ORDINANCE NO. O-2014-1508

AN ORDINANCE AMENDING ORDINANCE NO. Z-13-07-25-G7, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON JULY 25, 2013, BY AMENDING THE DEVELOPMENT PLAN OF PUD NO. 96, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE, PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, on July 25, 2013, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-13-07-25-G7, which established PUD No. 96, and

WHEREAS, an application has been made to the City Council of the City of Round Rock, Texas, to amend the Development Plan of PUD No. 96, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. Z-13-07-25-G7 on the 21st day of May, 2014, following lawful publication of said public hearing, and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that Ordinance No. Z-13-07-25-G7 be amended, and

WHEREAS, on the 26th day of June, 2014, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No. Z-13-07-25-G7, and

WHEREAS, the City Council determined that the requested amendment to Ordinance No. Z-13-07-25-G7 promotes the health, safety, morals and general welfare of the community, and

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, and Sections 46-92 and 46-106, Code of Ordinances, 2010 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 hereby determines that the proposed amendment to Planned Unit Development (PUD) District #96 meets the following goals and objectives:

(1) The amendment to P.U.D. #96 is equal to or superior to development that would occur under the standard ordinance requirements.

(2) The amendment to P.U.D. #96 is in harmony with the general purposes, goals, objectives and standards of the General Plan.

(3) The amendment to P.U.D. #96 does not have an undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety and general welfare.

II.

That the Development Plan of PUD No. 96, as approved in Ordinance No. Z-13-07-25-G7, is hereby deleted in its entirety and replaced with a new Development Plan, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

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 Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance 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 26th day of June, 2014.

Alternative 2.

READ and **APPROVED** on first reading this the _____ day of _____, 2014.

READ, **APPROVED** and **ADOPTED** on second reading this the _____ day of _____, 2014.

ALAN MCGRAW, Mayor
City of Round Rock, Texas

ATTEST:

SARA L. WHITE, City Clerk

EXHIBIT

"A"

DEVELOPMENT PLAN
VIZCAYA (AVERY NORTH)
AMENDMENT NO. 1
PLANNED UNIT DEVELOPMENT NO. 96

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 Ruben and Joyce Greinert; Avery Ranch Company, Ltd., a Texas Limited Partnership, acting by and through its General Partner, CJAC, Inc., a Texas Corporation; Charles N. Avery, III, Trustee of the Charles N. Avery, III Exempt Trust; John S. Avery, Trustee of the John S. Avery Exempt Trust; A. Nelson Avery, Trustee of the A. Nelson Avery Exempt Trust; L. Christina Avery Fell, Trustee of the L. Christina Avery Fell Exempt Trust; Treescape Farms GP, LLC, a Texas limited liability company; Taylor Morrison of Texas Inc., a Texas corporation; as their respective interests may appear in the respective portions of the hereinafter described property; and their respective successors and designated assigns. Upon sale, transfer or conveyance of portions of the hereinafter described property by a respective Owner to a designated third party owner/developer, the duties and obligations of the respective Owner, as it relates to the respective property being sold, shall be assigned to and assumed by the new owner/developer, and upon such sale and assignments of the duties and obligations hereunder, the respective Owner shall have no further liability relating to the respective property so sold and conveyed.

WHEREAS, the Owner is the owner of certain real property consisting of 501.14 acres, as more particularly described in **Exhibit "A" (Legal Description)**, (herein after referred to as the "Property") attached hereto and made a part hereof; and

WHEREAS, the Owner has submitted a request to the City to zone the Property as a Planned Unit Development (the "PUD"); and

WHEREAS, pursuant to Section 46-106 of the Code of Ordinances of the City of Round Rock, Texas, the Owner has submitted Development Standards setting forth the development conditions and requirements within the PUD, which Development Standards are contained in Section II of this Plan; and

WHEREAS, the City has held two public hearings required by law to solicit input from all interested citizens and affected parties; and

WHEREAS, on May 21, 2014, the City's Planning and Zoning Commission recommended approval of the Owner's application for PUD zoning; and

WHEREAS, the City Council has reviewed the proposed Plan and determined that it promotes the health, safety, and general welfare of the citizens of Round Rock and that it complies with the intent of the Planned Unit Development Ordinance of the City;

NOW THEREFORE:

I.

GENERAL PROVISIONS

1. CONFORMITY WITH DEVELOPMENT STANDARDS

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

2. CHANGES AND MODIFICATIONS

No changes or modifications will be made to this Plan unless all provisions pertaining to changes or modifications as stated in Section II. 17.

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 1-9, Code of Ordinances, City of Round Rock, Texas, as amended.

4. MISCELLANEOUS PROVISIONS

4.1. Severability

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

4.2 Venue

All obligations of the Plan are performable in Williamson County, Texas, and venue for any action shall be in Williamson County.

4.2. 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 City of Round Rock Code of Ordinances, as amended, hereinafter referred to as "the Code," and in Section II.16.

2. PROPERTY

This Plan covers approximately 501.14 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 **Chapter 36-Subdivisions** and **Chapter 46 - Zoning**, and other sections of the Code, as applicable and as amended. If there is a conflict between this Plan and the Code, this Plan shall supersede the specific conflicting provisions of the Code.

4.2. Other Ordinances

All other Ordinances within the Code, as amended, shall apply to the Property, except as clearly modified by this Plan. In the event of a conflict, the terms of this Plan shall control.

5. PROJECT OVERVIEW

5.1. Purpose of Plan

The purpose of the Plan is to provide a master planned commercial and residential development including a range of residential housing, retail, office, restaurant, and entertainment. **Exhibit "B" (Context Map)** illustrates the location of the Plan area.

5.2. Use Districts

For the purpose of this Plan, the Avery North land uses have been divided into two use districts: COM (Commercial-Limited), containing approximately 24.9 acres, and RES (Residential), containing approximately 476.24 acres, both as shown in **Exhibit "C" (Land Use Plan)**. The remaining area is designated for floodplain/open space and reserve/right-of-way. Specific uses and conditions are defined within this Plan for each land use district.

(1) The COM component of the Plan allows retail, entertainment, restaurants and office components, more fully detailed in Section 6 below.

(2) The RES component of the Plan allows for various types of single family detached structures and medium density attached residential structures. The Plan also includes a network of open spaces containing parks, greenbelts and trail corridors. These uses are more fully detailed in Section 6 below.

5.3. Concept Plan

This Plan, as depicted in **Exhibit "C"**, shall serve as the Concept Plan required by Section 36-39 of the Code, as amended.

6. PERMITTED USES

6.1. Land Use Table

The following table contains the uses allowed according to the use district boundaries described in **Exhibit "C"**.

Land Use	RES DISTRICT	COM DISTRICT	Allowed with Conditions (See Section 6.2 below)
Single Unit Townhouse Residential *as defined in Section 8.2 (1)*	X		X
Single Family Detached – Estate Lot *as defined in Section 8.2 (1)*	X		X
Single Family Detached – Large Lot *as defined in Section 8.2 (1)*	X		X
Single Family Detached – Standard Lot *as defined in Section 8.2 (1)*	X		X
Single Family Detached – Casita Lot *as defined in Section 8.2 (1)*	X		X
Community Service		X	
Government Facilities		X	
Linear/Linkage Park	X	X	X
Neighborhood Park	X		
Community Park	X		X
Amenity/Recreation Center	X		
Place of Worship (accessory uses not exceeding 2,500 square feet)	X	X	X
Place of Worship (accessory uses exceeding 2,500 sq. ft. but not greater than 20,000 sq. ft.)	X	X	X
Utility (Minor and Intermediate)	X	X	X
Eating Establishments – Restaurant/Bar		X	X
Indoor Entertainment		X	X
Office		X	
Medical Office		X	X
Minor Emergency/Urgent Care clinics		X	
Overnight Accommodations – Hotel / Motel		X	
Retail Sales and Service		X	X Section 46-160 (aa) (1) of Code
<u>Retail Sales and Service with Conditions:</u>			
Veterinary Clinic, small animals		X	X
Fuel Sales		X	X
Cleaners/Alterations		X	X
Small Animal Day Care and Training		X	X
Small Animal Grooming		X	
Assisted Living	X	X	
Senior Housing	X		
Nursing Home	X	X	
Day Care	X	X	X
Schools (Elementary, Private)	X	X	

6.2 Uses Allowed with Conditions

(1) Single Unit Townhouse Residential: Development standards not addressed in this Plan shall comply with the TH (Townhouse) District, as amended.

(2) Single Family Detached – Estate and Large Lot: Development standards not addressed in this Plan shall comply with the SF-1 (Single Family – Large Lot) District, as amended.

(3) Single Family Detached – Standard Lot and Casita Lot: Development standards not addressed in this Plan shall comply with the SF-2 (Single Family – Standard Lot) District, as amended.

(4) Park, linear and linkages: In Residential District, any trailhead (with parking) shall be located on a collector or higher street. Trail access points, intended to serve only pedestrians from the subdivision, may be located on a local street.

(5) Community Park: Any structure established in connection with such uses shall be set back not less than 100 feet from any Residential District property.

(6) Places of Worship (accessory uses totaling less than 2,500 square feet): Shall meet development standards and supplementary use standards for accessory uses. Required to have direct access to a collector or higher street.

(7) Places of Worship (accessory uses exceeding 2,500 square feet, but no greater than 20.000 square feet): Shall meet development standards and supplementary use standards for accessory uses. Required to either front on or have direct access to a collector or higher street.

(8) Utilities

(a) Minor utilities. Shall be treated as ground mounted mechanical equipment and shall comply with the district specific standards and any required landscaping standards in Section 46-195 of the Round Rock Code.
(b) Intermediate and major utilities. Required to provide an eight foot high masonry fence (or alternate material approved in writing by the zoning administrator with landscaping in compliance with Section 46-195 of the Round Rock Code. The facility shall be secured.

(9) Eating Establishments – Restaurant/Bar

(a) Freestanding eating establishments which include outdoor eating, drinking or entertainment areas, patios or drive through lanes and associated facilities shall be located more than 150 feet from any residential property line.

(b) Eating establishments in a multi-tenant building: any outdoor eating, drinking or entertaining areas, patios or drive through lanes and associated facilities with an eating establishment in a multi-tenant building shall be located more than 150 feet from any residential property line.

(c) Eating establishments with drive through lanes which are located on a corner lot, at the intersection of two public streets, shall provide the landscape buffer and screening for drive through lanes, contained in Section 8.1 (14) below, in order to thoroughly screen the drive through lanes from public view.

(10) Medical Office

(a) Emergency medical services are not permitted.

(b) With the exception of sleep clinics, regular service hours shall not begin before 7:00 a.m. and shall not extend past 9:00 p.m.

(11) Indoor Entertainment

(a) A freestanding indoor entertainment activities facility, including the building footprint, outdoor eating, drinking and entertainment areas/patios, drive through lanes and associated facilities, trash dumpsters and receptacles, and loading/unloading facilities, shall not be permitted within 150 feet of a residential property line.

(b) An indoor entertainment activities facility within a multi-tenant building shall not be permitted within 50 feet of a residential property line. Outdoor eating, drinking and entertainment areas/patios and drive through lanes and associated facilities shall not be permitted within 150 feet of a residential property line.

(12) Veterinary Clinic, small animals: No boarding of animals is allowed on site, except for medical purposes.

(13) Small Animal Day Care and Training

(a) Small animals shall not be allowed to be dropped off or picked up except between the hours of 6:00 a.m. and 9:00 p.m.

(b) When abutting a residential property line, the required compatibility fence shall be a height of eight feet (8').

(14) Fuel Sales: Masonry columns are required for fuel station canopies.

(15) Cleaners/Alterations: Pick-up and drop-off facilities only; no on-site laundry and dry cleaning plants.

(16) Daycare: Facilities may be integrated into an office complex or office building facility.

6.3 Land Use Limitations

(1) Residential units are contained in five categories, as defined in Section 8.2 (1) of the Plan: (1) Single Unit Townhouse (2) Single-Family Detached – Estate Lots, (3) Single Family Detached – Large Lots, (4) Single Family Detached – Standard Lots and (5) Single-Family Detached – Casita Lots. The number of residential units allowed is limited as follows:

(a) No more than 10% of the total units may be Single Unit Townhouse lots;

(b) No more than 30% of the total units may be Single Family Detached Casita lots;

(c) A minimum of 15% of the total units shall be Single Family Estate lots;

(d) A minimum of 15% of the total units shall be Single Family Large Lots;

(2) Each plat and/or site plan submitted to the City must contain a unit summary table listing the existing number of residential units constructed, the total number of new units proposed, and the resulting percentages of residential units for each category, based upon the above-stated limitations.

7. PROHIBITED USES

7.1 The following uses are prohibited within the PUD. Unless otherwise indicated, the definitions of all terms used to describe uses in this document shall be those found in the Zoning Code of the City of Round Rock, as amended.

(1) Pawn Shop
(2) Sexually Oriented Business
(3) Funeral Home
(4) Donation Centers and Sale of Used Goods
(5) Office/Warehouse facilities

8. DEVELOPMENT USE STANDARDS

8.1 COM (Commercial-Limited)

(1) Development Standards Table – COM (Commercial-Limited)
All aspects not specifically covered by these COM standards shall be regulated by the C-1a (General Commercial – Limited) zoning district, and other sections of the Code, as applicable and as amended. If there is a conflict between this Plan and the Code, this Plan shall supersede the specific conflicting provisions of the Code.

Standard	COM (1)
Minimum lot area	-
Minimum lot width	50 ft.
Minimum setback from street (ROW)	15 ft.
Minimum rear setback	0 / 10 ft. (2)
Minimum rear setback abutting SF and TH property when a pre cast concrete panel fence option is used	50 ft. (3)
Minimum rear setback abutting SF and TH property when a masonry fence option is used	40 ft. (3)
Minimum side setback	0 / 10 ft. (2)
Minimum side setback abutting SF and TH property when a pre cast concrete panel fence option is used	50 ft. (3)
Minimum side setback abutting SF and TH property when a masonry fence option is used	40 ft. (3)
Minimum setback for accessory building	0 or 5 ft. (4)(5)
Maximum height of principal building	5 stories
Maximum Height of accessory building	15 ft.
Maximum Height of Fence within Street Yard	3 ft. (6)
Maximum Height of Fence outside of Street Yard	8 ft. (6)

(1) Special purpose lots, including but not limited to landscape lots and utility lots, may be exempted from these requirements
(2) The setback shall be ten (10) ft., except that common walls are not required to have a setback. The setback may be increased based on current fire and building codes.
(3) All COM uses that abut SF or TH uses shall be required to install and maintain a compatibility buffer which meets the requirements of section 46-200 of the Round Rock Zoning Ordinance along every property line which abuts said uses.
(4) The setback shall be five (5) ft., except that common walls are not required to have a setback.
(5) Accessory buildings or structures are not permitted in any street yard
(6) All fences shall provide a finished face to abutting streets

(2) Off Street Parking and Loading

Parking requirements shall comply with the Code Section 46-196.

