

**ROUND ROCK, TEXAS**  
**PURPOSE. PASSION. PROSPERITY.**

October 28, 2009

John Avery, Jr.  
1508 S. Lamar  
Austin, TX 78704

RE: Administrative Amendment to PUD No. 83 - Amendment No. 1

Dear Mr. Avery:

Further to your request for administrative modifications of Planned Unit Development (PUD) No. 83 (University Village), the following changes shall be approved according to the provisions of Section 16.1 of the PUD:

- **Paragraphs 5.1 (1)(f), 5.2 (1)(d), 5.3 (1)(c) and 5.7(1)(e)** of the Development Plan, Section 5 - Permitted Uses, will now read as follows:

Office, Medical

- (i) Emergency medical services are not permitted. This shall not preclude an urgent care clinic which operates within the hours specified in paragraph (ii) below.
- (ii) Regular service hours shall be limited to the hours between 7:00 a.m. and 9:00 p.m., with the exception of sleep clinics requiring an overnight stay.

- **Paragraphs 6.3 (8) and 6.7 (1)(vi)** of the Development Plan, Section 6 - Development Standards, will now read as follows:

An eighteen foot (18') landscape and sidewalk easement shall be dedicated by plat along the Sandy Brook Drive right-of-way. This easement shall include a four foot (4') wide meandering sidewalk, street trees, and landscaping. In order to avoid conflicts with landscaping, no utilities shall be located within this easement, except for perpendicular crossings of the easement.

Mayor  
Alan McGraw

Mayor Pro-Tem  
Joe Clifford

Councilmembers  
Rufus Honeycutt  
George White  
Carlos T. Salinas  
John Moman  
Kris Whitfield

City Manager  
James R. Nuse, P.E.

City Attorney  
Stephan L. Sheets

(a) The landscape buffer shall contain an intermittent landscaped berm, an average of three feet (3') in height. The berm(s) shall cover at least seventy-five percent (75%) of the total linear frontage of the buffer. The berm(s) shall substitute for the fencing requirement in Chapter 11, Section 11.411 (3) (g) of the Code.

(b) Landscaping shall include the following plantings, per 50 linear feet of buffer frontage. At least 75% of all trees must be an evergreen species.

- (i) One (1) Large Tree, minimum 3" caliper
- (ii) One (1) Medium Tree, minimum 2" caliper
- (iii) Two and one-half (2.5) Small Trees, minimum 1" caliper

- **Paragraphs 6.6 (2) and 6.7 (2)(ii)** of the Development Plan, Section 6 - Development Standards, will now read as follows:

Only the fronts of the townhouse structures may face Sandy Brook Drive. The minimum front setbacks shall alternate for adjacent buildings between fifteen feet (15') and twenty feet (20'). No garage structures shall face Sandy Brook Drive.

- **Paragraphs 6.1 (7), 6.6 (2)(ii) and 6.7 (2)(iv)** of the Development Plan, Section 6 - Development Standards, will now read as follows:

Trees of a minimum of a 3-inch caliper diameter measured at six inches (6") above base shall be planted at a spacing of not greater than thirty feet (30') within the landscape easement in Section (2) above. The species of trees shall be subject to the approval of the City. Trees and landscaping shall be irrigated and maintained by a property owners association through a license agreement with the City.

- **Section 12 - Storm Water Detention and Drainage** of the Development Plan will now read as follows:

Storm water detention and water quality facilities in the Plan may be provided through facilities located within Parcel 5, which is designated for OS (Open Space). All storm water detention

and/or water quality ponds shall be located at least 150 feet from University Village Drive. Such facilities shall be contained within an area not to exceed four and one-half (4.5) acres and shall comply with the screening requirements of the Code, Chapter 11, Section 11.501. Upon construction, the facilities shall be maintained by a property owner's association.

- **Section 13 - Parkland Dedication** of the Development Plan will now read as follows:

13. The City of Round Rock parkland requirement contained in the Code, Chapter 8, Section 8.300, shall be met in full by the following:

13.1 The area within Parcel 5 shall be dedicated as public parkland according to the requirements of Chapter 8, Section 8.300 of the Code.

13.2 As described in Section 7, Parcel 5 may include underground utility easements, drainage easements, and water quality and detention facilities. Such infrastructure improvements shall not utilize more than six (6) acres of the parcel, including the four (4.5) acres described in Section 12 above.

13.3 The Owner shall construct a hike and bike trail from Sandy Brook Drive to the eastern side of the existing pond located on the northern portion of Parcel 5, as shown on **Exhibit G**. In addition, a minimum of ten (10) Large Trees shall be planted along the trail and a minimum of two (2) benches will be provided adjacent to the pond. Trail location and alignment shall be subject to the approval of the Director of Parks and Recreation. The trail shall comply with the American with Disabilities Act Accessibility Guidelines (ADAAG) and the standards set forth in the Texas Architectural Barriers Act (TAS).

