**Parts of this PUD have been amended** with regard to multi-family (MF) development by Ordinance No. Z-12-10-25-I3. These amendments **have not been incorporated into the text** of the PUD document; please refer to the appropriate part of the ordinance for amendments specific to the PUD.

**Ordinance Z-12-10-25-I3 is posted here** (copy and paste the link into your browser): http://www.roundrocktexas.gov/wp-content/uploads/2015/03/Z-12-10-25-I3-MF-in-PUDs.pdf

| | | |
|---|---|---|
| PUD 2 | (Part I.) | Paragraph Three amended |
| PUD 4 | (Part II.) | Section II of the Development Guidelines of Exhibit "B" |
| PUD 10 | (Part III.) | Sections 2.1 and 13.1 of the Development Plan of Exhibit "B" |
| PUD 15 | (Part IV.) | Section II.5.1 of the Development Plan |
| PUD 20 | (Part V.) | Section II.5.1 and II.5.2 of the Development Plan |
| PUD 26 | (Part VI.) | Section II.5.1 of the Development Plan of Exhibit "C" |
| PUD 31 | (Part VII.) | Section II.5 of the Development Plan |
| PUD 39 | (Part VIII.) | Exhibits "F-2" "F-3" and "F-4" |
| PUD 40 | (Part IX.) | Section 1.1 of Exhibit "E" |
| PUD 42 | (Part X.) | Section 1 of the Development Standards for Parcels "1, 2 and 3" in Exhibit "D" |
| PUD 53 | (Part XI.) | Section 1 of the Development Standards for Parcel 2 in Exhibit "D" |
| PUD 68 | (Part XII.) | Section II.4.1 of the Development Plan of Exhibit "B" |
| PUD 70 | (Part XIII.) | Sections II.4.1 and II.6 of the Development Plan of Exhibit "B" |
| PUD 71 | (Part XIV.) | Section 1. (a) of Exhibit "D" |
| PUD 73 | (Part XV.) | Section II.4.1 of the Development Plan of Exhibit "B" |
| PUD 74 | (Part XVI.) | Sections II.4.1 and II.5.2 and II.7.3 of the Development Plan of Exhibit "B" |
| PUD 78 | (Part XVII.) | Sections II.4.1 and II.5.2 and II.5.4 of the Development Plan of Exhibit "B" |
| PUD 83 | (Part XVIII.) | Sections II.4.1 and II.6.4 (2) of the Development Plan of Exhibit "B" |
| PUD 84 | (Part XIX.) | Section II.6.1(1)(b) of the Development Plan |
| PUD 85 | (Part XX.) | Sections II.4.1 and II.5.1 of the Development Plan of Exhibit "B" |
| PUD 89 | (Part XXI.) | Section II.4.1 and II.6.1 of the Development Plan of Exhibit "B" |
| PUD 90 | (Part XXII.) | Sections II.4.1 and II.6 of the Development Plan of Exhibit "B" and Exhibits "B" and "D" |

ORDINANCE NO. Z-07-06-28-10C2

**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 REZONE 37.975 ACRES OF LAND, OUT OF THE P.A. HOLDER SURVEY, ABSTRACT NO. 297, IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS, FROM DISTRICT C-1 (GENERAL COMMERCIAL) TO PLANNED UNIT DEVELOPMENT (PUD) NO. 74.**

**WHEREAS,** an application has been made to the City Council of the City of Round Rock, Texas to amend the Official Zoning Map to rezone 37.975 acres of land, out of the P.A. Holder Survey, Abstract No. 297, in Round Rock, Williamson County, Texas, being more fully described in Exhibit "A" attached hereto, from District C-1 (General Commercial) to Planned Unit Development (PUD) No. 74, 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 30th day of May, 2007, 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.74, and

**WHEREAS,** on the 28th day of June, 2007, 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 and Section 11.400, 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 CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:**

I.

That the City Council has hereby determined the Planned Unit Development (PUD) No. 74 meets the following goals and objectives:

(1) The development in PUD No. 74 is equal to or superior to development that would occur under the standard ordinance requirements.

(2) P.U.D. No. 74 is in harmony with the general purposes, goals, objectives and standards of the General Plan.

(3) P.U.D. No. 74 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. 74 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. 74 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 11.401(2)(a), 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. 74, and that the Mayor is hereby authorized and directed to enter into the Development Plan for PUD No. 74 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.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

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 28 day of June, 2007.

Alternative 2.

**READ** and **APPROVED** on first reading this the _____ day of _____, 2007.

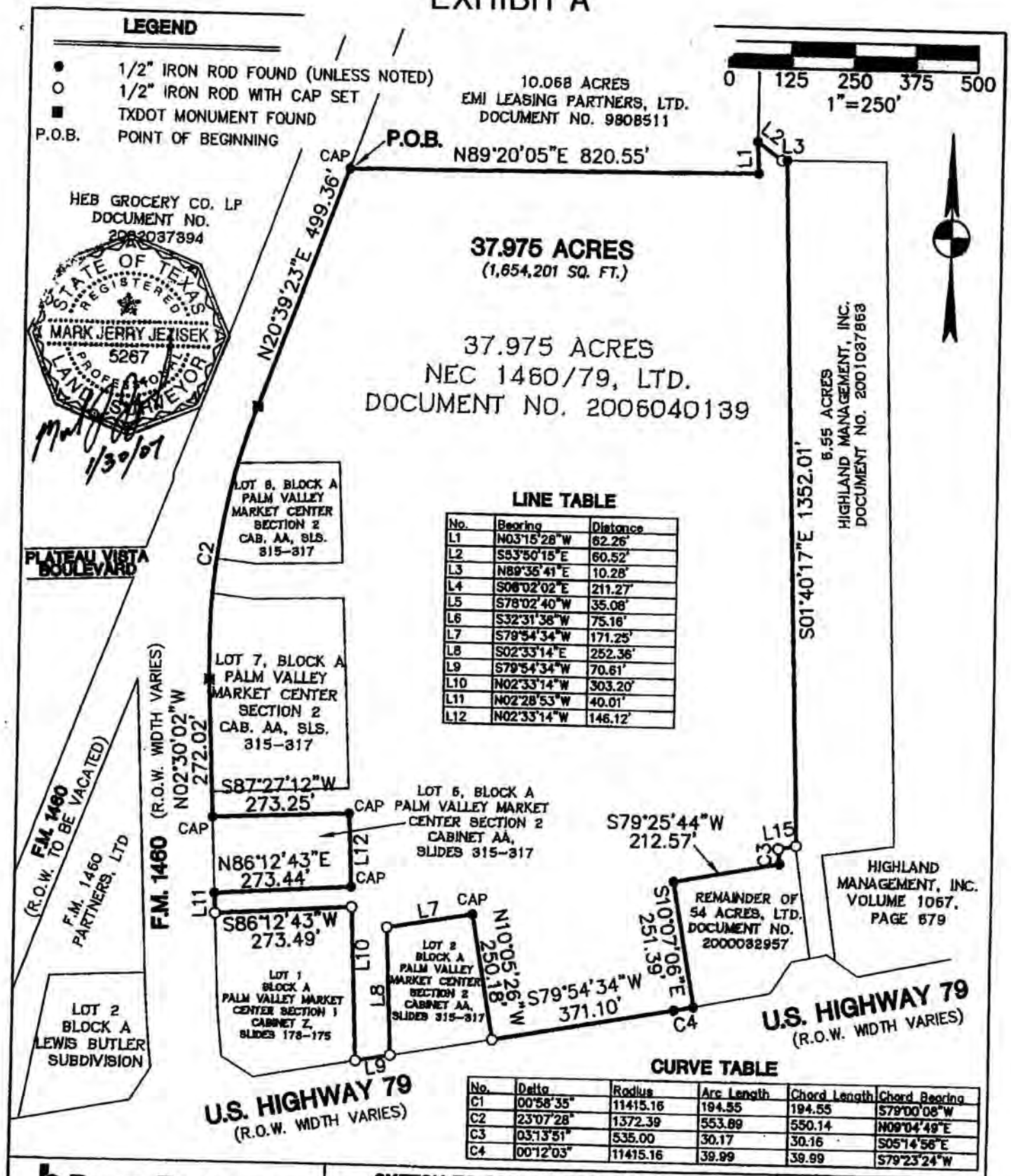
**READ, APPROVED** and **ADOPTED** on second reading this the ____ day of _____, 2007.

