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THE STATE OF TEXAS *

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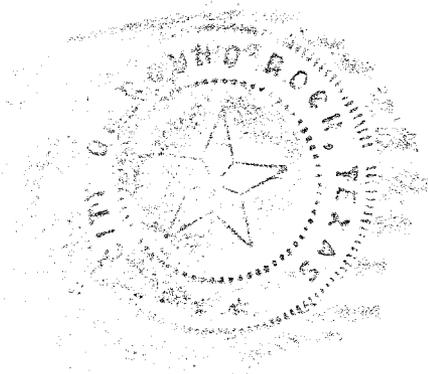
COUNTY OF WILLIAMSON *

CITY OF ROUND ROCK *

I, JOANNE LAND, Assistant City Manager/City Secretary of the City of Round Rock, Texas, do hereby certify that the above and foregoing is a true and correct copy of an ordinance passed and adopted by the City Council of the City of Round Rock, Texas, at a meeting held on the 24th day of October, 1996 which is recorded in the minutes of the City of Round Rock in Book 35.

CERTIFIED by my hand and seal of the City of Round Rock, Texas on this 9th day of December, 1996.

Joanne Land
JOANNE LAND, Assistant City Manager/
City Secretary



ORDINANCE NO. Z-96-10-24-90

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROUND ROCK, TEXAS ADOPTED IN SECTION 11.305(2), CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO RE-ZONE 23.7428 ACRES OF LAND, CURRENTLY ZONED GENERAL INDUSTRIAL (I-1) AND GENERAL COMMERCIAL (C-1), TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT NO. 30.

WHEREAS, an application has been made to the City Council of the City of Round Rock, Texas to amend the Official Zoning Map to re-zone the property described in Exhibit "A", attached hereto and incorporated herein, as Planned Unit Development (PUD) No.30, said Exhibit "A" being attached hereto and incorporated herein, and

WHEREAS, the City Council has submitted the requested change in the Official Zoning Map to the Planning and Zoning Commission for its recommendation and report, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested change on the 9th day of October, 1996, following lawful publication of the notice of said public hearing, and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that the Official Zoning Map be amended so that the zoning classification of the property described in Exhibit "A" be changed to PUD No. 30, and

WHEREAS, on the 9th day of October, 1996, after proper notification, the City Council held a public hearing on the requested amendment, and

WHEREAS, the City Council determines that the zoning provided for herein promotes the health, safety, morals and protects and preserves the general welfare of the community, and

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, and Section 11.300, Code of Ordinances (1995 Edition), City of Round Rock, Texas concerning public notices, hearings, and other procedural matters has been fully complied with, Now Therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS, THAT:

I.

That the City Council has hereby determined the Planned Unit Development (PUD) No. 30 meets the following goals and objectives:

- (1) The development in PUD No. 30 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) P.U.D. No. 30 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) P.U.D. No. 30 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 general welfare.
- (4) P.U.D. No. 30 will be adequately provisioned by essential public facilities and services including streets, parking, drainage, water, wastewater facilities, and other necessary utilities.
- (5) P.U.D. No. 30 will be constructed, arranged and maintained so as not to dominate, by scale and massing of structures, the immediate neighboring properties or interfere with their development or use in accordance with any existing zoning district.

II.

That the Official Zoning Map adopted in Section 11.305(2), Code of Ordinances (1995 Edition), City of Round Rock, Texas is hereby amended so that the zoning classification of the property described in Exhibit "A", attached hereto and incorporated herein shall be, and is hereafter designated as Planned Unit Development (PUD) No. 30, and that the Mayor is hereby authorized and directed to enter into the Agreement and Development Plan for PUD No. 30 attached hereto as Exhibit "B", which agreement shall govern the development and use of said property.

III.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

Alternative 1.

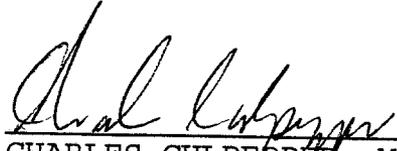
By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this 24th day of October, 1996.

Alternative 2.

READ and APPROVED on first reading this the _____ day of _____, 1996.

READ, APPROVED and ADOPTED on second reading this the _____ day of _____, 1996.