(3) Fencing Design Standards

(a) Fencing shall be constructed of the following materials: brick, stone, reinforced concrete, wrought iron, other decorative masonry materials. Fence posts shall be constructed of rust resistant metal parts, concrete based masonry or concrete pillars of sound structural integrity.

(b) All fences shall provide a finished face abutting a single-family or townhouse use.

(c) All fencing and walls on COM Commercial – Limited developments that are visible from the street shall be constructed of a material that matches or complements the masonry wall materials utilized within the RES Residential portions of the community.

(d) Fencing shall not restrict visibility at intersections.

(4) Screening

(a) Service entrances, loading docks, waste disposal areas and other similar uses shall be oriented toward the rear of the site, away from streets and primary building entrances.

(b) Drives accessing service areas between adjacent users or developments shall be shared by the adjacent users or developments.

(c) Trash enclosures must be located a minimum of thirty feet (30) from single family residential property lines.

(d) Landscape screening for dumpster and trash receptacles, ground mounted equipment, outdoor storage, loading docks and loading spaces shall comply with the requirements of Section 46-195 of the City's Zoning Code.

(5) Special Design Standards

These standards shall apply to all development in the COM (Commercial-Limited) Districts.

(a) Access and Circulation

(i) Pedestrian and vehicular circulation shall be required to and from all buildings and sites. Pedestrian connectivity shall be achieved through the use of sidewalks, stamped concrete brick pavers and or stained/treated asphalt.

(b) Primary Site Entrances

(i) Entrances to individual building sites shall be designated with defining landscape and/or architectural features, including but not limited to medians and/or special paving. A license agreement from the City will be required for all such features located within public right of way.

(6) Exterior Wall Finish and Exterior Color

(a) The exterior finish of all buildings shall be masonry, except for doors, windows, trim and accent features.

(b) Masonry shall be defined as stone, simulated stone, brick, or 2-step hard coat stucco. No more than 30% of the building façade may be stucco. The use of materials such as wood shingles, horizontally installed cement based siding or wood siding shall be limited to accent features.

(c) Day-glo, luminescent, neon or similar types of color finishes are not permitted

(7) Building Articulation

All buildings shall meet a minimum of five of the following design treatments:

(a) Canopies or porticos, integrated with the building's massing styles.

(b) Overhangs proportional in size to the mass of the building.

(c) Arcades, with a minimum of eight-foot width.

(d) Pitched roof forms over substantial portions of the building's perimeter including gable and hip roofs.

(e) Ornamental and structural architectural details.

(f) Decorative tower features.

(g) Exterior arched treatment on at least two sides of the building.

(h) Use natural stone and masonry materials on the lower portions of buildings.

(8) Awnings and Canopies

(a) Awnings and canopies shall be placed so as to avoid obscuring details of the building façade.

(b) Fabric awnings for windows shall be a drop-front style, except at arched window openings, and shall relate to each window or bay.

(c) Awnings and canopies shall be placed so that there is a minimum clearance of eight (8) feet at its lowest point when over a sidewalk or other pedestrian walkway.

(d) Colors of awnings must be compatible with the buildings.

(e) Incorporate awnings along with any signage to provide a uniformly designed building façade.

(f) Signs on awnings are permitted on the drop front portion of the awning.

(g) Internally illuminated awnings are prohibited

(9) Windows

(a) Ground-floor street or courtyard facing facades shall have a minimum of forty (40) percent glazing.

(b) For unique security or display purposes, including but not limited to art galleries and jewelry stores, ground floor glazing requirements may be reduced by the Zoning Administrator.

(c) To assist with energy efficiency and solar gain the requirements in this subsection may be reduced by the Zoning Administrator to the extent that the required level or location of glazing conflicts with the standards of the Building Code or a recognized green building program.

(10) Glass

Except for photovoltaic surfaces, mirrored glass with a reflectivity of twenty (20) percent or more is not permitted on the exterior walls and roofs of buildings and structures.

(11) Roofing Materials – Pitched Roof

(a) Pitched roofs shall be required for all one (1) story detached structures and shall have a pitch equal to or greater than a 4:12 pitch. Pitch may be 3:12 if the span is greater than sixty (60) feet. Pitched roofs shall not be required for one (1) story structures that share a common wall with another structure.

(b) Roofing materials for pitched roofs shall not consist of composition shingles. Tile (clay, cement, natural or manufactured stone), non-reflective pre-finished metal, copper or other similar materials are required.

(c) Portions of the roof screened by pitched roof sections shall be permitted to be flat to provide for mechanical equipment wells or roof decks provided all pitched sections of the roof meet the roofing material requirements.

(d) All rooftop equipment, including satellite dishes and antenna, must be fully screened from view and located below the highest vertical element of the building.

(12) Lighting

Exterior lighting shall be used to provide illumination for security and safety of entry drives, parking areas, service and loading areas and pathways and courtyards. All exterior light fixtures should be designed and coordinated as compatible fixtures which relate to the architectural character of the buildings on a site.

(a) External lighting shall be arranged and controlled, through the use of shielding and other measures, so as to deflect light away from any residential areas.

(b) Building Illumination

(i) The design and materials of lighting fixtures shall be consistent with the character of the area. Fully recessed down-lights, gooseneck lights or other fixtures appropriate to the style of a building shall be used.

(ii) Illumination of a façade to highlight architectural details is permitted. Fixtures shall be small, shielded and directed toward the building rather than toward the street, so as to minimize glare for pedestrians and drivers.

(c) Site Lighting Design Requirements

(i) Fixture (luminaire)
The light source shall be completely concealed (recessed) within an opaque housing and shall not be visible from any street or residential development.

(ii) Light Source (lamp)
Incandescent, LED (light emitting diode), fluorescent, metal halide or color-corrected high-pressure sodium may be used. Other lamp types may be used, subject to the approval of the City. The same type of lamp shall be used for the same or similar types of lighting on any one site throughout a development.

(iii) Mounting
Fixtures shall be mounted in such a manner that the cone of light does not cross any property line of the site.

(iv) Height of Fixture
The height of a fixture shall not exceed twenty (20) feet.

(d) Excessive Illumination

(i) Lighting within any lot that unnecessarily illuminates and substantially interferes with the use or enjoyment of any other lot is not permitted. Lighting unnecessarily illuminates another lot if it clearly exceeds the requirements of this Section, or if the standard could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.

(ii) Lighting shall not be oriented so as to direct glare or excessive illumination onto the street in a manner that may distract or interfere with the vision of drivers on such streets.

(iii) If the COM parcel is adjacent to a Residential District, foot candle readings at the property line adjacent to a residential use shall not exceed 1.0.

(13) Fire Safety

(a) Mandatory fire sprinklers will be provided on all buildings within Avery North, with the exception of single family detached housing.

(b) Alternative fire lane striping will be allowed upon approval by the Fire Marshall. Alternative striping may be desirable in certain areas to

minimize the aesthetic impact of red painted curbs throughout the development.

(c) Alternative semi-pervious fire lane paving sections may be allowed, upon the approval of the City.

(14) Landscape Buffer and Screening for Eating Establishment Drive Through Lanes, at the location specified in Section 6.2 (9) (c)

(a) An awning and/or arbor-type covering over the drive-thru lane at the food delivery window and an earthen berm whose grade is retained near the edge of the drive-thru lane by a retaining wall or multiple terraced walls.

(b) The retaining wall(s) shall have an overall minimum height of three feet (3') above the finished grade of the drive-thru lane. Wall(s) may taper to the surrounding finish grade at either end of the drive-thru lane. Walls should allow for planting on the drive-thru lane side as well as the berm side.

(c) Walls shall be constructed of masonry material that is the same as or compatible with the material of the building exterior.

(d) The earthen berm shall grade away from the retaining wall at no greater than a slope of 3:1 and shall provide a planting area of a minimum of eight feet (8') in width. The remaining berm slope may consist of turf grass or evergreen ground cover.

(e) The awning or arbor shall be a color or shade that is compatible with the building exterior. Arbors shall be constructed of rough-sawn cedar or similar material and shall provide a structure or structures to support climbing vines or similar plant materials.

(f) Landscape plantings shall be 100% evergreen, shall be native to or adapted to Central Texas and shall consist of the following minimum quantities per linear foot of the drive-thru lane:

(i) One (1) large 3" caliper tree per 40 linear feet

(ii) Two (2) small 1" caliper trees per 30 linear feet

(iii) One (1) large 3 gallon shrub per 5 linear feet

(iv) One (1) small 3 gallon shrub per 3 linear feet

(v) Four (4) climbing vines on the support structures of an arbor

(vi) Ground cover as needed in areas not otherwise planted.

a. Architectural Review Committee

In order to maintain a comprehensive and complementary architectural style throughout the Plan area, the Owner shall establish an Architectural Review Committee ("ARC").

The ARC shall establish design guidelines to specify the architectural style, materials and colors to be used, in addition to building orientation. These design standards shall require that all COM architectural materials and styles complement the overall theme established for the residential master planned community. For each project, items such as architectural elevations, material sample boards and color samples shall be submitted to the ARC for their review and approval. The approval of the ARC shall not take the place of any and all required submittals to the City, County or other governmental agency as necessary to receive regulatory approvals.

8.2 (RES) Residential

a) Development Standards Table – (RES) Residential

	Single Family Detached – Estate Lot (1)	Single Family Detached – Large Lot (1)	Single Family Detached - Standard Lot (1)	Single Family Detached - Casita Lot (1)	Single Unit Townhouse Residential (1)
Minimum Lot Area	9,100 s.f.	7,500 s.f.	6,100 s.f.	5,000 s.f.	2,500 s.f.
Minimum Lot Width	70 ft.	60 ft.	50 ft.	45 ft.	25 ft.
Minimum Width of Principal Building	50 ft.	40 ft.	30 ft.	30 ft.	-
Minimum Setback from Street (R.O.W.)	25 ft.	20 ft.	20 ft.	20 ft.	15 ft.
Minimum Garage Door Setback from Street (R.O.W.)	25 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Minimum Rear Setback	20 ft.	20 ft.	20 ft.	10 ft.	20 ft.
Minimum Rear Setback abutting SF Lots					20 ft.
Minimum Side Setback	5 ft.	5 ft.	5 ft.	5 ft.	0/5 ft.
Minimum Side Setback abutting SF Lots					20 ft.
Minimum Setback for Accessory Building	5 ft. (2)	5 ft. (2)	5 ft. (2)	0 / 5 ft. (2)(5)	0 / 5 ft. (2)(5)
Minimum Side Setback Zero Lotline					-
Maximum Height of Principle Building	2.5 stories	2.5 stories	2.5 stories	2 stories	2.5 stories
Maximum Height of Accessory Building	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.
Maximum Height of Fence within Street Yard	3 ft. (3)	3 ft. (3)	3 ft. (3)	3 ft. (3)	3 ft. (3)
Maximum Height of Fence outside of Street Yard	8 ft. (3) (4)	8 ft. (3) (4)	8 ft. (3) (4)	8 ft. (3)(4)	8 ft. (3)(4)
Maximum Lot Coverage	55 percent	55 percent	50 percent	50 percent	N/A
Maximum Density			-	-	15 DU./AC.

(1) Special purpose lots, including but not limited to landscape lots and utility lots, may be exempted from these requirements
(2) Accessory buildings or structures are not permitted in any front street yard
(3) All fences shall provide a finished face to abutting streets.
(4) Fences shall not conflict with sight triangles at street intersections or obstruct views from adjacent driveways.
(5) Common walls are not required to have a setback

(2) Exterior Finish

(a) Masonry shall be defined as stone, simulated stone, brick or 2-step hard coat stucco.

(b) The exterior finish of all homes shall be a minimum of 75% masonry, excluding non-load bearing elements such as doors, windows, trim, and accents.

(c) The use of materials such as wood shingles or wood siding shall be limited to accent features.

(d) The front and side elevations of all homes shall be 100% masonry, with no more than 75% consisting of 2-step hard coat stucco.

(e) Horizontally installed cement based siding may be used on rear elevations, except on homes that back up to collector or primary level streets. These homes shall be 100% masonry on all sides, with no more than 75% consisting of 2-step hard coat stucco.

(3) Garage Door Treatment

(a) Garage doors that extend more than ten (10) feet in front of the street facing elevation of the home shall incorporate an upgraded garage door. An upgraded garage door shall be defined as a metal door with the addition of window panels, a faux wood garage door with decorative hardware, or a wood clad garage door.

(b) Upgraded garage doors shall not be required for swing in, side entry garages.

(4) Setback Requirements

(a) All required setbacks shall be free from any encroachments including eaves, overhangs, box windows and fireplaces. Air conditioning units and ground mounted equipment are exempt from this requirement.

(b) Lots that back up to collector level streets must have an additional 10' of rear setback measured from the collector right of way line. This additional setback may also be accomplished through a landscape lot located along the collector roadway.

(5) Fencing Design Standards

(a) General: Fencing shall be constructed of the following materials: brick, stone, reinforced concrete, decorative masonry, wrought iron, tubular steel, redwood, cedar, preservative treated wood or other equivalent materials approved by the Zoning Administrator. Railroad ties are not permitted.

(b) Street Yard Fencing: Any fencing located in the street yard and facing a primary or collector street shall be constructed of brick, stone, reinforced concrete, decorative masonry, wrought iron or tubular steel.

(c) Open Space Fencing: Fences abutting open space or amenities such as floodplain, greenbelts, parks, town greens, detention/retention areas, or private parkland shall be constructed of wrought iron or tubular steel or other equivalent materials as approved by the Zoning Administrator. The Zoning Administrator may grant exceptions for lots adjacent to a private amenity center or open space when privacy concerns exist. A solid fence per the standards outlined in (a) above may be used in these instances.

(6) Subdivision Walls

(a) Subdivision walls required according to the requirements of Section 36-116 of the Code shall be constructed of natural stone, except when they are abutting open space or amenity areas as described in Section (5)(c) above, in which case the standards in that Section shall apply.

(b) The locations of subdivision walls along the Primary streets in the Plan are indicated on **Exhibit "D"**.

(7) Temporary Model Home Parking Lots

(a) Temporary parking areas are permitted uses in the RES District on tracts adjacent to a model home sales office. The temporary parking areas shall be permitted for a maximum period of ten (10) years following the issuance of a site development permit for such parking area, at which time it shall be removed.