NYLE MAXWELL, Mayor
City of Round Rock, Texas

ATTEST:

Christine R. Martinez
CHRISTINE R. MARTINEZ, City Secretary

# EXHIBIT A




## LINE TABLE

| No. | Bearing | Distance |
|---|---|---|
| L1 | N03°15'28"W | 62.26' |
| L2 | S53°50'15"E | 60.52' |
| L3 | N89°36'41"E | 10.28' |
| L4 | S06°02'02"E | 211.27' |
| L5 | S78°02'40"W | 35.08' |
| L6 | S32°31'38"W | 75.16' |
| L7 | S79°54'34"W | 171.25' |
| L8 | S02°33'14"E | 252.36' |
| L9 | S79°54'34"W | 70.61' |
| L10 | N02°33'14"W | 303.20' |
| L11 | N02°28'53"W | 40.01' |
| L12 | N02°33'14"W | 146.12' |

## CURVE TABLE

| No. | Delta | Radius | Arc Length | Chord Length | Chord Bearing |
|---|---|---|---|---|---|
| C1 | 00°58'35" | 11415.16 | 194.55 | 194.55 | S79°00'08"W |
| C2 | 23°07'28" | 1372.39 | 553.89 | 550.14 | N09°04'49"E |
| C3 | 03°13'51" | 535.00 | 30.17 | 30.16 | S05°14'56"E |
| C4 | 00°12'03" | 11415.16 | 39.99 | 39.99 | S79°23'24"W |

**Bury+Partners**
ENGINEERING SOLUTIONS
3345 Bee Cave Road, Suite 200
Austin, Texas 78746
Tel. (512)328-0011 Fax (512)328-0325
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**SKETCH TO ACCOMPANY DESCRIPTION**

OF 37.975 ACRES OF LAND OUT OF THE P.A. HOLDER SURVEY, ABSTRACT NO. 297, SITUATED IN THE CITY OF ROUND ROCK, WILLIAMSON COUNTY, TEXAS, BEING THAT CERTAIN 37.975 ACRE TRACT OF LAND OF RECORD IN DOCUMENT NO. 2006040139 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.

**TRAMMELL CROW RESIDENTIAL**

| DATE: 01/30/07 | FILE: H:\854\02\85402EX2.dwg | FN No.: 07-061(MJJ) | DRAWN BY: MJJ | PROJ. No: 854-02.09 |
|---|---|---|---|---|

37.975 ACRES
PALM VALLEY
TRAMMELL CROW

... NO. 07-061(MJJ)
JANUARY 30, 2007
BPI JOB NO. 854-02.09

**DESCRIPTION**

OF A 37.975 ACRE TRACT OF LAND OUT OF THE P.A. HOLDER SURVEY, ABSTRACT NO. 297, SITUATED IN WILLIAMSON COUNTY, TEXAS, BEING A THAT CERTAIN 37.975 ACRE TRACT OF LAND CONVEYED TO NEC 1460/79, LTD. BY DEED OF RECORD IN DOCUMENT NO. 2006040139 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 37.975 ACRES ALSO INCLUDING LOTS 7 AND 8 BLOCK A, PALM VALLEY MARKET CENTER SECTION 2, A SUBDIVISION OF RECORDS IN CABINET AA, SLIDES 315-317 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 37.975 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a 1/2 inch iron rod with cap found in the easterly right-of-way line of F.M. 1460 (R.O.W. width varies) for the northeasterly corner of that certain 2.076 acre tract of land conveyed to the State of Texas by deed of record in Document No. 2003054423 of said Official Public Records, same being the northwesterly corner of said 37.975 acre tract and being in the southerly line of that certain 10.068 acre tract of land conveyed to EMI Leasing Partners, Ltd. by deed of record in Document No. 9808511 of the Official Records of Williamson County, Texas for the northwesterly corner hereof;

**THENCE**, N89°20'05"E, leaving the easterly right-of-way line of F.M. 1460, along a portion of the southerly line of said 10.068 acre tract, being a portion of the northerly line of said 37.975 acre tract, for a portion of the northerly line hereof, a distance of 820.55 feet to a 1/2 inch iron rod found for an angle point in the northerly line of said 37.975 acre tract and hereof, being the southeasterly corner of said 10.068 acre tract;

**THENCE**, N03°15'28"W, along a portion of the easterly line of said 10.068 acre tract, for a portion of the northerly line of said 37.975 acre tract and hereof, a distance of 62.26 feet to a 1/2 inch iron rod found at the base of a fence post for an angle point in the northerly line of said 37.975 acre tract and hereof, being an angle point in the southerly line of Lot 9, Hidden Acres, a subdivision of record in Cabinet C, Slides 226-227 of said Plat Records;

**THENCE**, leaving the easterly line of said 10.068 acre tract, along a portion of the southerly line of said Lot 9, for a portion of the northerly line of said 37.975 acre tract and hereof, the following two (2) courses and distances:

1) S53°50'15"E, a distance of 60.52 feet to a 1/2 inch iron rod with cap set for an angle point;

2) N89°35'41"E, a distance of 10.28 feet to a 1/2 inch iron rod with cap found for the northeasterly corner hereof, being the northwesterly corner of that certain 6.55 acre tract of land conveyed to Highland Management, Inc. by deed of record in Document No. 2001037863 of said Official Public Records and the northeasterly corner of said 37.975 acre tract and hereof;

**THENCE**, S01°40'17"E, leaving the southerly line of said Lot 9, along a portion of the westerly line of said 6.55 acre tract, being the easterly line of said 37.975 acre tract, for the easterly line hereof, a distance of 1352.01 feet to a 1/2 inch iron rod with cap set for the easternmost southeasterly corner hereof, from which a 1/2 inch iron rod with cap found for an angle point in the westerly line of said 6.55 acre tract bears S01°40'17"E, a distance of 13.44 feet;

**THENCE**, leaving the westerly line of said 6.55 acre tract, along a portion of the southerly line of said 37.975 acre tract, for a portion of the southerly line hereof, the following four (4) courses and distances:

1) S79°17'50"W, a distance of 35.06 feet to a 1/2 inch iron rod with cap set for the point of curvature of a non-tangent curve to the left;

2) Along said curve to the left having a radius of 535.00 feet, a central angle of 03°13'51", an arc length of 30.17 feet, and chord which bears S05°14'56"E, a distance of 30.16 feet to a 1/2 inch iron rod found for the end of said curve, from which a 1/2 inch iron rod found for reference bears S07°22'36"E, a chord distance of 9.57 feet;

3) S79°25'44"W, a distance of 212.57 feet to a 1/2 inch iron rod found for an angle point;

4) S10°07'06"E, a distance of 251.39 feet to a 1/2 inch iron rod found in the curving northerly right-of-way line of U.S. Highway 79 (R.O.W. width varies) same being the northerly line of that certain 2.280 acre tract of land conveyed to the City of Round Rock by deed of record in Document No. 2004020465 of said Official Public Records, for the southernmost southeasterly corner hereof and point of curvature of a curve to the right, from which a 1/2 inch iron rod found along a curve to the left having a radius of 11415.16 feet, bears N78°54'07"E, a chord distance of 154.56 feet;

**THENCE**, along the northerly right-of-way line of U.S. Highway 79, being a portion of the southerly line of said 37.975 acre tract and hereof, the following two (2) courses and distances:

1) Along said non-tangent curve to the right having a radius of 11415.16 feet, a central angle of 00°12'03", an arc length of 39.99 feet and a chord which bears S79°23'24"W, a distance of 39.99 feet to a 1/2 inch iron rod with cap found for the end of said curve;

