Document Number 2006106307 of the Official Public Records of Williamson County, Texas and also being in the west right-of-way line of Sam Bass Road (R.O.W. varies);

THENCE along the east line of the 23.75 acre tract and said west right-of-way line of Sam Bass Road the following eight (8) courses:

- 1. South 53°01'19" East a distance of 218.20 feet to a fence post;
- 2. South 52°50'43" East a distance of 194.06 feet to a fence post;
- 3. South 53°12'58" East a distance of 116.46 feet to a fence post;
- 4. South 50°46'09" East a distance of 15.31 feet to a fence post;
- 5. South 75°02'02" East a distance of 95.43 feet to a fence post;
- 6. South 78°04'43" East a distance of 88.57 feet to a fence post;
- 7. South 77°34'05" East a distance of 231.85 feet to a fence post;
- 8. South 76°03'36" East a distance of 172.84 feet to a 1/2" rebar found with cap stamped "LANDESIGN" for the southeast corner of the 25.73 acre tract;

THENCE South 68°54'44" West (record: South 70°36'32" West), along the south line of the 23.75 acre tract and the west right-of-way of Sam Bass Road, passing at a distance of 23.68 feet a 1/2" rebar found for the northeast corner of Lot 43, Block B, Creek Bend Section II; a subdivision of record in Cabinet F, Slides 144-146 of the Plat Records of Williamson County, Texas and continuing along the south line of the 23.75 acre tract and the north line of said Block B, Creek Bend Section II for a total distance of 301.74 feet (record: 301.23 feet) to a 1/2" rebar found with cap stamped LANDESIGN";

THENCE along the south line of the 23.75 acre tract and the north line of Block B, Creek Bend Section II the following three (3) courses:

- 1. South 68°58'09" West a distance of 951.20 feet (record: South 70°42'21" West a distance of 950.96 feet) to a 1/2" rebar found with cap stamped "LANDESIGN";
- 2. South 24°15'49" East a distance of 18.99 feet (record: South 22°41'51" East a distance of 18.75 feet) to a 1/2" rebar found;
- 3. South 70°14'47" West (record: South 71°42'00" West) a distance of 388.90 feet to a 1/2" rebar found for the southwest corner of the 23.75 acre tract, being the southeast corner of a 2.1709 acre tract of land conveyed to Honey Bear Properties, LLC by instrument of record in Document Number 2016095753 of the Official Public Records of Williamson County, Texas and known as Tract 2 therein;

THENCE North 47°45'37" West (record: North 44°51'03" West), along the west line of the 23.75 acre tract and the east line of said 2.1709 acre tract a distance of 394.26 feet (record: 394.94 feet) to a 1/2" rebar found for the northeast corner of the 2.1709 acre tract, being in the south line of a 4.9190 tract of land conveyed to Honey Bear Properties, LLC by said instrument of record in Document Number 2016095753 of the Official Public Records of Williamson County, Texas and known as Tract 1 therein;

THENCE along the west line of the 23.75 acre tract and the east line of said 4.9190 acre tract the following two (2) courses:

- 1. North 27°34'36" East (record: North 30°07'00" East) a distance of 153.77 feet to a 5/8" rebar found;
- 2. North 47°17'30" West a distance of 303.22 feet (record: North 44°32'57" West a distance of 303.13 feet) to a 5/8" rebar found for the northwest corner of the 23.75 acre tract, being the northeast corner of the 4.9190 acre tract and being in the south line of said 4.01 acre tract; from which a 1/2" rebar found with cap stamped "LANDESIGN" for an angle point in the north line of the 23.75 acre tract and the south line of the 4.01 acre tract bears North 59°27'07" East (record: North 62°12' East) a distance of 61.58 feet;

THENCE along the south line of the 4.01 acre tract and the north line of the 4.9190 acre tract the following two (2) courses:

1. South 59°27'07" West (record: South 62°12' West) a distance of 47.01 feet to a 1/2" rebar found;

2. South 54°11'05" West a distance of 104.39 feet (record: South 56°55' West a distance of 105.85 feet) to a calculated point in a branch of Brushy Creek for the southwest corner of the 4.01 acre tract, being the southeast corner of a 4.05 acre tract of land conveyed to Cecil W. Fisher, Jr. and Sally S. Fisher by instrument of record in Volume 668, Page 657 of the Deed Records of Williamson County, Texas;

THENCE upstream with said branch of Brushy Creek, being the west line of the 4.01 acre tract and the east line of said 4.05 acre tract the following two (2) courses:

- 1. North 06°35'55" West a distance of 240.04 feet (record: North 03°52' West a distance of 243.96 feet) to a calculated point;
- 2. North 15°47'29" West a distance of 34.57 feet (record: North 12°55' West a distance of 34.40 feet) to a calculated point for the northwest corner of the 4.01 acre tract, being the southwest corner of a 2.00 acre tract of land conveyed to Sarah L. Williams by instrument of record in Document Number 2017057094 of the Official Public Records of Williamson County, Texas and described in Volume 670, Page 461 of the Deed Records of Williamson County, Texas;

THENCE North 61°42'59" East (record: North 64°28' East), along the north line of the 4.01 acre tract and the south line of said 2.00 acre tract a distance of 355.34 feet to a 1/2" rebar found with plastic cap, stamped "Steger Bizzell";

THENCE crossing through the 4.01 acre tract the following four (4) courses:

- 1. South 28°17'01" East a distance of 169.58 feet to a cotton spindle found;
- 2. North 69°12'39" East a distance of 124.65 feet to a cotton spindle found;
- 3. North 47°15'55" East a distance of 76.89 feet to a 1/2" rebar found with plastic cap, stamped "Steger Bizzell";
- 4. North 15°55'18" East a distance of 116.46 feet to a 1/2" rebar found in the east line of the 4.01 acre tract, being the northwest corner of said 2.30 acre tract and being the southwest corner of a 1.279 acre tract of land conveyed to Rolando Y. Cruz and Delia B. Cruz by instrument of record in Document Number 2016098026 of the Official Public Records of Williamson County, Texas.

THENCE South 53°30'47" East (record: South 50°43'30" East), along the east line of the 4.01 acre tract and the west line of the 2.30 acre tract a distance of 221.72 feet to a 1/2" rebar found with cap stamped "J.S. COALTER RPLS LSLS" for the southeast corner of the 4.01 acre tract, being in the north line of the 23.75 acre tract and being the southwest corner of the 2.30 acre tract; from which a 1/2" rebar found in the north line of the 23.75 acre tract and the south line of the 4.01 acre tract bears South 69°12'23" West a distance of 338.08 feet (record: South 71°59' West a distance of 338.36 feet;

THENCE along the north line of the 23.75 acre tract and the south line of the 2.30 acre tract the following two (2) courses:

1. North 69°14'49" East a distance of 136.74 feet (record: North 72°06'52" East a distance of 136.67 feet) to a 1/2" rebar found;

2. North 60°55'46" East a distance of 253.89 feet (record: North 63°46'42" East a distance of 253.99 feet to the POINT OF BEGINNING.

This tract contains 25.73 acres of land, more or less, out of the David Curry Survey, Abstract Number 130 in Williamson County, Texas.