CHARLES CULPEPPER, Mayor
City of Round Rock, Texas

ATTEST:



JOANNE LAND, City Secretary

LEGAL DESCRIPTION OF LAND

Being all of that certain 23.7428 acre tract of land known as the remainder of Lot One (1), Round Rock West Section Three Revised (being all of said Lot One according to plat thereof recorded in Cabinet C, Slide 173, Williamson County Plat Records (WCPR) save and except for those portions of said Lot One subsequently replatted into Lot One of Lake Creek Center Section Two Revised, Lots Two, Three and Four, Block A, Lake Creek Center Section Three, 0.9400 acres dedicated as a 70 foot-wide right-of-way for Chisholm Trail Drive, as shown on map or plat of said Lake Creek Center Section Two, and 1.5200 acres conveyed to the City of Round Rock, Williamson County, Texas, for Park purposes by deed recorded in Volume 699, Page 486, Williamson County Deed Records) and all of Lake Creek Center Section One, according to the plat thereof recorded in Cabinet H, Slide 23, WCPR, all as more particularly described in metes and bounds as follows:

BEGINNING at an iron rod found marking the most Northwesterly corner of the herein described tract, same being located in the Northeasterly right-of-way line of Round Rock West Drive (70 feet in width), and being further located South 29°16' East-56.47 feet from the Northwesterly corner of said Lot One, Round Rock West Section Three Revised, same being the most Southwesterly corner of that certain 1.520 acre tract conveyed to the City of Round Rock by Deed recorded in Volume 699, Page 486, WCDR;

THENCE, with the Northerly line of the herein described tract and the Southerly line of said 1.520 acre tract the following nine (9) courses and distances:

- (1) North 60°54' East, a distance of 23.61 feet to a point for corner;
- (2) North 45°49' East, a distance of 262.31 feet to a point for corner;
- (3) North 55°57' East, a distance of 243.46 feet to a point for corner;
- (4) North 64°02' East, a distance of 298.41 feet to a point for corner;
- (5) North 71°00' East, a distance of 154.96 feet to a point for corner;
- (6) South 74°27' East, a distance of 51.53 feet to a point for corner;
- (7) North 72°23' East, a distance of 363.74 feet to a point for corner;
- (8) North 82°21' East, a distance of 130.93 feet to a point for corner;
- (9) North 83°04' East, a distance of 105.45 feet to an iron rod set marking the Northeast corner of the herein described tract, same being located in the West line of said Lot One, Lake Creek Center Section Two Revised;

THENCE, South 21°53'45" East, with the West line of said Lot One, Lake Creek Center Section Two Revised, a distance of 216.20 feet to an iron found marking the original Northwest corner of said Lot One, Lake Creek Center - Section Two;

THENCE, South 21°53'54" East, with the said West line of Lot One, Lake Creek Center Section Two Revised, a distance of 185.56 feet to an iron rod found marking the Northeast corner of said Chisholm Trail Drive Right-of-Way;

THENCE, South 68°06'06" West, with the Northerly line of said Chisholm Trail Drive Right-of-Way, a distance of 70.00 feet to a nail found in asphalt for the Northwest corner of said Chisholm Trail Drive Right-of-Way;

EXHIBIT "A"

DESCRIPTION

THENCE, SOUTH $21^{\circ}53'54''$ East, with the West line of said Chisholm Trail Drive Right-of-Way, a distance of 331.79 feet to an iron rod found marking a point of curvature;

THENCE, in a Southeasterly direction along the arc of a curve to the right and with the said West right-of-way line of Chisholm Trail Drive, said curve having a radius of 324.48 feet, an arc length of 208.53 feet, a chord bearing and distance of South $03^{\circ}29'07''$ East-204.96 feet to an iron rod set for point of compound curvature;

THENCE, in a Southwesterly direction along the arc of a curve to the right, said curve having a radius of 20.00 feet, an arc length of 31.42 feet, a chord bearing and distance of South $59^{\circ}57'30''$ West-28.28 feet to a concrete monument found for point of tangency in the North right-of-way of Round Rock West Drive;

THENCE, with the said North right-of-way line of Round Rock West Drive and the South line of said Lot One, Round Rock West Section Three Revised, the following five (5) courses and distances:

- (1) North $75^{\circ}00'20''$ West, a distance of 193.96 feet to an iron rod found for point of curvature;
- (2) In a Northwesterly direction along the arc of a curve to the left, said curve having a radius of 1554.75 feet, an arc length of 606.50 feet, a chord bearing and distance of North $86^{\circ}12'12''$ West-602.65 feet to an iron rod found for point of tangency;
- (3) South $82^{\circ}38'$ West, a distance of 481.78 feet to an iron rod found for point of curvature;
- (4) In a Northwesterly direction along the arc of a curve to the right, said curve having a radius of 335.29 feet, an arc length of 398.40 feet, a chord bearing and distance of North $63^{\circ}19'30''$ West-375.37 feet to an iron rod found for point of tangency; and
- (5) North $29^{\circ}16'$ West, a distance of 103.73 feet to the POINT OF BEGINNING and containing 23.7428 acres of land.