(b) Temporary parking areas shall meet the following design requirements:

i. A temporary model home parking lot shall be screened from the street by a landscape buffer. The landscape buffer shall include 1 small or medium tree every thirty (30) linear feet and one (1) shrub every four (4) linear feet. Trees shall be selected from the List of Approved Trees for Planting in the City of Round Rock located in Appendix B of the Tree Technical Manual.

ii. A concrete driveway constructed and designed pursuant to the driveway standards as stated in the Design and Construction Standards Transportation Criteria Manual (DACS).

iii. The parking surface shall be constructed of asphalt or concrete.

(c) There shall be no more than four (4) temporary parking area(s) at a time.

(d) Temporary parking areas shall be contained within the limits of a platted single family lot.

9. TRANSPORTATION

9.1 Traffic Impact Analysis

(1) A Traffic Impact Analysis (TIA) was submitted and approved in conjunction with the RES Residential portion of this plan. The TIA indicated the proposed land uses for each residential parcel. If a significant change is proposed to any residential land use indicated in the TIA, the Owner shall provide the City with an analysis of the effects of the change with regard to transportation impacts. If the City determines that the change in land use results in a net increase in cumulative transportation trips, the Owner shall complete an update to the TIA for approval by the City Director of Transportation Services.

(2) The traffic impacts of the COM (Commercial-Limited) portion of this plan will be evaluated prior to the development of the commercial areas. An approved TIA for the entire area designated as COM on **Exhibit "C"** shall be required prior to the approval of the first preliminary plat for any portion of the COM area.

9.2 Street Types

Street types will consist of Primary, Collector and Local streets. Any deviation from a standard City street section design which is requested by the Owner shall require the approval of the City Transportation Director. Primary streets shall be designed so as to prohibit on-street parking.

9.3 Roadway Crossings

When roadway crossings of the floodplain or drainage channels are required, the bridge/culvert designs shall incorporate colored concrete and/or masonry veneer to complement the community walls and visual theme.

9.4 Transportation Corridor

(1) The Transportation Corridor ("the Corridor"), as depicted in **Exhibit "F"** shall be included as a lot on all plats in which the Corridor is included within their boundaries. The lot shall be at least sixty-five (65) feet wide and labelled as a "Future Transportation Corridor" accompanied by a plat note as follows: "The Transportation Corridor Lot is preserved for future ROW for transportation purposes, excluding freight rail. In the interim, the lot may be used for access, landscaping, subdivision walls, sidewalks, 8' wide trail, drainage or utilities; however, if necessary, any utilities, landscaping or other improvements will be relocated at the owner's expense upon notice of intent from the City to utilize the corridor for transportation purposes."

(2) The City will attempt to design the installation of any utilities in the Corridor so as not to require relocation should the corridor be used for transportation

purposes. In addition, the City will cooperate with the standard easement acquisition process if public or private utility and/or drainage easements are necessary to cross jurisdictional boundaries.

10. PRIVATE STREETS/GATES

Subject to the provisions of the Code, Section 36-126, Gated Communities, a maximum of 50% of the single family fee simple residential units within the RES Districts may be located within gated communities. A gated community shall be limited to a maximum of 300 dwelling units. No Collector or Primary roadway shall be gated. The required Private Access Amenity Plan shall be submitted with the Preliminary Plat for each of the gated communities.

11. PARKS, OPEN SPACE AND TRAILS

11.1. The Parks and Trails Plan is illustrated on **Exhibit "E" (Open Space, Parks and Trails)**. Approximately 102.6 acres of parks and open space are located within the Plan. Unless otherwise modified within the Plan, parks and trails shall comply with the development standards outlined in the City Code, Chapter 36, Article III, Parkland Requirement.

11.2. As illustrated on **Exhibit "E"**, a range of open space and parks ranging from linear parks, amenity centers, floodplain, and amenity detention/retention facilities will be provided within the Plan to meet the parkland requirement. The Parkland Dedication Analysis table included on **Exhibit "E-2" (Parkland Dedication Analysis)** outlines the acreage totals and comparison of parkland required by Chapter 36, Article III, compared to the parkland within the Plan area. All residential and non-residential parkland dedication requirements for the Plan will be satisfied with the parkland dedication, trail and trailhead development outlined below and as shown on **Exhibit "E".**

11.3. According to Chapter 36-73 (b), the developer of a nonresidential subdivision will be assessed a parkland fee. The parkland provided in the Parks and Trails Plan **Exhibit "E"** shall be used to meet the parkland requirement for nonresidential development within Avery North as outlined in **Exhibit "E-2"**.

11.4. As outlined on **Exhibit "E-2",** the parkland requirement for the subdivision is exceeded with what is shown on **Exhibit "E"**. The additional Parkland Requirement Credits outlined on **Exhibit "E-2"**can be credited to the adjacent properties shown on **Exhibit "E-1" (Adjacent Properties Eligible for Parkland Credit)** for future expansion of the Plan area. No other tracts shall be allowed to utilize/transfer Parkland Requirement Credits from the Plan. Parkland Requirement Credits shall be applied according to Chapter 36, Article III, as amended and as applicable at the time of the development of the adjacent properties shown on **Exhibit "E-1"**. Credits shall be transferred at a 1:1 ratio to be applied to the Parkland Dedication Requirements of those properties. Any

Parkland Dedication Requirements not met with the transfer of the 45.71 acre Parkland Requirement Credits (as shown on **Exhibit "E-2")** shall be met with additional parkland dedication or fee in lieu of parkland dedication associated with those properties/developments.

11.5. The parks, trails and open space depicted on **Exhibit "E"** shall be dedicated to the City through the subdivision process, unless designated as a private amenity. Park improvements and trails will be constructed by the Owner and maintained by an owners association.

11.6. The following park and open space facilities shall be provided, according to the specifications listed:

(1) **Linear Parks and Greenbelts**
Linear parkways and greenbelts within Avery North shall consist of areas with a minimum width of 50'. Chapter 36-76 (a) (2) of the Round Rock Zoning Ordinance shall not apply to linear parks and greenbelts.

(2) **Parkland Public Street Frontage**
A minimum of 200' of contiguous frontage on a public street is required for parkland that is conveyed to the City.

(3) **Amenity lakes and detention facilities**
Enhanced amenity lakes and detention facilities, as described below, may be incorporated into parkland areas but shall not exceed 50% of the overall parkland acreage dedicated. All amenity lakes and detention facilities incorporated into parkland areas within Avery North shall meet the following requirements:

(a) All permanent bodies of water, such as lakes and retention ponds shall include an integrated management program to insure acceptable water quality and to maintain ecological balance of oxygen, nutrients, light, and temperature. Aeration systems providing oxygen transfer and aerator fountains for aesthetic appeal shall be utilized as appropriate to the pond type, size and depth. Biological controls will be enhanced through selection of appropriate water plant species.

(b) Retention lakes shall be designed as curvilinear, nonrectangular shapes with a slope not exceeding 3:1.

(c) The lake perimeters shall be either a hard edge or shall contain landscaping. If landscaping is provided, the amount of plant material required shall be calculated by the number of square feet within a 30-foot perimeter of the lake, as measured from the line of 25-year inundation of the lake. Design features and planting schemes shall be subject to the approval of the City.

(i) A minimum of one (1) 3" caliper tree and two (2) 5 gallon shrubs shall be planted for every 1000 square feet;
(ii) Fencing shall be constructed of wrought iron, tubular steel or other similar products.

11.7. Trails
A minimum of 10,000 linear feet of trails shall be constructed. All trails shall be concrete or decomposed granite and a minimum width of eight feet (8'). Trailhead access points shall be provided, as illustrated on **Exhibit "E"**.

11.8. Phasing
The parkland contained in **Exhibit "E"** shall be constructed along with the construction of the residential or commercial development which contains or is adjacent to the parkland.

12. LANDSCAPING AND ROADWAY DESIGN

The landscape development standards outlined in Section 46-195, Landscaping, shall apply, with the following modifications.

12.1. Drought Tolerant Turf Grasses
All development areas, including residential, which include turf shall utilize Drought Tolerant Turf Grasses, as defined in the Code.

12.2. Native Adapted Plants
Plant material within the Avery North PUD shall be of a native and/or adapted species, including those selected from *Native and Adapted Landscape Plants, an Earth-wise Guide for Central Texas*, created by the Texas Cooperative Extension, Grow Green and the Ladybird Johnson National Wildflower Center.

12.3. Residential Lot Trees
A minimum of two (2), three-inch (3") caliper container-grown Large species trees shall be provided on all Single Family Detached Estate, Large and Standard lots. A minimum of one (1), three-inch (3") caliper container-grown tree shall be provided on all Casita lots.

12.4. Primary and Collector Road Landscape
a) rimary and Collector Roads shall have a minimum ten (10) feet of landscape easement from each side of the right of way to the abutting PUE. Exceptions may be granted by the Zoning Administrator for limited site specific variations where a reduction from the ten (10) feet is requested. The landscape easement shall contain sidewalks, street tree plantings, plant beds, subdivision walls and neighborhood entry monuments. Site Furniture will be provided at trailhead locations as indicated on **Exhibit "E"**.
b) The landscaping within the landscape easement shall comply with the City

Code for Landscaping, Section 46-195(g)1.b1 and (g)1.b.2, Parking Lot landscaping, along public streets.

c) Meandering, five (5) foot sidewalks shall be provided along both sides of Primary and Collector roadways. The sidewalks shall be allowed to meander inside and outside of the collector right of way and landscape easement.

12.5. Bridge/Culvert Design

When roadway crossings of the floodplain or drainage channels are required, the bridge/culvert designs shall incorporate colored concrete and/or masonry veneer to complement the community walls and visual theme.

12.6. Maintenance

A master community association will be established for the maintenance of landscape and irrigation areas located between the roadways and the property lines for internal projects as well as for all community signage, walls, medians, common open spaces, greenbelts, parks and detention areas. Sub associations may be formed for individual tracts within Avery North.

13. FIRE STATION

The Owner will donate approximately three (3) acres of the RES District, as generally depicted on Exhibit "C", to the City of Round Rock for a Fire Station. The Fire Station must adhere to the Development Standards of the COM district.

14. DEFINITIONS

The following definitions are provided for terms used in the Plan. If there is a conflict between the definitions contained in this Plan and the definitions in Chapter 11 of the Code, the definitions in this Plan shall supersede the definitions in the Code.

Amenity Detention/Retention Areas: Open space designed to accommodate storm water detention and/or water quality facilities in a manner that creates an amenity through the inclusion of features including trails, landscaping and fountains.

Commercial-Limited: The combining of complementary commercial and office uses in the same building, on the same site, or on the same block.

Collector Streets: An intermediate major vehicular thoroughfare that is typically designed to carry moderate volumes of traffic from local streets to arterial streets

Fuel Sales: A retail fuel sales facility with a maximum of eight gas pumps. Must include a convenience store.

Local Streets: A street providing access to adjacent land, service to travel short distances, the lowest level of mobility, and access service to other streets.

Maximum Lot Coverage: The area of a lot covered by buildings (principal and accessory) or roofed areas, as measured along the outside wall at ground level, and including all projections other than open porches, fire escapes, canopy areas and the first two feet of a roof overhang.

Primary Street: As identified on **Exhibit "C" (Land Use Plan)**

Site Furniture: Permanently installed commercial grade site features such as benches, tables, trash receptacles, bike racks with a minimum of five spaces, umbrellas, and similar features.

15. CHANGES TO DEVELOPMENT PLAN

15.1. Minor Changes

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

15.2. Major Changes

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

LIST OF EXHIBITS

Exhibit "A"	Legal Description
Exhibit "B"	Vicinity Map
Exhibit "C"	Land Use Plan
Exhibit "D"	Fencing Exhibit
Exhibit "E"	Open Space, Parks and Trails
Exhibit "E-1"	Adjacent Properties Eligible for Parkland Transfer Credit
Exhibit "E-2"	Parkland Dedication Analysis
Exhibit "F"	Transportation Corridor

EXHIBIT

"A"

DESCRIPTION

FOR A 191.444 ACRE TRACT OF LAND SITUATED IN THE JOSEPH MOTT SURVEY, ABSTRACT NO. 427 IN WILLIAMSON COUNTY, TEXAS, BEING ALL OF: A CALLED 26.98 ACRE AND 3.79 ACRE TRACTS OF LAND IN DEED TO TREESCAPE FARMS GP, LLC, RECORDED IN DOCUMENT NO. 2004054116 OF THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY, ALSO BEING A PORTION OF: A CALLED 4.8926 ACRE TRACT OF LAND IN DEED TO RUBEN GREINERT AND JOYCE GREINERT, RECORDED IN DOCUMENT NO. 9610694 OF SAID OFFICIAL PUBLIC RECORDS, ALSO BEING A PORTION OF: A CALLED 300.43 ACRE TRACT IN DEED TO AVERY RANCH COMPANY, LTD. RECORDED IN DOCUMENT NO. 2002071336 OF SAID OFFICIAL PUBLIC RECORDS, BEING ALL OF: A 1.720 ACRE REMNANT PORTION OF A CALLED 28.76 ACRES AND A 118.53 ACRE TRACTS OF LAND IN DEED TO RUBEN GREINERT AND JOYCE GREINERT, RECORDED IN VOLUME 2711, PAGE 151 OF THE OFFICIAL RECORDS OF SAID COUNTY, BEING A PORTION OF: A CALLED 144.41 ACRE TRACT OF LAND IN DEED TO JOHN S. AVERY, SR., TRUSTEE OF JOHN S. AVERY EXEMPT TRUST, RECORDED IN DOCUMENT NO. 2006112407 OF SAID OFFICIAL PUBLIC RECORDS, **SAVE AND EXCEPT:** A 2.694 ACRE PORTION OF A CALLED 38.069 ACRE TRACT OF LAND IN DEED TO THE CITY OF GEORGETOWN, RECORDED IN VOLUME 1970, PAGE 497 OF SAID OFFICIAL RECORDS, SAID 191.444 ACRE TRACT OF LAND, AS SHOWN ON ACCOMPANYING SKETCH, IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod with "Baker-Aicklen" cap set for the northwest corner of said 2.694 acre portion, same being the northeast corner of said 1.720 acre Remnant Portion for an angle point and **POINT OF BEGINNING** hereof;

THENCE with the north boundary line of said 2.694 acre portion, **N 66°28'26" E** for a distance of **96.97 feet** to a ½" iron rod with "Baker-Aicklen" cap set for the northeast corner of said 2.694 acre portion, same being the southwest corner of said 4.8926 acre tract, same being the most westerly northwest corner of said 118.53 acre tract, for an angle point hereof;

THENCE through the interior of said 118.53 acre tract, **N 71°29'15" E** for a distance of **403.98 feet** to a ½" iron rod with "Baker-Aicklen" cap set for a non-tangent point of curvature hereof;