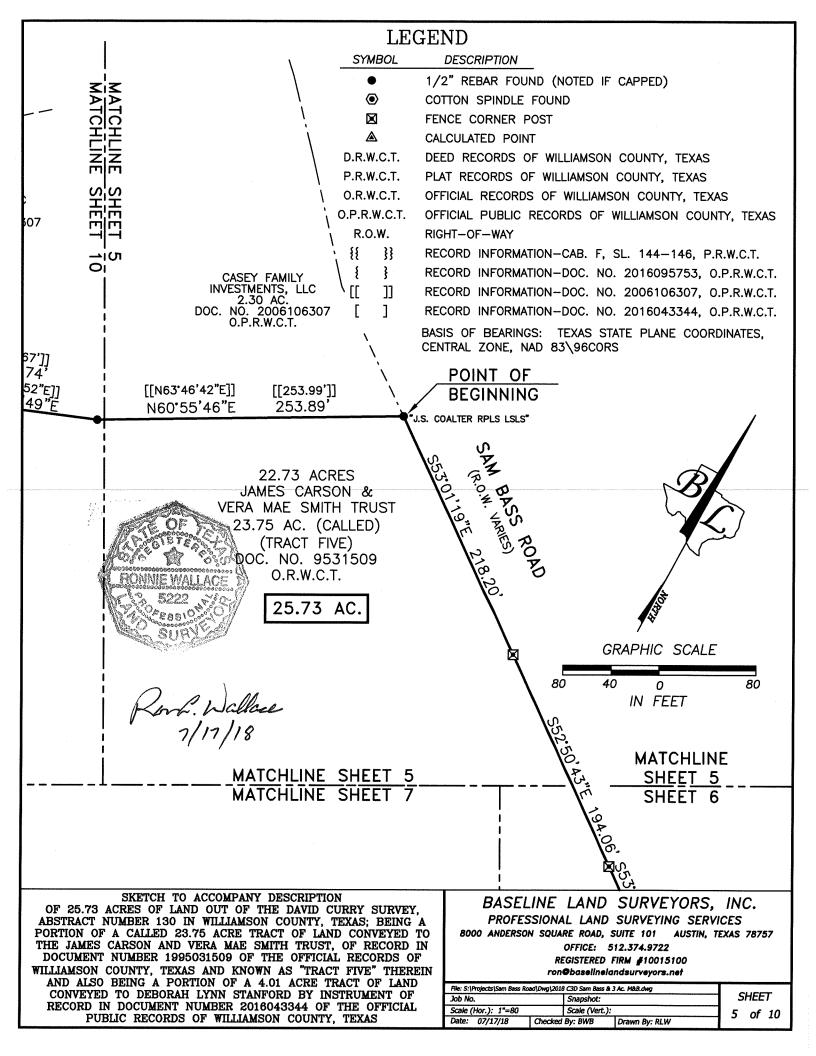
Bearing Basis: Texas State Plane Coordinates, Central Zone, NAD 83\96CORS.

