

Turtle Creek Village
PUD 47

<i>Action</i>	<i>Date</i>	<i>Document #</i>
Original PUD adoption	July 12, 2001	2002003703
Minor Amendment	March 1, 2005	2005020648
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The following is a list of exhibits to this PUD Ordinance:

- Exhibit "A" - Property description *(not included in this summary)*
- Exhibit "B" - Affidavit of No Liens *(not included in this summary)*
- Exhibit "C" - Single Family Detached Standards
- Exhibit "D" - Single Family Attached Standards
- Exhibit "E" - Open Space Standards
- Exhibit "F" - Parking Standards
- Exhibit "G" - Daycare Standards
- Exhibit "H" - Street Sections
- Exhibit "I" - Planting Strips
- Exhibit "J" - TIA *(not included in this summary)*
- Exhibit "K" - Land Use Plan
- Exhibit "L" - Phasing Plan
- Exhibit "M" - License Agreement *(not included in this summary)*

II.

DEVELOPMENT PLAN

1. DEFINITIONS

Words and tense used herein, not specifically defined in this section, shall have their usual force and meaning, or as defined in the Code of Ordinances (1995 Edition), City of Round Rock, Texas, hereinafter referred to as “the Code”.

For the purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning ascribed to them in this section:

Alley. A minor private right-of-way, either two-way or one-way, located through the interior of blocks within a parcel owned by the Homeowners Association and providing vehicular and service access to the side or rear of properties; use of the parcels is for the benefit of adjoining property owners and is subject to limitations, rules and restrictions of the Homeowners Association.

Appurtenances. Spires, belfries, cupolas, water tanks, ventilators, chimneys or other appurtenances usually required to be placed above the roof level and not intended for human occupancy and not exceeding ten feet (10') in height.

Carport. A structure with one or more sides, covered with a roof and constructed specifically for the storage of one or more vehicles.

Civic Uses. A parcel designated for cultural services use, private primary education facilities use, primary educational facilities use or child development centers (daycare).

Common open space. A parcel of land or an area of water, or a combination of land and water, which may include floodplain and wetland areas, within a development site and intended for the use and enjoyment of residents of the development and, where designated, the community at large.

Condominium building. A building or portion thereof used or intended to be used as a home for two (2) or more households living independently of each other.

Dry Utilities Public utilities other than water, wastewater and storm sewer. These include but are not necessarily limited to electricity, gas, telephone, cablevision and other communication system lines.

Forsman Life Estate Lot. A one-acre tract of land situated within the boundaries of the Turtle Creek Village PUD, on which a resident, Paul Forsman, currently resides. Owner has conveyed a life estate to Paul Forsman; Owner plans to develop this property pursuant to this Ordinance at such time that the property is released to Owner.

Front Porch. An unairconditioned roofed structure attached to the front of a house. Side and rear porches are not subject to these same requirements. A front porch may include ramps for handicapped access. Enclosure of front porches shall not be permitted. A restrictive covenant forbidding enclosure of front porches shall be placed on the property and shall be enforced by the Homeowners Association.

Homeowners Association (“HOA”). An organization made up of the property owners in the area, which is responsible for maintenance of private alleys, and the open spaces not conveyed to the City, and which shall have the authority to make and collect assessments sufficient to operate and maintain private alleys, street trees and open spaces. A Homeowners Association shall be created for Turtle Creek Village PUD; the documents creating the HOA shall be recorded with this Agreement.

Open Style Fence A fence designed to enclose a private yard, which abuts a park, green strip, golf course or alley. The required features of this fence include the ability to see through the fence (a minimum of 50% of the fence surface area shall be open), construction of low maintenance materials and posts or columns set in concrete. The maximum height of an open style fence shall be 42 inches in a street yard (street yards do not include alleys) and 48 inches for fences other than wrought iron or equivalent fences in other yards. Wrought iron or equivalent fences shall not exceed six feet in height. Masonry columns are permitted as part of all Open Style Fences.

Pedestrian Way. An access way located within Residential Condominium development areas providing pedestrian movement within the area.

Plan. The criteria and specifications as set forth in this Development Plan and the accompanying layout which is attached hereto as Exhibit “K”.

Planting Strip. A portion of land of public street right-of-way or a portion of land abutting private property, which is reserved for the purpose of landscaping and installation of street trees. Cross sections of various street rights-of-way and abutting private property reflecting these planting strips are attached hereto as Exhibit “I”.

Private Interior Drive. A minor private access way either two-way or one-way, located within Residential Condominium development areas and providing vehicular and other access to public streets. All private interior drives will be maintained by the Homeowners Association for the area.

Protected Trees. A protected tree, for the purpose of this PUD, is an individual tree of a tree species identified as protected in the City Code with a diameter of nineteen inches (19”) or greater if located in a proposed street right-of-way or a diameter of eight inches (8”) or greater if located on a townhouse or condominium lot.

Residential Condominium. The use of a site for two (2) or more dwelling units, within one or more condominium buildings with each dwelling unit having a private external entrance and private parking and having one or more common walls. All common areas that form part of a Residential Condominium development shall be maintained by a Homeowners Association for private open space.

Residential Street. The entire width included in any public right-of-way which is open for the use of the public to accommodate motor vehicles, pedestrians, cyclists and transit facilities.

- A “standard residential collector” provides circulation within neighborhoods to carry circulation from local streets to arterial streets.!
- An “alternative residential collector street” provides circulation within neighborhoods to carry circulation from local streets to arterial streets using a smaller street section than a standard collector.

- A “boulevard collector” is a short distance, low speed circulation corridor, that traverses a residential area and segregates the traffic and parking activity from opposing traffic.
- A “standard local street” is a street designed primarily for access to abutting residential property.
- An “alternative local street” is a street designed primarily for access to abutting residential property using a smaller street section than a standard local street.
- An “access street” is a low volume street which is parallel and adjacent to an arterial street or open space area which primarily provides access to abutting properties located on one side of the lane.

Residential Townhouse. The use of a series of sites for two or more dwelling units, constructed with common or abutting walls and each located on a separate ground parcel within the total development site, together with common area serving all dwelling units within the townhouse group.

“Shall”, “must”, “will”, “should”, and “may”. The words “shall”, “must”, and “will” are always mandatory. The words “should” and “may” are discretionary.

Single Family Residential. A small lot single-family detached residential subdivision that allows the lot size to be reduced with the resulting space gained being assigned to common open space.

Shared driveway. A paved vehicular access designed to residential driveway standards, which extends to and branches off to two (2) or more homes; which is privately owned and maintained and does not require a turn around area at the end of the driveway. Shared driveways shall not exceed one hundred fifty feet (150') in length.

Single-family Attached Residential. The use of a series of sites for two or more dwelling units, constructed with common or abutting walls. Residential Condominium and Residential Townhouse may both be implemented as single-family attached residential.

Single-family Detached Residential. The use of a site for only one dwelling unit with an attached or detached garage unit.

Traffic calming measures. Street design elements intended to reduce the speed of vehicular traffic, which shall be approved by the City Traffic Engineer prior to the approval of construction drawings for each final plat.

2. PROPERTY

This Development Plan covers approximately 177.0 acres of land, located within the city limits of Round Rock, Texas, and more particularly described by metes and bounds in Exhibit “A”.

3. PURPOSE AND DESIGN

3.1 Compliance with Code requirements.

The purpose of this Plan is to insure a Planned Unit Development (“PUD”) that: (i) is, on the whole, equal to or superior to development that would occur under the standard ordinance requirements, (ii) is in harmony with the General Plan of the City of Round Rock, Texas, (iii) 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, (iv) is adequately provisioned by essential public facilities and services, and (v) will be developed and maintained so as to not dominate, by scale or massing of structures, the immediate neighboring properties or interfere with their development or use in accordance with any existing zoning district.

3.2 Intent.

The design of this Plan includes a variety of potential residential land uses including single-family residential, townhouse and condominiums. The design includes open spaces including courts, parks, linear parks, and greenbelts. The plan promotes pedestrian activity and circulation through well-designed streetscapes that provide for the safe and efficient movement of vehicular traffic and pedestrian circulation separate from the high speed arterial.

3.3 Civic Uses.

Civic uses that are oriented to the general public are an important element in the Plan. The locations of these civic uses are designated on the Land Use Plan.

3.4 Open Space.

Open space design is a significant part of the Plan. These serve as areas for neighborhood gatherings and as organizing elements for the neighborhood. Open space should be distributed throughout the neighborhood. In addition to addressing the recreational needs of residents, open space provides places and opportunities for interaction within the community.

3.5 Pedestrian Orientation.

The Plan is to be pedestrian oriented. To accomplish this goal, the street pattern is designed to reduce vehicle travel speeds and encourage pedestrian activity. The design for various street cross sections is shown in Exhibit "H" attached hereto.

4. APPLICABILITY OF CITY ORDINANCES

4.1 Zoning and Subdivision Ordinance.

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 of the Code.

4.2 Other Ordinances.

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

5. DEVELOPMENT AREAS

The Property will be divided into five (5) Development Areas: Development Area A: single family detached residential, Development Area B: single family attached residential, Development Area C: school site, Development Area D: daycare site and Development Area E: public and private open space, all as designated on the PUD Land Use plan, which is attached hereto and incorporated herein as Exhibit "K".

6. PERMITTED USES AND LIMITATIONS

The Property will be used and developed in accordance with the requirements as set forth in this Agreement and, if not set forth herein, by applicable sections in the Code. Specific permitted uses and limitations applicable to the separate development areas are as follows:

6.1 Development Area A -Single Family Detached Residential.

The permitted uses and limitations for the Single Family (Detached) Residential Areas are detailed on Exhibit "C" and shall conform to the standards of the Code, except as set forth within this Agreement.

6.2 Development Area B -Single Family Attached Residential -Residential Condominiums or Residential Townhouses.

Single Family Attached Residential shall include either Residential Condominiums or Residential Townhouses. The permitted uses and limitations for the Single Family Attached Residential Areas are detailed on Exhibit "D" and shall conform to the standards of the Code, except as set forth within this Agreement.

6.3 Development Area C -School Site.

The permitted uses and limitations for the elementary school site are detailed on Exhibit "G" and shall conform to the standards of the Code, except as set forth within this Agreement.

6.4 Development Area D-Day Care Site.

The permitted uses and limitations for the day care site are detailed on Exhibit "G" and shall conform to the standards of the Code, except as set forth within this Agreement.

6.5 Development Area E -Open Space.

The permitted uses and limitations for all open space are detailed on Exhibit "E" and shall conform to the standards of the Code, except as set forth within this Agreement.

7. STORM WATER DETENTION

Storm water detention for the Property shall be provided in accordance with City Code.

8. ROADWAYS

8.1 Residential Streets.

The street system shall consist of public streets, private alleys, and landscaped rights-of-way accommodating automobiles, public transit, bicycles, pedestrians and landscaped areas. Rear service alleys are a preferred element in the design of the neighborhood.

Streets shall be laid out so as to discourage their use by through traffic. On-street parking along one or both sides of the street is the normal street condition.

All streets and alleys within the Turtle Creek Village PUD, with the exception of A. W. Grimes Boulevard, shall adhere to the criteria as stated in Exhibit "H".

8.2 Innovative Design.

The Director of Public Works and Fire Marshall may approve the use of roadway designs that are not listed herein. Said approval shall be considered a minor change to the Development Plan.

8.3 Blocks.

Blocks shall generally be not more than one thousand (1,000) feet in length, and shall be, at minimum, bounded on either end of the axis by a local street. Block lengths exceeding this length may be approved by the Planning Director for good and sufficient reasons (example: open space frontage, curvilinear streets and/or where alleys are provided).

8.4 Traffic Calming Measures.

The use of traffic calming measures intended to reduce the speed of vehicular traffic within the subdivision are permitted throughout the Turtle Creek Village PUD subject to the approval of the Director of Public Works and the Fire Marshall.