EXHIBIT "B"

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

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§
§

AGREEMENT AND
DEVELOPMENT PLAN
FOR PARK WEST
PUD NO. 30

THIS AGREEMENT and Development Plan is made and entered by and between the City of Round Rock, Texas, a Texas municipal corporation, having its offices at 221 East Main Street, Round Rock, Texas 78664 (hereinafter referred to as the "City"), and ROUND ROCK BUSINESS PARK, L.P., a Texas limited partnership, their respective successors and assigns, having its offices at 2000 S. IH-35, Suite Q-2, Round Rock, Texas 78681 (hereinafter referred to as the "Owner").

WHEREAS, the Owner has submitted a request to the City to zone 23.7428 acres of land as a Planned Unit Development ("PUD"), said acreage being more particularly described by metes and bounds in Exhibit "B-1" attached hereto and made a part hereof (hereinafter referred to as the "Property"), and

WHEREAS, on October 9, 1996, the Planning and Zoning Commission recommended approval of the Owner's application for a PUD, and

WHEREAS, pursuant to Chapter 11, Section 11.316(8), Code of Ordinances (1995 Edition), City of Round Rock, Texas, the Owner has submitted a Development Plan, attached hereto and incorporated herein as a part of this Agreement, said Development Plan stating in detail all development conditions and requirements within the PUD,

NOW THEREFORE BY THIS AGREEMENT WITNESSETH that, in consideration of the covenants and conditions set forth herein, the City and the Owner agree as follows:

I.

GENERAL PROVISIONS

1. CONFORMITY TO DEVELOPMENT PLAN

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

2. CHANGES AND MODIFICATIONS

That no changes or modifications will be made to this Agreement unless all provisions pertaining to changes or modifications as stated in Section II.10, below, are followed.

3. ZONING VIOLATION

That the Owner understands that any person, firm, corporation or other entity violating any conditions or terms of the Development Plan shall be subject to any and all penalties for the violation of any zoning ordinance as stated in Section 1.601, Code of Ordinances, (1995 Edition), City of Round Rock, Texas, as amended.

4. LIENHOLDER CONSENT

Owner represents and warrants that there is no lienholder with respect to the Property. Owner's affidavit thereof is attached hereto and incorporated herein as Exhibit "B-2".

5. MISCELLANEOUS PROVISIONS

5.1 Assignment.

Neither party may assign its rights and obligations pertaining to Living Unit Equivalents, water usage and land use under this Agreement without having first obtained the prior written consent of the other which consent shall not be unreasonably withheld. This section does not prevent the Owner from conveying the property, or any portion thereof, together with all development rights and obligations contained in this Agreement and Development Plan.

5.2 Necessary Documents and Actions.

Each party agrees to execute and deliver all such other and further instruments and undertake such actions as are or may become necessary or convenient to effectuate the purposes and intent of this Agreement.

5.3 Severability.

In case any one or more provisions contained herein are deemed invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision hereof and in such event, this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

5.4 Entire Agreement.

This Agreement constitutes the entire agreement of the parties and supersedes any prior or contemporaneous oral or written understandings or representations of the parties respecting the subject matter hereof.

5.5 Applicable Law.

This Agreement shall be construed under and in accordance with the laws of the State of Texas.

5.6 Venue.

All obligations of the parties created hereunder are performable in Williamson County, Texas and venue for any action arising hereunder shall be in Williamson County.

5.7 No Third Party Beneficiaries.

Nothing in this Agreement, express or implied, is intended to confer upon any person or entity, other than the parties hereto, any rights, benefits, or remedies under or by reason of this Agreement.

5.8 Duplicate Originals.

This Agreement may be executed in duplicate originals each of equal dignity.