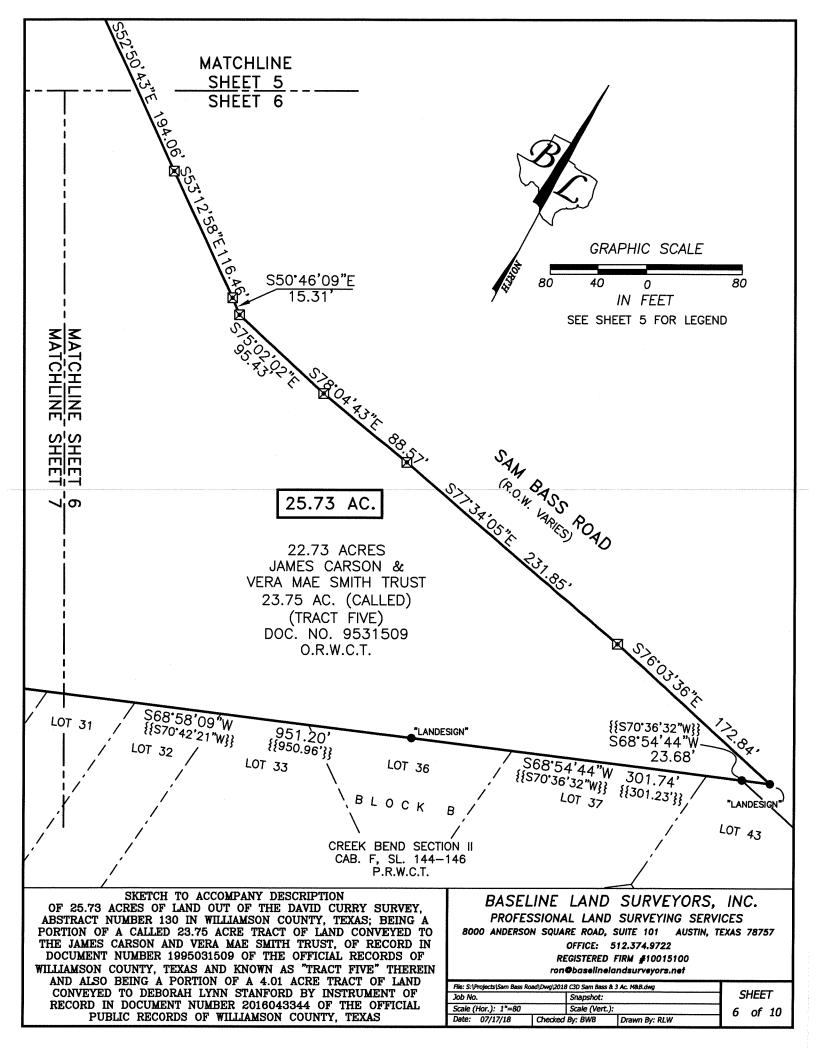
Ronnie Wallace

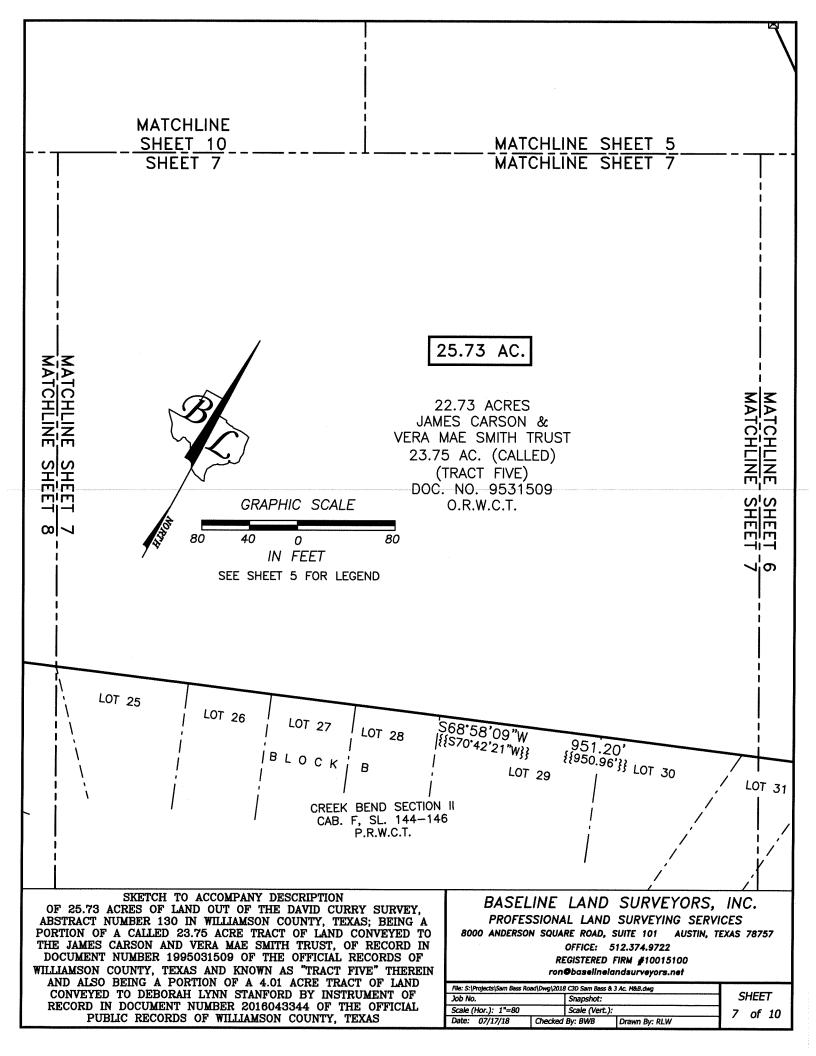