8.5 Alleys.

- a) Width and Paving. Alleys, if constructed, shall have a minimum right of way width of twenty feet (20') with a concrete surface of not less than sixteen feet (16') in width. AU alley paving shall be done in accordance with City standards and with the approval of the Director of Public Works. Alleys shall be approximately parallel to the frontage of the street.
- b) Intersecting alleys or utility easements. Where two alleys or utility easements intersect or turn at right angle, a cutoff of not less than ten feet (10') from the normal intersection of the property or easement line shall be provided along each property or easement line where practical.
- c) Dead-end alleys. Dead-end alleys shall not extend more than ninety feet (90') and shall be approved by the Director of Public Works.
- d) Private alleys. All alleys, if constructed, shall be designated as private alleys. All private alleys shall be shown as separate lots on all plats. All private alleys shall be conveyed to and maintained by the Homeowners Association.
- e) Except as approved by the Director of Public Works, parking in alleys is prohibited. Signage shall be erected by the Owner in alleys to indicate that parking is prohibited.

8.6 Sidewalks.

Sidewalks shall be separated by a Planting Strip as shown on Exhibit "I". Sidewalks may be located outside the right-of-way for the purpose of saving existing trees provided (i) it is approved by the Director of Public Works and City legal counsel, and (ii) they are located in a public easement shown on the plat.

8.7 Street Trees.

- a) Location. Trees shall be located along all streets (except where existing trees remain in the right-of-way) as shown on Exhibit "H".
- b) Species. Street trees include suitable shade tree varieties. The following tree species are permitted:
 - Burr Oak
 - Cedar Elm
 - Chinese (Lacebark) Elm
 - Chinese Pistache

- Chinquapin Oak
- Live Oak
- Monterey Oak
- Pecan
- Shumard Oak
- Texas Red Oak

Additional tree species may be used with the approval of the City Urban Forester. Generally, no more than twenty percent (20%) of the total street trees on a single street, which is greater than four hundred feet (400') in length, shall be of one species unless approved by the City Urban Forester.

- c) **Planting Plan.** The Owner shall submit a street tree planting plan in conjunction with the submittal of construction plans for each phase of the Property.
- d) **License and Maintenance Agreement.** The City shall grant a license and maintenance agreement to the ROA for the installation, maintenance, replacement, upgrade and/or repair of landscape improvements constructed within any and all planting strips for the Property. Said License Agreement is attached hereto as Exhibit "M".

8.8 Planting Criteria.

- Street trees should be kept out of (i) intersection triangles at a minimum of thirty-five feet (35') by thirty-five feet (35') from the face of the curb, and (ii) alley/street intersection triangles at a minimum of twenty-five feet (25') by twenty-five feet (25'), as measured from the center of the intersection. A sketch reflecting these specifications is attached hereto as Exhibit "I".
- Street trees shall be planted to avoid interference with street lights, signage and other fixtures.
- Planting shall remain at least five feet (5') from edge of driveways.
- Spacing should be small trees, twenty feet (20'); medium trees, thirty feet (30'); and large trees, forty feet (40'). Exact tree spacing and the separation of tree species shall both be evaluated on a site-specific basis.
- Planting should be at least five feet (5') from underground utilities and twenty-five feet (25') from overhead lines.
- Planting should be at least five feet (5') from fire hydrants.
- Street trees and median trees shall be planted a minimum of four feet (4') from the back of the curb.
- Shade trees shall be container grown with a minimum caliper size of two and a half inches (2.5").
- Ornamental trees shall be container grown with a minimum caliper size of one and a half inches (1.5").
- Caliper size, height, measurement and other specifications shall be as specified in *American Standards for Nursery Stock* (ANSI260.1)

8.9 Median Trees.

Median trees shall include shade or ornamental tree species. Medians may also contain shrubs and plant groundcover. The following tree species are permitted

- Shade Trees: Ornamental Trees:
- Bald Cypress Cherry Laurel
- Burr Oak: Crape Myrtle
- Cedar Elm Deciduous Yaupon
- Chinquapin Oak: Desert Willow
- Chinese (Lacebark) Elm Flame Leaf Sumac
- Chinese Pistache Mexican Buckeye
- Live Oak: Mexican Plum
- Monterey Oak: Mountain Laurel
- Pecan Redbud
- Shumard Oak: Texas P
- Texas Ash
- Texas Pistache
- Texas Red Oak: Vitex
- Whitebud Yaupon

Additional species may be used with the approval of the City Urban Forester. In general, no more than twenty percent (20%) of the total median trees on a single street, which is greater than four hundred feet (400') in length, shall be of one species unless approved by the City Urban Forester.

8.10 Access Streets.

Access streets may be accessed from any street type or alley other than A. W. Grimes Boulevard. A Planting Strip shall be constructed in the area between all access lanes and A. W. Grimes Boulevard. The Planting Strip shall consist of a berm with trees, shrubs, grasses and a low, penetrable fence such as wrought iron or split rail, to provide a visual and physical barrier between the access lanes and A. W. Grimes Boulevard.

8.11 A. W. Grimes Boulevard.

- (a) An agreement that will be mutually agreed upon between the Owner and the City regarding the construction of A. W. Grimes Boulevard shall be executed simultaneously with the adoption of this Agreement.
- (b) Pedestrian Underpass. If approved by the Director of Public Works, the Owner shall contribute to the cost of construction of a pedestrian underpass in compliance with the approved arterial roadway plans, located on A.W. Grimes Boulevard, which abuts the southern Property boundary.

8.12 Traffic Impact Analysis.

A Traffic Impact Analysis ("TIA") has been approved by the City Traffic Engineer and is attached hereto as Exhibit "J". Street standards shall be designed in accordance with the TIA.

9. UTILITY LINES

9.1 Construction of Utility Lines.

All utility lines that pass under a street shall be installed before the street is paved, whenever practical. All utility lines that pass under the street pavement shall be installed to a point at least three feet (3') beyond the edge of the pavement. City utility assignments shall be arranged so that utilities are not located underneath alleys except to cross perpendicularly for distribution. Subject to the approval of the electric and gas provider for the property, buried utilities may be located within the alley service drive and under public street pavement, three feet (3') inside the edge of the pavement. Electric distribution shall be provided by means of underground service within the subdivision. Overhead service to individual lots shall not be permitted. All water, wastewater and drainage utilities shall be located in the front public right-of-way.

10. STREET LIGHTS

The Developer may, with City approval, incorporate alternative lighting standards designed to aesthetically enhance the Turtle Creek Village PUD as long as the following conditions are satisfied:

- a) The electric utility provider for the property agrees to accept the obligation of providing the required maintenance for such lighting at no additional cost to the City.
- b) All street lights provide the required level of lighting, as approved by the Director of Public Works.

11. PARKLAND DEDICATION OR DESIGNATION

All land to be dedicated for use as parkland within the Turtle Creek Village PUD shall conform with the criteria set forth on Exhibit "E" attached hereto and incorporated herein.

12. DENSITY

A maximum of seven hundred fifty (750) dwelling units may be constructed on the property, which converts to an overall gross density of 4.24 units per acre.

13. PHASING

Phasing of the Turtle Creek Village PUD shall be in general accordance with the Phasing Plan attached hereto as Exhibit "L". The phasing may be amended by a revised Concept Plan approved by the City Planning and Zoning Commission.

14. NON-CONFORMING USES

14.1 Forsman Life Estate Lot.

The Forsman Life Estate does not conform to the provisions of this Agreement and shall be deemed a non-conforming use. At such time that the Forsman Life Estate Lot is released to the Owner, the Owner may subdivide and develop said lot as either Single Family Detached Residential or Single Family Attached Residential in accordance with

the provisions of this Agreement.

15. REQUIRED BUILDING MATERIALS

Residential building exteriors may be finished in brick stone, cast stone, stucco, or painted cementitious siding, such as "Hardiboard". Wood siding, vinyl siding, and metal siding is prohibited.

16. FENCES

Fences that abut parks, green strips and alleys shall be Open Style Fences as defined in this agreement.

17. INTERPRETATION OF USE

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 and the City Building Inspector.

18. TREE PRESERVATION

Owner shall make every reasonable effort to either preserve or relocate the existing trees within the Turtle Creek Village PUD.

18.1 Tree Protection Plan.

- (a) Preliminary Plat. A tree survey showing all protected trees (as defined in Section 1 herein) shall be provided with the filing of each preliminary plat. The preliminary plat must demonstrate that the subdivision design will result in the reasonable protection of protected trees and significant tree clusters with a crown diameter of one hundred feet (100') or greater. The tree survey must be reviewed by the City Urban Forester.
- (b) Tree Protection Plan. A tree protection plan, which identifies all protected tree species located within proposed street rights-of-way together with a calculation of the total number of caliper inches of protected trees to be removed shall be provided with the filing of each preliminary plat. The tree protection plan must be approved by the City Urban Forester. The tree protection plan shall also show specific tree protection measures for protected trees within street rights-of-way and the area within ten feet (10') of said rights-of-way.
- (c) Tree Replacement Plan. Each preliminary plat shall include a plat note, which states that the total number of caliper inches of protected trees being removed shall be replaced. A replacement tree plan shall be provided as part of the subdivision construction plans and must be approved by the City Urban Forester.
- (d) Credit for Street Trees. All street trees planted by Owner shall be credited towards any Owner obligation to replace protected trees.
- (e) Site Plan. Application for site plan approval for uses other than single family detached homes shall be accompanied by a tree protection and replacement plan to include a survey for trees 8 inches in diameter or larger.

18.2 Street Trees.

- (a) Street trees and associated irrigation fronting along A. W. Grimes Boulevard shall be installed as part of the subdivision improvements along A. W. Grimes Boulevard.

- (b) Street trees and associated irrigation plans shall be submitted as part of the construction drawings for subdivision improvements for all streets within the PUD other than A. W. Grimes. The actual planting of street trees and associated irrigation may be permitted to be delayed until the homes are constructed on each block, provided that Owner posts a fiscal guarantee in an amount equal to one hundred fifty percent (150%) of the estimated cost of such improvements. The estimate of the cost shall be approved by the City Urban Forester and shall be in the same form as required for other subdivision improvements.
- (c) The BOA shall be responsible for the replacement of all street trees within the Property_ The BOA shall also be responsible for the maintenance and replacement of all other landscaping and associated irrigation located within center medians, with the exception of landscaping improvements constructed within the median of A. W. Grimes Boulevard. With the exception of A.W. Grimes Boulevard, all landscaping within center medians shall be irrigated by an underground irrigation system with water meters in the name of the ROA. The Urban Forester shall approve the size and species for all replacement trees within public rights of way. No street trees shall be removed without the written approval of the City Urban Forester.
- (d) The ROA and or the individual homeowners shall be responsible for the irrigation and routine maintenance of the trees located in front of homeowners' lots that are situated within the portion of the public right-of-way between the sidewalk and the curb. The restrictive covenants, recorded for the subdivision shall clearly identify this responsibility.
- (e) The estimated costs of maintaining street trees, landscaping and irrigation (including the cost of water, electricity and reserve fund to replace equipment) shall be provided along with an estimate of projected monthly ROA fees required to support such maintenance and repair.
- (f) Street tree planting plans shall be submitted as part of the subdivision construction drawings and approved by the Urban Forester. These street plans shall also identify trees to be preserved that are identified in the tree survey. The Urban Forester shall inspect and accept all trees and irrigation installations. Street tree plans shall include all specifications of tree installation.
- (g) Owner shall post a bond to ensure three (3) years of maintenance of street trees and median landscaping improvements, including irrigation.

III.

MISCELLANEOUS PROVISIONS

1. CHANGES TO DEVELOPMENT PLAN

1.1. Minor Changes.

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

1.2. Major Changes.

Major changes to this Agreement or the Development Plan must be resubmitted following same procedure required by the original PUD application.