2) S79°54'34"W, a distance of 371.10 feet to a 1/2 inch iron rod with cap set for an angle point in the southerly line hereof, being the southeasterly corner of Lot 2, Block A, of said Palm Valley Market Center Section 2;

**THENCE**, leaving the northerly right-of-way line of U.S. Highway 79, along the easterly, northerly, and westerly lines of said Lot 2, being a portion of the southerly line of said 37.975 acre tract and hereof, the following three 3) courses and distances:

1) N10°05'26"W, a distance of 250.18 feet to a 1/2 inch iron rod with cap found for northeasterly corner of said Lot 2 and an angle point hereof;

2) S79°54'34"W, a distance of 171.25 feet to a 1/2 inch iron rod with cap set for the northwesterly corner of said Lot 2 and an angle point hereof;

3) S02°33'14"E, a distance of 252.36 feet to a 1/2 inch iron rod with cap set in the northerly right-of-way line of U.S. Highway 79 for the southwesterly corner of said Lot 2 and an angle point hereof;

**THENCE**, S79°54'34"W, along the northerly right-of-way line of U.S. Highway 79, being a portion of the southerly line of said 37.975 acre tract and hereof, a distance of 70.61 feet to a 1/2 inch iron rod with cap set for the southeasterly corner of Lot 1, Block A, Palm Valley Market Center Section 1, a subdivision of record in Cabinet Z, Slides 173-175 of the said Plat Records, being the most southerly southwesterly corner of said 37.975 acre tract and hereof;

**THENCE**, N02°33'14"W, along the easterly line of said Lot 1, being a portion of the southerly line of said 37.975 acre tract and hereof, a distance of 303.20 feet to a 1/2 inch iron rod with cap set for the northeasterly corner of said Lot 1 for an angle point hereof;

**THENCE**, S86°12'43"W, along the northerly line of said Lot 1, being a portion of the southerly line of said 37.795 acre tract and hereof, a distance of 273.49 feet to a 1/2 inch iron rod with cap set in the easterly right-of-way line of F.M. 1460, same being the easterly line of said 2.076 acre tract for the northwesterly corner of said Lot 1, for the most westerly southwest corner of said 37.975 acre tract and hereof;

**THENCE**, N02°28'53"W, along the easterly right-of-way line of F.M. 1460, being a portion of the westerly line of said 37.975 acre tract and hereof, a distance of 40.01 feet to a 1/2 inch iron rod with cap found for the southwesterly corner of Lot 6, Block A of said Palm Valley Market Center Section 2, for an angle point hereof;

**THENCE**, leaving the easterly right-of-way line of F.M. 1460, along the southerly, easterly, and northerly lines of said Lot 6, being a portion of the westerly line of said 37.975 acre tract and hereof, the following three (3) courses and distances:

1) N86°12'43"E, a distance of 273.44 feet to a 1/2 inch iron rod with cap found for the southeasterly corner of said Lot 6 and an angle point hereof;

2) N02°33'14"W, a distance of 146.12 feet to a 1/2 inch iron rod with cap found for the northeasterly corner of said Lot 6 and an angle point hereof;

3) S87°27'12"W, a distance of 273.25 feet to a 1/2 inch iron rod with cap found in the easterly right-of-way line of F.M. 1460, for the northwesterly corner of said Lot 6 and an angle point hereof;

**THENCE**, along the easterly right-of-way line of F.M. 1460, being the easterly line of said 2.076 acre tract, same being in part the westerly lines of said Lot 7 and Lot 8 and a portion of the westerly line of said 37.795 acre tract and hereof, the following three (3) courses and distances:

1) N02°30'02"W, passing at a distance of 49.97 feet a 1/2 inch iron rod found for the southwesterly corner of said Lot 7 and continuing for a total distance of 272.02 feet to a TXDOT monument found for the point of curvature of a curve to the right;

2) Along said curve to the right having a radius of 1372.39 feet, a central angle of 23°07'28", passing at an arc distance of 239.94 feet a 1/2 inch iron rod found for the southwesterly corner of said Lot 8 and continuing for a total arc length of 553.89 feet and a chord which bears N09°04'49"E, a distance of 550.14 feet to a TXDOT disc found for the end of said curve;

3) N20°39'23"E, a distance of 499.36 feet to the **POINT OF BEGINNING**, containing an area of 37.975 acres (1,654,201 sq. ft.) of land, more or less, within these metes and bounds.

THE BEARING BASIS IS TEXAS CENTRAL ZONE NAD 83/HARN 93. MONUMENTS USED ARE CITY OF ROUND ROCK MONUMENTS AS FOUND MARKED AS FOLLOWS: 01-15B, 01-027, 01-15A and 01-015.

I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS DESCRIPTION IS BASED UPON A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY+PARTNERS, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVE ROAD
SUITE 200
AUSTIN, TEXAS 78746

1/30/07
MARK J. JEZISEK, R.P.L.S.
NO. 5267
STATE OF TEXAS

STATE OF TEXAS
REGISTERED
MARK JERRY JEZISEK
5267
PROFESSIONAL
LAND SURVEYOR

**DEVELOPMENT PLAN**
**CROSSING AT PALM VALLEY**
**PLANNED UNIT DEVELOPMENT NO. 74**

**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 NEC 1460/79 Ltd., its respective successors and assigns; provided, however, upon sale, transfer or conveyance of portions of the hereinafter described property, the duties and obligations of the Owner, as it relates to the respective property, shall be assumed by the new owner, and the Owner shall have no further liability relating to their respective property.

**WHEREAS**, the Owner is the owner of certain real property consisting of 37.975 acres, as more particularly described in **Exhibit "A"**, (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 rezone the Property as a Planned Unit Development (the "PUD"); and

**WHEREAS**, for the purpose of this Plan, the Property has been divided into four development parcels, Parcels 1A, 1B, 1C and Parcel 2, as described in **Exhibit "B"**; and

**WHEREAS**, pursuant to Chapter 11, Section 11.314, Code of Ordinances (1995 Edition), 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 May 30, 2007, the City's Planning and Zoning Commission recommended approval of the Owner's application for a PUD; 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**:



EXHIBIT
"B"

# 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.13 below are followed.

## 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 Section 1.601, Code of Ordinances, (1995 Edition), 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 STANDARDS

### 1. DEFINITIONS

Words and terms used herein shall have their usual force and meaning, or as defined in the Code of Ordinances (1995 Edition), as amended, City of Round Rock, Texas, hereinafter referred to as "the Code."

### 2. PROPERTY

This Plan covers approximately 37.975 acres of land, located within the city limits 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 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 the General Commercial (C-1) zoning district for Parcels 1A, 1B and 1C and by the Multifamily (MF) zoning district for Parcel 2, and other sections of the Code, as applicable. 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 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. PERMITTED USES

The following principal uses are permitted on the Property, which is divided into two development parcels for the purpose of this description, as described on **Exhibit "B"**:

**5.1 Parcels 1A, 1B and 1C**
All uses permitted in the **C-1** (General Commercial) zoning district are permitted.

**5.2 Parcel 2**
All uses permitted in the **MF** (Multifamily) zoning district are permitted

## 6. SITE ACCESS

### 6.1. Existing and Planned Public Street Access

As described on **Exhibit "B"**, the site has frontage on US 79 on the south and A.W. Grimes Boulevard (FM 1460) on the west. Plateau Vista Boulevard, to the west across A.W. Grimes Boulevard (FM 1460), dead ends at the approximate midpoint of the site. The Owner has a Reciprocal Easement agreement with the owner of a tract of land at the southeast corner of Parcel 1C, recorded in Doc. No. 2006040140. This easement provides for the dedication of right-of-way to the City for a collector road referred to as Double Creek Loop Road. A dedication deed is being prepared.