Registered Professional Land Surveyor

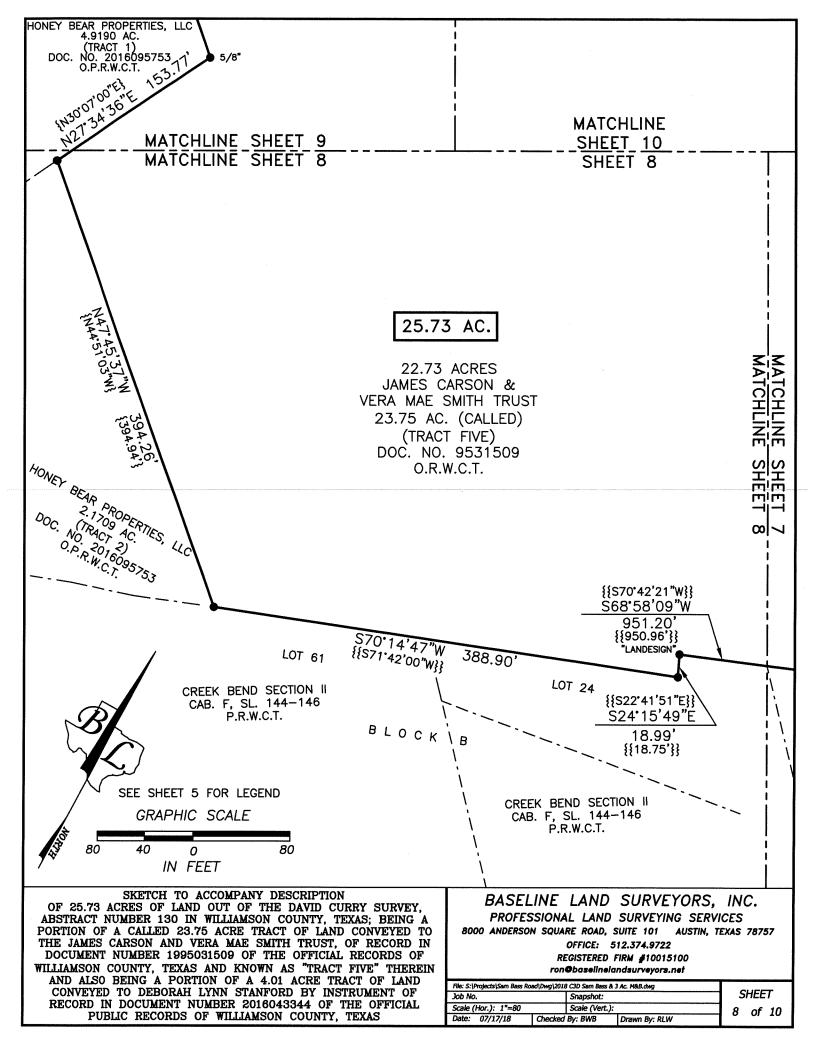
State of Texas No. 5222