2. GENERAL PLAN AMENDED

The Round Rock General Plan is hereby amended to reflect the provisions of this Agreement and Development Plan.

EXHIBIT "C"

DEVELOPMENT AREA "A" - SINGLE FAMILY DETACHED RESIDENTIAL DEVELOPMENT STANDARDS

The development areas labeled "Single Family Detached Residential" as shown on the attached Exhibit "K" contain approximately 88 net developable acres.

The development standards for the "Single Family Detached Residential" development areas shall be as follows:

1. PERMITTED USES

1.1. Residential Uses.

- i. Single family residential, as defined in Section 1 of this Development Plan, shall be permitted.

1.2 Non-residential uses.

- a) Conservation areas
- b) Outdoor recreational/athletic facilities
- c) Outdoor swimming pools
- d) Parks, playgrounds and playfields
- e) Streams, lakes, waterways, or their drainageways
- f) Wetlands
- g) Club houses and community centers
- h) Trail systems

2. SITE DEVELOPMENT REGULATIONS (see lot diagram attachment for Lot 'A' and Lot 'B')

2.1. Lot Size.

Lot Type 'A' Minimum lot size 4,500 SF 5,250 SF on corner lot

Minimum lot width 45 ft. at the building line 50 ft. on corner lot

Lot Type 'B' Minimum lot size 5,500 SF 6,050 SF on a corner lot

Minimum lot width 50 ft. at the building line 55 ft. on corner lot

2.2. Height Regulations.

No building shall exceed thirty-five feet (35'), exclusive of Appurtenances.

2.3. Minimum Setbacks.

- i. Front Yard. There shall be a front yard setback having a depth of not less than ten feet (10') from the front property line to the closest projection of the building face not including roof overhangs, provided that dry utilities are located in a private alley or public utility easement which abuts the private alley. In the event that dry utilities are located in the front of the building, there shall be a front yard setback having a depth of not less than fifteen (15') from the property line to the closest projection of the building face, not including roof overhangs. There shall be a

minimum of twenty foot (20') setback from the front property line to the front of a garage to allow for permitted parking in the paved surface area of the front yard for lots that do not have private alley access.

- ii. Interior Side Yard. There shall be a side yard of not less than five feet (5') from the wall of building or accessory building to the interior side property line. The roof overhang may extend two feet into the side yard setback provided no easements are encroached upon.
- iii. Street Side Yard. There shall be a side yard of not less than ten feet (10') from the walls of building to the street side property line. The roof overhang may extend two feet into the street side yard setback provided no easements are encroached upon.
- iv. Rear Yard. There shall be a rear yard setback of not less than ten feet (10') from the rear most wan of the dwelling unit to the back property line and five feet (5') from rearmost wall of the garage to the back of the property line. Parking is permitted within the driveway of the rear yard. If the driveway in the rear yard is located behind the garage, the garage setback shall be increased to twenty feet (20'). The driveway may be located adjacent to the garage on a concrete slab and shall have a depth of no less than twenty feet (20'). In the event that dry utilities are located within a public utility easement abutting a private alley, there shall be a rear yard setback of not less than twenty feet (20'). The tandem parking provided in the driveway shall be credited towards Owner's required number of parking spaces.

2.4. Garage Regulations.

Garages may be either attached or detached and shall be accessible from a public street or private alley.

3. PARKING REQUIREMENTS

The number of parking spaces for Single Family Detached Residential shall be provided in accordance with the standards set forth in Exhibit "F" to this agreement. The parking and loading requirements for all other uses shall be in accordance with the Code.

EXHIBIT "D"

DEVELOPMENT AREA "B" - SINGLE FAMILY ATTACHED RESIDENTIAL (RESIDENTIAL CONDOMINIUM, RESIDENTIAL TOWNHOUSE) DEVELOPMENT STANDARDS

The development areas labeled "Single Family Attached Residential" on the attached Exhibit "K", consists of approximately 22 net developable acres.

The development standards for the Single Family Attached development areas shall be as follows:

1. PERMITTED USES

1.1. Residential Uses.

- a) Residential Condominium, as defined in Section 1 of the Development Plan
- b) Residential Townhouse, as defined in Section 1 of the Development Plan

1.2. Non-residential uses.

- a) Conservation areas
- b) Outdoor recreational athletic facilities
- c) Outdoor swimming pools
- d) Parks, playgrounds and playfields
- e) Streams, lakes, waterways, or their drainageways
- f) Wetlands
- g) Club houses and community centers
- h) Trail systems

2. RESIDENTIAL CONDOMINIUM SITE DEVELOPMENT REGULATIONS (see lot diagram attachment)

2.1. Lot Size and Lot Width.

Minimum Lot size 4,500 SF 4,950 SF on corner Lot

Minimum lot width 50 ft. at the building line 55 ft. on corner lot

2.2. Density.

The overall density for any Residential Condominium area shall not exceed sixteen (16) units per developable acre. (The overall density for Development Area "D" shall not exceed three hundred fifty (350) units.)

2.3 Height Regulations.

No building shall exceed thirty-five feet (35), exclusive of appurtenances.

2.4 Minimum Setbacks.

- a) Front Yard. There shall be a front yard setback having a depth of not less than ten feet (10') from the front property line to the closest projection of the building face not including roof overhangs, provided that dry utilities are located in a private

alley or public utility easement which abuts the private alley. In the event that dry utilities are located in the front of the building, there shall be a front yard setback having a depth of not less than fifteen (15') from the property line to the closest projection of the building face, not including roof overhangs.

- b) Interior Side Yard. There shall be a side yard setback of not less than ten feet (10') from the walls of the building to the interior side property line, not including a stoop, covered porch, covered terrace, balcony or bay. The roof overhang may extend two feet into the side yard setback provided no easements are encroached upon.
- c) Street Side Yard. There shall be a side yard of not less than ten feet (10') from the walls of building to the street side property line. The roof overhang may extend two feet into the street side yard setback provided no easements are encroached upon.
- d) Rear Yard. There shall be a rear yard setback of not less than ten feet (10') from the rear most wall of the dwelling unit to the back property line and five feet (5') from rearmost wall of the garage or carport to the back of the property line. Parking is permitted within the paved surface area of the rear yard. If the driveway in the rear yard is located behind the garage, the garage setback shall be increased to twenty feet (20'). The driveway may be located adjacent to the garage on a concrete slab and shall have a depth of no less than twenty feet (20'). In the event that dry utilities are located within a public utility easement abutting a private alley, there shall be a rear yard setback of not less than twenty feet (20').

2.5 Spacing.

Each building shall be at least fifteen feet (15') from the nearest dwelling unit. The roof overhang may extend two feet (2') into the side yard setback provided no easements are encroached upon.

2.6 Garage Regulations.

Garages may be either attached or detached and accessible from a private alley or private interior drive.

2.7 Private Interior Drives.

- a) Single Family Attached development areas may include private interior drives which shall serve the single family attached residents. Private interior drives, if any, shall be maintained by a Property Owners Association. All private interior drives shall be in compliance with all City fire and emergency regulations. Private interior drives shall provide a means for a vehicle to turn around for everyone hundred fifty feet (150') in length.
- b) All private interior drives shall be a minimum width of twenty-two feet (22').

3 RESIDENTIAL TOWNHOUSE SITE DEVELOPMENT REGULATIONS (see Jot diagram attachment)

3.1 Lot Size and Lot Width.

Minimum Jot size 2,500 SF 2,750 SF on comer Jot

Minimum Jot width 20 ft. at the building line 25 ft. on comer Jot

3.2 Maximum Dwellings Per Lot.

No more than one dwelling unit per lot shall be permitted.

3.3 Density.

The overall density for any Residential Townhouse area shall not exceed sixteen (16) units per developable acre.

3.4 Height Regulations.

No building shall exceed thirty-five feet (35'), exclusive of appurtenances.

3.5 Minimum Setbacks.

- i. Front Yard. There shall be a front yard setback having a depth of not less than ten feet (10') from the front property line to the closest projection of the building face not including roof overhangs, provided that dry utilities are located in a private alley or public utility easement which abuts the private alley. In the event that dry utilities are located in the front of the building, there shall be a front yard setback having a depth of not less than fifteen (15') from the property line to the closest projection of the building face, not including roof overhangs.
- ii. Interior Side Yard. No setback is required if a common wall is provided or five feet (5') where no common wall is provided. The roof overhang may extend two feet into the interior side yard setback provided no easements are encroached upon.
- iii. Street Side Yard. There shall be a side yard of not less than five feet (5') from the walls of building to the street side property line. The roof overhang may extend two feet into the street side yard setback provided no easements are encroached upon.
- iv. Rear Yard. There shall be a rear yard setback of not less than ten feet (10') from the rear most wall of the dwelling unit to the back property line and five feet (5') from rear most wall of the garage to the back of the property line. Parking is permitted within the driveway of the rear yard. If the driveway in the rear yard is located behind the garage, the garage setback shall be increased to twenty feet (20'). The driveway may be located adjacent to the garage on a concrete slab and shall have a depth of no less than twenty feet (20'). The tandem parking provided in the driveway shall be credited towards Owner's required number of parking spaces.

3.6 Garage/Carport Regulations.

- i. Garages or carports shall be either attached or detached and accessible from a private alley.
- ii. Carports, if any, shall be effectively screened from public rights-of way.

4. PARKING REQUIREMENTS

The number of parking and loading spaces for Residential Condominiums and Residential Townhouse development areas shall be provided in accordance with the standards set forth in **Exhibit "F"** to this agreement. The parking and loading requirements for all other uses shall be in accordance with the Code.

EXHIBIT "E"

DEVELOPMENT AREA "E" -OPEN SPACE CRITERIA AND STANDARDS

Open Space is a tract of land provided as a general benefit for the community. The open space for Turtle Creek Village PUD, as shown on the attached Exhibit "K", comprises approximately thirty-five (35) acres, including the 100-year flood plain. Common open space, as identified on the attached Exhibit "K", may be usable for recreational purposes or may provide visual, aesthetic and environmental amenities.

1. PERMITTED USES

- (a) Conservation areas
- (b) Outdoor recreational/athletic facilities
- (c) Outdoor swimming pools
- (d) Parks, playgrounds and playfields
- (e) Streams, lakes, waterways, or their drainage ways
- (f) Wetlands
- (g) Club houses and community centers
- (h) Trail systems for pedestrian and bicycle traffic
- (i) Off-street parking

2. SITE DEVELOPMENT REGULATIONS

2.1 Maximum height of buildings. No building shall exceed thirty-five feet (35'), exclusive of appurtenances.

2.2 Minimum Lot Size.

The minimum lot size shall be thirty-five hundred (3,500) square feet, except for landscaped lots in the right-of-way, which may be smaller, as approved as a part of the final plat.

2.3 Minimum Lot Width. The minimum lot width shall be forty feet (40').

2.4 Minimum Setbacks.

- i. Front Yard. Fifteen feet (15').
- ii. Side Yard. Ten feet (10').
- iii. Rear Yard. Ten feet (10').

2.5 Linear Park.

Linear parks shall generally be a minimum of forty feet (40') in width but in no event less than twenty-five feet (25') in width.

3. COMMON OPEN SPACE CONVEYANCE

Common open space and structures thereon must be either:

- i. conveyed to a public body, if said public body agrees to accept conveyance and to maintain the common open space and buildings, structures, or improvements which have been placed on it; or
- ii. conveyed to a Property Owners Association or some other party responsible for maintaining common buildings, areas and land within the subdivision. The common open space shall be restricted to the uses specified on the final plat and which provide for the maintenance of the common open space in a manner which assures its long term maintenance for its intended purpose.