THENCE continuing through the interior of said 118.53 acre tract, through the interior of said 4.8926 acre tract and through the interior of said 144.41 acre tract, with the arc of a curve to the **left**, having a radius of **11901.20 feet**, an arc length of **1529.32 feet**, a central

angle of **007°21'45"**, and a chord which bears, **N 24°16'08" W** for a distance of **1528.27 feet** to a ½" iron rod with "Baker-Aicklen" cap set for the most northerly northwest corner hereof;

THENCE continuing through the interior of said 144.41 acre tract, **N 68°57'13" E** for a distance of **1711.38 feet** to a ½" iron rod found on the east boundary line of said 144.41 acre tract, same being the southwest corner of a called 23.65 acre tract of land deeded to Triple Play Sportsplex, LP, recorded in Document No. 2005003974 of the Official Public Records of said County, for an angle point hereof;

THENCE with the east boundary line of said 144.41 acre tract, same being the south boundary line of said 23.65 acre tract, **N 68°53'18" E** for a distance of **493.09 feet** to a ½" iron rod found, same being the west line of a called 1162.08 acre tract of land in deed to Nelson Homestead Family Partnership, Ltd. recorded in Document No. 9824078 of the Official Records of said County, for the northeast corner hereof;

THENCE with the east boundary line of said 144.41 acre tract, same being the west boundary line of said 1162.08 acre tract and in part with the east boundary line of said 118.53 acre tract, the following eight (8) courses and distances:

1. **S 21°23'57" E** for a distance of **1094.60 feet** to a ½" iron rod found at the southeast corner of said 144.41 acre tract, same being the northeast corner of said 118.53 acre tract, for an angle point hereof,

2. **S 21°26'13" E** for a distance of **426.58 feet** to a fence post found, for an angle point hereof,

3. **S 05°13'37" W** for a distance of **35.58 feet** to a fence post found, for an angle point hereof,

4. **S 06°42'07" W** for a distance of **267.37 feet** to a fence post found, for an angle point hereof,

5. **S 06°55'57" W** for a distance of **577.76 feet** to a fence post found, for an angle point hereof,

6. **S 02°54'37" W** for a distance of **4.18 feet** to a fence post found, for an angle point hereof, and

7. **S 29°07'24" E** for a distance of **27.53 feet** to a fence post found, for an angle point hereof,

8. **S 22°27'01" E** for a distance of **151.38 feet** to an iron rod with cap found for the southeast corner of said 118.53 acre tract, same being the northeast corner of a called 53.02 acre tract of land in deed to Charles N. Avery, III, Et. Al., recorded in document No. 2004074664 of the Official Public Records of said County, for the southeast corner hereof;

THENCE with the south boundary line of said 118.53 acre tract, same being the north boundary line of said 53.02 acre tract, **S 74°28'37" W** for a distance of **1901.33 feet** to a ½" iron rod with "Baker-Aicklen" cap set for the southwest corner of said 118.53 acre tract, same being an angle point on the north boundary line of said 53.02 acre tract, same being the southeast corner of said 3.79 acre tract, for an angle point hereof;

THENCE with the north boundary line of said 53.02 acre tract, same being the south boundary line of said 3.79 acre tract, the following two (2) courses and distances:

1. **S 46°14'14" W** for a distance of **10.92 feet** to a ½" iron rod with "Baker-Aicklen" cap set, for an angle point hereof, and

2. **S 50°33'44" W** for a distance of **184.07 feet** to a ½" iron rod with "Baker-Aicklen" cap set for the southwest corner of said 3.79 acre tract, same being the northwest corner of said 53.02 acre tract, same being the east boundary line of said 2.694 acre portion, for an angle point hereof;

THENCE with the west boundary line of said 53.02 acre tract, same being the east boundary line of said 2.694 acre portion, **S 24°18'59" E** for a distance of **316.94 feet** to a ½" iron rod with "Baker-Aicklen" cap set for the southeast corner of said 2.694 acre portion, same being the north boundary line of said 300.43 acre tract, for an angle point hereof;

THENCE with the south boundary line of said 2.694 acre portion, same being the north boundary line of said 300.43 acre tract, the following two (2) courses and distances:

1. **S 68°57'45" W** for a distance of **52.41 feet** to a calculated point, for an angle point hereof, and

2. **S 68°56'29" W** for a distance of **51.12 feet** to a ½" iron rod with "Baker-Aicklen" cap set for the southwest corner of said 2.694 acre portion, same being the southeast corner of a called 1.16 acre tract of land in deed to Gerardo C. Torres, recorded in Document No. 9827796 of the Official Records of said County, for an angle point hereof;

THENCE with the west boundary line of said 2.694 acre portion, same being the east boundary line of said 1.16 acre tract, **N 24°01'20" W** for a distance of **270.57 feet** to a ½"

iron rod with "Baker-Aicklen" cap set for the northeast corner of said 1.16 acre tract, same being the southeast corner of said 26.98 acre tract, for an angle point hereof;

THENCE in part with the south boundary line of said 26.98 acre tract, in part with the north boundary line of said 1.16 acre tract, in part with the north boundary line of a called 1.16 acre tract of land in deed to Maudie Oliver Streeter, recorded in Volume 935, Page 443 of the Deed Records of said County, in part with the north boundary line of a called 1.001 acre tract of land in deed to Hector M. Mendoza and Modesta Solis, recorded in Document No. 2010057895 of the Official Public Records of said County, in part with the north boundary line of a called 1.00 acre tract of land in deed to Miguel Tellez and Karen Tellez, recorded in Document No. 2005021145 of the Official Public Records of said County and in part with the north boundary line of a called 1.00 acre tract of land in deed to Sowers Lawn Care, LLC, recorded in Document No. 2008046323 of the Official Public Records of said County, the following three (3) courses and distances:

1. **S 50°54'32" W** for a distance of **219.16 feet** to a ½" iron rod with "Baker-Aicklen" cap set, for an angle point hereof,

2. **S 62°06'02" W** for a distance of **271.55 feet** to a ½" iron rod with "Baker-Aicklen" cap set, for an angle point hereof, and

3. **S 67°32'56" W** for a distance of **808.77 feet** to a ½" iron rod with "Baker-Aicklen" cap set for the northwest corner of said 1.00 Sowers tract, same being the southwest corner of said 26.98 acre tract, same being the north boundary line of said 300.43 acre tract, for an angle point hereof;

THENCE with the west boundary line of said 1.00 acre Sowers tract, same being the north boundary line of said 300.43 acre tract, **S 21°29'43" E** for a distance of **150.37 feet** to a ½" iron rod with "Baker-Aicklen" cap set for the southwest corner of said 1.00 Sowers tract, same being an angle point on the north boundary line of said 300.43 acre tract, for an angle point hereof;

THENCE through the interior of said 300.43 acre tract, **S 68°56'29" W** for a distance of **1545.33 feet** to a ½" iron rod with "Baker-Aicklen" cap set on the west boundary line of said 300.43 acre tract, same being the east line of a called 111.30 acre tract of land in deed to Nelson Homestead Family Partnership, Ltd., recorded in Document No. 9824078 of the Official Records of said County, for the southwest corner hereof;

THENCE with the west boundary line of said 300.43 acre tract, same being the east boundary line of said 111.30 acre tract, **N 21°01'52" W** for a distance of **1116.55 feet** to a ½" iron rod with "Baker-Aicklen" cap set, same being on the south right-of-way line of County Road 186, for the most westerly northwest corner hereof;

THENCE, with the south right-of-way line of said County Road 186, through the interior of said 300.43 acre tract, **N 68°29'58" E** for a distance of **1536.25 feet** to a ½" iron rod with "Baker-Aicklen" cap set on the east boundary line of said 300.43 acre tract, same being the easterly terminus of said County Road 186, same being on the west boundary line of said 1.720 acre remnant portion, for an angle point in the northerly boundary line hereof;

THENCE with the easterly terminus of said County Road 186, same being the westerly boundary line of said 1.720 remnant portion, **N 21°29'43" W** for a distance of **31.58 feet** to a ½" iron rod with "Baker-Aicklen" cap set at the northwest corner of said 1.720 remnant portion, for an angle point in the northerly boundary line hereof;

THENCE with the northerly boundary line of said 1.720 remnant portion, the following three (3) courses and distances:

1. **N 68°39'10" E** for a distance of **334.16 feet** to a ½" iron rod with "Baker-Aicklen" cap set for an angle point hereof,

2. **N 68°44'40" E** for a distance of **236.22 feet** to a ½" iron rod with "Baker-Aicklen" cap set, for an angle point hereof, and

3. **N 68°42'10" E** for a distance of **677.53 feet** to the **POINT OF BEGINNING** hereof and containing 191.444 acres of land.

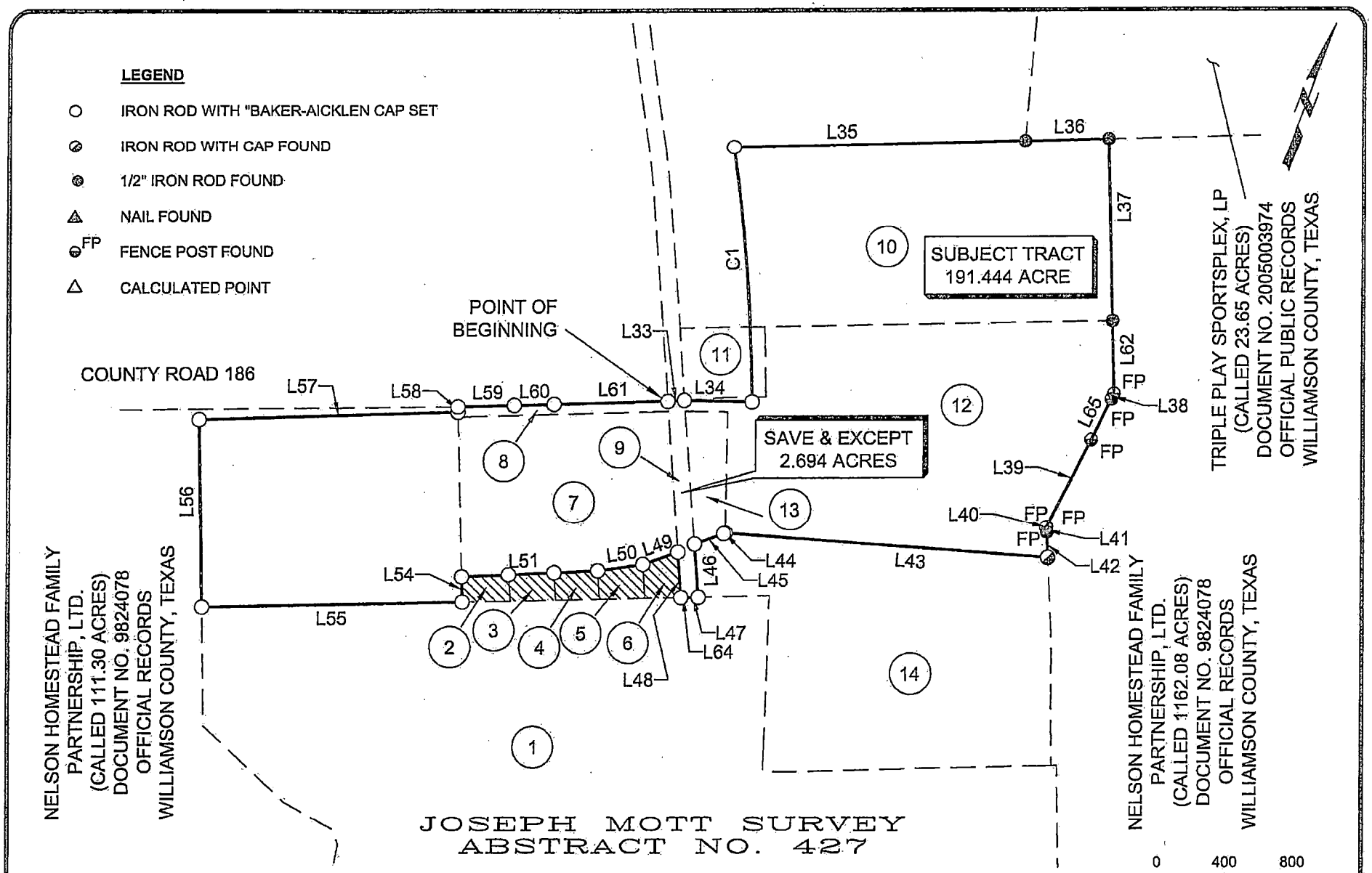
Bearing basis is referenced to grid north, Texas State Plane Coordinate System NAD 83, Central Zone (4203).

Surveyed under the direct supervision of the undersigned during May, 2013:

Parker J. Graham
Registered Professional Land Surveyor No. 5556
Baker-Aicklen & Assoc., Inc.
507 West Liberty Avenue
Round Rock, TX 78664

STATE OF TEXAS
REGISTERED
PARKER GRAHAM
5556
PROFESSIONAL
LAND SURVEYOR

Job No: 2173-2-001
Filename: W:\PROJECTS\TAYLOR-MORRISON-AVERY NORTH\METES AND BOUNDS\TRACT 1 ZONING\Avery North Zoning-Area-2-191.444 acre tract.doc



BAKER-AICKLEN & ASSOCIATES, INC.
ENGINEERS | SURVEYORS | GIS | PLANNERS | LANDSCAPE ARCHITECTS
ROUND ROCK
507 WEST LIBERTY AVE.
ROUND ROCK, TEXAS 78664
(512) 244-9620
ENGINEERING FIRM # F-45
SURVEY FIRM #100231-0
TBAE #1767

AVERY NORTH

ZONING EXHIBIT
191.444 ACRES

PROJECT NO. 2173-2-001

W:\PROJECTS\TAYLOR-MORRISON-AVERY NORTH\DWG ZONING\TM-ZONING-AREA 2.dwg [PAGE 6] July 08, 2013 - 1:07pm

CURVE TABLE					
CURVE NO.	RADIUS	ARC LENGTH	CENTRAL ANGLE	CHORD BEARING	CHORD DISTANCE
C1	11901.20'	1529.32'	007°21'45"	N24°16'08"W	1528.27'

LINE TABLE		
LINE NO.	BEARING	DISTANCE
L33	N66°28'26"E	96.97'
L34	N71°29'15"E	403.98'
L35	N68°57'13"E	1711.38'
L36	N68°53'18"E	493.09'
L37	S21°23'57"E	1094.60'
L38	S05°13'37"W	35.58'
L39	S06°55'57"W	577.76'
L40	S02°54'37"W	4.18'
L41	S29°07'24"E	27.53'
L42	S22°27'01"E	151.38'
L43	S74°28'37"W	1901.33'
L44	S46°14'14"W	10.92'
L45	S50°33'44"W	184.07'
L46	S24°18'59"E	316.94'
L47	S68°57'45"W	52.41'
L48	N24°01'20"W	270.57'
L49	S50°54'32"W	219.16'
L50	S62°06'02"W	271.55'
L51	S67°32'56"W	808.78'
L54	S21°29'43"E	150.37'