5.9 Notices.

Until changed by written notice thereof any notice required under this Agreement may be given to the respective parties by certified mail, postage prepaid or by hand-delivery to the address of the other party shown below:

OWNER

Round Rock Business Park L.P.
2000 S. IH-35, Suite Q-2
Round Rock, Texas 78681

ROUND ROCK

City of Round Rock, Texas
221 East Main Street
Round Rock, Texas 78664
Attn: Director of Planning

5.10 Effective Date.

This Agreement shall be effective from and after the date of due execution hereof by all parties.

II.

DEVELOPMENT PLAN

1. DEFINITIONS

Words and terms used herein shall have their usual force and meaning, or as defined in the Code of Ordinances (1990 Edition), City of Round Rock, Texas, hereinafter referred to as "the Code".

2. PROPERTY

This Development Plan ("Plan") covers 23.7428 acres of land, located within the city limits of Round Rock, Texas, and more particularly described by metes and bounds in Exhibit "B-1" , attached hereto and incorporated herein.

3. PURPOSE

The purpose of this Plan is to insure a Planned Unit Development ("PUD") that 1) is equal to or superior to development that would occur under the standard ordinance requirements, 2) is in harmony with the General Plan, 3) does not have an undue adverse affect 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 to not dominate, by scale and massing of structures, the immediate neighboring properties or interfere with their development or use in accordance with any existing zoning district.

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 applicable sections in the Code.

4.2 Other Ordinances

All other Ordinances within the Code shall apply to the Property, except where clearly modified by this Plan.

5. PERMITTED USES

The permitted use of the Property, more particularly described in the Concept Plan attached hereto and incorporated herein as Exhibit "B-3", shall be as General Industrial (I-1), and General Commerical (C-1), except as modified in Exhibit "B-4", attached hereto and incorporated herein.

6. LOT DENSITY

Lot density shall be in accordance with the development standards set forth in Exhibit "B-4", attached hereto and incorporated herein.

7. BUILDINGS

Building size, dimension, height and setbacks for all tracts shall be in accordance with the development standards set forth in Exhibit "B-4", attached hereto and incorporated herein.

8. CONSTRUCTION - UTILITIES

Except where approved in writing by the Director of Public Works, all electrical, telephone and cablevision distribution and service lines, other than overhead lines three-phase or larger, shall be placed underground

9. WITHDRAWAL OF "COURTYARDS" PUD

Upon execution of this Agreement all previous applications for rezoning of the Property, including but not limited to the "Courtyards PUD", are hereby withdrawn.

10. CHANGES TO AGREEMENT AND DEVELOPMENT PLAN

10.1 Minor Changes

Minor changes to this Agreement or Plan required by engineering or other circumstances which do not substantially change this Plan may be approved by the Director of Planning or the Director of Public Works.

10.2 Major Changes

Major changes shall be resubmitted following the same procedure required in the original PUD application.

10.3 Changes in Writing

Neither this Agreement or Plan nor any provision hereof may be waived, modified, amended, discharged, or terminated except by an instrument in writing signed by the City and the current Owner.

11. GENERAL PLAN AMENDED

The Round Rock General Plan 1990 is hereby amended to reflect the provisions of this agreement.

12. BINDING EFFECT

This Agreement and Plan binds and is to the benefit of the respective heirs, successors and assigns of the Owner.

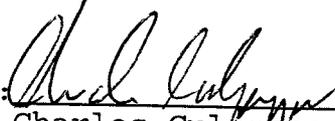
13. EFFECT ON LIVING UNIT EQUIVALENTS, AND OTHER INFRASTRUCTURE

The zoning of the Property as a PUD does not guarantee water and wastewater plant capacity or any rights to Living Unit Equivalents, as defined by the Code of Ordinances of the City of Round Rock.

14. SUNSET PROVISION

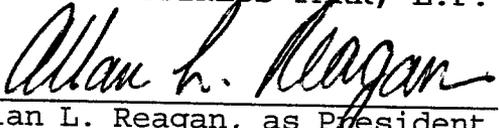
If a final plat has not been recorded on or before June 30, 1998, all of the Property shall revert to the pre-existing zoning classification of General Industrial (I-1) and General Commercial (C-1).

CITY OF ROUND ROCK

By: 
Charles Culpepper, Mayor

Date: 10-24-96

ROUND ROCK BUSINESS PARK, L.P.