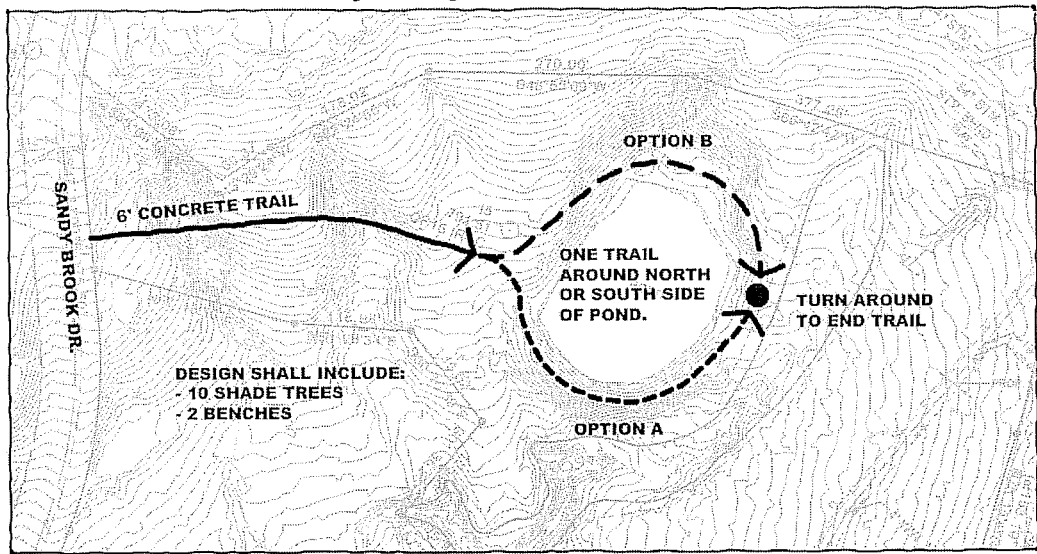
13.4 The trail and associated amenities shall be designed to the satisfaction of the Director of Parks and Recreation and the City Engineer prior to the City's consideration of the first final plat on the Property. Construction of the trail shall be completed to the satisfaction of the Director of Parks and Recreation and the City Engineer no later than 180 days following the recordation of the first final plat on the Property. The area within Parcel 5

shall be dedicated to the City within 60 days of the completion of construction of the trail and associated amenities. Upon dedication, the parkland and trail shall be maintained by the City of Round Rock.

- 13.5 Parking and access to Parcel 5 shall be provided in the form of on-street parking along University Village Drive, as described in Section 11.5. A minimum of 400 linear feet of street frontage adjacent to Parcel 5 shall be provided on University Village Drive.

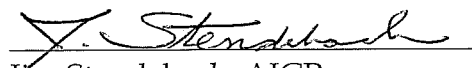
Exhibit G is hereby added:

### Exhibit G University Village – Park Amenity Trail

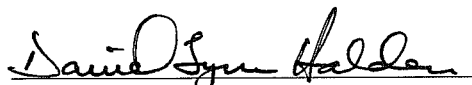


The above changes are considered minor, as described in Section 16.1 of the PUD. They are therefore hereby approved administratively.

Sincerely,

  
Jim Stendebach, AICP  
Director of Planning

  
Charles Crossfield  
City Attorney

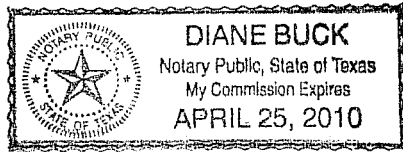
  
Daniel Halden, P.E.  
City Engineer

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

BEFORE ME, the undersigned authority, on this day personally appeared Jim Stendebach, known to me to be the person whose name is subscribed to the foregoing instrument as the Director of Planning of the City of Round Rock, Texas, a municipal corporation, and he acknowledged to me that he executed the same for the purposes and considerations therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 28<sup>th</sup> day of October, 2009.



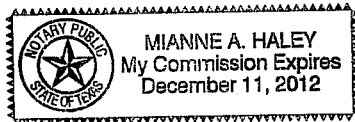
Diane Buck  
Notary Public Signature  
State of Texas

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

BEFORE ME, the undersigned authority, on this day personally appeared Daniel Halden, known to me to be the person whose name is subscribed to the foregoing instrument as the City Engineer of the City of Round Rock, Texas, a municipal corporation, and he acknowledged to me that he executed the same for the purposes and considerations therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 9<sup>th</sup> day of November, 2009.



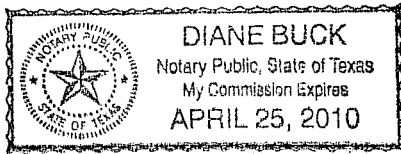
Mianne Haley  
Notary Public Signature  
State of Texas

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

BEFORE ME, the undersigned authority, on this day personally appeared Charles Crossfield, known to me to be the person whose name is subscribed to the foregoing instrument as City Attorney of the City of Round Rock, Texas, a municipal corporation, and he acknowledged to me that he executed the same for the purposes and considerations therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 6<sup>th</sup> day of NOVEMBER 2009.



Diane Buck  
Notary Public Signature  
State of Texas

AGREED TO BY OWNER:

SBB Holdings Group, GP, LLC  
a Texas limited liability company  
its general partner

By: [Signature]  
Timothy Berry  
Manager

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared, Timothy Berry, of SBB Holdings Group, GP, LLC, on behalf of said limited liability company and limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 23<sup>rd</sup> day of November, 2009.



*Emily K Strobel*  
\_\_\_\_\_  
Notary Public Signature  
State of Texas

**FILED AND RECORDED**  
**OFFICIAL PUBLIC RECORDS 2009085854**

*Nancy E. Rister*

11/24/2009 01:25 PM

COLE \$40.00

NANCY E. RISTER, COUNTY CLERK  
WILLIAMSON COUNTY, TEXAS

① City of Round Rock  
221 East Main St.  
Round Rock, TX  
78664