

**EXHIBIT
"B"**

**A.W. GRIMES TOWHHOMES
PLANNED UNIT DEVELOPMENT NO. 133**

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 2735 SAW GRIMES 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 9.24 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 September 15, 2021, 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:

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.9.

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. 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 PLAN

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 9.24 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. CONCEPT PLAN

Exhibit “B” shall serve as the Concept Plan for the project, according to Section 10-26 of the Code.

6. COMPREHENSIVE PLAN

Approval of this Development Plan amends the Future Land Use Map of the comprehensive plan for land uses.

7. PERMITTED USES

7.1. Single Family Attached, Common Lot: one or more single family attached residential dwellings located on a single ownership lot, with each dwelling unit having a private external entrance, private parking, and a private yard area.

(1) Access shall be provided via private drive aisles.

- (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 108 dwelling units shall be permitted.

8. DEVELOPMENT STANDARDS

8.1. Design Features

- (1) On two story homes with a rear side facing any property boundary, the following shall be required on the second-floor elevation:
 - (a) All windows to have one window enhancement from the following list:
 - i. Shutters
 - ii. Awnings or shed roofs
 - iii. Arch windows
 - (b) One design feature from the following list:
 - i. Board and batten siding
 - ii. Balcony
 - iii. Building offset
 - iv. Box window
 - (c) Garage Door Treatment
 - i. 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.

8.2. Yard Fencing

- (1) 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" with metal posts and treated rails, or other equivalent materials approved by the Zoning Administrator.
- (2) No fences permitted between the front of the house and the drive aisle.
- (3) All fences shall provide a finished face to abutting drive aisles.
- (4) Fences shall not conflict with sight visibility triangles at drive aisle intersections or obstruct views from adjacent driveways.
- (5) Fence posts for all new fences shall be constructed of rust-resistant metal parts, concrete based masonry, or concrete pillars of sound structural integrity.
- (6) Fence posts and fence panels for non-wood fences shall be capped.
- (7) Maximum fence height: six (6) feet.

8.3. Perimeter Fencing & Landscaping

- (1) A subdivision wall, in compliance with Section 4-30 of the Code, shall be constructed along the AW Grimes Blvd frontage of the property and a wood fence, as described in Section 6.3 (1) above, will be constructed along the remaining perimeter, as indicated on **Exhibit "B"**.
- (2) Landscaping along the portion of the wall facing AW Grimes Blvd. shall contain the following minimum landscaping:

- (a) One large shrub, small shrub, or ornamental grass per four (4) linear feet, or fraction thereof. Any combination of large shrubs, small shrubs, and ornamental grasses is acceptable.

8.4. Building Setbacks & Separation

- (1) Individual condominium lot building setbacks shall be according to **Exhibit “C”**. 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.
- (2) The minimum building setback from any property boundary shall be 16 feet.

8.5. Private Drive Aisles

- (1) Each private drive aisle shall be a minimum of 26-feet in width measured from ‘face of curb’ to ‘face of curb’, with a four foot (4’) wide sidewalk on one side of the drive.
- (2) Private drive aisles may be gated, subject to the access requirements established by the Fire Marshal and the Code.
- (3) 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.

8.6. Parking

- (1) A total of four (4) resident parking spaces per unit are required:
 - (a) 2 garage enclosed parking spaces; and
 - (a) 2 parking spaces located in front of the garage and outside of the private access drive and sidewalk.
- (4) Guest parking shall be provided as required:
 - (a) A minimum of one (1) guest parking space must be provided for every four (4) residential buildings.
 - i. The maximum distance from the required guest parking to the unit(s) is four hundred feet (400’), measured along the drive lanes.
 - ii. Parking spaces shall be adjacent to the drive aisles and aligned 90-degrees and shall be designed in accordance with City Transportation Design and Construction Standards.

8.7. Landscaping

- (1) The landscape development standards outlined in Section 46-195, Landscaping, 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-*

Wish Guide for Central Texas, created by the Texas Cooperative Extension, Grow Green and the Lady Bird Johnson Wildflower Center.

- (c) Large species trees totaling six caliper inches shall be provided for each single-family dwelling unit. This may be achieved through the preservation of existing protected trees within the Property or the planting of two (2) three-inch (3") caliper container-grown trees.

8.8. Amenities

A total of four (4) amenities accessible to all residents shall be provided. Amenities shall be chosen from the list contained in Section 2-20 (f) of the Code.