By: 
Allan L. Reagan, as President
of Round Rock Business Park
GP, Inc., its General Partner

LEGAL DESCRIPTION OF LAND

Being all of that certain 23.7428 acre tract of land known as the remainder of Lot One (1), Round Rock West Section Three Revised (being all of said Lot One according to plat thereof recorded in Cabinet C, Slide 173, Williamson County Plat Records (WCPR) save and except for those portions of said Lot One subsequently replatted into Lot One of Lake Creek Center Section Two Revised, Lots Two, Three and Four, Block A, Lake Creek Center Section Three, 0.9400 acres dedicated as a 70 foot-wide right-of-way for Chisholm Trail Drive, as shown on map or plat of said Lake Creek Center Section Two, and 1.5200 acres conveyed to the City of Round Rock, Williamson County, Texas, for Park purposes by deed recorded in Volume 699, Page 486, Williamson County Deed Records) and all of Lake Creek Center Section One, according to the plat thereof recorded in Cabinet H, Slide 23, WCPR, all as more particularly described in metes and bounds as follows:

BEGINNING at an iron rod found marking the most Northwesterly corner of the herein described tract, same being located in the Northeasterly right-of-way line of Round Rock West Drive (70 feet in width), and being further located South 29°16' East-56.47 feet from the Northwesterly corner of said Lot One, Round Rock West Section Three Revised, same being the most Southwesterly corner of that certain 1.520 acre tract conveyed to the City of Round Rock by Deed recorded in Volume 699, Page 486, WCDR;

THENCE, with the Northerly line of the herein described tract and the Southerly line of said 1.520 acre tract the following nine (9) courses and distances:

- (1) North 60°54' East, a distance of 23.61 feet to a point for corner;
- (2) North 45°49' East, a distance of 262.31 feet to a point for corner;
- (3) North 55°57' East, a distance of 243.46 feet to a point for corner;
- (4) North 64°02' East, a distance of 298.41 feet to a point for corner;
- (5) North 71°00' East, a distance of 154.96 feet to a point for corner;
- (6) South 74°27' East, a distance of 51.53 feet to a point for corner;
- (7) North 72°23' East, a distance of 363.74 feet to a point for corner;
- (8) North 82°21' East, a distance of 130.93 feet to a point for corner;
- (9) North 83°04' East, a distance of 105.45 feet to an iron rod set marking the Northeast corner of the herein described tract, same being located in the West line of said Lot One, Lake Creek Center Section Two Revised;

THENCE, South 21°53'45" East, with the West line of said Lot One, Lake Creek Center Section Two Revised, a distance of 216.20 feet to an iron found marking the original Northwest corner of said Lot One, Lake Creek Center - Section Two;

THENCE, South 21°53'54" East, with the said West line of Lot One, Lake Creek Center Section Two Revised, a distance of 185.56 feet to an iron rod found marking the Northeast corner of said Chisholm Trail Drive Right-of-Way;

THENCE, South 68°06'06" West, with the Northerly line of said Chisholm Trail Drive Right-of-Way, a distance of 70.00 feet to a nail found in asphalt for the Northwest corner of said Chisholm Trail Drive Right-of-Way;

EXHIBIT "B-1"

DESCRIPTION

THENCE, SOUTH 21°53'54" East, with the West line of said Chisholm Trail Drive Right-of-Way, a distance of 331.79 feet to an iron rod found marking a point of curvature;

THENCE, in a Southeasterly direction along the arc of a curve to the right and with the said West right-of-way line of Chisholm Trail Drive, said curve having a radius of 324.48 feet, an arc length of 208.53 feet, a chord bearing and distance of South 03°29'07" East-204.96 feet to an iron rod set for point of compound curvature;

THENCE, in a Southwesterly direction along the arc of a curve to the right, said curve having a radius of 20.00 feet, an arc length of 31.42 feet, a chord bearing and distance of South 59°57'30" West-28.28 feet to a concrete monument found for point of tangency in the North right-of-way of Round Rock West Drive;

THENCE, with the said North right-of-way line of Round Rock West Drive and the South line of said Lot One, Round Rock West Section Three Revised, the following five (5) courses and distances:

- (1) North 75°00'20" West, a distance of 193.96 feet to an iron rod found for point of curvature;
- (2) In a Northwesterly direction along the arc of a curve to the left, said curve having a radius of 1554.75 feet, an arc length of 606.50 feet, a chord bearing and distance of North 86°12'12" West-602.66 feet to an iron rod found for point of tangency;
- (3) South 82°38' West, a distance of 481.78 feet to an iron rod found for point of curvature;
- (4) In a Northwesterly direction along the arc of a curve to the right, said curve having a radius of 335.29 feet, an arc length of 398.40 feet, a chord bearing and distance of North 63°19'30" West-375.37 feet to an iron rod found for point of tangency; and
- (5) North 29°16' West, a distance of 103.73 feet to the POINT OF BEGINNING and containing 23.7428 acres of land.

