

DEVELOPMENT PLAN 3100 CHISHOLM TRAIL ROAD

PLANNED UNIT DEVELOPMENT NO. 118

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 WEEKLEY HOMES, LLC, a Delaware limited liability company; 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 19.35 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 October 2, 2019, 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 II.

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 II, Section 1-9, Code of Ordinances, City of Round Rock, Texas, as amended.

4. <u>MISCELLANEOUS PROVISIONS</u>

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.

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 19.3468 acres of land, more particularly described in **Exhibit "A".**

3. <u>PURPOSE</u>

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

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 on a common lot. Private drive aisles will provide access to the units.

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 types shall be single family detached units on a common lot, with each dwelling unit having a private entrance, private parking and a private yard area.
- (2) Access shall be provided via private drive aisles, as described in Section 6.7 below.
- (3) All dwelling units shall be established as condominium units, pursuant to the Texas Uniform Condominium Act, Section 82.001 et. seq., Texas Property code.
- (4) A maximum of 115 units shall be permitted.

6. <u>DEVELOPMENT STANDARDS</u>

6.1. Exterior Design Elements

The following design elements shall be required on the rear upper floor elevations of multi-story units when the rear faces Chisholm Trail Road:

- (1) One window enhancement from the following list:
- (a) Shutters
- (b) Awnings or shed roofs
- (c) Arch windows

and:

- (2) One design feature from the following list:
- (a) Balcony
- (b) Dormer or projected wall
- (c) Box window

6.2. 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 l" x 4" with wood posts and treated rails, or other equivalent materials approved by the Zoning Administrator.

6.3. Perimeter Fencing

- (1) The location and types of the required perimeter fencing associated with the single family units along the perimeter, excluding private open space and detention areas, are indicated on **Exhibit "C".** The types of perimeter fencing are:
- (a) 6-foot masonry or precast concrete along north, south, and east boundaries in compliance with Part III, Section 4-30 of the Code.
- (b) 8-foot wood fence along western boundary: Cedar privacy fence with a picket size of l" x 4", treated rails and wood posts; the finished side shall face the abutting properties.

6.4. Building Setbacks & Height Limits

- (1) The setbacks for any lot on which multiple residential units are located shall be:
 - (a) 10' from public open space or Chisholm Trail Road ROW
 - (b) 10' rear from all lot boundary lines
- (2) Individual condominium lot setbacks shall be according to **Exhibit** "**D**".
- (3) The maximum height of any structure shall be three stories, except that the maximum height of any structure within 300 feet of the western property boundary shall be two stories.

6.5. Parking

- (1) A total of four parking spaces per unit will be provided
 - (a) 2 garage enclosed parking spaces for each unit.
 - (b) 2 parking spaces for each unit, located either in front of the garage and outside of the private-access drive; or at another designated location outside of the private-access drive.

6.6. Private Drive Aisles

- 1) A minimum width of 30' from 'face of curb to face of curb'.
- 2) A private home owners association will be established for the maintenance of the private drive aisles.
- 3) Parallel parking to be provided on one side of the drive aisle, subject to City design regulations, including access for emergency vehicles.
- 4) An internal walkway, consisting of a four-foot (4') wide sidewalk along one side of all private drive aisles shall be required.
- 5) Subgrade to be approved by the City, according to the Transportation Manual, Section 3 Pavement Design for local streets.

6.7. Amenities

- (1) A total of three (3) amenities accessible to all residents shall be provided, including but not limited to the following:
 - a) Playground equipment;
 - b) Programmed dog park, to measure no smaller than 2,500 square feet, with minimum depth 25 feet;
 - c) Private fitness facility*;
 - d) Picnic area, to contain no fewer than two tables and two cooking grills;
 - e) Swimming pool;
 - f) Business center, to contain no less than one computer, printer, fax machine, copier, and scanner (printer, fax machine, copier, and scanner may be integrated into a single device), available for resident use*;
 - g) Tennis court;
 - h) Basketball court;
 - i) Volleyball court;
 - j) Kitchen available for resident use*;
 - k) Social room available for resident use*;

*These amenities may be within the amenity center and each one qualifies toward the amenity requirement.

6.8. Landscaping

 The landscape development standards outlined in Part III, Section 8-10 of The Code of Ordinances (2018 Edition), City of Round Rock, Texas, 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-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 two (2) two-inch (2") caliper large species trees, whether through the preservation of existing trees or planting of twoinch (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, and common open spaces.

7. <u>CHANGES TO DEVELOPMENT PLAN</u>

7.1. 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.