### 6.2. Dedication of Public Access Easement

**6.2.1.** Prior to the recordation of a final plat for any part of the Property, the Owners shall dedicate a joint use and public access easement, aligned with Plateau Vista Boulevard. The easement shall be seventy (70) feet in width beginning at its intersection with A.W. Grimes Boulevard (FM 1460) and shall narrow to sixty-five (65) feet in width at a point approximately 252 feet east of A.W. Grimes Boulevard (FM 1460) and shall extend to the easternmost boundary of the Property, as indicated on **Exhibit "C"**, attached hereto. The easement shall include corner clips for the purpose of accommodating curb radii and traffic control devices, as indicated on **Exhibit "C"**. The easement document shall be subject to the review and approval of the City Transportation Director to insure compliance with this section.

### 6.3. Dedication of Collector Road - Parcel 2

**6.3.1.** Prior to, or concurrent with, the recordation of a final plat for Parcel 2, the Owner shall dedicate up to 35 feet of right-of-way to the City for the collector road on the eastern boundary of the site, from the northern boundary of the easement described in section 6.2 to the northernmost point at which the right-of-way exits

the Property, as indicated on **Exhibit "C"**.

**6.4. Construction of Private Drive – Parcel 2**

**6.4.1.** Prior to the issuance of a Certificate of Occupancy for any building on Parcel 2, the Owner shall construct a private drive within a portion of the easement described in section 6.2. The drive shall extend from A.W. Grimes Boulevard (FM 1460) for approximately 660 feet, to a point approximately fifty (50) feet beyond the easternmost entrance to the multifamily development on Parcel 2, as indicated on **Exhibit "C"**. The design of the private drive shall meet the City standard for a local collector street, without parking, and shall be designed and constructed in accordance with the City Design and Construction Standards according to the Transportation Criteria Manual.

**6.4.2.** The Owner shall construct sidewalks, a minimum of 4 feet in width, on both sides of the private drive, within the joint use and public access easement, prior to or concurrent with, the development of Parcel 2.

**6.4.3.** The private drive shall not be temporarily or permanently closed without prior approval of the City's Fire Marshall and Transportation Director, except in the event of an emergency

**6.5. Dedication of Collector Road – Parcel 1C**

**6.5.1.** Prior to, or concurrent with, the recordation of a final plat for Parcel 1C, the Owner shall dedicate right-of-way to the City for the collector road on the eastern boundary of the site, from the northern terminus of the adjacent reciprocal agreement and restrictive covenant tract, extending to the northern boundary of the easement described in section 6.2, as indicated on **Exhibit "C"**.

**6.6. Construction of Collector Road – Parcel 1C**

**6.6.1.** Prior to the issuance of a Certificate of Occupancy for any building on Parcel 1C, the Owner shall construct a 30-foot roadway section within the right-of-way described in section 6.5. Acceptance of the road construction by the City shall be a condition of the issuance of a certificate of occupancy for any building on Parcel 1C.

**6.6.2.** The Owner shall provide the fee in lieu for the construction of the required sidewalk along the western side of the collector road, in an amount estimated to be equivalent to the cost of constructing the sidewalk, as determined by the Director of Transportation.

### 6.7. Construction of Private Drive - Parcel 1C

**6.7.1.** Prior to the issuance of a Certificate of Occupancy for any building on Parcel 1C, the Owner shall construct a private drive within the easement described in section 6.2. The drive shall extend from a point approximately fifty (50) feet beyond the easternmost entrance to the multifamily development on Parcel 2, for approximately 457 feet, up to and connecting with, the 30-foot collector road section described in section 6.6, as indicated on **Exhibit "C"**. The design of the private drive shall meet the City standard for a local collector street, without parking, and shall be designed and constructed in accordance with the City Design and Construction Standards according to the Transportation Criteria Manual.

**6.7.1.1.** The Owner shall construct sidewalks, a minimum of 4 feet in width, on both sides of the private drive, within the joint use and public access easement, prior to or concurrent with, the development of Parcel 1C.

**6.7.1.2.** The private drive shall not be temporarily or permanently closed without prior approval of the City's Fire Marshall and Transportation Director, except in the event of an emergency.

**6.7.2.** If any portion of Parcel 1C is developed prior to the development of Parcel 2, the Owner shall also construct the private drive described in section 6.4, and as indicated on **Exhibit "C"**, prior to the issuance of a Certificate of Occupancy for any building on Parcel 1C.

## 7. DEVELOPMENT STANDARDS

### 7.1. Parcel 1C (General Commercial)

The requirements of the C-1 zoning district shall apply, except as modified by:

**7.1.1.** A landscape buffer, forty (40) feet in width, extending from the southern boundary of the joint use and public access easement, as described in section 6.2, shall be required. The buffer shall be clear of obstructions, easements or other planting limitations. The following elements shall be applied within the landscape buffer:

**7.1.1.1.** One medium tree, as defined in the Code, per twenty-five (25) linear feet (75% of selected trees shall be of an evergreen species).

**7.1.1.2.** One small tree, as defined in the Code, per ten (10) linear feet (75% of selected trees shall be of an evergreen species).

**7.1.1.3.** One large shrub, as defined in the Code, per six (6) linear feet.

**7.1.1.4.** One large tree, as defined in the Code, per forty (40) linear feet.

**7.1.1.5.** An earthen berm, minimum 3'0" and maximum 6'0" in height.

**7.1.1.6.** The design of the landscape buffer shall be coordinated with the design of the landscape buffer along the northern boundary of the joint use and public access easement on Parcel 2, so as to provide for consistent landscape applications for the two landscape buffers.

**7.1.2.** Pedestrian access and connections with the adjoining Parcel 2 shall be provided at a minimum of two (2) locations. The connections shall be coordinated as a part of the site development plan review process for Parcel 1C and Parcel 2.

**7.1.3.** The building setback from the southern boundary of the joint use and public access easement shall be a minimum of forty (40) feet.

**7.2. Parcel 1B (General Commercial)**

The requirements of the C-1 zoning district shall apply, except as modified by:

**7.2.1.** The easement described in section 6.2 shall be considered a public street for the purpose of applying the development standards in the Code.

**7.3. Parcel 2 (Multifamily)**

The requirements of the MF zoning district shall apply, except as modified by:

**7.3.1.** The easement described in section 6.2 shall be considered a public street for the purpose of applying the development standards in the Code.

**7.3.2.** No use shall be allowed in the required setback along the northern boundary of the joint use and public access easement, except that parking shall be allowed in the setback more than 10 feet from the boundary. Such parking shall require a landscaped buffer at least 10 feet deep designed in accordance with the landscape requirements found in Section 11.501 of the Code.

**7.3.3.** The design of the landscape buffer shall be coordinated with the design of the landscape buffer along the southern boundary of the joint use and public access easement on Parcel 1C, so as to provide for consistent landscape applications for the two landscape buffers.

**7.3.4.** Pedestrian access and connections with the adjoining Parcel 1C shall be provided at a minimum of two (2) locations. The connections shall be coordinated as a part of the site development plan review process for Parcel 2 and Parcel 1C.

## 8. CONCEPT PLAN

Approval of this Development Plan constitutes Concept Plan approval under the City Subdivision Ordinance.

## 9. GENERAL PLAN 2000

This Development Plan amends the Round Rock General Plan 2000, which was adopted on June 10, 1999.

## 10. DEVELOPMENT PROCESS

As required by City code, the Owner shall be required to complete the remaining steps in the City's development process, including subdivision platting and site development plan approval. A Preliminary Plat must be approved according to the City of Round Rock Subdivision Code, prior to the Property being subdivided as a Final Plat. No site development plan approval on the Property shall be granted until the Final Plat is recorded. No building permit on the Property shall be issued until the site development plan is approved by the Development Review Committee.