LIENHOLDER CONSENT

The undersigned, being all of the partners of Round Rock Business Park, L.P., a Texas limited partnership, do hereby state that there are no lienholders of record with respect to that certain tract of land described in attached Exhibit "B-1".

ROUND ROCK BUSINESS PARK, GP, INC.
(General Partner)

by: Allan L. Reagan
Allan L. Reagan, President

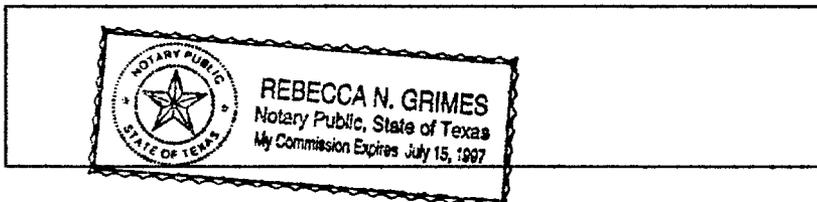
ALLAN L. REAGAN
(Limited Partner)

Allan L. Reagan

THE STATE OF TEXAS §
COUNTY OF WILLIAMSON §

This instrument was acknowledged before me on this 18th day of Sept., 1996, by Allan L. Reagan, personally known to me.

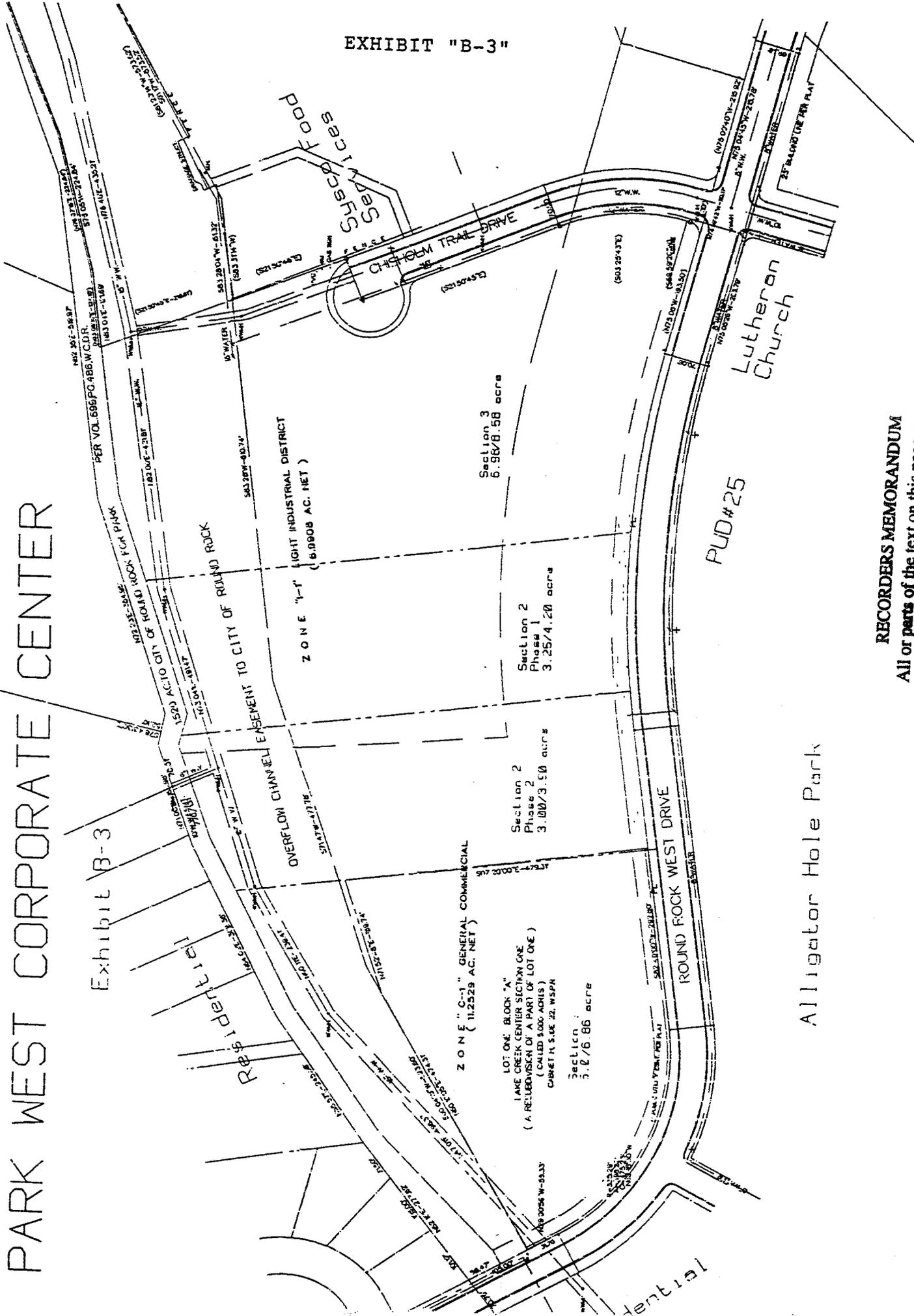
Rebecca N. Grimes
Notary Public in and for the State of Texas