8.9. Parkland Requirement

The TH (Townhouse) zoning district shall be used for the purpose of applying Chapter 4, Article V of the Code to determine the parkland requirement.

8.10. Protected Tree Size

Trees having a diameter of 20 inches, or more are protected trees for the purpose of applying Chapter 8, Article III – Tree Protection and Preservation.

8.11. Maintenance

A private home-owner's association shall be established for the maintenance of private drive aisles, private utility lines, landscape areas, signage, walls, medians, common open spaces, stormwater detention areas and any other non-public infrastructure.

9. CHANGES TO DEVELOPMENT PLAN

9.1. Minor Changes

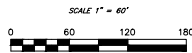
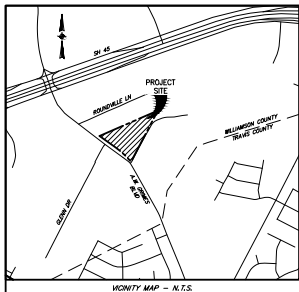
Minor changes to this Plan which do not substantially and adversely change this Plan may be approved administratively, if approved in writing by the Director of Planning and Development Services and the City Attorney.

9.2. 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"	Home site setbacks



NOTES:

- The survey shown hereon has been prepared as the result of an on the ground survey completed on July 16, 2021.
- The bearings shown hereon are referenced to the Texas Coordinate System of 1983, Central Zone.
- Coordinates and distances shown are Surface Values. Combined Scale Factor is 1.000129523.
- The recorded easements, setbacks and encumbrances shown hereon are from Schedule B of the commitment for title insurance issued by Chicago Title Insurance Company, of No. C1A2102968, effective date June 1, 2021, issue date June 7, 2021. The Surveyor has relied upon the accuracy and completeness of the information described above and has made no independent investigation or search for this information.
- By scaling the surveyed tract onto the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 484910635F, revised date December 20, 2019, the subject property is in ZONE X (unshaded), defined as areas determined to be outside the 0.25% annual chance floodplain. The Surveyor makes no representation as to the accuracy of said FIRM or that it is the most current published flood map.
- The utility appearances shown hereon include those visible at the time of the survey and are for general locative purposes only. In providing the boundary survey, no attempt has been made to obtain or show data concerning existence, size, depth, condition, capacity or location of any utility existing on or adjacent to the site, whether private, municipal or public owned.
- The buildings and other improvements shown hereon represent the outline of ground level. The Surveyor has not located any underground buildings, overhead structures or improvements not obvious and located at ground level, unless otherwise noted.
- Surveyor has not identified any geological or environmental conditions in connection with the subject property and Surveyor fully disclaims any and all responsibility related to issues or claims related thereto or resulting therefrom.
- There was not observed evidence of recent earth moving, building construction or building additions.
- There was not observed evidence of recent street or sidewalk construction or repairs.
- There were no encroachments observed during fieldwork.
- There were no clearly identifiable parking spaces observed during fieldwork.

LEGEND

- IRON ROD FOUND
- 5/8" IRON ROD SET W/CAP
- STAMPED "JONES/CARTER"
- CALCULATED POINT
- ▲ WATER VALVE
- ▲ UTILITY POLE
- ▲ GUY ANCHOR
- ▲ SIGN
- ▲ WASTEWATER MANHOLE
- ▲ FIRE HYDRANT
- TELEPHONE PEDESTAL
- TELEPHONE CABLE MARKER
- ELECTRIC CONTROL BOX
- STORM MANHOLE
- STW OVERHEAD UTILITIES
- BARBED WIRE FENCE
- CHAIN LINK FENCE
- EDGE OF ASPHALT
- AREA OF CONCRETE
- SCHEDULE B ITEM NO.
- O.P.R.W.C.T. OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS

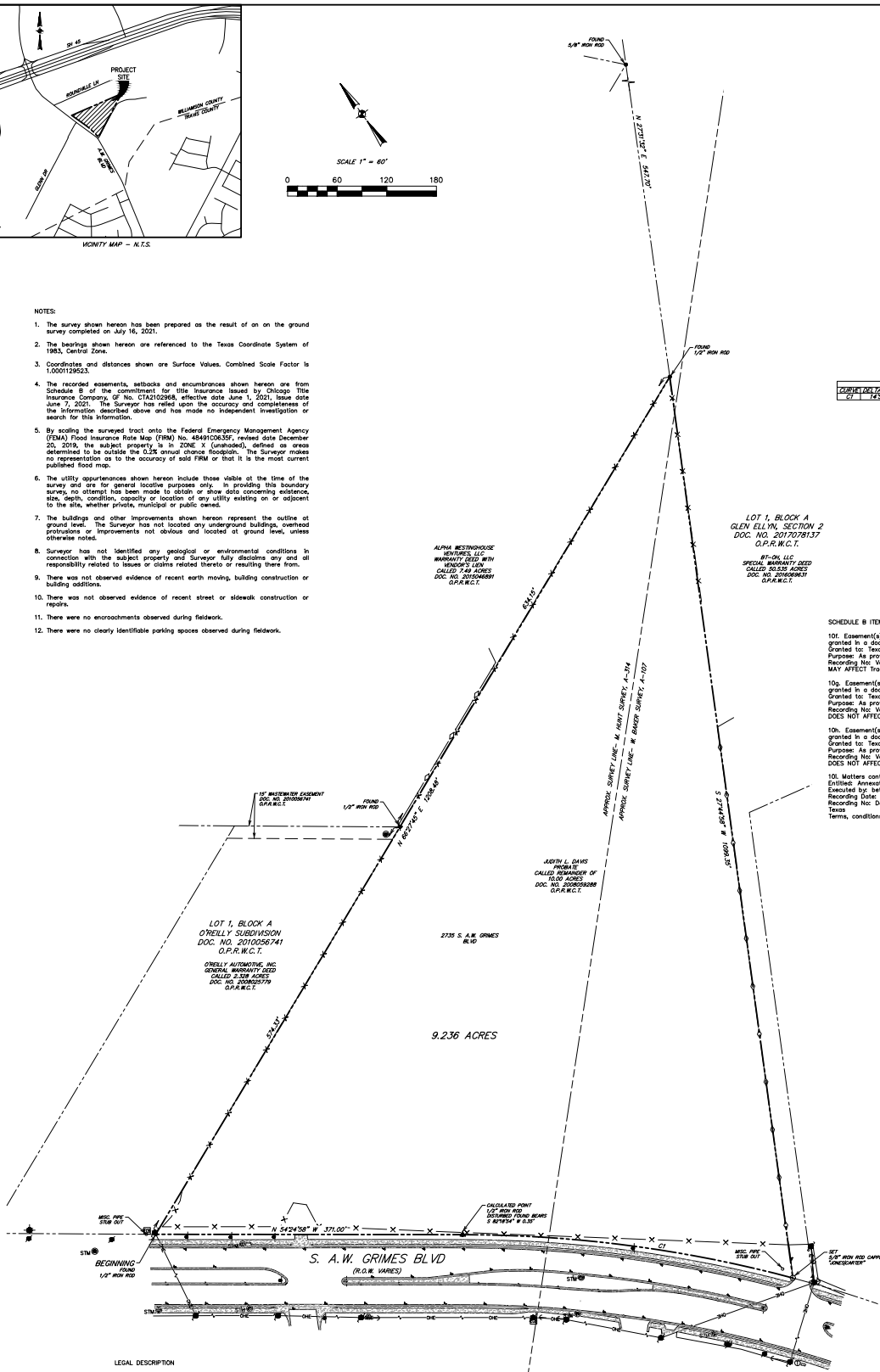
DETERMINATE	ANALYST	DATE	PROJECT NO.	SECTION	BEARING	LENGTH
CT	1430100	1/25/2021	463.57	N 47°00'00" W	466.47	

LOT 1, BLOCK A
GLEN ELLYN, SECTION 2
DOC. NO. 2017078137
O.P.R.W.C.T.

ST-ON, LLC
SPECIAL WARRANTY DEED
CALLED 0.622 ACRES
DOC. NO. 201608087
O.P.R.W.C.T.

SCHEDULE B ITEMS:

- 10f. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: Texas Power & Light Company
Purpose: As provided in said instrument.
Recording No. Volume 281, Page 351, Deed Records of Williamson County, Texas
MAY AFFECT Tract, location cannot be determined from document.
- 10g. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: Texas Power & Light Company
Purpose: As provided in said instrument.
Recording No. Volume 505, Page 310, Deed Records of Williamson County, Texas
DOES NOT AFFECT.
- 10h. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: Texas Power & Light Company and Southwestern Bell Telephone Company
Purpose: As provided in said instrument.
Recording No. Volume 705, Page 832, Deed Records of Williamson County, Texas
DOES NOT AFFECT.
- 10i. Matters contained in that certain document:
Entitled: Interim Development Agreement
Executed by: between the City of Round Rock, Texas, and Judith L. Davis
Recording Date: June 4, 2015
Recording No. Document No. 2015046230, Official Public Records of Williamson County, Texas
Terms, conditions and stipulations DO AFFECT.