LINE TABLE		
LINE NO.	BEARING	DISTANCE
L55	S68°56'29"W	1545.33'
L56	N21°01'52"W	1116.55'
L57	N68°29'58"E	1536.25'
L58	N21°29'43"W	31.58'
L59	N68°39'10"E	334.16'
L60	N68°44'40"E	236.22'
L61	N68°42'10"E	677.53'
L62	S21°26'13"E	426.58'
L64	S68°56'29"W	51.12'
L65	S06°42'07"W	267.37'

BAKER-AICKLEN & ASSOCIATES, INC.
ENGINEERS | SURVEYORS | GIS | PLANNERS | LANDSCAPE ARCHITECTS
ROUND ROCK
507 WEST LIBERTY AVE.
ROUND ROCK, TEXAS 78664
(512) 244-9620
ENGINEERING FIRM # F-45
SURVEY FIRM #10023101
TBAE #1787

AVERY NORTH
ZONING EXHIBIT
191.444 ACRES

PROJECT NO. 2173-2-001

1. AVERY RANCH COMPANY, LTD - CALLED 300.43 ACRES - DOC. NO. 2002071336, O.P.R.W.C.T.
2. SOWERS LAWN CARE, LLC - CALLED 1.00 ACRE - DOC. NO. 2008016323, O.P.R.W.C.T.
3. MIGUEL TELLEZ & KAREN TELLEZ - CALLED 1.00 ACRE - DOC. NO. 2005021145, O.P.R.W.C.T.
4. HECTOR M. MENDOZA & MODESTA SOLIS - CALLED 1.001 ACRE - DOC. NO. 2010057895, O.P.R.W.C.T.
5. MAUDIE OLIVER STREETER - CALLED 1.16 ACRE - VOL. 935, PG. 443, D.R.W.C.T.
6. GERARDO C. TORRES - CALLED 1.16 ACRE - DOC. NO. 9827796, O.P.R.W.C.T.
7. TREESCAPE FARMS GP, LLC - CALLED 26.98 ACRES - DOC. NO. 2004054116, O.P.R.W.C.T.
8. RUBEN GREINERT AND JOYCE GREINERT - A 1.720 ACRE REMNANT PORTION OF A CALLED 28.76 ACRES - VOL. 2711, PG. 151, O.R.W.C.T.
9. CITY OF GEORGETOWN - A 2.694 ACRE PORTION OF A CALLED 38.069 ACRES - VOL. 1970, PG. 497, O.R.W.C.T.
10. JOHN S. AVERY, SR., TRUSTEE, JOHN S. AVERY EXEMPT TRUST - CALLED 144.41 ACRES - DOC. NO. 2006112407 O.P.R.W.C.T.
11. RUBEN GREINERT AND JOYCE GREINERT - CALLED 4.8926 ACRES - DOC. NO. 9610694, O.P.R.W.C.T.
12. RUBEN GREINERT & JOYCE GREINERT - CALLED 118.53 ACRES - VOL. 2711, PG. 151, O.R.W.C.T.
13. TREESCAPE FARMS GP, LLC - CALLED 3.79 ACRES - DOC. NO. 2004054116, O.P.R.W.C.T.
14. CHARLES N. AVERY, III, ET AL. - CALLED 53.02 ACRES - DOC. NO. 2004074664, O.P.R.W.C.T.

BAKER-AICKLEN & ASSOCIATES, INC.
ENGINEERS | SURVEYORS | GIS | PLANNERS | LANDSCAPE ARCHITECTS
ROUND ROCK
507 WEST LIBERTY AVE.
ROUND ROCK, TEXAS 78664
(512) 244-9620
ENGINEERING FIRM # F-45
SURVEY FIRM #100231-0
TBAE #1787

AVERY NORTH
ZONING EXHIBIT
191.444 ACRES

PROJECT NO. 2173-2-001

EXHIBIT

"A"

DESCRIPTION

FOR A 223.361 ACRE TRACT OF LAND SITUATED IN THE JOSEPH MOTT SURVEY, ABSTRACT NO. 427 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED 300.43 ACRE TRACT IN DEED TO AVERY RANCH COMPANY, LTD. RECORDED IN DOCUMENT NO. 2002071336 OF THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY AND ALL OF A CALLED 53.02 ACRE TRACT OF LAND IN DEED TO CHARLES N. AVERY, III, ET AL, RECORDED IN DOCUMENT NO. 2004074664 OF THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY, SAID 223.361 ACRE TRACT OF LAND, AS SHOWN ON ACCOMPANYING SKETCH, IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod with "Baker-Aicklen" cap set on the north boundary line of said 300.43 acre tract, same being the most westerly southwest corner of said 53.02 acre tract, same being the southeast corner of a 2.694 acre portion of a called 38.069 acre tract of land in deed to the City of Georgetown, recorded in Volume 1970, Page 497 of the Official Records of said County for an interior corner in the north boundary line and **POINT OF BEGINNING** hereof;

THENCE departing the north boundary line of said 300.43 acre tract, with the west boundary line of said 53.02 acre tract, same being the east boundary line of said 2.694 acre portion, **N 24°18'59" W** for a distance of **316.94 feet** to a ½" iron rod with "Baker-Aicklen" cap set for the most northerly northwest corner of said 53.02 acre tract, same being the southwest corner of a called 3.79 acre tract of land in deed to Treescape Farms GP, LLC, recorded in Document No. 2004054116 of the Official Public Records of said County, for an angle point hereof;

THENCE with the north boundary line of said 53.02 acre tract, same being the south boundary line of said 3.79 acre tract, the following two (2) courses and distances:

1. **N 50°33'44" E** for a distance of **184.07 feet** to a ½" iron rod with "Baker-Aicklen" cap set, for an angle point hereof, and

2. **N 46°14'14" E** for a distance of **10.92 feet** to a ½" iron rod with "Baker-Aicklen" cap set for the southeast corner of said 3.79 acre tract, same being the southwest corner of a called 118.53 acre tract of land in deed to Ruben Greinert and Joyce Greinert recorded in Volume 2711, Page 151 of the Official Records of said County, for an angle point hereof;

THENCE continuing with the north boundary line of said 53.02 acre tract, same being the south boundary line of said 118.53 acre tract, **N 74°28'37" E** for a distance of **1901.33 feet** to

an iron rod with cap found for the northeast corner of said 53.02 acre tract, same being the southeast corner of said 118.53 acre tract, same being on the west boundary line of a called 1162.08 acre tract of land in deed to Nelson Homestead Family Partnership, Ltd., recorded in Document No. 9824078 of the Official Records of said County, for the northeast corner hereof;

THENCE with the east boundary line of said 53.02 acre tract, same being the west boundary line of said 1162.08 acre tract, the following three (3) courses and distances:

1. **S 22°41'00" E** for a distance of **509.97 feet** to a nail found, for an angle point hereof,

2. **S 19°48'09" E** for a distance of **368.64 feet** to a nail found, for an angle point hereof, and

3. **S 20°38'26" E** for a distance of **339.80 feet** to a fence post found on a point in the north boundary line of said 300.43 acre tract, said point being the southeast corner of said 53.02 acre tract, for an angle point hereof;

THENCE with the easterly boundary line of said 300.43 acre tract, same being the west boundary line of said 1162.08 acre tract, the following two (2) courses and distances:

1. **N 68°46'06" E** for a distance of **30.96 feet** to a ½" iron rod with "Baker-Aicklen" cap set at the northeast corner of said 53.02 acre tract, for an angle point hereof, and

2. **S 20°54'14" E** for a distance of **955.33 feet** to an iron rod with cap found in the north right-of-way line of University Boulevard, for the southeast corner hereof;

THENCE with the north right-of-way line of said University Boulevard, the following seven (7) courses and distances:

1. **S 69°18'39" W** for a distance of **507.18 feet** to an iron rod with cap found, for an angle point hereof,

2. **S 75°16'13" W** for a distance of **100.46 feet** to an iron rod with cap found, for an angle point hereof,

3. **S 70°32'01" W** for a distance of **400.06 feet** to an iron rod with cap found, for an angle point hereof,

4. **S 78°20'10" W** for a distance of **101.05 feet** to an iron rod with cap found, for an angle point hereof,

5. **N 88°25'38" W** for a distance of **26.96 feet** to an iron rod with cap found, for an angle point hereof,

6. **S 20°11'51" E** for a distance of **49.95 feet** to a ½" iron rod with "Baker-Aicklen cap set, for an angle point hereof, and

7. **S 69°46'03" W** for a distance of **3043.96 feet** to a calculated point in the west boundary line of said 300.43 acre tract, same being the southeast corner of a called 111.30 acre tract of land in deed to said Nelson Homestead Family Partnership, Ltd., recorded in said Document No. 9824078, for the southwest corner hereof;

THENCE departing the north right-of-way line of said University Boulevard, with the west boundary line of said 300.43 acre tract, same being the east boundary line of said 111.30 acre tract, the following seven (7) courses and distances:

1. **N 45°25'02" W** for a distance of **120.01 feet** to a calculated angle point hereof,

2. **N 30°44'02" W** for a distance of **298.06 feet** to a calculated angle point hereof,

3. **N 08°51'02" W** for a distance of **118.06 feet** to an iron rod with cap found, for an angle point hereof,

4. **N 40°07'02" W** for a distance of **93.89 feet** to a ½" iron rod with "Baker-Aicklen" cap set, for an angle point hereof,

5. **N 80°37'02" W** for a distance of **334.72 feet** to a ½" iron rod with "Baker-Aicklen" cap set, for an angle point hereof,

6. **N 67°00'02" W** for a distance of **654.44 feet** to a ½" iron rod with "Baker-Aicklen" cap set, for an angle point hereof, and

7. **N 21°01'52" W** for a distance of **699.87 feet** to a ½" iron rod with "Baker-Aicklen" cap set, for the northwest corner hereof;

THENCE through the interior of said 300.43 acre tract, **N 68°56'29" E** for a distance of **1545.33 feet** to a ½" iron rod with "Baker-Aicklen" cap set for an interior corner of said 300.43 acre tract, same being the southwest corner of a called 1.00 acre tract of land in deed to Sowers Lawn Care, LLC, recorded in Document No. 2008016323 of the Official Public Records of said County, for an angle point hereof;

THENCE in part with the south boundary line of said 1.00 acre Sowers Lawn Care tract, in part with the south boundary line of a called 1.00 acre tract of land in deed to Miguel Tellez and Karen Tellez, recorded in Document No. 2005021145 of the Official Public Records of

said County, in part with the south boundary line of a called 1.001 acre tract of land in deed to Hector M. Mendoza and Modesta Solis, recorded in Document No. 2010057895 of the Official Public Records of said County, in part with the south boundary line of a called 1.16 acre tract of land in deed to Maudie Oliver Streeter, recorded in Volume 935, Page 443 of the Deed Records of said County, and in part with the south boundary line of called 1.16 acre tract of land in deed to Gerardo C. Torres, recorded in Document No. 9827796 of the Official Records of said County, and in part with the south boundary line of said 2.694 acre portion, the following six (6) courses and distances:

1. **N 68°56'29" E** for a distance of **285.10 feet** to a ½" iron rod with "Baker-Aicklen" cap set, for an angle point hereof,

2. **N 69°03'46" E** for a distance of **269.68 feet** to a ½" iron rod with "Baker-Aicklen" cap set, for an angle point hereof,

3. **N 68°50'39" E** for a distance of **260.12 feet** to a ½" iron rod with "Baker-Aicklen" cap set, for an angle point hereof,

4. **N 68°54'51" E** for a distance of **271.11 feet** to a ½" iron rod with "Baker-Aicklen" cap set, for an angle point hereof,

5. **N 68°56'29" E** for a distance of **213.37 feet** to a ½" iron rod with "Baker-Aicklen" cap set, for an angle point hereof, and

6. **N 68°57'08" E** for a distance of **103.53 feet** to the **POINT OF BEGINNING** hereof and containing 223.361 acres of land.

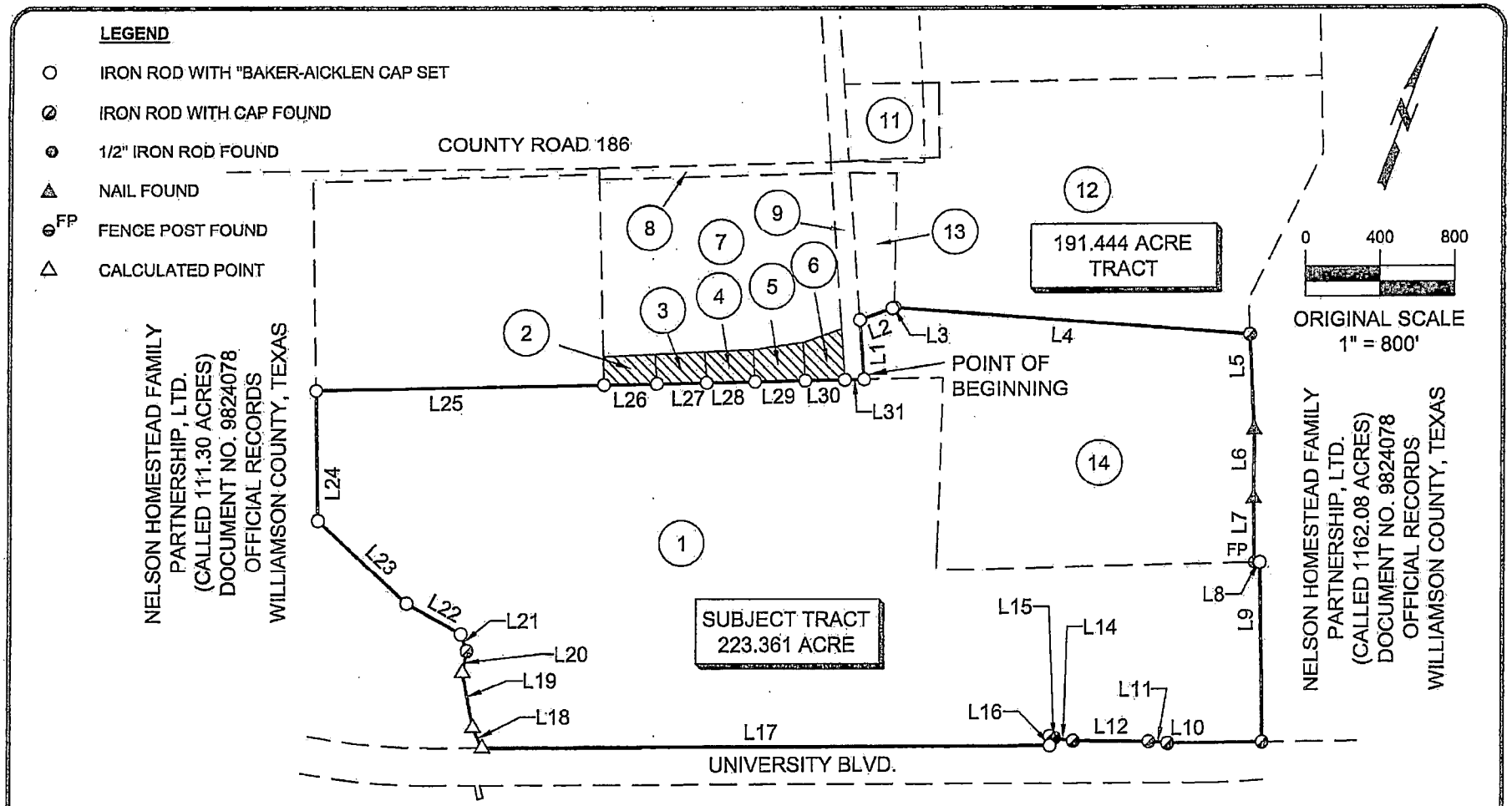
Bearing basis is referenced to grid north, Texas State Plane Coordinate System NAD 83, Central Zone (4203).