## 11. UNDERGROUND UTILITY SERVICE

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

## 12. CHANGES TO DEVELOPMENT PLAN

### 12.1. Minor Changes

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

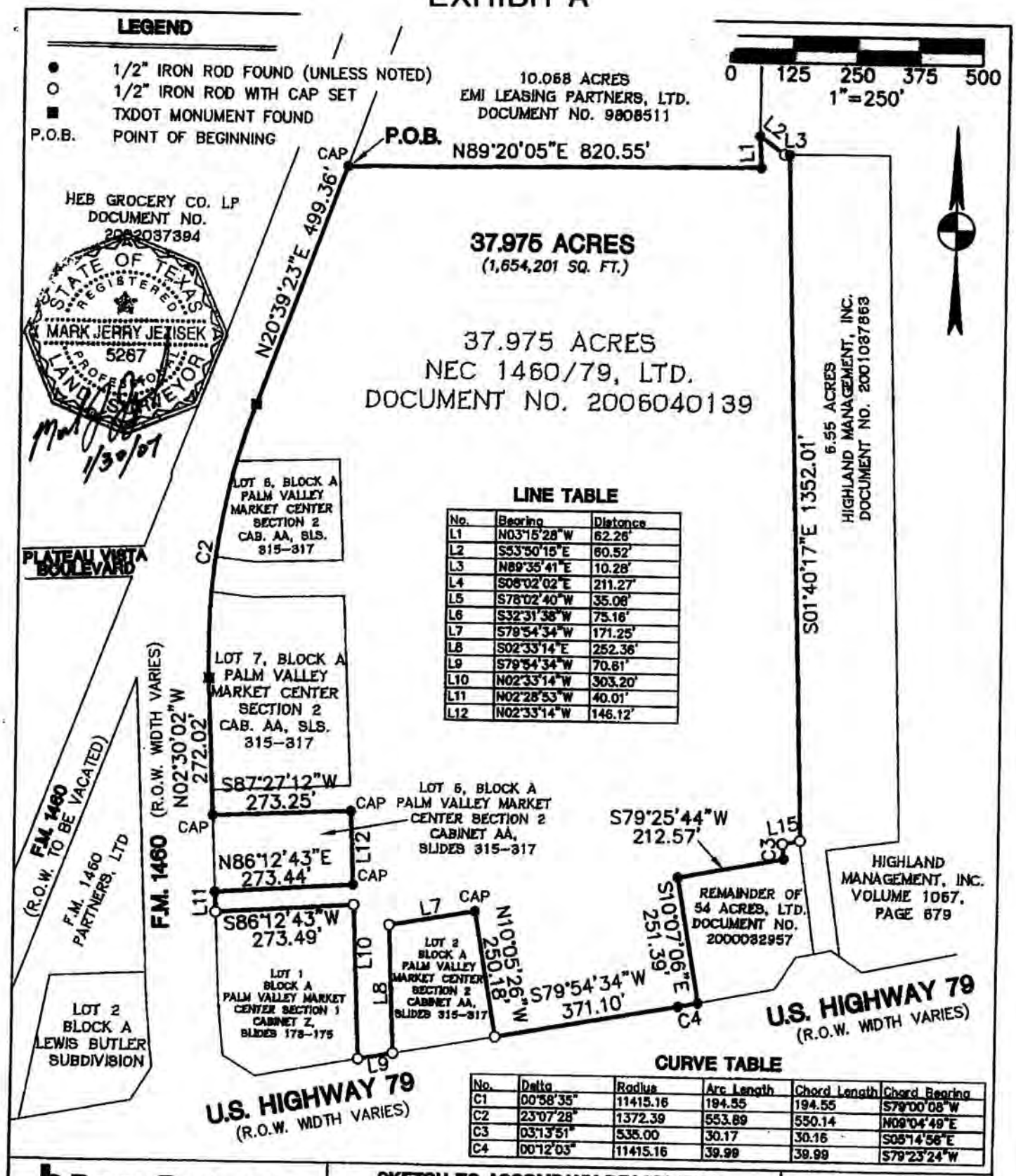
### 12.2. Major Changes

All changes not permitted under section 12.1 above shall be resubmitted following the same procedure required by the original PUD application.

## LIST OF EXHIBITS

| EXHIBIT | DESCRIPTION |
|---|---|
| Exhibit "A" | Legal Description and Sketch of 37.975 acre tract |
| Exhibit "B" | Parcel 1A, 1B, 1C and Parcel 2 boundaries and existing and proposed public streets |
| Exhibit "C" | Street Dedication & Construction |

# EXHIBIT A




## LINE TABLE

| No. | Bearing | Distance |
|---|---|---|
| L1 | N03°15'28"W | 62.26' |
| L2 | S53°50'15"E | 60.52' |
| L3 | N89°35'41"E | 10.28' |
| L4 | S06°02'02"E | 211.27' |
| L5 | S78°02'40"W | 35.08' |
| L6 | S32°31'38"W | 75.16' |
| L7 | S79°54'34"W | 171.25' |
| L8 | S02°33'14"E | 252.36' |
| L9 | S79°54'34"W | 70.61' |
| L10 | N02°33'14"W | 303.20' |
| L11 | N02°28'53"W | 40.01' |
| L12 | N02°33'14"W | 146.12' |

## CURVE TABLE

| No. | Delta | Radius | Arc Length | Chord Length | Chord Bearing |
|---|---|---|---|---|---|
| C1 | 00°58'35" | 11415.16 | 194.55 | 194.55 | S79°00'08"W |
| C2 | 23°07'28" | 1372.39 | 553.89 | 550.14 | N09°04'49"E |
| C3 | 03°13'51" | 535.00 | 30.17 | 30.16 | S05°14'56"E |
| C4 | 00°12'03" | 11415.16 | 39.99 | 39.99 | S79°23'24"W |

**Bury+Partners**
ENGINEERING SOLUTIONS
3345 Bee Cave Road, Suite 200
Austin, Texas 78746
Tel. (512)328-0011 Fax (512)328-0325
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**SKETCH TO ACCOMPANY DESCRIPTION**
OF 37.975 ACRES OF LAND OUT OF THE P.A. HOLDER SURVEY, ABSTRACT NO. 297, SITUATED IN THE CITY OF ROUND ROCK, WILLIAMSON COUNTY, TEXAS, BEING THAT CERTAIN 37.975 ACRE TRACT OF LAND OF RECORD IN DOCUMENT NO. 2006040139 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.

**TRAMMELL CROW RESIDENTIAL**

| DATE: 01/30/07 | FILE: H:\854\02\85402EX2.dwg | FN No.: 07-061(MJJ) | DRAWN BY: MJJ | PROJ. No: 854-02.09 |
|---|---|---|---|---|

37.975 ACRES
PALM VALLEY
TRAMMELL CROW

...N. NO. 07-061(MJJ)
JANUARY 30, 2007
BPI JOB NO. 854-02.09

**DESCRIPTION**

OF A 37.975 ACRE TRACT OF LAND OUT OF THE P.A. HOLDER SURVEY, ABSTRACT NO. 297, SITUATED IN WILLIAMSON COUNTY, TEXAS, BEING A THAT CERTAIN 37.975 ACRE TRACT OF LAND CONVEYED TO NEC 1460/79, LTD. BY DEED OF RECORD IN DOCUMENT NO. 2006040139 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 37.975 ACRES ALSO INCLUDING LOTS 7 AND 8 BLOCK A, PALM VALLEY MARKET CENTER SECTION 2, A SUBDIVISION OF RECORDS IN CABINET AA, SLIDES 315-317 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 37.975 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a 1/2 inch iron rod with cap found in the easterly right-of-way line of F.M. 1460 (R.O.W. width varies) for the northeasterly corner of that certain 2.076 acre tract of land conveyed to the State of Texas by deed of record in Document No. 2003054423 of said Official Public Records, same being the northwesterly corner of said 37.975 acre tract and being in the southerly line of that certain 10.068 acre tract of land conveyed to EMI Leasing Partners, Ltd. by deed of record in Document No. 9808511 of the Official Records of Williamson County, Texas for the northwesterly corner hereof;

**THENCE**, N89°20'05"E, leaving the easterly right-of-way line of F.M. 1460, along a portion of the southerly line of said 10.068 acre tract, being a portion of the northerly line of said 37.975 acre tract, for a portion of the northerly line hereof, a distance of 820.55 feet to a 1/2 inch iron rod found for an angle point in the northerly line of said 37.975 acre tract and hereof, being the southeasterly corner of said 10.068 acre tract;