7.2. 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
Exhibit "B"	Concept Plan
Exhibit "C"	Perimeter Fencing
Exhibit "D"	Setbacks



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Exhibit "A" – Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 19.3468 ACRES (842,748 SQUARE FEET) OF LAND OUT OF THE DAVID CURRY SURVEY, ABSTRACT NO. 130, IN WILLIAMSON COUNTY, TEXAS, CONVEYED TO AUSTIN MKA INVESTMENTS, LTD., AND RECORDED IN DOCUMENT NO. 2015085310 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.T.), SAID 19.3468 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found at an angle point in the west right-of-way line of Chisholm Trail Road (right-of-way varies), and being at the southeast corner of a called 5.00 acre tract conveyed to Bessie May Behrens, and recorded in Document No. 2014094322 (O.P.R.W.C.T.), said 5.00 acre tract (described as Homestead Tract) described by metes and bounds in Volume 2059, Page 834 of the Official Records of Williamson County, Texas (O.R.W.C.T.), and being the northeast corner of said Austin MKA Investments tract, for the northeast corner and **POINT OF BEGINNING** hereof, from which a 1/2-inch iron rod found at a corner in the west right-of-way line of said Chisholm Trail Road, and being in the south line of a called 38.665 acre tract also conveyed to Bessie May Behrens in said Document No. 2014094322 (O.P.R.W.C.T.), said 38.665 acre tract (described as Tract III) also described by metes and bounds in said Volume 2059, Page 834 (O.R.W.C.T.), and being the northeast corner of said Behrens Homestead Tract bears, N06°03'57"E, a distance of 138.91 feet, and N19°48'52"E, a distance of 40.11 feet;

THENCE, with the west right-of-way line of said Chisholm Trail Road and the east line of said Austin MKA Investments tract, **S00°48'18"W**, a distance of **718.69** feet to a 1/2-inch iron rod with "Wallace Group" cap found for the southeast corner hereof, said point being a corner in the west right-of-way line of said Chisholm Trail Road;

THENCE, leaving the east line of said Austin MKA Investments tract, in part with the west right-of-way line of said Chisholm Trail Road, in part with the north line of Lot 1, Block A, of Group 1 Body Shop Final Plat, recorded in Document No. 2015094708 (O.P.R.W.C.T.), and over and across said Austin MKA Investments tract, the following three (3) courses and distances:

- 1) **N89°11'02"W**, passing at a distance of 19.96 feet, a 1/2-inch iron rod with "Wallace Group" cap found for a corner in the west right-of-way line of said Chisholm Trail Road, and being the northeast corner of said Lot 1, Block A, Group 1 Body Shop Final Plat, and continuing for a total distance of **293.16** feet to a 1/2-inch iron rod with "Wallace Group" cap found for an angle point hereof,
- 2) S71°30'17"W, a distance of 321.52 feet to a calculated point (falling inside a wood fence post) for an angle point hereof, and
- 3) S61°54'31"W, passing at a distance of 810.58 feet, a 1/2-inch iron rod found at the northwest corner of said Lot 1, Block A, Group 1 Body Shop Final Plat, and being a corner in the east right-of-way line of the Georgetown Railroad (right-of-way varies), and continuing for a total distance of 822.08 feet to a 1/2-inch iron rod with "Wallace Group" cap found for the southwest corner hereof, said point being at a corner in the east right-of-way line of said Georgetown Railroad;

THENCE, with the east right-of-way line of said Georgetown Railroad, the following three (3) courses and distances:

- 1) N00°48'54"W, a distance of 608.57 feet to a 1/2-inch iron rod with "Wallace Group" cap found for an exterior ell-corner hereof,
- 2) N69°42'05"E, a distance of 10.61 feet to a 1/2-inch iron rod with "Wallace Group" cap found for an interior ell-corner hereof, and
- 3) N01°07'27"W, a distance of 82.17 feet to a calculated point (falling inside a wood fence post) for the northwest corner hereof, said point being at the southwest corner of said Behrens Tract III, and being in the north line of said Austin MKA Investments tract;

THENCE, leaving the east right-of-way line of said Georgetown Railroad, in part with the south lines of said Behrens Tract III and said Behrens Homestead Tract, and with the north line of said Austin MKA Investments tract, N69°06'12"E, a distance of 1,427.59 feet to the POINT OF BEGINNING, and containing 19.3468 Acres (842,748 Square Feet) more or less.