LEGAL DESCRIPTION

BEING a 9.236 acre tract of land situated in the M. Hunt Survey, Abstract No. 314 and in the M. Barker Survey No. 74, Abstract No. 107, Williamson County, Texas and being the remainder portion of a called 10.00 acre tract of land described in Probate to Judith L. Davis recorded in Document No. 200805288 of the Official Public Records of Williamson County, Texas, said 9.236 acre tract of land being more particularly described by metes and bounds as follows with bearings referenced to the Texas Coordinate System of 1983, Central Zone:

BEGINNING, at a 1/2" iron rod found on the northeastern line of South A.W. Grimes Boulevard (a variable width right-of-way) for the southern corner of Lot 1, Block A of O'Reilly Subdivision as recorded in Document No. 2010056741, for the northern corner of a 0.622 acre right of way dedication tract in Special Warranty Deed to Williamson County, Texas, recorded in Document No. 201024334, both of the Official Public Records of Williamson County, Texas, for the POINT OF BEGINNING and the western corner of this herein described tract;

THENCE, North 66°27'45" East along the northeastern line of the said 10.00 acre tract, the southeastern line of the said Lot 1, Block A, the southeastern line of a called 7.49 acre tract of land described in Warranty Deed with Vendor's Lien to Alpha Resthouse Ventures, LLC recorded in Document No. 2015046891 of the Official Public Records of Williamson County, Texas, at 574.33 feet pass a 1/2" iron rod found 0.08 feet right of line for the eastern corner of the said 7.49 acre tract, for the northern corner of the said 7.49 acre tract, in all a distance of 1208.48 feet to a 1/2" iron rod found for the eastern corner of the said 7.49 acre tract, for the northern corner of the said 10.00 acre tract, a corner of Lot 1, Block A, Glen Elyn Section 2 as recorded in Document No. 2017078137 of the Official Public Records of Williamson County, Texas, for the northern corner of this herein described tract, from which a 5/8" iron rod found for a corner of the said Lot 1, Block A, Glen Elyn Section 2, the southwestern corner of Lot 3, Block A, Glen Elyn Section 2, and the northern corner of the said 7.49 acre tract bears North 27°31'32" a distance of 547.70 feet;

THENCE, South 27°44'58" West a distance of 1099.35 feet along the southeastern line of the said 10.00 acre tract, the northeastern line of the said Lot 1, Block A to a 5/8" iron rod with cap stamped "JONES/CARTER" set on the northeastern line of South A.W. Grimes Boulevard for the western corner of the said Lot 1, Block A, for the southern corner of the said 0.622 acre right of way dedication tract, for the southern corner of this herein described tract;

THENCE, across the said 10.00 acre tract, along the northern lines of South A.W. Grimes Boulevard and the said 0.622 acre tract the following courses and distances: 1. With a non-tangent curve to the left having a Delta angle of 145°05', a Radius of 1550.00 feet and an Arc length of 403.57 feet having a chord bearing of North 47°07'27" West a distance of 403.43 feet to a calculated point for a corner of the said 0.622 acre right of way dedication tract, for a corner of this herein described tract, from which a 1/2" iron rod disturbed found bears South 82°18'54" West a distance of 0.35 feet; 2. North 54°24'58" West a distance of 371.00 feet to the POINT OF BEGINNING and CONTAINING an area of 9.236 acres of land.

SURVEYOR'S CERTIFICATION

To HDR Holdings LLC, Chicago Title Insurance Company and Chicago Title of Texas, LLC.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 7(a), 8, 9, 11 (observed evidence only), 13, 16 and 17 of Table A thereof. The fieldwork was completed on July 16, 2021.