**THENCE**, N03°15'28"W, along a portion of the easterly line of said 10.068 acre tract, for a portion of the northerly line of said 37.975 acre tract and hereof, a distance of 62.26 feet to a 1/2 inch iron rod found at the base of a fence post for an angle point in the northerly line of said 37.975 acre tract and hereof, being an angle point in the southerly line of Lot 9, Hidden Acres, a subdivision of record in Cabinet C, Slides 226-227 of said Plat Records;

**THENCE**, leaving the easterly line of said 10.068 acre tract, along a portion of the southerly line of said Lot 9, for a portion of the northerly line of said 37.975 acre tract and hereof, the following two (2) courses and distances:

1) S53°50'15"E, a distance of 60.52 feet to a 1/2 inch iron rod with cap set for an angle point;

2) N89°35'41"E, a distance of 10.28 feet to a 1/2 inch iron rod with cap found for the northeasterly corner hereof, being the northwesterly corner of that certain 6.55 acre tract of land conveyed to Highland Management, Inc. by deed of record in Document No. 2001037863 of said Official Public Records and the northeasterly corner of said 37.975 acre tract and hereof;

**THENCE**, S01°40'17"E, leaving the southerly line of said Lot 9, along a portion of the westerly line of said 6.55 acre tract, being the easterly line of said 37.975 acre tract, for the easterly line hereof, a distance of 1352.01 feet to a 1/2 inch iron rod with cap set for the easternmost southeasterly corner hereof, from which a 1/2 inch iron rod with cap found for an angle point in the westerly line of said 6.55 acre tract bears S01°40'17"E, a distance of 13.44 feet;

**THENCE**, leaving the westerly line of said 6.55 acre tract, along a portion of the southerly line of said 37.975 acre tract, for a portion of the southerly line hereof, the following four (4) courses and distances:

1) S79°17'50"W, a distance of 35.06 feet to a 1/2 inch iron rod with cap set for the point of curvature of a non-tangent curve to the left;

2) Along said curve to the left having a radius of 535.00 feet, a central angle of 03°13'51", an arc length of 30.17 feet, and chord which bears S05°14'56"E, a distance of 30.16 feet to a 1/2 inch iron rod found for the end of said curve, from which a 1/2 inch iron rod found for reference bears S07°22'36"E, a chord distance of 9.57 feet;

3) S79°25'44"W, a distance of 212.57 feet to a 1/2 inch iron rod found for an angle point;

4) S10°07'06"E, a distance of 251.39 feet to a 1/2 inch iron rod found in the curving northerly right-of-way line of U.S. Highway 79 (R.O.W. width varies) same being the northerly line of that certain 2.280 acre tract of land conveyed to the City of Round Rock by deed of record in Document No. 2004020465 of said Official Public Records, for the southernmost southeasterly corner hereof and point of curvature of a curve to the right, from which a 1/2 inch iron rod found along a curve to the left having a radius of 11415.16 feet, bears N78°54'07"E, a chord distance of 154.56 feet;

**THENCE**, along the northerly right-of-way line of U.S. Highway 79, being a portion of the southerly line of said 37.975 acre tract and hereof, the following two (2) courses and distances:

1) Along said non-tangent curve to the right having a radius of 11415.16 feet, a central angle of 00°12'03", an arc length of 39.99 feet and a chord which bears S79°23'24"W, a distance of 39.99 feet to a 1/2 inch iron rod with cap found for the end of said curve;

2) S79°54'34"W, a distance of 371.10 feet to a 1/2 inch iron rod with cap set for an angle point in the southerly line hereof, being the southeasterly corner of Lot 2, Block A, of said Palm Valley Market Center Section 2;

**THENCE**, leaving the northerly right-of-way line of U.S. Highway 79, along the easterly, northerly, and westerly lines of said Lot 2, being a portion of the southerly line of said 37.975 acre tract and hereof, the following three 3) courses and distances:

1) N10°05'26"W, a distance of 250.18 feet to a 1/2 inch iron rod with cap found for northeasterly corner of said Lot 2 and an angle point hereof;

2) S79°54'34"W, a distance of 171.25 feet to a 1/2 inch iron rod with cap set for the northwesterly corner of said Lot 2 and an angle point hereof;

3) S02°33'14"E, a distance of 252.36 feet to a 1/2 inch iron rod with cap set in the northerly right-of-way line of U.S. Highway 79 for the southwesterly corner of said Lot 2 and an angle point hereof;

**THENCE**, S79°54'34"W, along the northerly right-of-way line of U.S. Highway 79, being a portion of the southerly line of said 37.975 acre tract and hereof, a distance of 70.61 feet to a 1/2 inch iron rod with cap set for the southeasterly corner of Lot 1, Block A, Palm Valley Market Center Section 1, a subdivision of record in Cabinet Z, Slides 173-175 of the said Plat Records, being the most southerly southwesterly corner of said 37.975 acre tract and hereof;

**THENCE**, N02°33'14"W, along the easterly line of said Lot 1, being a portion of the southerly line of said 37.975 acre tract and hereof, a distance of 303.20 feet to a 1/2 inch iron rod with cap set for the northeasterly corner of said Lot 1 for an angle point hereof;

**THENCE**, S86°12'43"W, along the northerly line of said Lot 1, being a portion of the southerly line of said 37.795 acre tract and hereof, a distance of 273.49 feet to a 1/2 inch iron rod with cap set in the easterly right-of-way line of F.M. 1460, same being the easterly line of said 2.076 acre tract for the northwesterly corner of said Lot 1, for the most westerly southwest corner of said 37.975 acre tract and hereof;

**THENCE**, N02°28'53"W, along the easterly right-of-way line of F.M. 1460, being a portion of the westerly line of said 37.975 acre tract and hereof, a distance of 40.01 feet to a 1/2 inch iron rod with cap found for the southwesterly corner of Lot 6, Block A of said Palm Valley Market Center Section 2, for an angle point hereof;

**THENCE**, leaving the easterly right-of-way line of F.M. 1460, along the southerly, easterly, and northerly lines of said Lot 6, being a portion of the westerly line of said 37.975 acre tract and hereof, the following three (3) courses and distances:

1) N86°12'43"E, a distance of 273.44 feet to a 1/2 inch iron rod with cap found for the southeasterly corner of said Lot 6 and an angle point hereof;

2) N02°33'14"W, a distance of 146.12 feet to a 1/2 inch iron rod with cap found for the northeasterly corner of said Lot 6 and an angle point hereof;

3) S87°27'12"W, a distance of 273.25 feet to a 1/2 inch iron rod with cap found in the easterly right-of-way line of F.M. 1460, for the northwesterly corner of said Lot 6 and an angle point hereof;

**THENCE**, along the easterly right-of-way line of F.M. 1460, being the easterly line of said 2.076 acre tract, same being in part the westerly lines of said Lot 7 and Lot 8 and a portion of the westerly line of said 37.795 acre tract and hereof, the following three (3) courses and distances:

1) N02°30'02"W, passing at a distance of 49.97 feet a 1/2 inch iron rod found for the southwesterly corner of said Lot 7 and continuing for a total distance of 272.02 feet to a TXDOT monument found for the point of curvature of a curve to the right;

2) Along said curve to the right having a radius of 1372.39 feet, a central angle of 23°07'28", passing at an arc distance of 239.94 feet a 1/2 inch iron rod found for the southwesterly corner of said Lot 8 and continuing for a total arc length of 553.89 feet and a chord which bears N09°04'49"E, a distance of 550.14 feet to a TXDOT disc found for the end of said curve;

3) N20°39'23"E, a distance of 499.36 feet to the **POINT OF BEGINNING**, containing an area of 37.975 acres (1,654,201 sq. ft.) of land, more or less, within these metes and bounds.