NOTE:

All bearings are based on the Texas State Plane Coordinate System, Grid North, Central Zone (4203); all distances were adjusted to surface using a combined scale factor of 1.000123356244. See attached sketch (reference drawing: 00391_Update_rev.dwg)

7/1/19

Jason Ward, RPLS #5811 4Ward Land Surveying, LLC







ARD Δ Land Surveying

Williamson County, Texas

PO Box 90876, Austin Texas 78709 WWW.4WARDLS.COM (512) 537-2384

GUY ANCHOR AIR CONDITIONER UNIT B GRILL/BBQ GRILL
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LEGEND

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SIGN (AS NOTED)

[.....] RECORD INFORMATION PER PLAT DOC. NO. 2015094708

UTILITY POLE

BOLLARD (UNLESS NOTED)

1/2" IRON ROD FOUND (UNLESS NOTED)

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E. AN EASEMENT GRANTED TO LONE STAR GAS COMPANY BY INSTRUMENT RECORDED IN VOLUME 562, PAGE 525, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS. [SUBJECT TO - SHOWN ON SURVEY] C. EASEMENT AND RIGHT OF WAY DATED SEPTEMBER 6, 1983, GRANTED BY LEROY LANGE TO TEXAS POMER & LIGHT COMPANY AND SOUTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN VOLUME 1033, PACE 76, GFTIOLAL RECORDS OF WILLINGSON COUNTY, TEXAS. [POSSIBLY SUBJECT TO; CANNOT PLOT WITH ANY CERTAINTY]

TITLE COMMITMENT NOTES: COMMINENT FOR THE INSURANCE PREPARED BY: STEWART TITLE QUARANTY COMPANY GY, NO: 0134-01737 EFFECTIVE DATE: APRIL 20, 2019 ISSUED: JANE 6, 2019

1) DELETED

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ISSUE: VARE 6, AVIA THE SURVICE NAR RELED UPON THE REFERENCED COMMITMENT FOR THE REGARDING EXEMPTIS. RESTRICTIONS, AND OTHER WATTERS AFFECTING THIS REOPERTY. NO ADDITIONAL RESEARCH WAS DONE FOR THE REPROSE OF THIS SURVICE. TIESN LISTED AND EVENDED ACCOMPONING TO THE COMMITMENT, FOLLOWED BY SURVEYOR'S NOTES AND/OR OBSERVATIONS SHOWN IN BRACKETS.[]]

10) THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS:

B. AN EASEMENT GRANTED TO TEXAS POWER & LIGHT COMPANY BY INSTRUMENT RECORDED IN VOLUME 281, PAGE 303, OF THE DEED RECORDS OF WILLMASON COUNTY, TEXAS. [POSSBEY SUBJECT TO: CAMNOT PLOY WITH ANY CERTINITY]

AN EASEMENT GRANTED TO TEXAS POWER & LIGHT COMPANY BY INSTRUMENT RECORDED IN VOLUME 370, PAGE 241, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS. [POSSBLY SUBJECT TO; CANNOT PLOT WITH ANY CERTAINTY]

- E.

- AN EASEMENT AND RIGHT OF WAY GRANTED TO TEXAS POWER & LIGHT COMPANY BY INSTRUMENT RECORDED IN VOLUME 545, PAGE 167, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS. [SUBJECT TO SHOWN ON SURVEY]
- - - THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON MILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THIS FLOOD STATEMENT SHALL NOT CREATE LUBRITY ON THE PART OF THE SURVEYOR.

D. AN EASEMENT GRANTED TO TEXAS POWER & LIGHT COMPANY BY INSTRUMENT RECORDED IN VOLUME 536, PAGE 526, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS. [SUBJECT TO - SHOWN ON SURVEY] ELOODPLAIN NOTE: THIS PROPERTY IS LOCATED WITHIN ZONE 'X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON F.I.R.M. PANEL NO.48491C 0490E, WILLIAMSON COUNTY, TENAS DATED SEPTEMBER 28, 2008.

2) SEE ATTACHED METES AND BOUNDS DESCRIPTION.

GENERAL NOTES: 1) PROPERTY ADDRESS: 3000 CHISHOLM TRAIL RD., ROUND ROCK, TEXAS 78681

THE LOCATION OF FENCES AND THE SIZE AND LOCATION OF UTILITY STRUCTURES, (IF SHOWN), MAY BE EXAGGERATED FOR GRAPHICAL CLARITY.

4) UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON UTILITY MAPS PROVIDED BY THE VARIOUS UTILITY COMPANIES. TEXAS811 WAS CONTACTED TO MARK UTILITIES FOR THIS SITE HOWEVER, NO UTILITIES WERE MARKED.

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BEARING BASIS: ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NADB3, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF LODO/23356244.

LEGAL DESCRIPTION: BENG ALL OF A 19.3468 CREES (842,748 SQUARE FEET) OF LAND OUT OF THE DAND OWNY SUNCY, ASTRACT NO. 150, IN MILLIANSON COUNTY, TEXAS, CONVEND TO AUSTIN MUN MORENERS, LTD., AND ACCOUNT, TEXAS (DATA ALL OF ALL OF ALL FEELD RECENSE OF MILLIANSON COUNTY, TEXAS (DATA ALL OF ALL OF ALL FEELD RECENSE OF MILLIANSON COUNTY, TEXAS (DATA ALL OF ALL OF ALL ALL OF AL