Surveyed under the direct supervision of the undersigned during May, 2013:

Parker J. Graham
Registered Professional Land Surveyor No. 5556
Baker-Aicklen & Assoc., Inc.
507 West Liberty Avenue
Round Rock, TX 78664

STATE OF TEXAS
REGISTERED
PARKER GRAHAM
5556
PROFESSIONAL
LAND SURVEYOR

Job No: 2173-2-001
Filename: W:\PROJECTS\TAYLOR-MORRISON-AVERY NORTH\METES AND BOUNDS\TRACT 1 ZONING\Avery North Zoning-Area-1-223.361 acre tract.doc



BAKER-AICKLEN & ASSOCIATES, INC.
ENGINEERS | SURVEYORS | GIS | PLANNERS | LANDSCAPE ARCHITECTS
ROUND ROCK
507 WEST LIBERTY AVE.
ROUND ROCK, TEXAS 78664
(512) 244-9620
ENGINEERING FIRM # F-45
SURVEY FIRM #100231-0
TBAE #1767

AVERY NORTH

ZONING EXHIBIT AREA 1
223.361 ACRES

PROJECT NO. 2173-2-001

W:\PROJECTS\TAYLOR-MORRISON-AVERY NORTH\DWG ZONING\TM-ZONING-AREA 1.dwg [PAGE 5] July 08, 2013 - 12:38pm

LINE TABLE		
LINE NO.	BEARING	DISTANCE
L1	N24°18'59"W	316.94'
L2	N50°33'44"E	184.07'
L3	N46°14'14"E	10.92'
L4	N74°28'37"E	1901.33'
L5	S22°41'00"E	509.97'
L6	S19°48'09"E	368.64'
L7	S20°38'26"E	339.80'
L8	N68°46'06"E	30.96'
L9	S20°54'14"E	955.33'
L10	S69°18'39"W	507.18'
L11	S75°16'13"W	100.46'
L12	S70°32'01"W	400.06'
L14	S78°20'10"W	101.05'
L15	N88°25'38"W	26.96'
L16	S20°11'51"E	49.95'
L17	S69°46'03"W	3043.96'
L18	N45°25'02"W	120.01'
L19	N30°44'02"W	298.06'
L20	N08°51'02"W	118.06'
L21	N40°07'02"W	93.89'

LINE TABLE		
LINE NO.	BEARING	DISTANCE
L22	N80°37'02"W	334.72'
L23	N67°00'02"W	654.44'
L24	N21°01'52"W	699.87'
L25	N68°56'29"E	1545.33'
L26	N68°56'29"E	285.10'
L27	N69°03'46"E	269.68'
L28	N68°50'39"E	260.12'
L29	N68°54'51"E	271.11'
L30	N68°56'29"E	213.37'
L31	N68°57'08"E	103.53'

BAKER-AICKLEN & ASSOCIATES, INC.
ENGINEERS | SURVEYORS | GIS | PLANNERS | LANDSCAPE ARCHITECTS
ROUND ROCK
507 WEST LIBERTY AVE.
ROUND ROCK, TEXAS 78664
(512) 244-9620
ENGINEERING FIRM # F-45
SURVEY FIRM #100231-0
TBAE #1787

AVERY NORTH
ZONING EXHIBIT AREA 1
223.361 ACRES

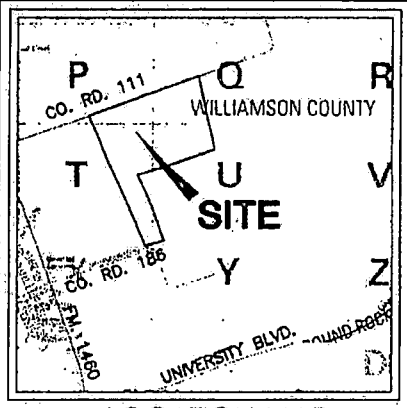
PROJECT NO. 2173-2-001

1. AVERY RANCH COMPANY, LTD - CALLED 300.43 ACRES - DOC. NO. 2002071336, O.P.R.W.C.T.
2. SOWERS LAWN CARE, LLC - CALLED 1.00 ACRE - DOC. NO. 2008016323, O.P.R.W.C.T.
3. MIGUEL TELLEZ & KAREN TELLEZ - CALLED 1.00 ACRE - DOC. NO. 2005021145, O.P.R.W.C.T.
4. HECTOR M. MENDOZA & MODESTA SOLIS - CALLED 1.001 ACRE - DOC. NO. 2010057895, O.P.R.W.C.T.
5. MAUDIE OLIVER STREETER - CALLED 1.16 ACRE - VOL. 935, PG. 443, D.R.W.C.T.
6. GERARDO C. TORRES - CALLED 1.16 ACRE - DOC. NO. 9827796, O.P.R.W.C.T.
7. TREESCAPE FARMS GP, LLC - CALLED 26.98 ACRES - DOC. NO. 2004054116, O.P.R.W.C.T.
8. RUBEN GREINERT AND JOYCE GREINERT - A 1.720 ACRE REMNANT PORTION OF A CALLED 28.76 ACRES - VOL. 2711, PG. 151, O.R.W.C.T.
9. CITY OF GEORGETOWN - A 2.694 ACRE PORTION OF A CALLED 38.069 ACRES - VOL. 1970, PG. 497, O.R.W.C.T.
10. JOHN S. AVERY, SR., TRUSTEE, JOHN S. AVERY EXEMPT TRUST - CALLED 144.41 ACRES - DOC. NO. 2006112407 O.P.R.W.C.T.
11. RUBEN GREINERT AND JOYCE GREINERT - CALLED 4.8926 ACRES - DOC. NO. 9610694, O.P.R.W.C.T.
12. RUBEN GREINERT & JOYCE GREINERT - CALLED 118.53 ACRES - VOL. 2711, PG. 151, O.R.W.C.T.
13. TREESCAPE FARMS GP, LLC - CALLED 3.79 ACRES - DOC. NO. 2004054116, O.P.R.W.C.T.
14. CHARLES N. AVERY, III, ET AL. - CALLED 53.02 ACRES - DOC. NO. 2004074664, O.P.R.W.C.T.

BAKER-AICKLEN & ASSOCIATES, INC.
ENGINEERS | SURVEYORS | GIS | PLANNERS | LANDSCAPE ARCHITECTS
ROUND ROCK
507 WEST LIBERTY AVE.
ROUND ROCK, TEXAS 78664
(512) 244-9620
ENGINEERING FIRM # F-45
SURVEY FIRM # 100231-0
TBAE # 1787

AVERY NORTH
ZONING EXHIBIT AREA 1
223.361 ACRES

PROJECT NO. 2173-2-001



LOCATION MAP

NOT-TO-SCALE

NOTES:

1. THE PROFESSIONAL SERVICES PROVIDED HEREWITH INCLUDE THE PREPARATION OF A FIELD NOTE DESCRIPTION.
2. THE BEARINGS FOR THIS SURVEY ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2001) EPOCH 2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE.
3. ADJOINERS ARE FOR INFORMATIONAL PURPOSES ONLY.

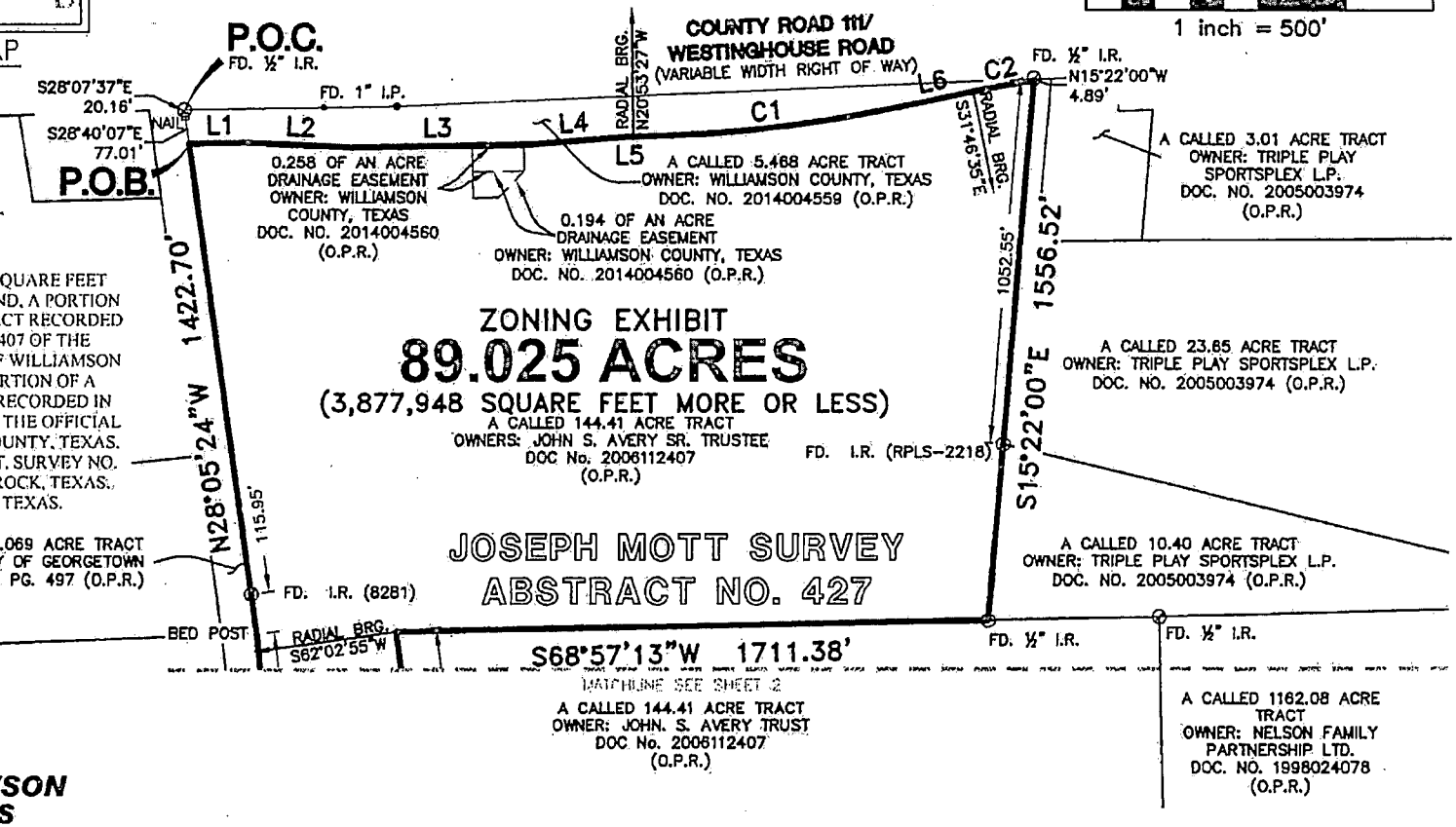
LEGEND:

DR	DEED RECORDS OF WILLIAMSON COUNTY, TEXAS
OPR	OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
OR	OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS
RIX RMAGW	FOUND MAG NAIL WITH WASHER
HK	HACKBERRY TREE

GRAPHIC SCALE

500' 0' 250' 500'

1 inch = 500'



ZONING EXHIBIT

FOR

A 89.025 ACRE, OR 3,877,948 SQUARE FEET MORE OR LESS, TRACT OF LAND, A PORTION OF A CALLED 144.41 ACRE TRACT RECORDED IN DOCUMENT NO. 2006112407 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND A PORTION OF A CALLED 4.8926 ACRE TRACT RECORDED IN DOCUMENT NO. 1996010694 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS. SITUATE IN THE JOSEPH MOTT, SURVEY NO. 427, IN THE CITY OF ROUND ROCK, TEXAS, WILLIAMSON COUNTY, TEXAS.

EXHIBIT "A"

PAPE-DAWSON ENGINEERS

TBPE FIRM REGISTRATION # 470
TBPLS FIRM REGISTRATION # 10028800

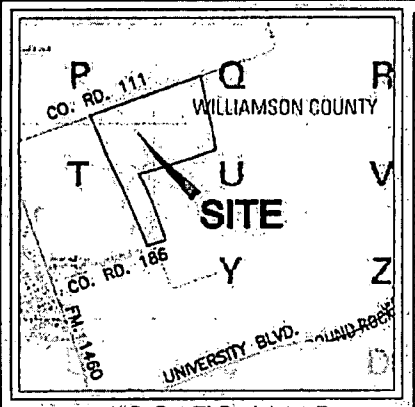
Copyright © 2014 Pape-Dawson Engineers, Inc. All Rights Reserved.

APRIL 8, 2014
REVISED: APRIL 10, 2014

SHEET 1 OF 2

JOB No.: 50803-00

Date: Apr 10, 2014, 4:18pm User ID: VZurcher
File: H:\survey\CIVIL\50803-00\Exhibits\BS50803-00_RevPUD.dwg



LOCATION MAP

NOT TO SCALE

LINE TABLE		
LINE	BEARING	LENGTH
L1	N69°06'24"E	171.47'
L2	N72°32'24"E	300.54'
L3	N69°06'24"E	500.00'
L4	N65°40'24"E	300.54'
L5	N69°06'24"E	17.90'
L6	N58°13'09"E	215.35'
L7	S70°27'39"W	114.57'
L8	S75°17'13"W	7.68'
L9	S71°54'42"W	281.91'

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	4068.00'	10°53'19"	N63°39'54"E	771.93'	773.09'
C2	3932.00'	2°34'46"	N59°30'48"E	177.01'	177.02'
C3	11901.20'	7°21'53"	S24°16'08"E	1,528.72'	1529.77'

ZONING EXHIBIT

FOR

A 89.025 ACRE, OR 3,877,948 SQUARE FEET MORE OR LESS, TRACT OF LAND, A PORTION OF A CALLED 144.41 ACRE TRACT RECORDED IN DOCUMENT NO. 2006112407 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND A PORTION OF A CALLED 4.8926 ACRE TRACT RECORDED IN DOCUMENT NO. 1996010694 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, SITUATE IN THE JOSEPH MOTT, SURVEY NO. 427, IN THE CITY OF ROUND ROCK, TEXAS, WILLIAMSON COUNTY, TEXAS.