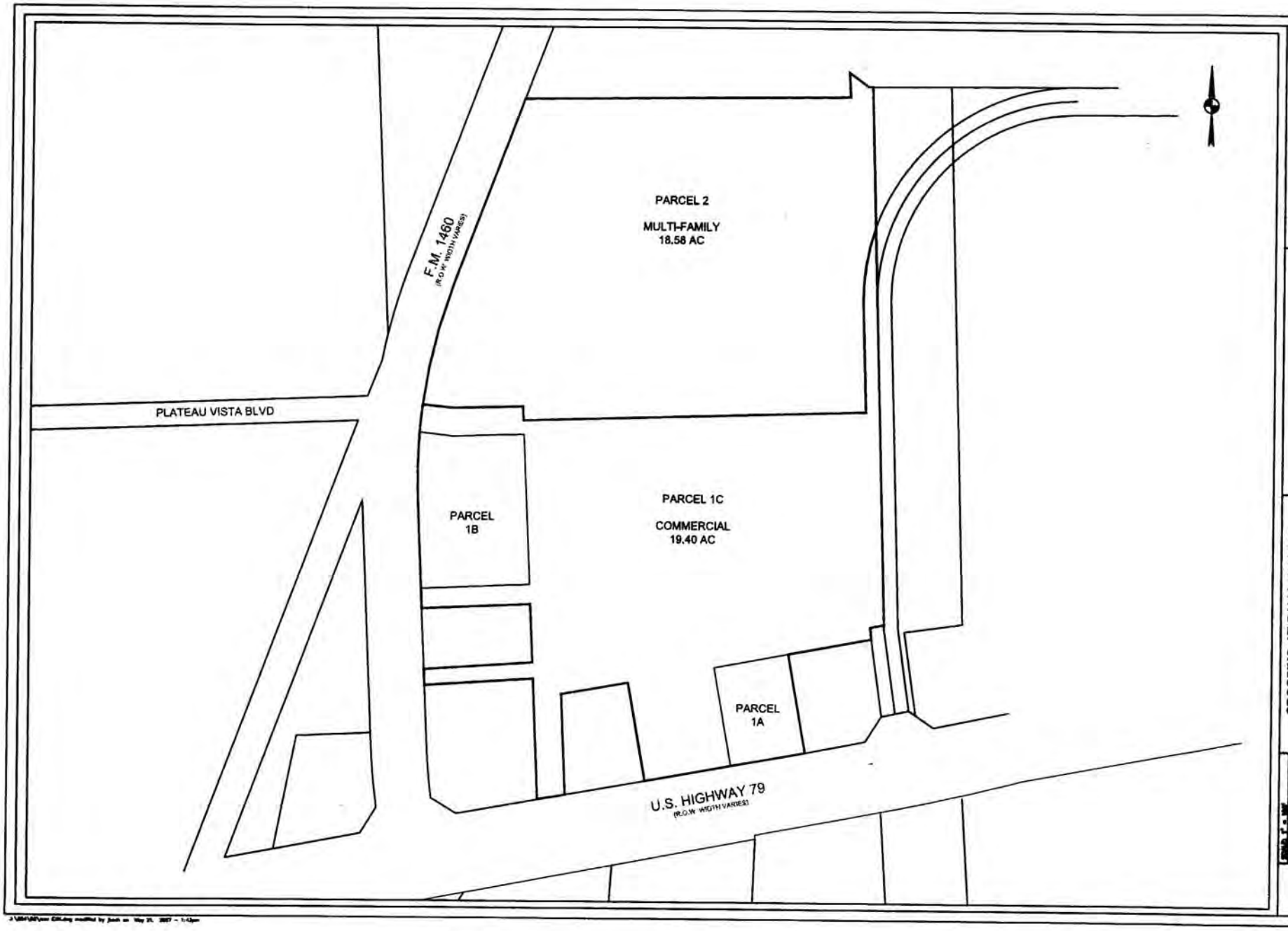
THE BEARING BASIS IS TEXAS CENTRAL ZONE NAD 83/HARN 93. MONUMENTS USED ARE CITY OF ROUND ROCK MONUMENTS AS FOUND MARKED AS FOLLOWS: 01-15B, 01-027, 01-15A and 01-015.

I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS DESCRIPTION IS BASED UPON A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY+PARTNERS, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVE ROAD
SUITE 200
AUSTIN, TEXAS 78746

1/30/07
MARK J. JEZISEK, R.P.L.S.
NO. 5267
STATE OF TEXAS

STATE OF TEXAS
REGISTERED
MARK JERRY JEZISEK
5267
PROFESSIONAL
LAND SURVEYOR




Bury+Partners

EXHIBIT B

CROSSING AT PALM VALLEY
HWY 79 & FM 1460

CENDOR/TRAMMELL CROW REA

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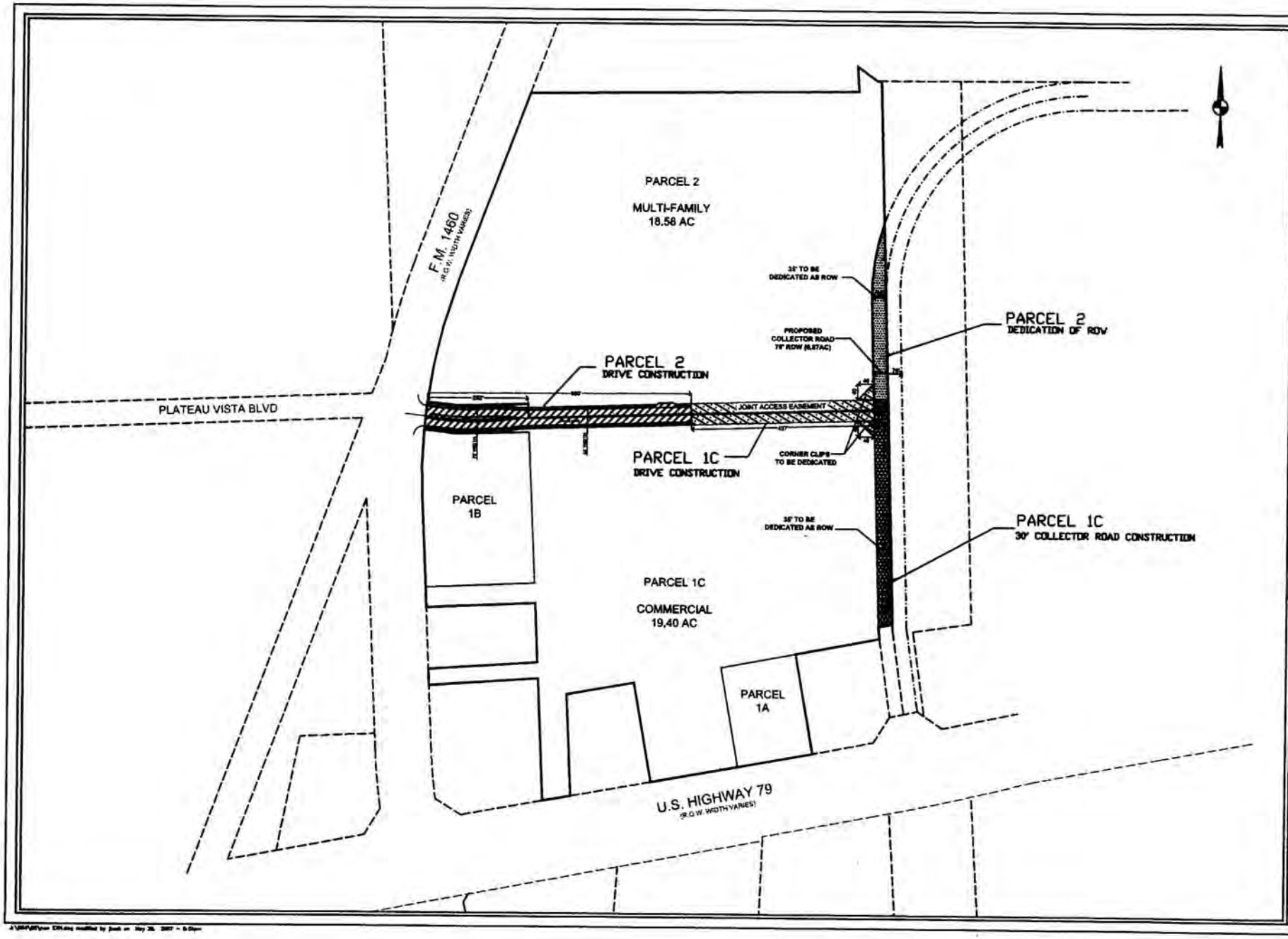


Bury-Partners

EXHIBIT C

CROSSING AT PALM VALLEY
HWY 79 & FM 1460

OBNDOR/TRAMMELL CROW REG.