4. PARK LAND DEDICATION

4.1. Private Park Land.

Owner will designate a minimum of 1.5 acres out of the Common Open Space, as shown on Exhibit "K", as private park land to be maintained by the Property Owners Association for the area. The private park land may contain open space improvements such as a swimming pool, amenity center and other related uses. In the event that Owner elects to change the location of the 1.5 acres to another location on the Property, which location shall be mutually agreed upon between Owner and the Director of Parks and Recreation Department, the revision shall be considered a minor change, as defined in Article III of this Agreement.

4.2. Park Land Dedication Requirements.

Owner will dedicate not less than 15 acres out of the common Open Space to the City for the purpose of creating a pedestrian and bicycle trail within the Turtle Creek Village PUD. Owner will provide the City with a dedication deed for the public park land within 15 business days from the time a written request is received from the City's Director of Parks and Recreation Department. The City will maintain all dedicated public park land after the aforementioned conveyance by Owner.

4.3. Total Parkland Requirements.

Owner shall provide a combined total acreage for private park and public park of not less than thirty-five (35) acres.

5. EASEMENTS WITHIN OPEN SPACE

- 5.1. Owner shall be permitted to locate a public utility easement within any area of public open space that abuts Owner's residential development.

EXHIBIT "F"

PARKING REGULATIONS

1. PARKING REGULATIONS

1.1. Parking and Storage of Certain Vehicles.

Automotive vehicles or trailers not bearing current license plates and state motor vehicles inspection stickers shall be parked or stored on any residential area only in completely enclosed buildings. No recreational vehicle, trailer or major recreational equipment shall be parked or stored on any lot except that it shall be enclosed in a building. No commercial vehicles larger than a standard three quarter (3/4) ton pickup truck or standard two-axle passenger van shall be permitted to remain overnight on any Lot or to be parked on any roadway within the Property.

1.2. Single Family Detached Residential Parking Regulations.

Development of any use permitted in the Single Family Detached Residential areas shall comply with Section 11.502 of the Code.

1.3. Residential Condominium Parking Regulations.

- i. Development of any use permitted in the Residential Condominium development areas shall provide parking spaces equal to the following: a minimum of two parking spaces for up to two bedrooms and one additional space for units that contain three or more bedrooms, which shall be located either in a garage, on the driveway or in a convenient location to the building. Tandem parking spaces provided on the driveway shall be credited towards parking space requirements provided that the driveway is located directly in front of the garage of a dwelling unit and that driveway provides direct access to that dwelling unit from the garage.
- ii. Residential Condominium development areas shall include garage parking for residents, which shall be accessible from private driveways or alleys.
- iii. Additional parking shall also be provided for guests and visitors of residents. A minimum of five percent (5%) of the total parking spaces that are required for the condominium residences shall be provided for additional guest and visitor parking.

1.4. Residential Townhouse Parking Regulations

Residential Townhouse development areas shall include covered parking (garage or carport) for residents, which shall be accessible from private alleys. Development of any use permitted on the Residential Townhouse development areas shall provide (i) a minimum of one (1) covered parking space per dwelling unit and (ii) one (1) additional parking space per dwelling unit, which may be located on the driveway behind or next to the garage or carport. Residential Townhouse units with three or more bedrooms shall provide one additional parking space at a location to be approved by the City Director of Planning.

1.5. Shared Parking.

The City may approve as appropriate for two or more non-residential uses to share parking spaces. Any parking spaces that the City allows to be shared count toward the number of parking spaces each must provide.

1.6. Daycare Services and Primary Educational Facilities.

Development of any use permitted for daycare and educational uses shall provide one parking space for each employee.

1.7. Open Space Parking Regulations

Parking for open space uses is provided from adjacent on-street parking unless, at the Owner's option, off-street parking is provided within an open space lot.

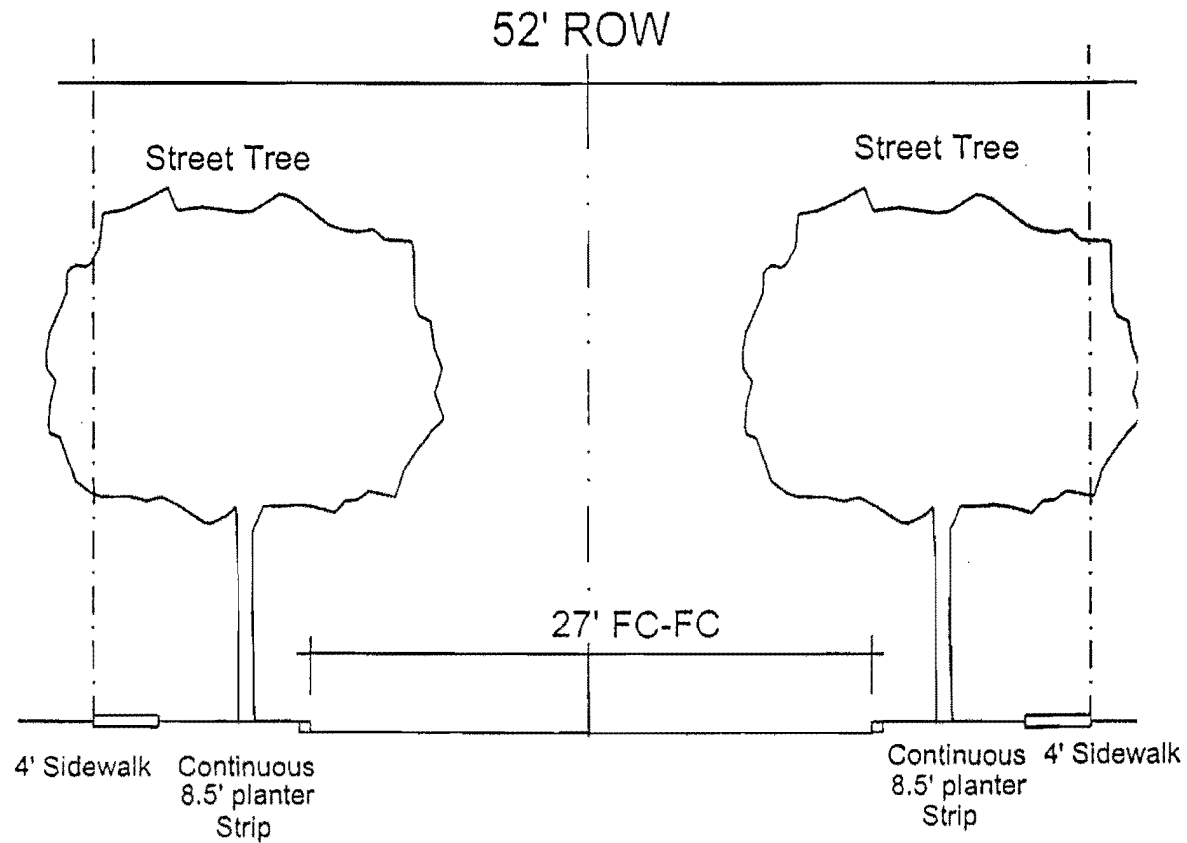
EXHIBIT "G"

DAYCARE AND PRIMARY PUBLIC EDUCATIONAL FACILITIES

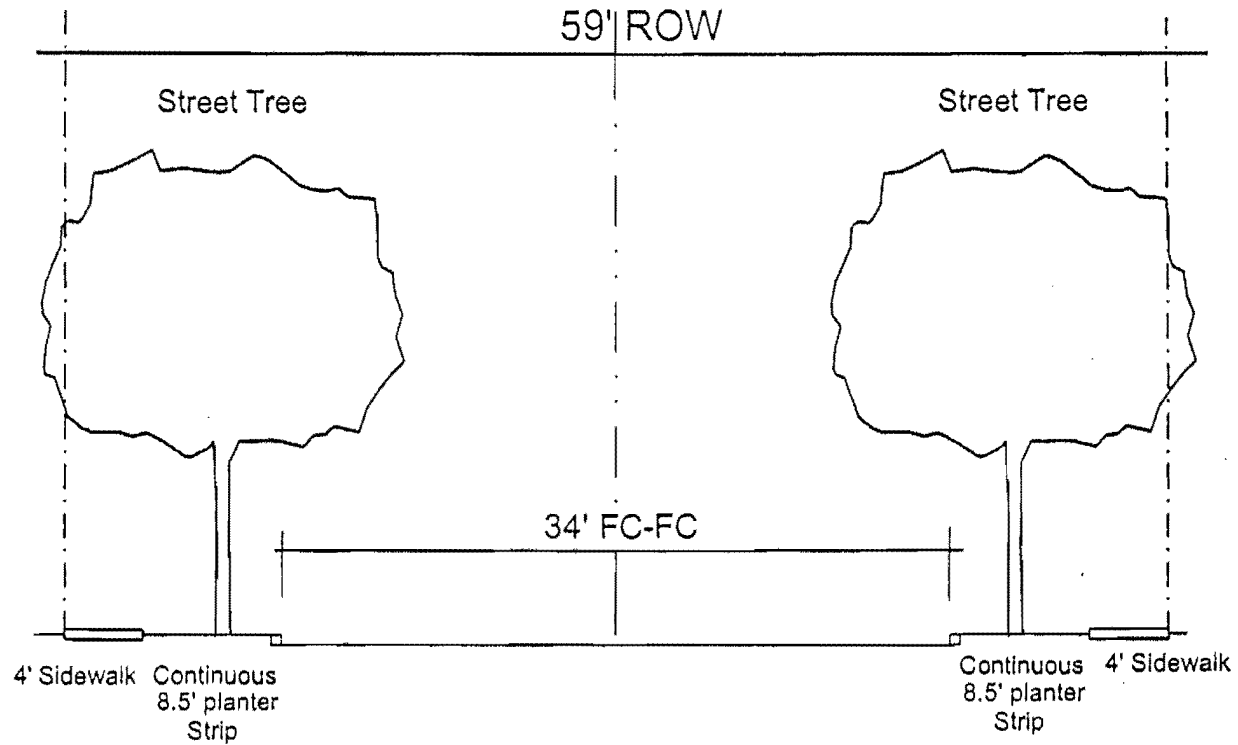
Any daycare or public educational facilities within the Turtle Creek Village PUD shall be in compliance with the Code.

EXHIBIT "H"