Drawing Date: July 21, 2021

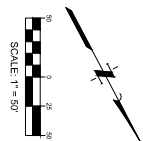
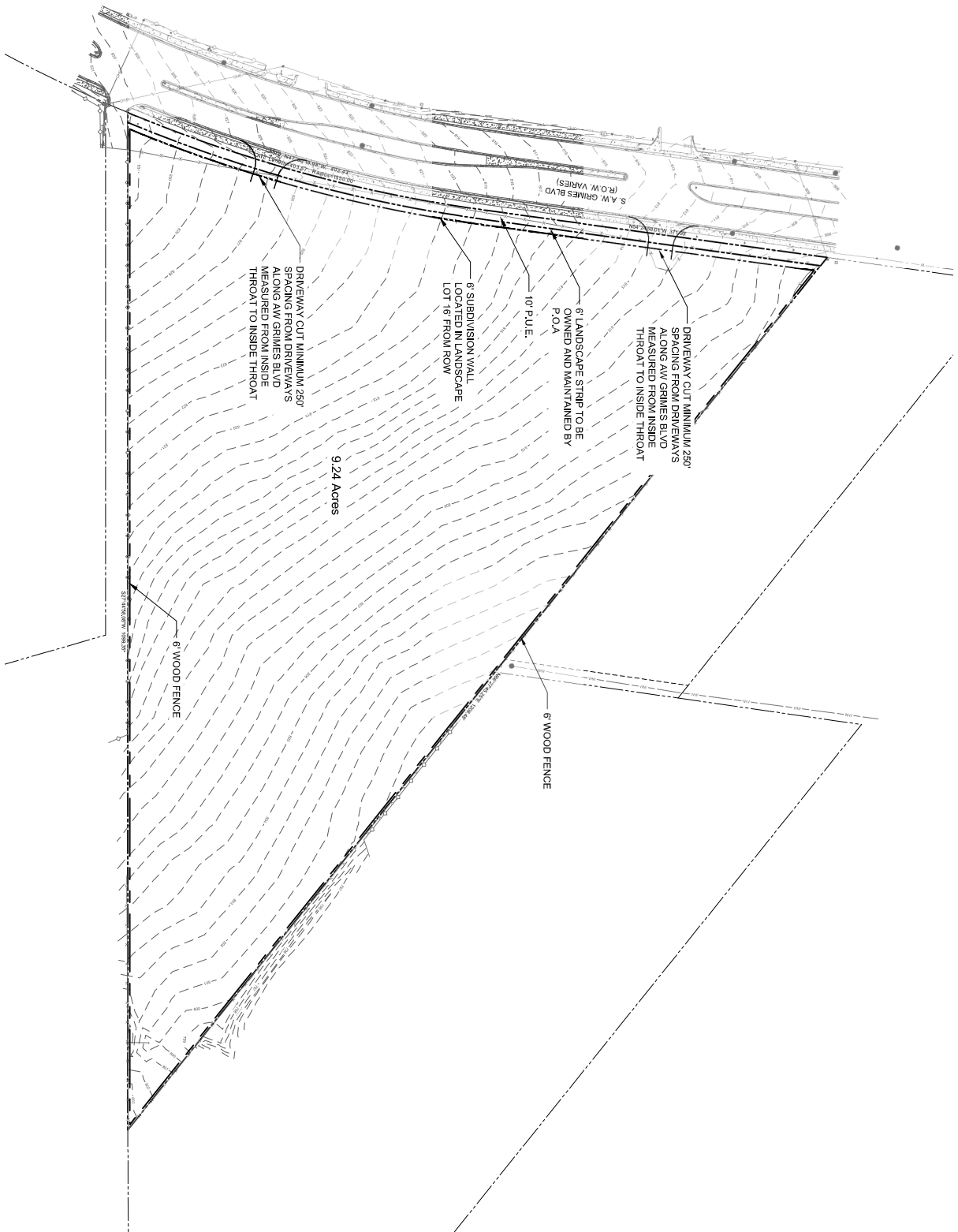
Re
Re L. Hassett
Registered Professional Land Surveyor No. 5573



EXHIBIT 'A'

**ALTA/NSPS LAND
TITLE SURVEY
OF
9.236 ACRES
OUT OF THE
M. HUNT SURVEY, A-314, W.
BARKER SURVEY, A-107
CITY OF ROUND ROCK, WILLIAMSON
COUNTY, TEXAS
JULY 2021**