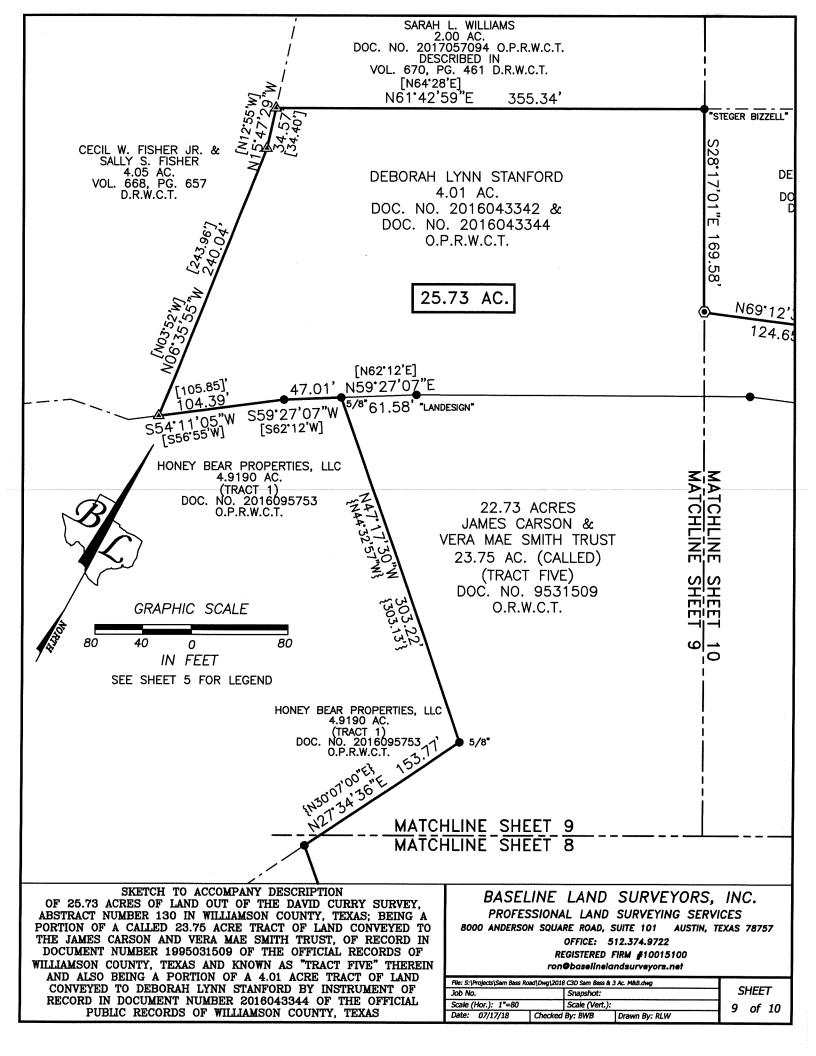
File: S:\Projects\Sam Bass\Docs\Field Notes\Sam Bass & 3 Ac. M&B fn.doc