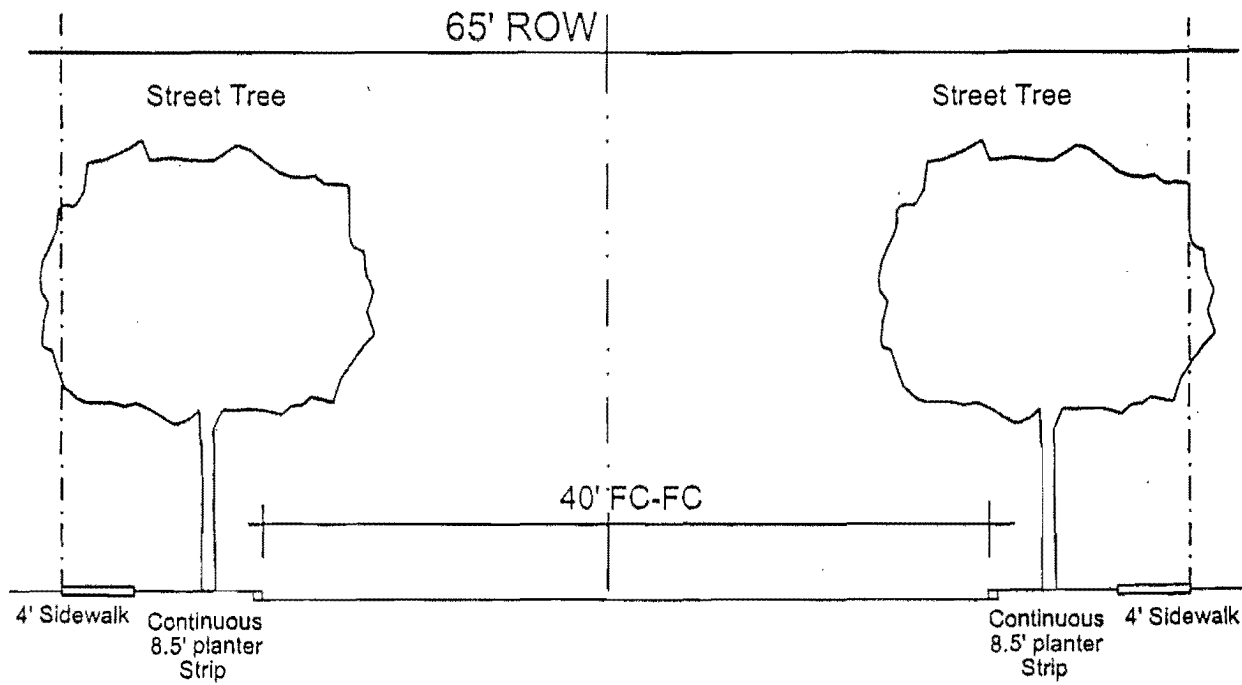
Street Diagrams and Setbacks



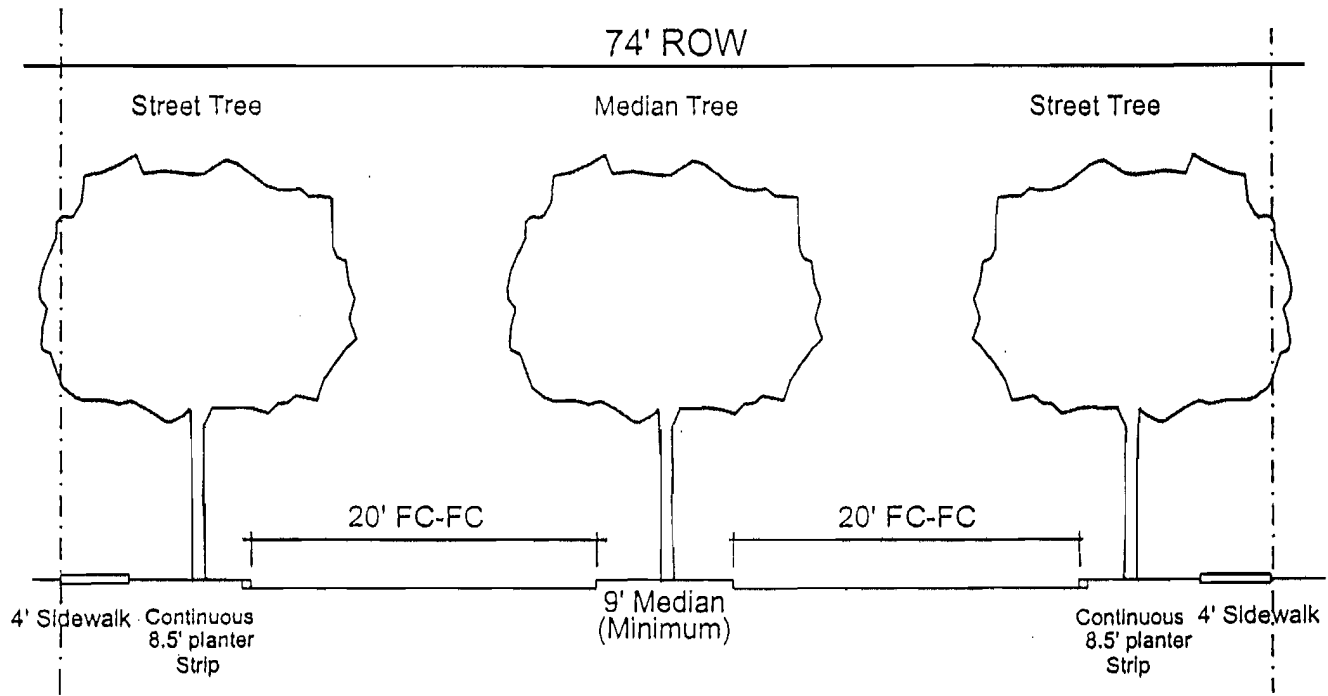
Alternative Local Street



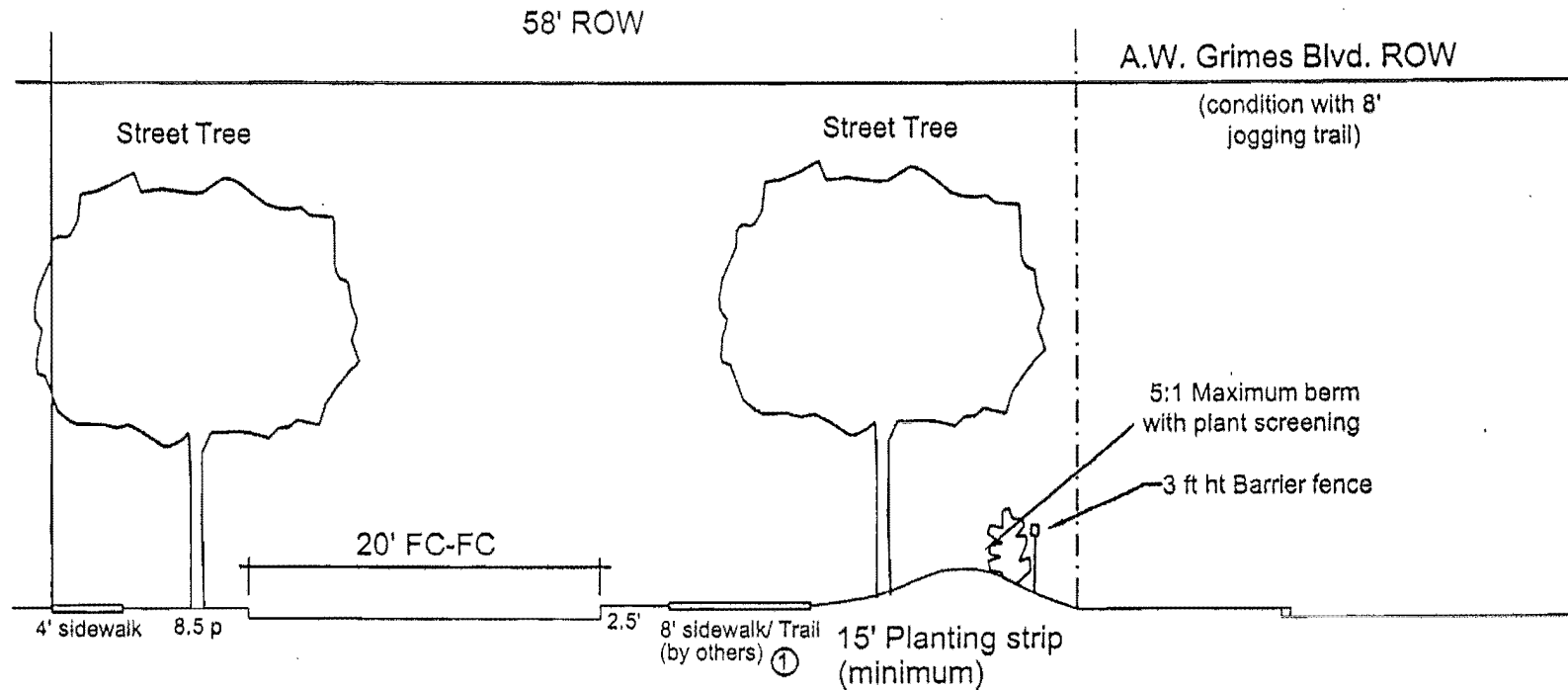
Alternative Residential Collector



Residential Collector

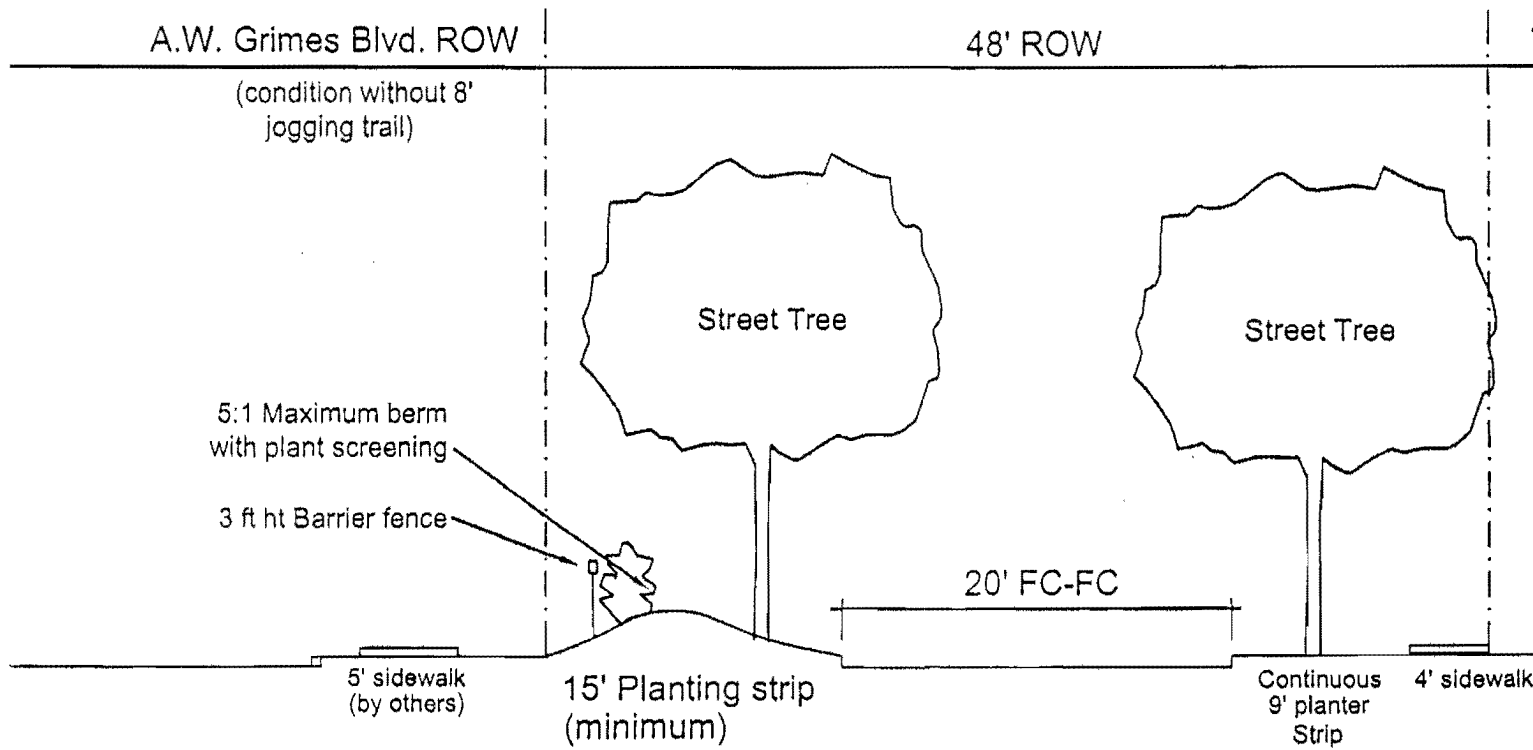


Boulevard Collector



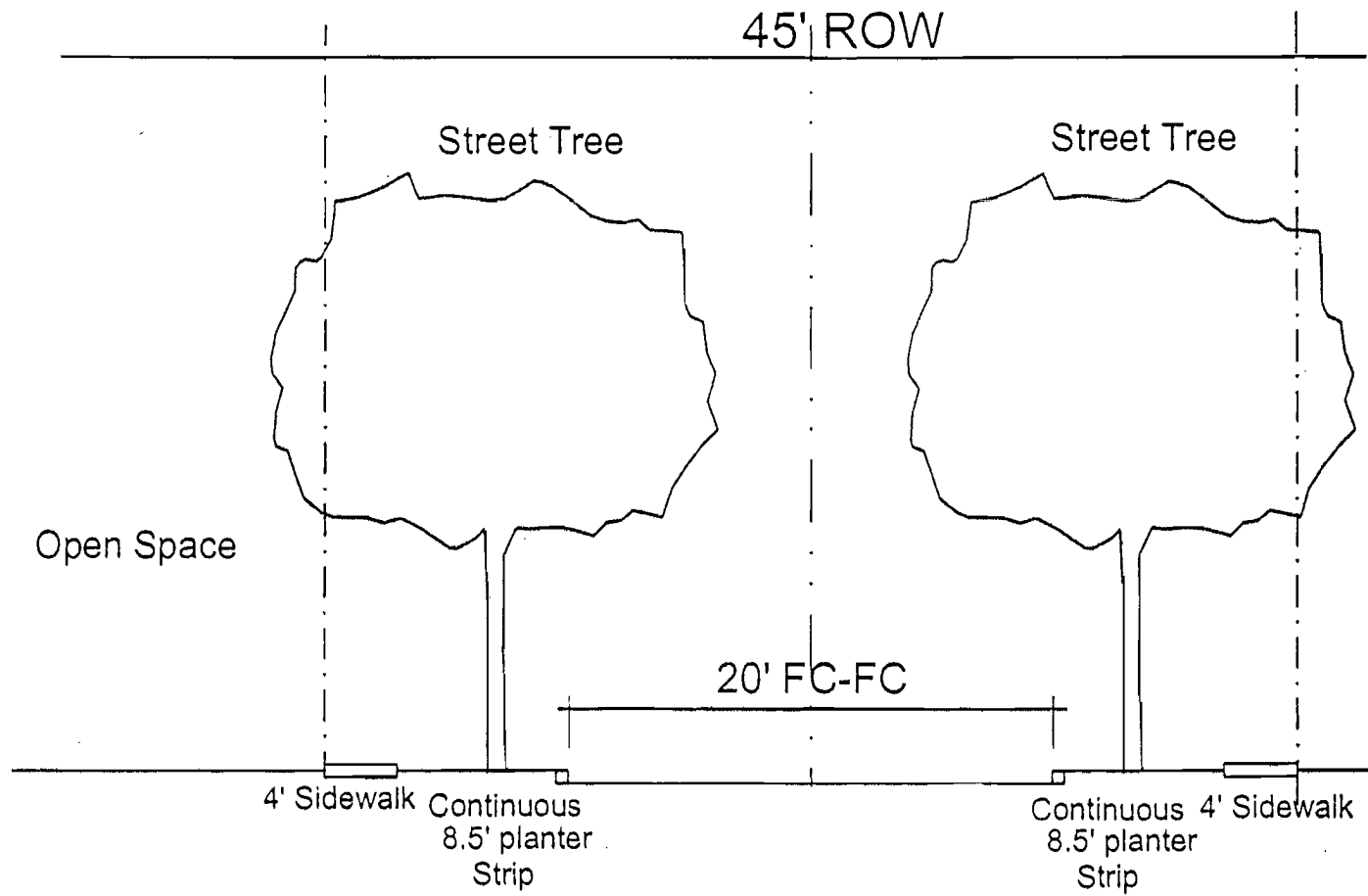
Access Lane (Fronting A.W. Grimes Blvd. with jogging trail)

- ① Sidewalk is part of the A.W. Grimes Blvd. improvements.
This pavement is the consolidated jogging trail/ sidewalk.