(REFERENCE SEE SHEET 1)

GRAPHIC SCALE

500' 0' 250' 500'

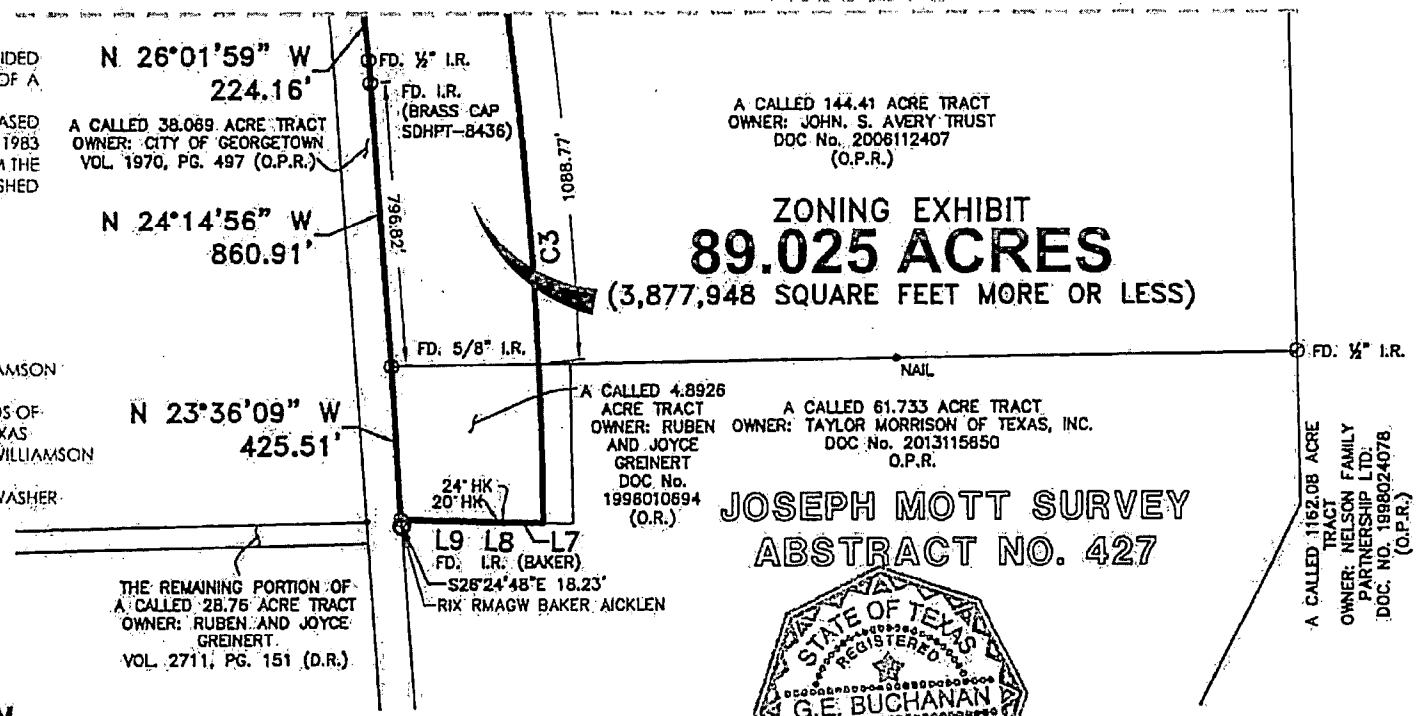
1 Inch = 500'

NOTES:

1. THE PROFESSIONAL SERVICES PROVIDED HEREWITH INCLUDE THE PREPARATION OF A FIELD NOTE DESCRIPTION.
2. THE BEARINGS FOR THIS SURVEY ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2001) EPOCH 2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE.
3. ADJOINERS ARE FOR INFORMATIONAL PURPOSES ONLY.

LEGEND:

DR	DEED RECORDS OF WILLIAMSON COUNTY, TEXAS
OPR	OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
OR	OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS
RIX RMAGW	FOUND MAG NAIL WITH WASHER
HK	HACKBERRY TREE



PAPE-DAWSON ENGINEERS

STATE OF TEXAS REGISTERED G.E. BUCHANAN 4999 PROFESSIONAL LAND SURVEYOR

Copyright © 2014 Pape-Dawson Engineers, Inc. All Rights Reserved

APRIL 8, 2014
REVISED: APRIL 10, 2014

SHEET 2 OF 2

JOB No.: 50803-00

Date: Apr 10, 2014, 3:39pm User ID: VZurcher
File: C:\Users\VZurcher\appdata\local\temp\AcPublish_4912\BS50803-00_RevPUD.dwg

FIELD NOTES

FOR

A 89.025 acre, or 3,877,948 square feet more or less, tract of land, a portion of a called 144.41 acre tract, conveyed to John S. Avery Sr. Trust, recorded in Document No. 2006112407 of the Official Public Records of Williamson County, Texas, and a portion of a called 4.8926 acre tract, conveyed to Ruben Greinert and Joyce Greinert, recorded in Document No. 1996010694 of the Official Records of Williamson County, Texas, situate in the Joseph Mott Survey, Abstract No. 427, in the City of Round Rock, Texas, Williamson County, Texas. Said 89.025 acre tract being more fully described as follows, with bearings based on the North American Datum of 1983 (NA 2011) epoch 2010.00, from the Texas Coordinate System established for the Central Zone:

COMMENCING: At a found ½" iron rod, the northwest corner of a called 5.468 acre tract, conveyed to Williamson County, recorded in Document No. 2014004559 of the Official Public Records of Williamson County, Texas, a point in the east line of a called 38.069 acre tract recorded in Volume 1970, Page 497 of the Official Public Records of Williamson County, Texas and a point in the south right of way line of County Road 111/Westinghouse Road, a variable width right of way:

THENCE: S 28°07'37" E, along and with the west line of said called 5.468 acre tract and the east line of said called 38.069 acre tract, a distance of 20.16 feet to a found nail;

THENCE: S 28°40'07" E, along and with the west line of said called 5.468 acre tract and the east line of said called 38.069 acre tract, a distance of 77.01 feet to a calculated point, for the POINT OF BEGINNING of herein described tract;

THENCE: Departing the east line of said called 38.069 acre tract, along and with the south line of said called 5.468 acre tract the following calls and distances:

N 69°06'24" E, a distance of 171.47 feet to a calculated point;

N 72°32'24" E, a distance of 300.54 feet to a calculated point;

N 69°06'24" E, a distance of 500.00 feet to a calculated point;

N 65°40'24" E, a distance of 300.54 feet to a calculated point;

N 69°06'24" E, a distance of 17.90 feet to a calculated point;

Northeasterly, along a non-tangent curve to the left, said curve having a radial bearing of N 20°53'27" W, a radius of 4,068.00 feet, a central angle of 10°53'19", a chord bearing and distance of N 63°39'54" E, 771.93 feet, an arc length of 773.09 feet to a calculated point;

N 58°13'09" E, a distance of 215.35 feet to a calculated point;

THENCE: Northeasterly, along a non-tangent curve to the right, said curve having a radial bearing of S 31°46'35" E, a radius of 3,932.00 feet, a central angle of 02°34'46", a chord bearing and distance of N 59°30'48" E, 177.01 feet, an arc length of 177.02 feet to a calculated point, from which a found ½" iron rod bears N 15°22'00" W, 4.89 feet, the northeast corner of said called 5.468 acre tract, the northwest corner of a called 23.65 acre tract recorded in Document No. 2005003974 of the Official Public Records of Williamson County, Texas and a point in the south right of way line of the aforementioned County Road 111;

THENCE: S 15°22'00" E, along and with the east line of said called 144.41 acre tract and the west line of said called 23.65 acre tract, at a distance of 1052.55 feet passing a found ½" iron rod, the southwest corner of said called 23.65 acre tract and the northwest corner of a called 10.40 acre tract recorded in Document No. 2005003974 of the Official Public Records of Williamson County, Texas, continuing along and with the east line of said called 144.41 acre tract and the west line of said called 10.40 acre tract for a total distance of 1556.52 feet to a found ½" iron rod, the southwest corner of said called 10.40 acre tract;

THENCE: S 68°57'13" W, over and across said called 144.41 acre tract, a distance of 1711.38 feet to a calculated point;

THENCE: Southeasterly, along a non-tangent curve to the right, over and across said called 144.41 acre tract, said curve having a radial bearing of S 62°02'55" W, a radius of 11,901.20 feet, a central angle of 07°21'53", a chord bearing and distance of S 24°16'08" E, 1,528.72 feet, at an arc length of 1,088.77 passing the south line of said called 144.41 acre tract and the north line of the aforementioned 4.8926 acre tract, continuing over and across said called 4.8926 acre tract for a total arc length of 1,529.78 feet to a calculated point, a point in the south line of said called 4.8926 acre tract and a point in a north line of a called 61.733 acre tract recorded in Document No. 2013115650 of the Official Records of Williamson County, Texas;

THENCE: Along and with the south line of said called 4.8926 acre tract and a north line of said called 61.733 acre tract the following calls and distances:

S 70°27'39" W, a distance of 114.57 feet to a 24" Hackberry tree;

S 75°17'13" W, a distance of 7.68 feet to a 20" Hackberry tree;

THENCE: S 71°54'42" W, a distance of 281.91 feet to a found ½" iron rod with cap marked "Baker-Aicklen", the southwest corner of said called 4.8926 acre tract, a northwest corner of said called 61.733 acre tract and a point in the east line of the aforementioned 38.069 acre tract, from which a found Mag nail with Washer stamped "Baker-Aicklen" bears S 26°24'48" E, 18.23 feet;

THENCE: N 23°36'09" W, along and with the west line of said called 4.8926 acre tract and the east line of said called 38.069 acre tract, a distance of 425.51 feet to a found ⅝" iron rod, the northwest corner of said called 4.8926 acre tract and the southwest corner of said called 144.41 acre tract;

THENCE: Along and with the west line of said called 144.41 acre tract and the east line of said called 38.069 acre tract the following calls and distances:

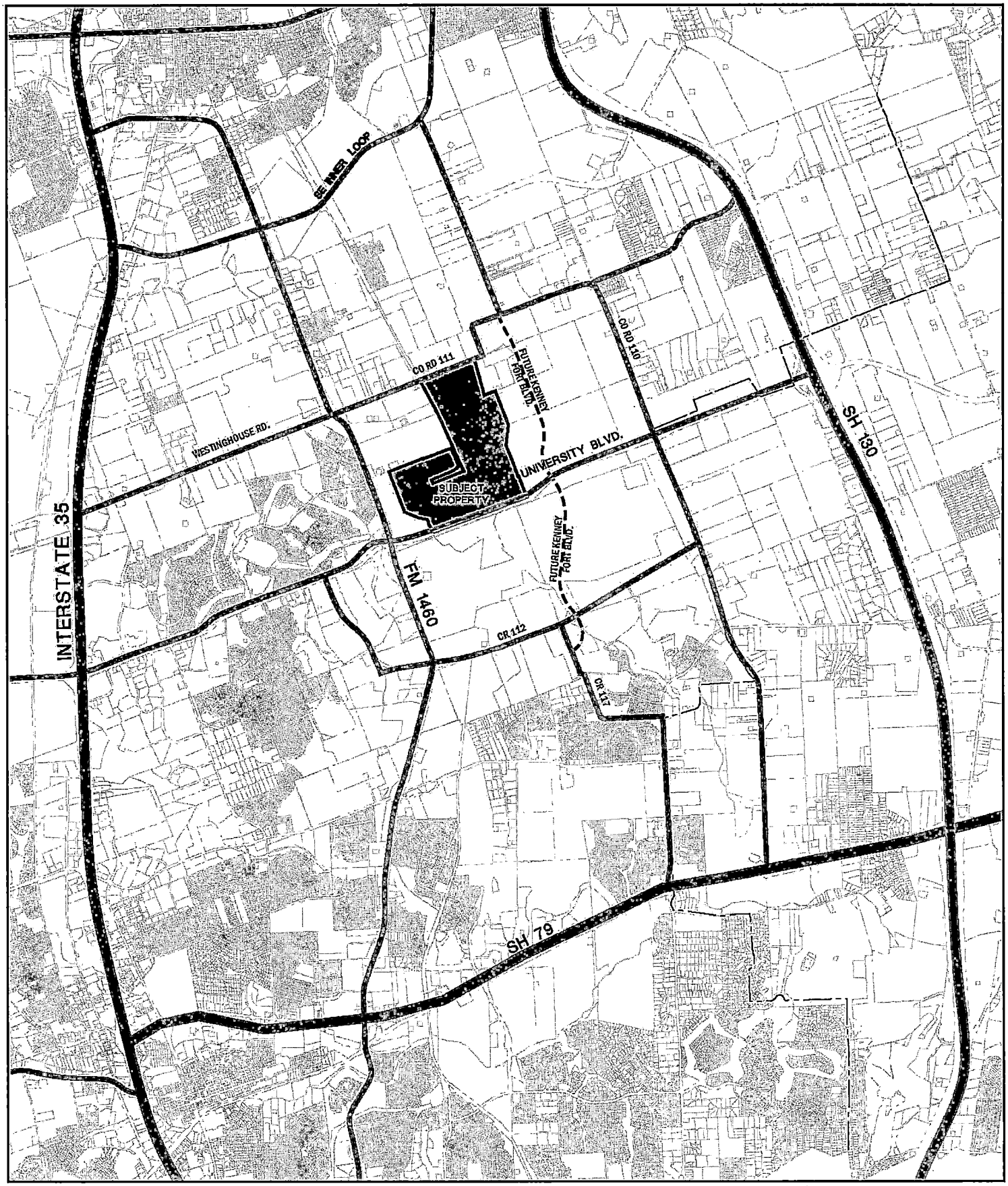
N 24°14'56" W, at a distance of 796.82 feet passing a found iron rod with brass cap marked SDHPT-8436, continuing for a total distance of 860.91 feet to a found ½" iron rod;

N 26°01'59" W, a distance of 224.16 feet to a found bed post;

THENCE: N 28°05'24" W, at a distance of 115.95 feet passing a found iron rod with cap marked 8281, continuing for a total distance of 1,422.70 feet to the POINT OF BEGINNING and containing 89.025 acres in the City of Round Rock, Williamson County, Texas. Said tract being described in accordance with an exhibit prepared under Job No. 50803-00 by Pape Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: April 8, 2014
REVISED: April 10, 2014
JOB No.: 50803-00
DOC.ID.: H:\survey\CIVIL\50803-00\WORD\50803-00_RevPUD.docx
TBPE Firm Registration #470
TBPLS Firm Registration #100288-00

STATE OF TEXAS
REGISTERED
G.E. BUCHANAN
4999
PROFESSIONAL
LAND SURVEYOR



0 1/2 Mile 1 Mile 2 Miles

North

Scale: 1" = 1 Mile

Date: March 18, 2014

EXHIBIT B

CONTEXT MAP

AVERY NORTH

ROUND ROCK, TEXAS

SEC Planning, LLC

Land Planning + Landscape Architecture + Community Branding

AUSTIN, TEXAS

T 512.246.7003 • F 512.246.7703

www.secplanning.com • info@secplanning.com

SHEET FILE: P:\120037-TAMO\PUD Zoning\February 2014 PUD Revisions\PUD Cadfiles\context exhibit.dwg

Base mapping compiled from best available information. All map data should be considered as preliminary, in need of verification, and subject to change. This land plan is conceptual in nature and does not represent any regulatory approval. Plan is subject to change.