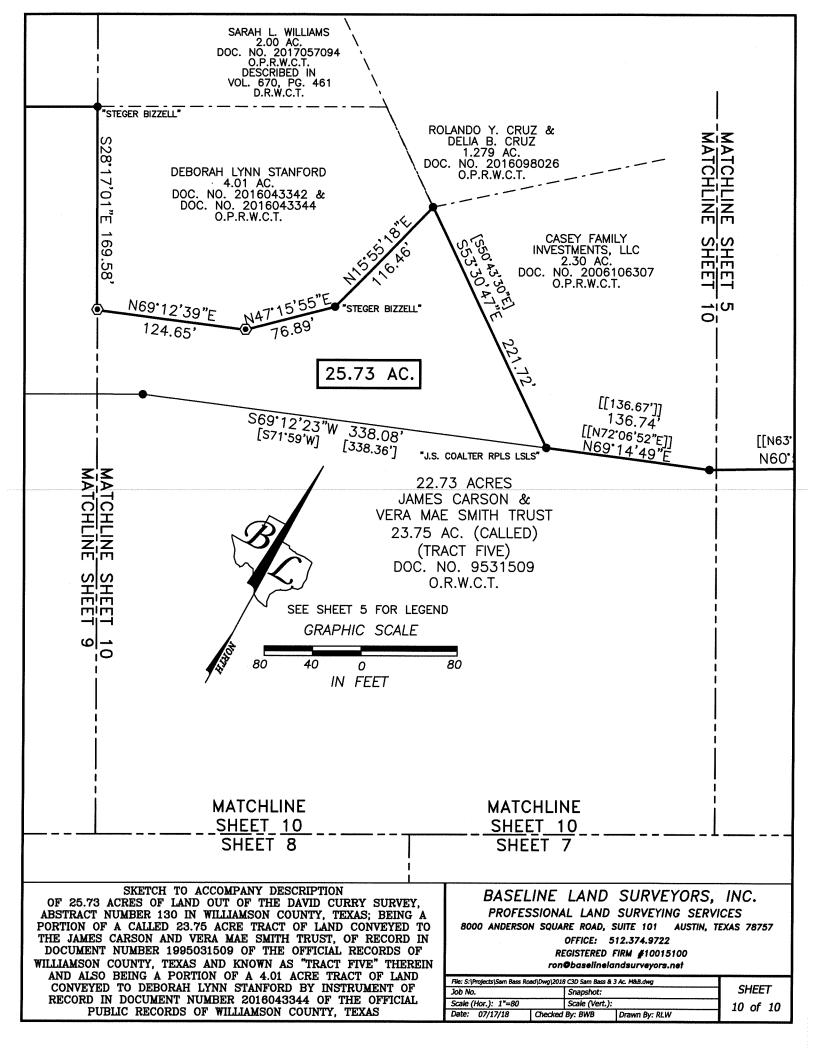


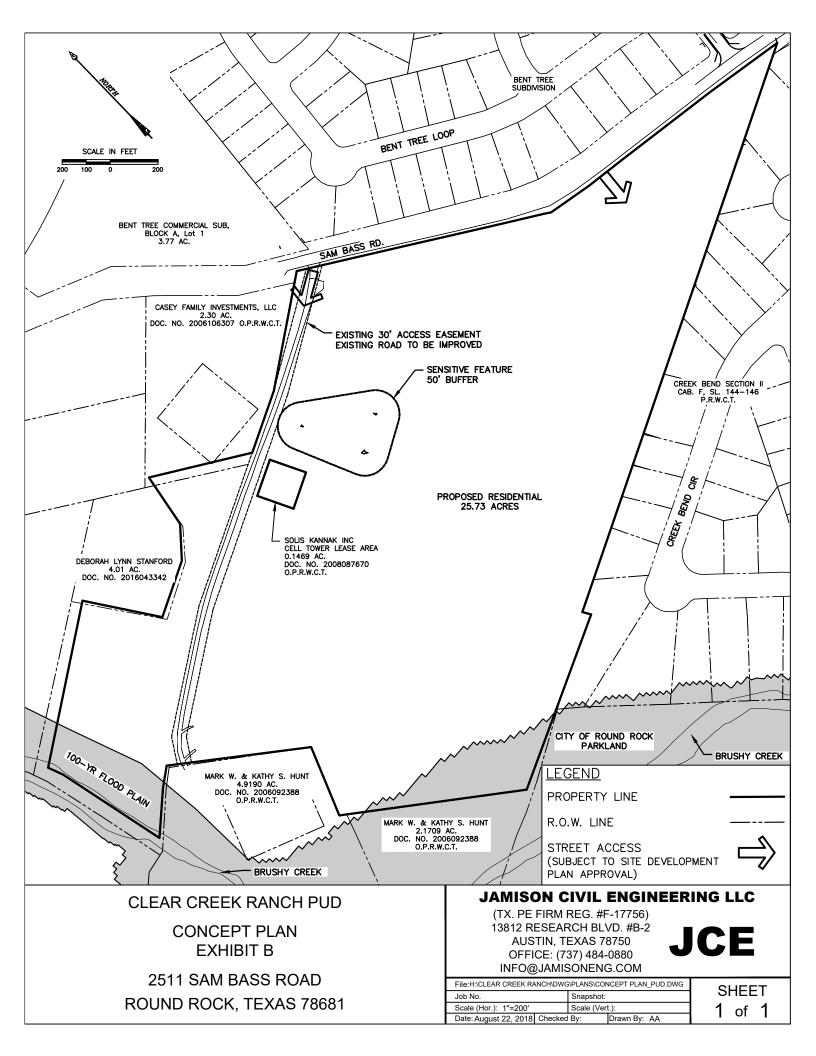


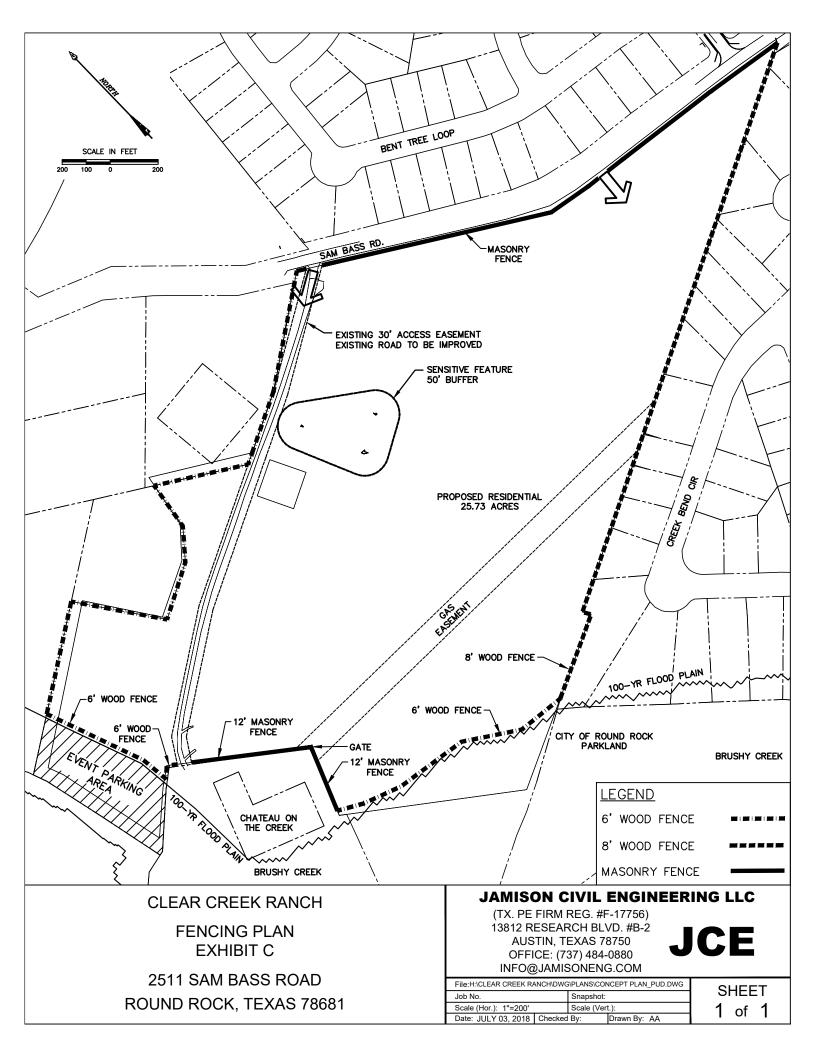












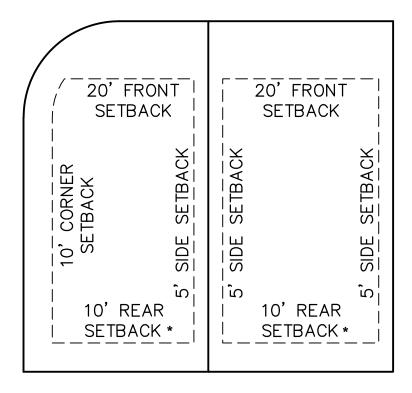
BUILDING SEPARATION NOTE:

1. 10' MINIMUM SEPARATION MEASURED FROM ROOF EAVE TO ROOF EAVE.

DRIVE AISLE

20, LEACK SETBACK SETBACK

DRIVE AISLE



* REAR SETBACK FROM ANY PROPERTY BOUNDARY IS 20'

CLEAR CREEK RANCH
CONDO LOT SETBACK EXHIBIT
EXHIBIT D

2511 SAM BASS ROAD ROUND ROCK, TEXAS 78681

JAMISON CIVIL ENGINEERING LLC

(TX. PE FIRM REG. #F-17756) 13812 RESEARCH BLVD. #B-2 AUSTIN, TEXAS 78750 OFFICE: (737) 484-0880 INFO@JAMISONENG.COM

JCE

SHEET

1 of 1

 File:H:CLEAR CREEK RANCHIDWG\PLANS\CONCEPT PLAN_PUD.DWG

 Job No.
 Snapshot:

 Scale (Hor.): 1"=200'
 Scale (Vert.):

 Date: JULY 03, 2018
 Checked By:
 Drawn By: AA