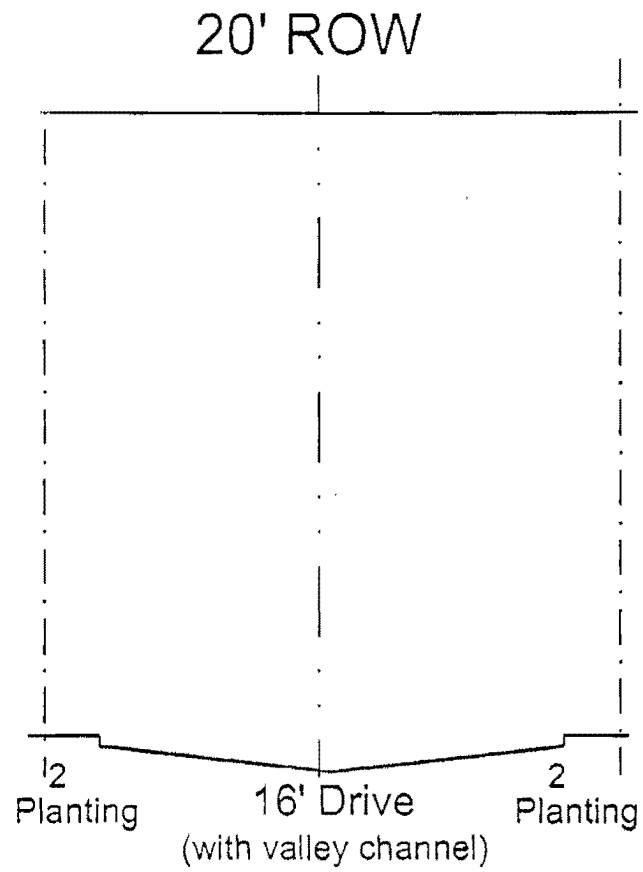


Access Lane

(Fronting A.W. Grimes Blvd. without jogging trail)

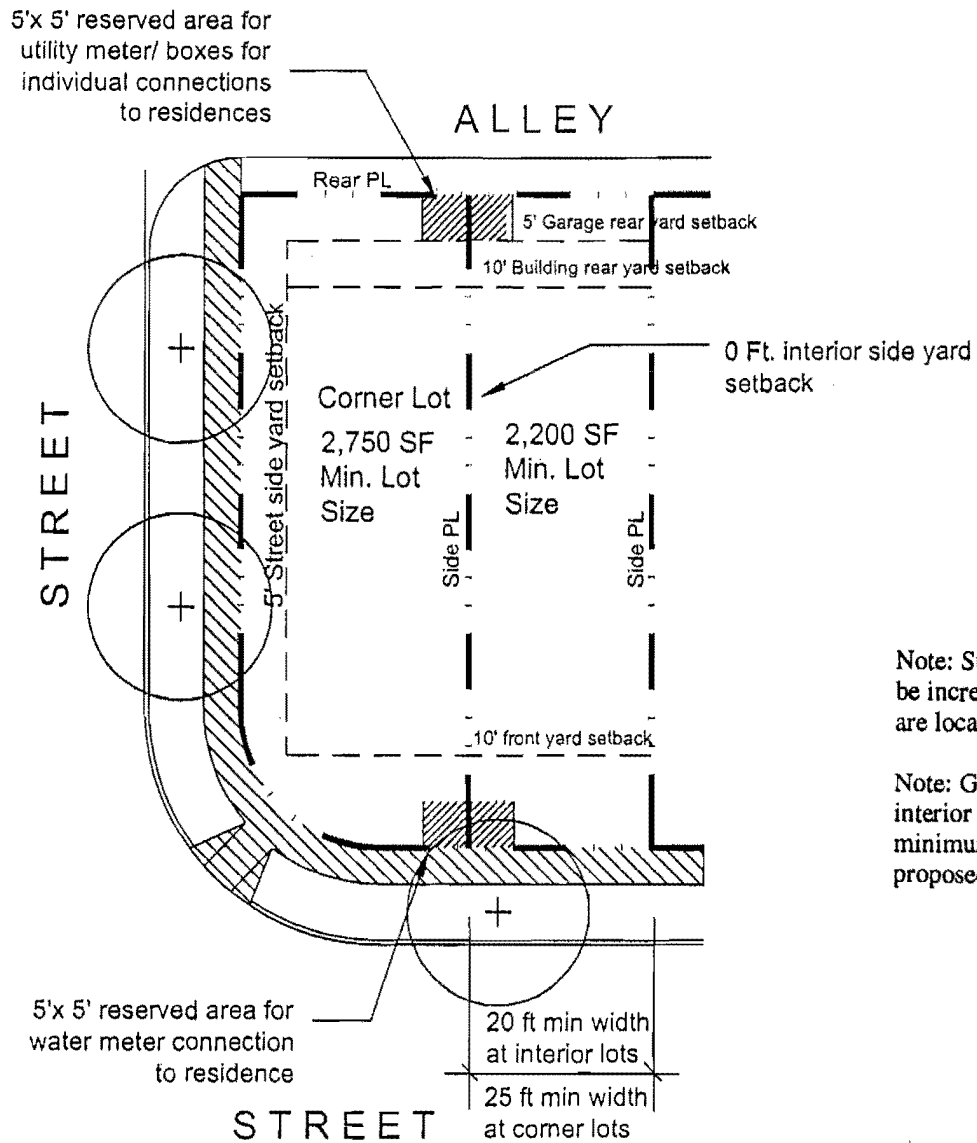


Access Lane (fronting open space)



Two-Way Alley

RECORDERS MEMORANDUM
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clearly legible for satisfactory recordation.

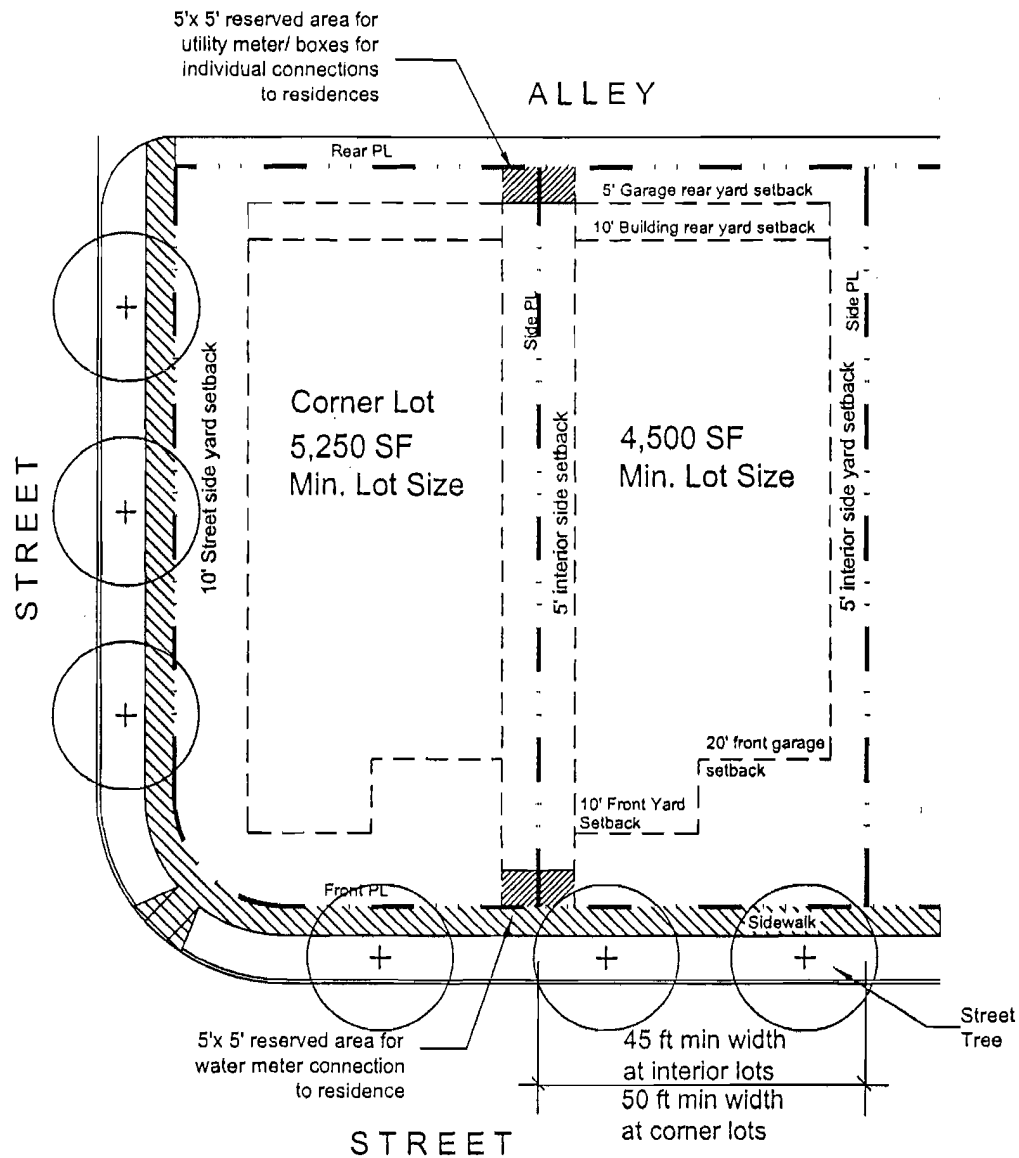


Note: Street yard building setbacks shall be increased to 15 feet if "dry utilities" are located in a PUE abutting the street.