PARK WEST CORPORATE CENTER

Exhibit B-3

EXHIBIT "B-3"



RECORDERS MEMORANDUM

All or parts of the text on this page was not clearly legible for satisfactory recordation

Alligator Hole Park

EXHIBIT "B-4"

DEVELOPMENT STANDARDS
SINGLE FAMILY RESIDENTIAL

1. **PERMITTED USE:** Any use permitted under current zoning classifications General Business (C-1) and Light Industrial (I-1), including, but not limited to, office, office/warehouse, research and development, technical schools, light manufacturing and assembly, governmental, medical, institutional, daycare and incidental retail, all subject to the prohibitions and restrictions herein. Interpretation of uses not clearly permitted or prohibited shall be made in writing by the Director of Planning. A copy of interpretations shall be provided to the Owner.
2. **PROHIBITED USES:** No portion of the PUD shall be used for any of the following activities:
 - 2.1 Waste storage or recycling (other than internally generated waste from a permitted activity).
 - 2.2 Principal business of storing bulk chemicals or petrochemicals.
 - 2.3 Retail sale to the general public of alcoholic beverages for either on or off-premises consumption.
 - 2.4 Operation of an amusement facility, including but not limited to, video game arcades, go-kart tracks, miniature golf, movie theatres, bowling alleys, billiard halls, or dance halls (excluding instructional dance).
 - 2.5 Transient lodging not contained within a building, including but not limited to recreational vehicle parks and campgrounds.
 - 2.6 Sexually oriented businesses, as defined by the Code.
 - 2.7 Transmission or communication tower, except for structures conforming to the height and setback requirements set forth in paragraph (9) herein.
 - 2.8 Any retail or on-premises consumption establishment open to the general public having greater than 3,500 square

feet of retail sales area, including personal services available to the general public, or any freestanding restaurant, but excluding manufacturer's showrooms.

- 2.9 Salvage yard or "junkyard."
 - 2.10 Concrete or asphalt batch plant, or any other heavy industrial use regardless of whether or not conducted in an enclosed building.
 - 2.11 Trucking depot or bulk distribution facility having in excess of 20 truck bays.
3. **GEOGRAPHIC USE RESTRICTIONS**: No portion of the PUD within 200' of (a) Round Rock West Drive or (b) the easternmost line of Block "A" of Lake Creek Center Section 1, or (c) in said Block "A" of Lake Creek Center Section 1, may contain any of the following activities:
- 3.1 Automotive and automotive-related uses including, but not limited to, vehicle sales, service or repair; gas stations or truck stops; and car washes.
 - 3.2 Manufacturing or assembly in excess of 3,500 square feet of floor area for a single user.
 - 3.3 Self-storage facility (i.e. mini-warehouse).
 - 3.4 Trucking depot or bulk distribution center.
 - 3.5 Outdoor storage of materials or equipment, regardless of whether or not screened.
 - 3.6 Notwithstanding any of the above, nothing in this Section shall prohibit or limit the location within the above-described geographic use restriction area of facilities (including automobile parking areas but excluding shipping and receiving and truck garages) which conform to District C-1 zoning or are wholly conducted within an enclosed building, if such facilities and uses are ancillary to a principal use of the type described in subsection 3.2 or 3.4, above, which principal use is conducted in an area of the PUD not subject to the geographic use restrictions described above.
4. **HEAVY TRUCK TRAFFIC FLOW**: Site plans for manufacturing or assembly facilities in excess of 15,000 square feet of floor area, and any bulk distribution or trucking depots shall be

subject to review by the Director of Planning to insure that the designated route of all incoming and outgoing trucks with a gross weight in excess of 12,000 lbs. shall be via Chisholm Trail and not further west of the intersection of Bluff Drive, Chisholm Trail and Round Rock West Drive.