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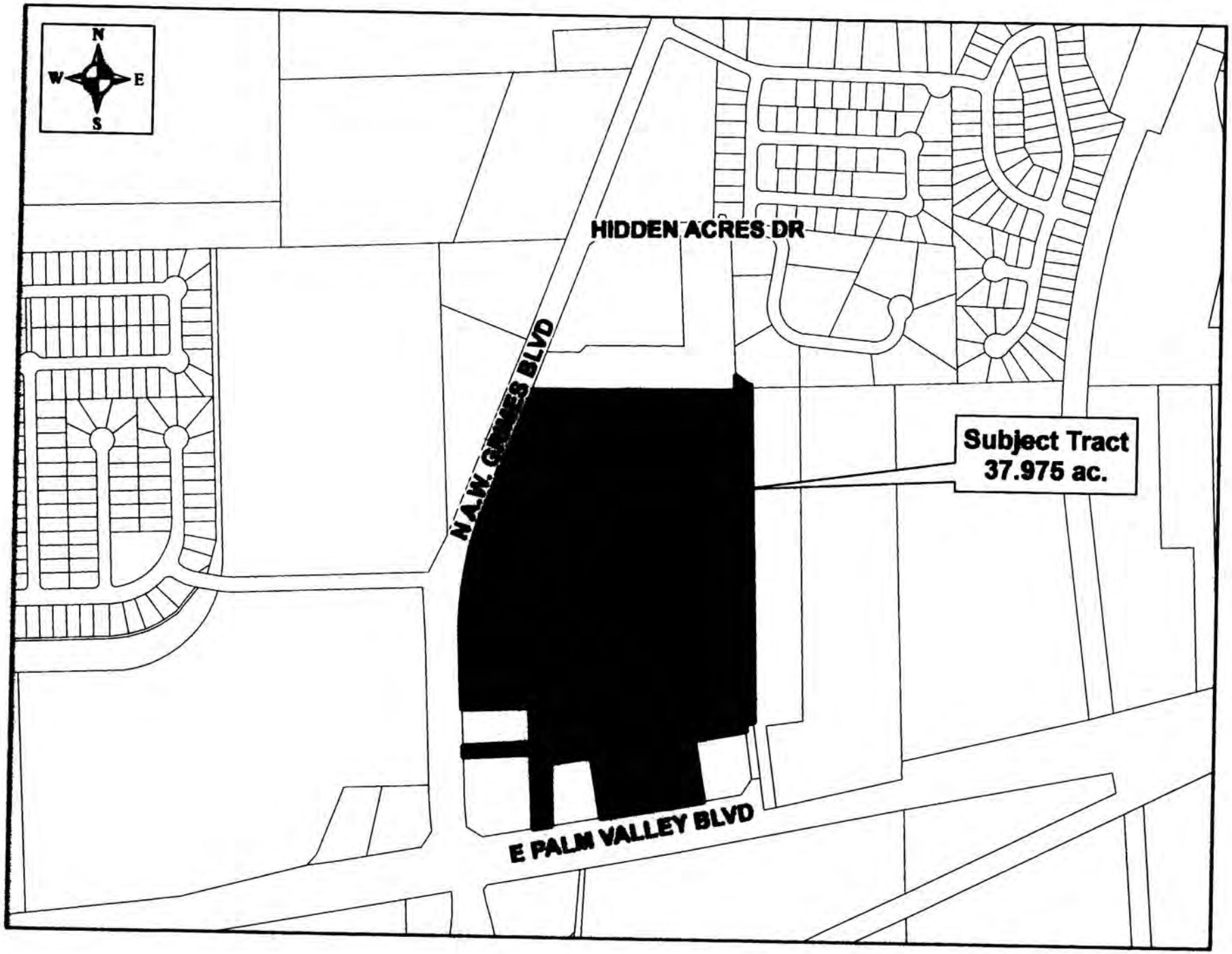
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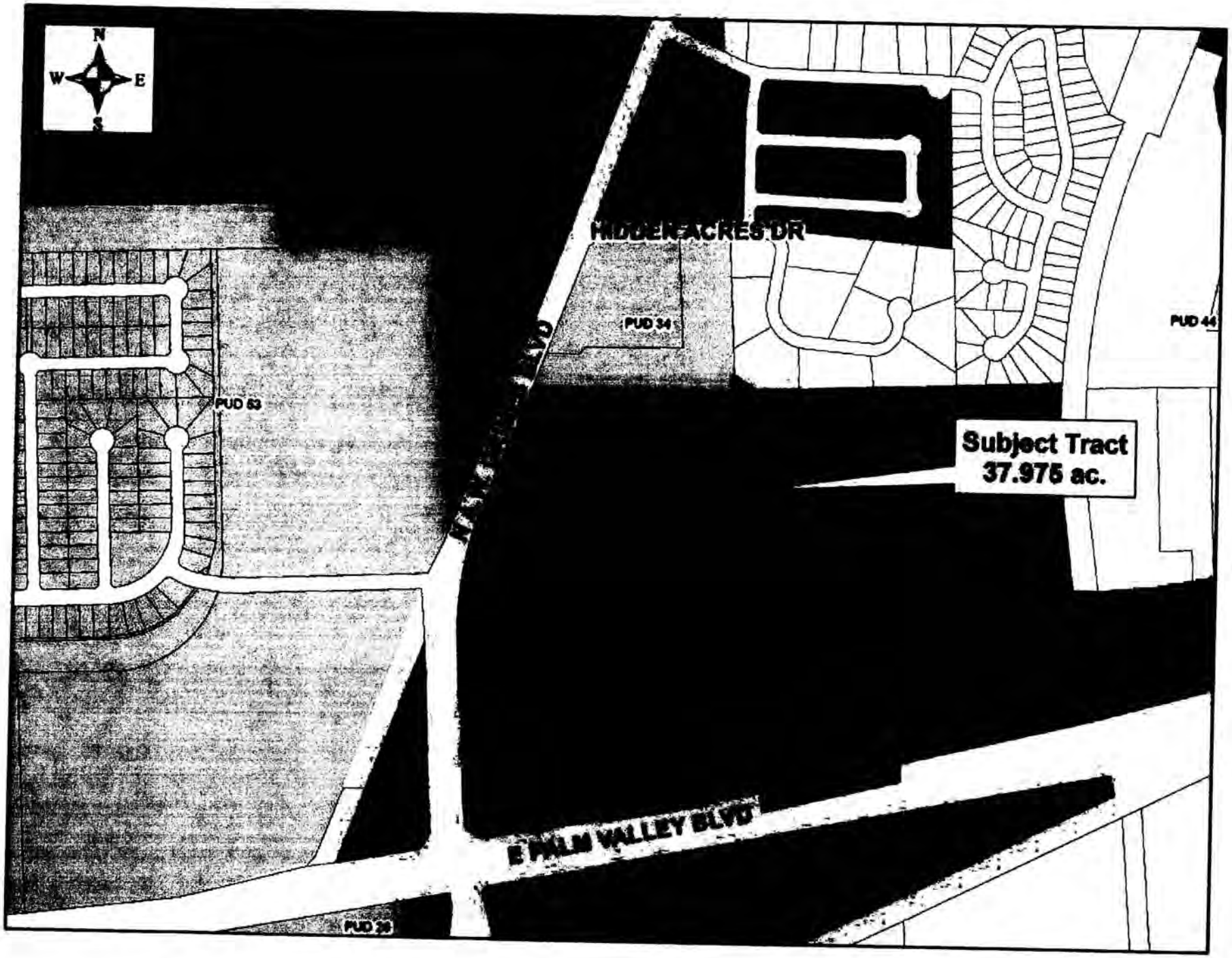
E PALM VALLEY BLVD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