Note: Garage setback from alley or private interior drives shall be increased to a minimum of 20 feet if parking spaces are proposed in driveway in front of garage.

LOT DIAGRAM

Residential Townhouse

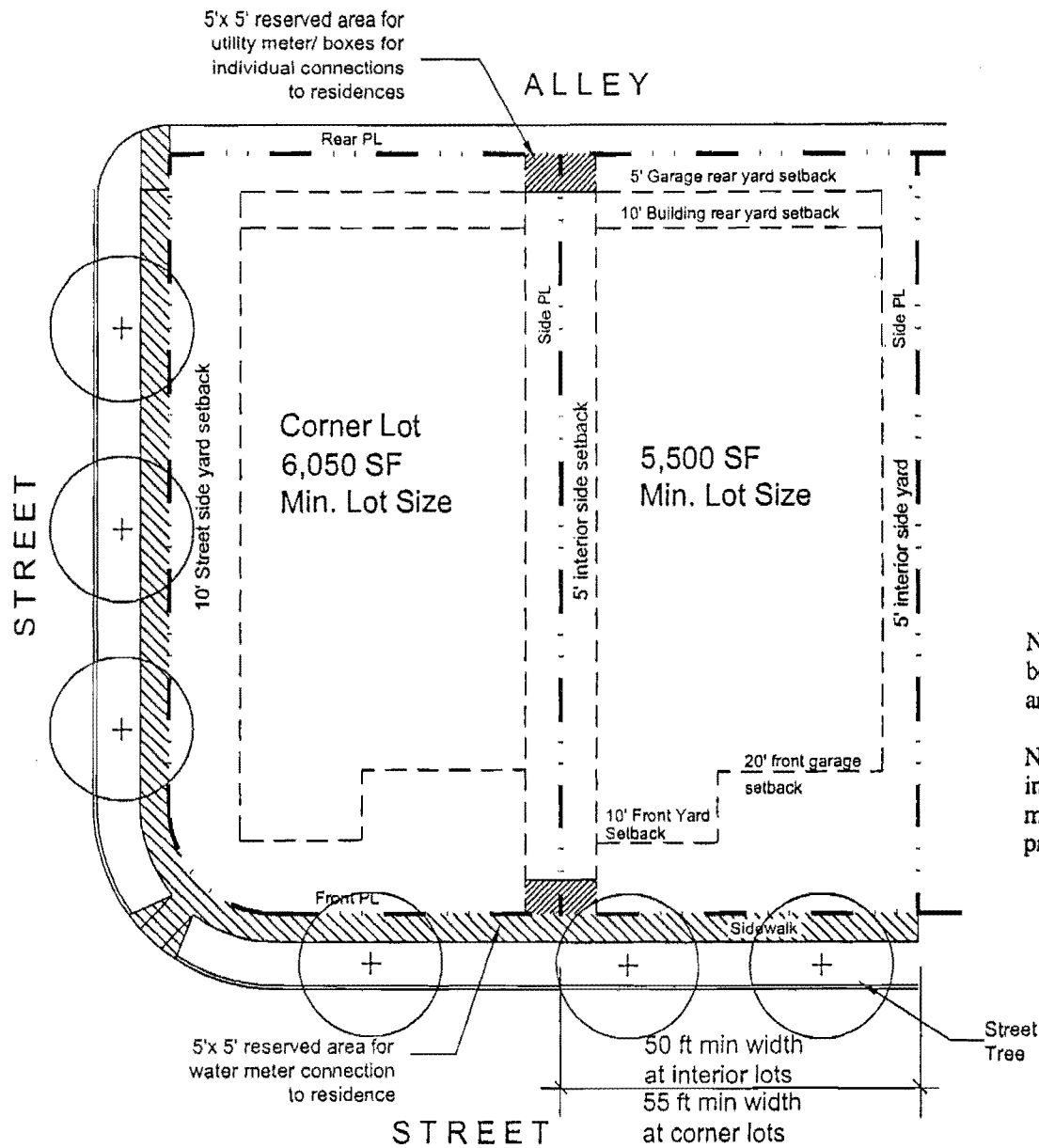


Note: Street yard building setbacks shall be increased to 15 feet if "dry utilities" are located in a PUE abutting the street.

Note: Garage setback from alley or private interior drives shall be increased to a minimum of 20 feet if parking spaces are proposed in driveway in front of garage.

RECORDERS MEMORANDUM
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LOT DIAGRAM
 Single Family Detached Residential
 LOT TYPE 'A'

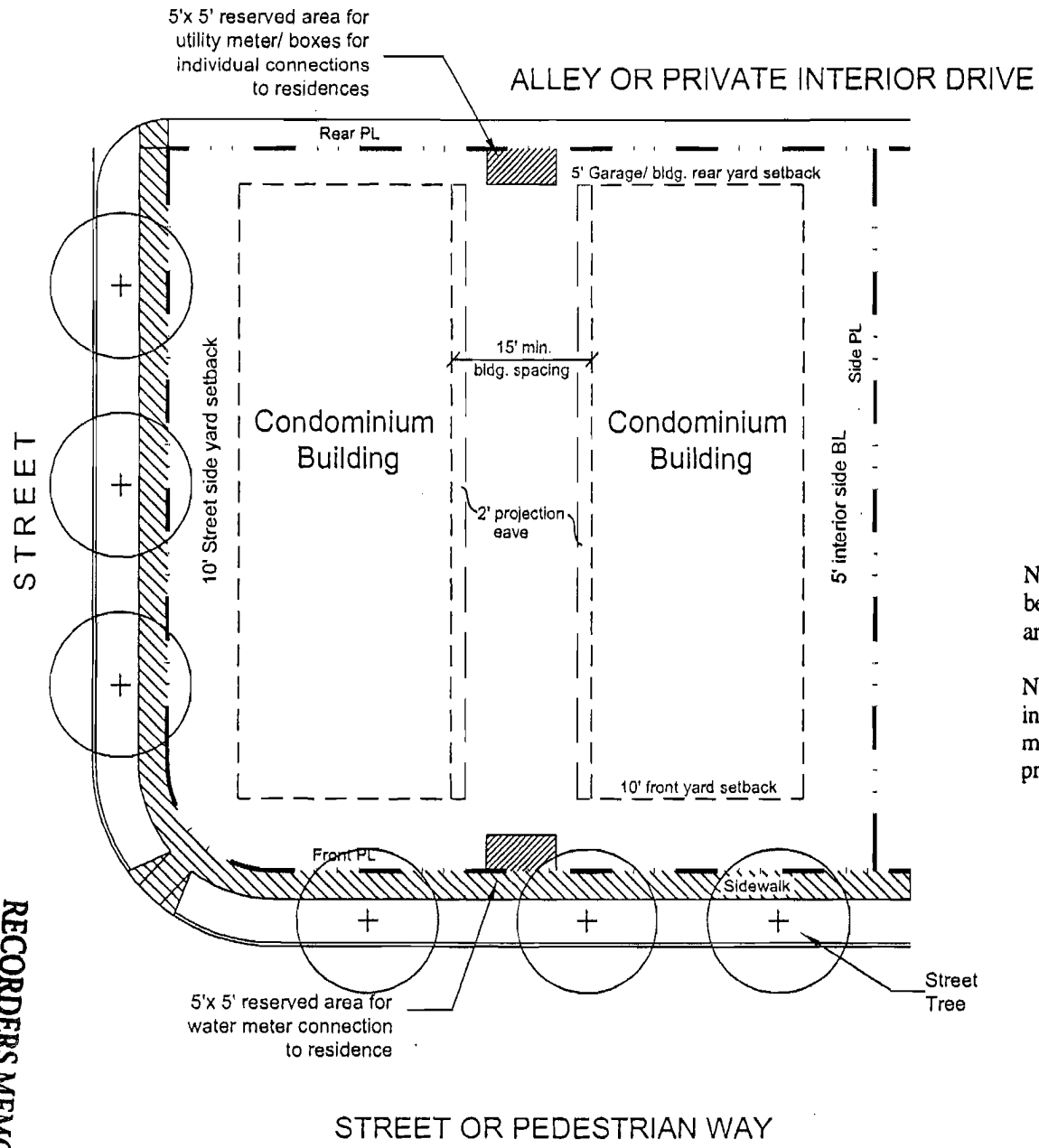


Note: Street yard building setbacks shall be increased to 15 feet if "dry utilities" are located in a PUE abutting the street.

Note: Garage setback from alley or private interior drives shall be increased to a minimum of 20 feet if parking spaces are proposed in driveway in front of garage.

RECORDERS MEMORANDUM
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LOT DIAGRAM
Single Family Detached Residential
LOT TYPE 'B'



Note: Street yard building setbacks shall be increased to 15 feet if "dry utilities" are located in a PUE abutting the street.

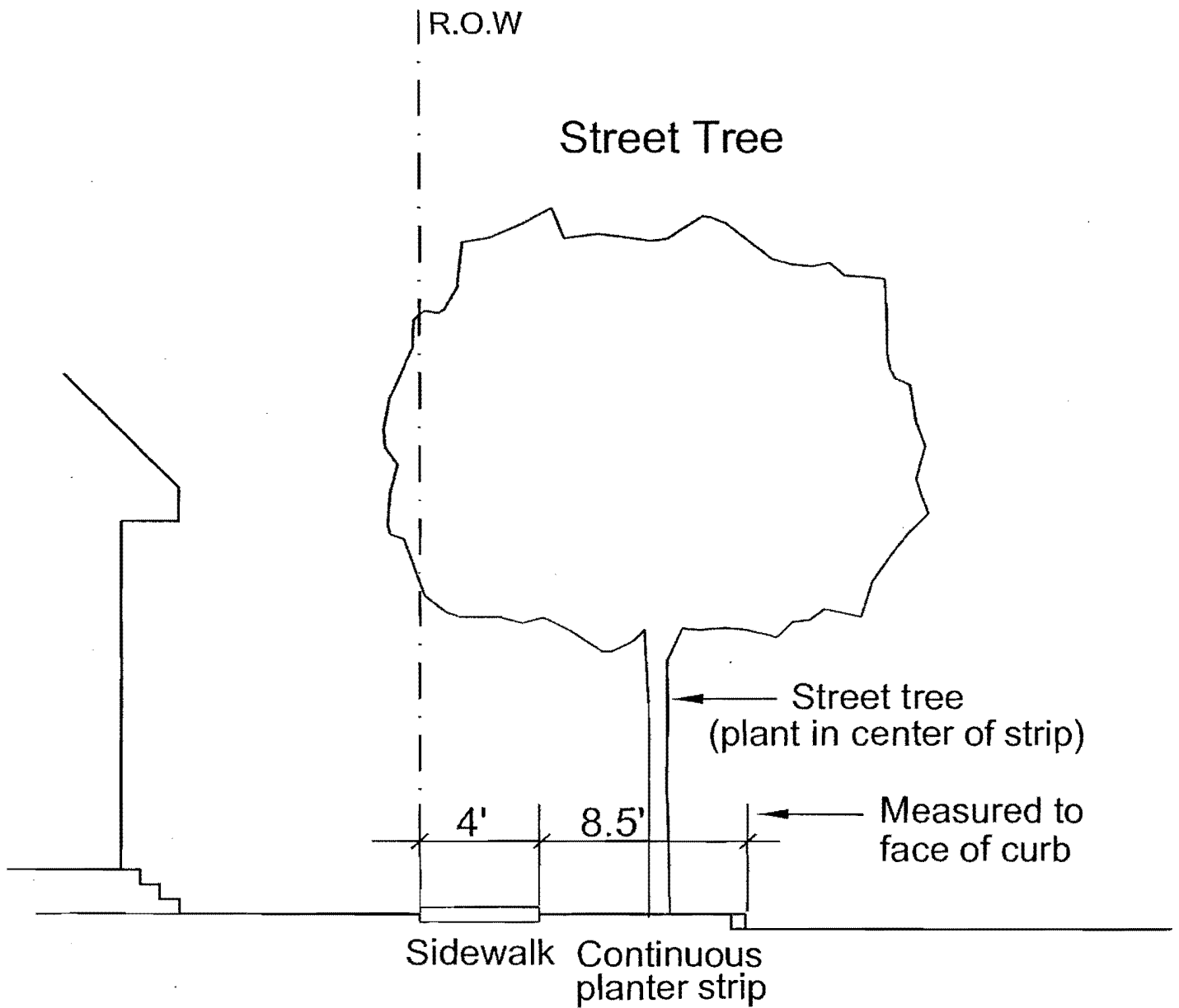
Note: Garage setback from alley or private interior drives shall be increased to a minimum of 20 feet if parking spaces are proposed in driveway in front of garage.