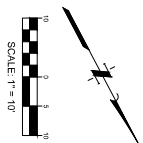
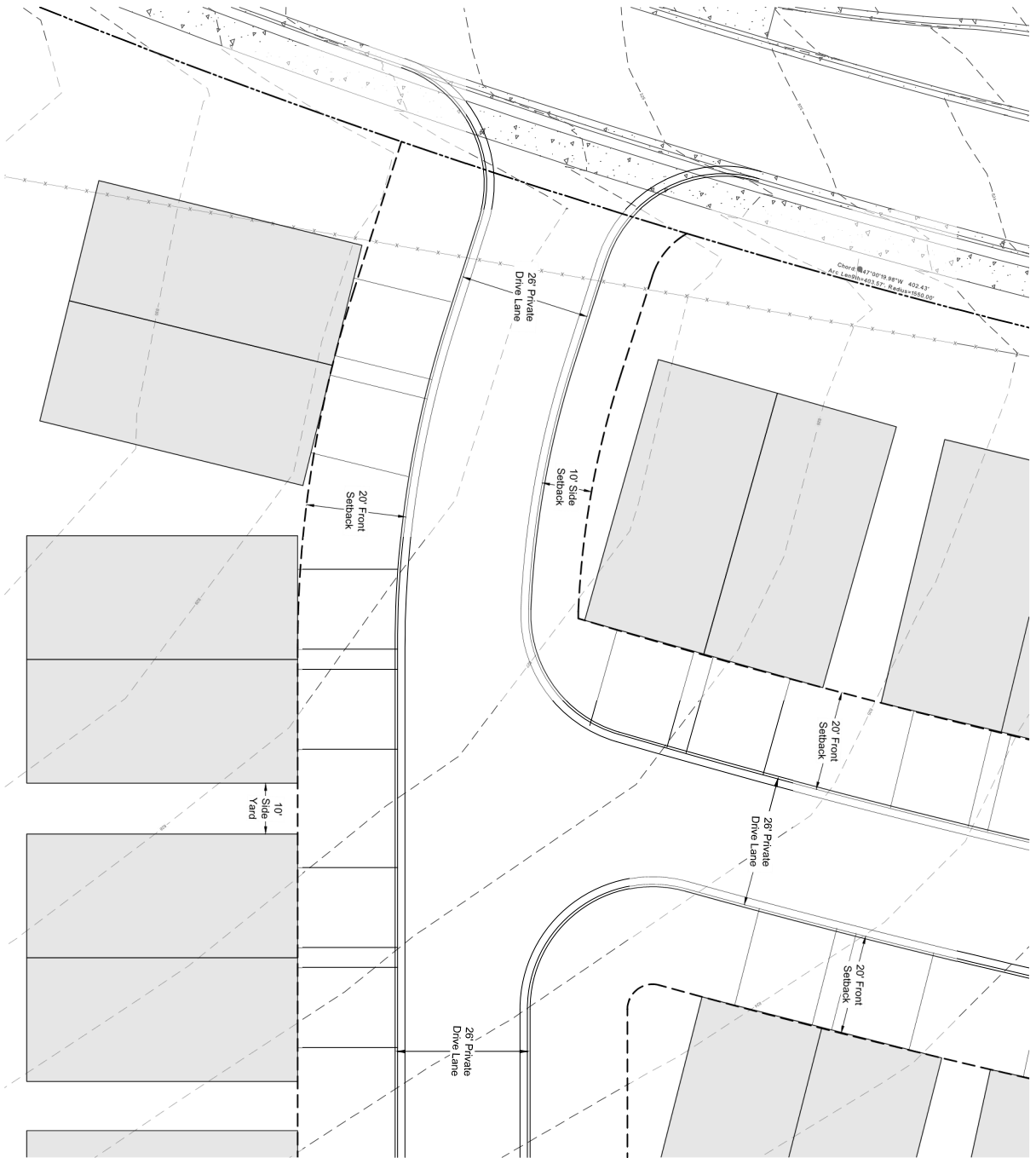




A.W. GRIMES TOWNHOMES
EXHIBIT B
CONCEPT PLAN

JONES & CARTER
JONES & CARTER
10000 West of Highway 100, Suite 100, Houston, TX 77036
Tel: 281.416.1000 Fax: 281.416.1001

SCALE: 1" = 50'
DATE: 9/1/21
JOB NO.: 17232-0004-01



- NOTES:
1. MINIMUM 16' REAR SETBACK FROM ANY PROPERTY BOUNDARY
 2. FRONT SETBACK SHALL BE 24-FEET WHEN A 4-FOOT SIDEWALK IS LOCATED ALONG THE PRIVATE DRIVE LANE

A.W. GRIMES TOWNHOMES
Exhibit C
Typical Building Setbacks

JONES CARTER
A Division of Parsons Brinckerhoff, Inc.
1000 North 17th Street, Suite 1000
Birmingham, AL 35203
Phone: (205) 991-1000
Fax: (205) 991-1001
www.jonescarter.com

SCALE: 1" = 10'
DATE: 9/1/2021
JOB NO.: 17232-0004-01