5. **SIGNAGE:**

- 5.1 All freestanding signs shall be Monument Signs as defined in the Code.
- 5.2 The allowable area of any sign as permitted herein shall be defined as the area contained in a polygon containing the actual lettering and any logo. Portions of the masonry structure on which the sign is located are not counted as part of the sign area provided they are not contained in the polygon.
- 5.3 A single area identification sign in accordance with Section 3.1400 et seq of the Code is permitted.
- 5.4 All signs other than the area identification sign shall not exceed six feet in height.
- 5.5 One freestanding monument sign shall be permitted for lots of less than three acres in size. The maximum area of the sign shall be fifty square feet.
- 5.6 Additional freestanding monument signs shall be permitted for lots of three acres or larger in accordance with the regulations contained in the Section 3.1400 et seq of the Code.
- 5.7 Directional signs solely for the purpose of directing traffic or identifying buildings and facilities shall be permitted provided they are restricted to a size required for their function as determined by the Director of Planning.

6. **LANDSCAPING:**

- 6.1 All applicable landscaping provisions of Section 3.1100 of the Code shall apply to this PUD, including but not limited to those pertaining to buffering, street yards and trees.
- 6.2 A minimum six foot (6') high landscaped buffer shall be constructed and/or planted in or appurtenant to each

developed lot along the right-of-way of Round Rock West Drive from approximately six hundred feet (600') west of the intersection of Round Rock West Drive and Chisholm Trail Drive to the far western boundary of the PUD, excepting for areas of curb cuts and these areas requiring traffic safety visual clearances. This requirement may be met by any combination of:

- (a) a two to three foot (2-3') high berm, and an additional three to four foot (3-4') high hedge, which shall total six feet (6'), which berm and hedge buffer may be in the right-of-way if approved by the Director of Planning; or
- (b) a tree line within the PUD between the right-of-way and any parking facility or building structure, which tree line fulfills the purpose of providing the required landscaped buffer, as determined by the Director of Planning.

7. **MASONRY REQUIREMENT:**

- 7.1 All building elevations abutting a street yard fronting Round Rock West Drive shall have at least seventy-five (75%) percent of such exterior elevations constructed of stone, stucco or masonry construction, excluding windows and doors.
- 7.2 Any elevation described in 7.1 above, consisting of 25% or greater tiltwall, smooth face block, or similar material shall be subject to review and approval by the Director of Planning prior to building permit issuance to ascertain that the elevation, taken as a whole, maintains architectural integrity consistent with a first class business park. The purpose of this section is to prohibit monolithic concrete building facades in the Round Rock West Drive street yard area.

8. **DENSITY:** Minimum lot size one (1) acre, with a minimum lot width at the front building line of 100 feet.

9. **HEIGHT AND SETBACKS:**

- 9.1 Building setbacks and heights shall conform to the more restrictive of (a) the requirements for zoning district C-1 contained in Section 11.317, of the Code, or (b) the requirements of Section 9.2 below.

9.2 No element of any building shall intersect the lowest portion of a geometric shape defined as every straight line having a vertical slope of 1:1.80 (i.e. 25 degrees vertical slope) beginning at the top curbline of Round Rock West Drive and continuing over any portion of the PUD.

10. **OUTDOOR STORAGE**: Any permitted areas of outdoor storage of materials or equipment and loading dock areas shall provide a visual screen from abutting properties of lower intensity use or from Round Rock West Drive. All screening shall be approved by the Director of Planning prior to construction.

11. **PARKING**:

11.1 Parking requirements for uses which are readily ascertainable based on the ownership, intended user or type of building shall be in accordance with Section 11.321, of the Code.

11.2 For multi-occupant buildings which are likely to contain a variety of individual uses, a minimum of one (1) off-street parking space shall be provided for each three hundred fifty (350) square feet of floor area.

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