RECORDERS MEMORANDUM
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 clearly legible for satisfactory recordation.

STREET OR PEDESTRIAN WAY

LOT DIAGRAM

Residential Condominium



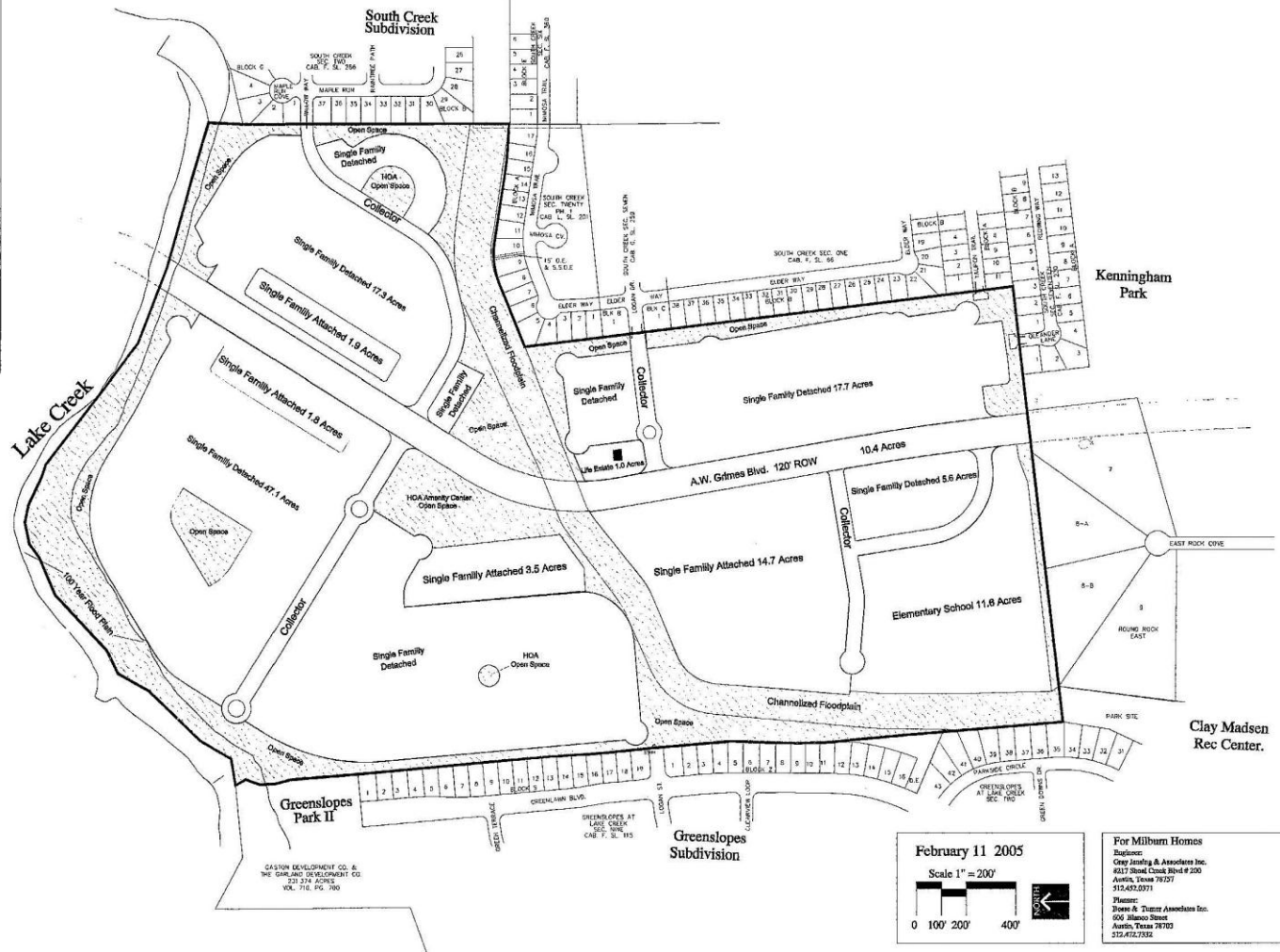
Typical Planting Strip
Exhibit "I"

EXHIBIT 'K' LAND USE PLAN

Turtle Creek Village Planned Unit Development

Land Use	Approximate Acres ^①	Other Uses
Open Space		
HOA Open Space	2.4 Ac	Amenity center
Public Open Space ^② within 100 yr flood plain	19.4 Ac	3 pedestrian underpasses (proposed)
outside 100 yr flood plain	16.0 Ac	2.5 miles pedestrian footpaths (proposed)
Total (37.8 Ac.)		
Single Family Detached	87.7 Ac.	
Single Family Attached	22.0 Ac.	
Public Education (Round Rock ISD Elementary School)	11.6 Ac	
Life Estate	1.0 Ac	
Collector Streets	6.5 Ac	
A.W. Grimes ROW	10.4 Ac	
TOTAL	177.0 Ac	

① Acreage subject to change
 ② Subject to approval by the city of Round Rock



Location Map
NTS

February 11 2005
 Scale 1" = 200'

For Milburn Homes
 Engineers:
 Crey Jenney & Associates Inc.
 4317 South Creek Blvd # 200
 Austin, Texas 78727
 512.471.0371
 Planner:
 James R. Turner Associates Inc.
 600 Milano Street
 Austin, Texas 78703
 512.419.7384

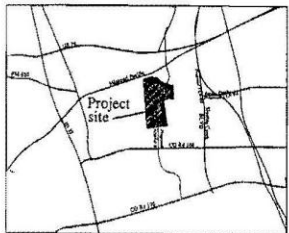
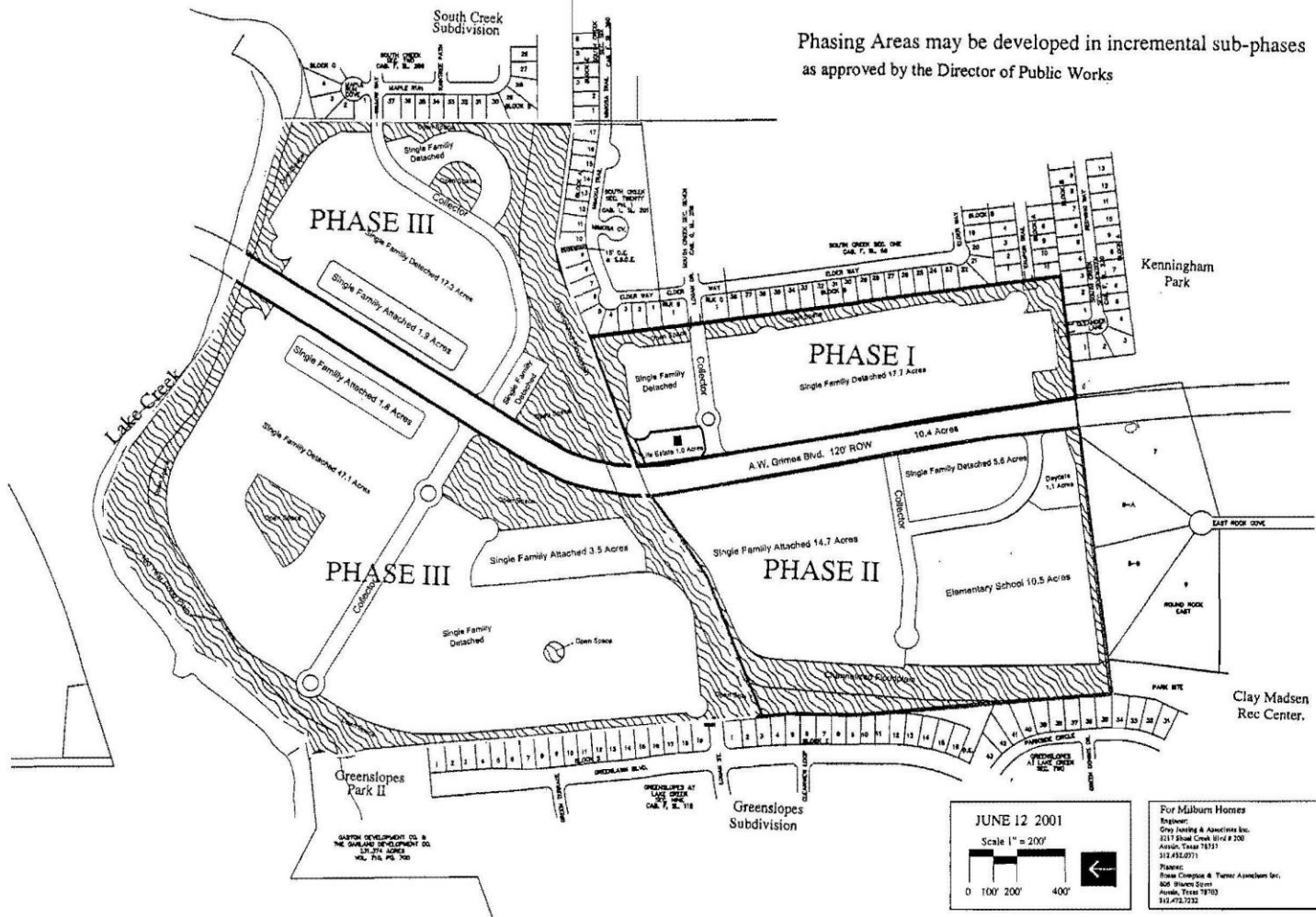
CASIN DEVELOPMENT CO. &
 THE GUN AND THE BULLET CO.
 221 374 ACRES
 WK. 17E, PG. 700

Greenslopes
 Subdivision

EXHIBIT 'L' PHASING PLAN

Turtle Creek Village Planned Unit Development

Phasing Areas may be developed in incremental sub-phases
as approved by the Director of Public Works



Location Map
NTS

JUNE 12 2001
Scale 1" = 200'

For Milburn Homes
Engineer:
Gry Janning & Associates Inc.
2013 South Creek Blvd # 200
Austin, Texas 78751
512.452.0771
Planner:
Rosa Campos & Turner Associates Inc.
206 Shiner Street
Austin, Texas 78703
512.472.7232