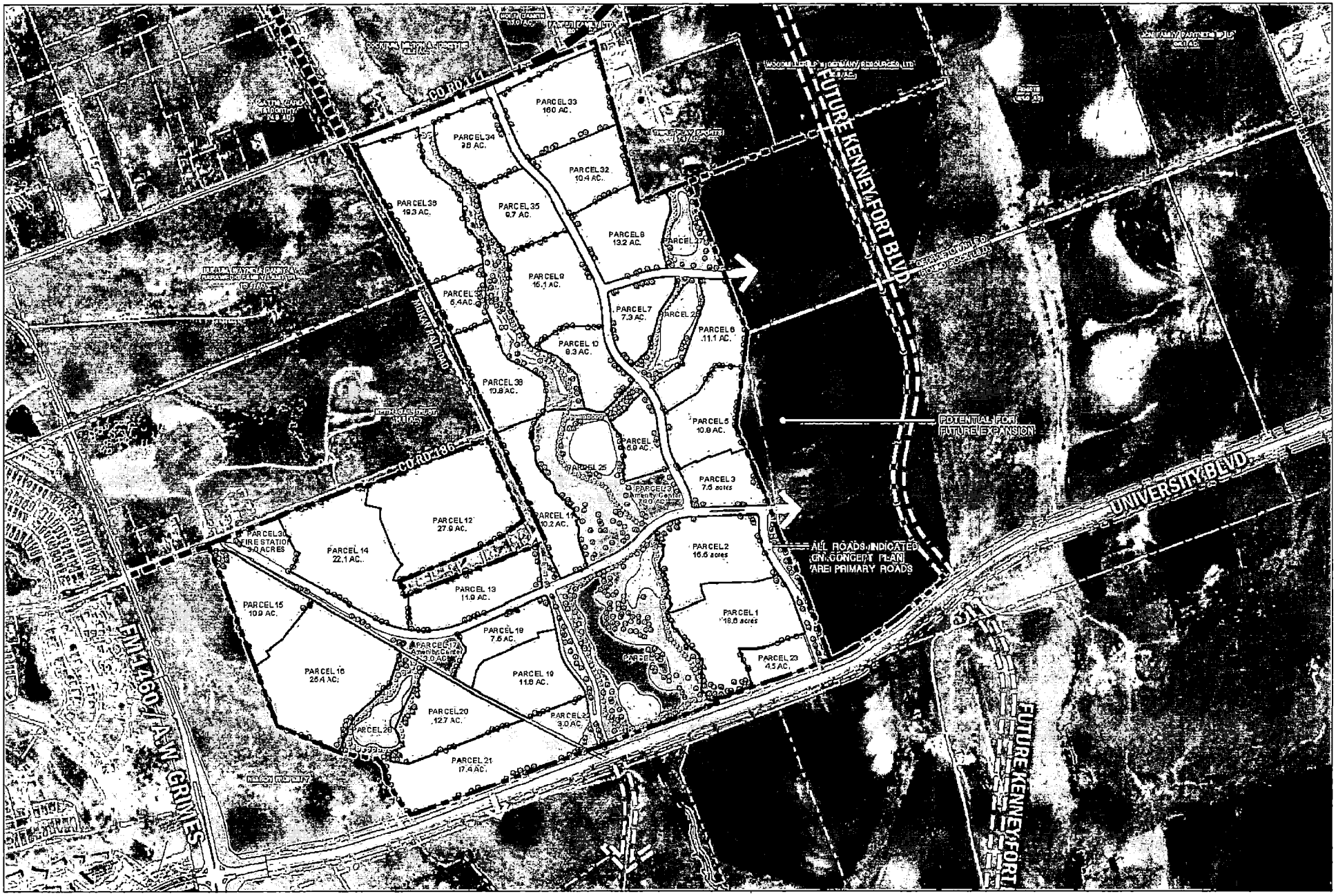


EXHIBIT C

LAND USE PLAN

VIZCAYA

ROUND ROCK, TEXAS

0 600 1200 1800

Scale: 1" = 1200'

North

Date: March 12, 2014

SEC Planning, LLC

Land Planning + Landscape Architecture + Community Branding

AUSTIN, TEXAS

Base mapping compiled from best available information. All map data should be considered as preliminary, in need of verification, and subject to change. This land plan is conceptual in nature and does not represent any regulatory approval. Plan is subject to change.

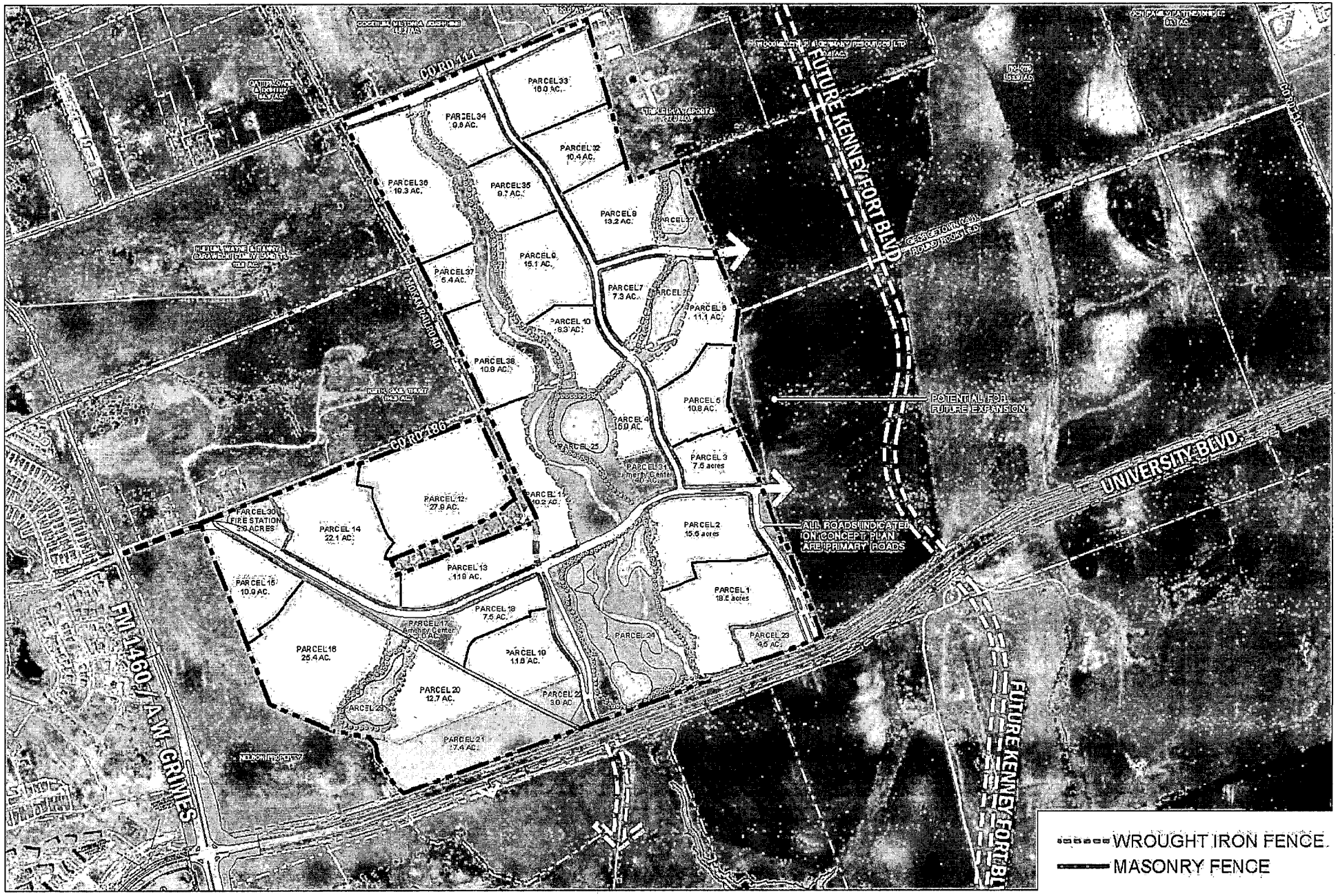


EXHIBIT D

FENCING PLAN

AVERY NORTH

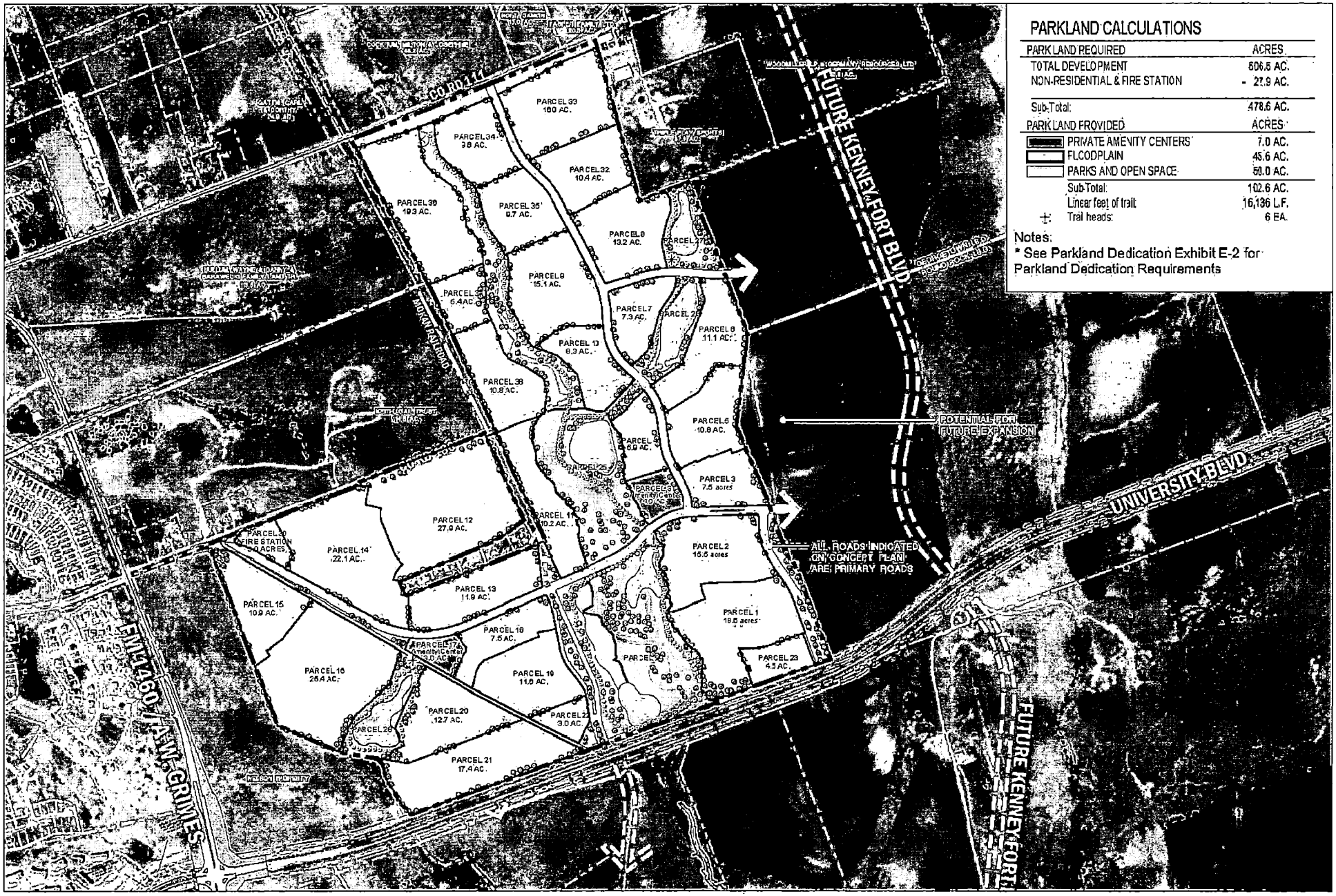
ROUND ROCK, TEXAS

SEC Planning, LLC

Land Planning + Landscape Architecture + Community Branding

AUSTIN, TEXAS

Base mapping compiled from best available information. All map data should be considered as preliminary, in need of verification, and subject to change. This land plan is conceptual in nature and does not represent any regulatory approval. Plan is subject to change.



PARKLAND CALCULATIONS

PARK LAND REQUIRED	ACRES
TOTAL DEVELOPMENT	506.5 AC.
NON-RESIDENTIAL & FIRE STATION	- 27.9 AC.
Sub-Total:	478.6 AC.
PARK LAND PROVIDED	**ACRES**
PRIVATE AMENITY CENTERS	7.0 AC.
FLOODPLAIN	45.6 AC.
PARKS AND OPEN SPACE	50.0 AC.
Sub-Total:	102.6 AC.
Linear feet of trail:	16,136 L.F.
Trail heads:	6 EA.

Notes:

* See Parkland Dedication Exhibit E-2 for Parkland Dedication Requirements

EXHIBIT E

PARKS AND TRAILS PLAN

VIZCAYA

ROUND ROCK, TEXAS

0 600 1200 1800

North

Scale: 1" = 1200'

Date: March 12, 2014

SEC Planning, LLC

Land Planning + Landscape Architecture + Community Branding

AUSTIN, TEXAS

Base mapping compiled from best available information. All map data should be considered as preliminary, in need of verification, and subject to change. This land plan is conceptual in nature and does not represent any regulatory approval. Plan is subject to change.

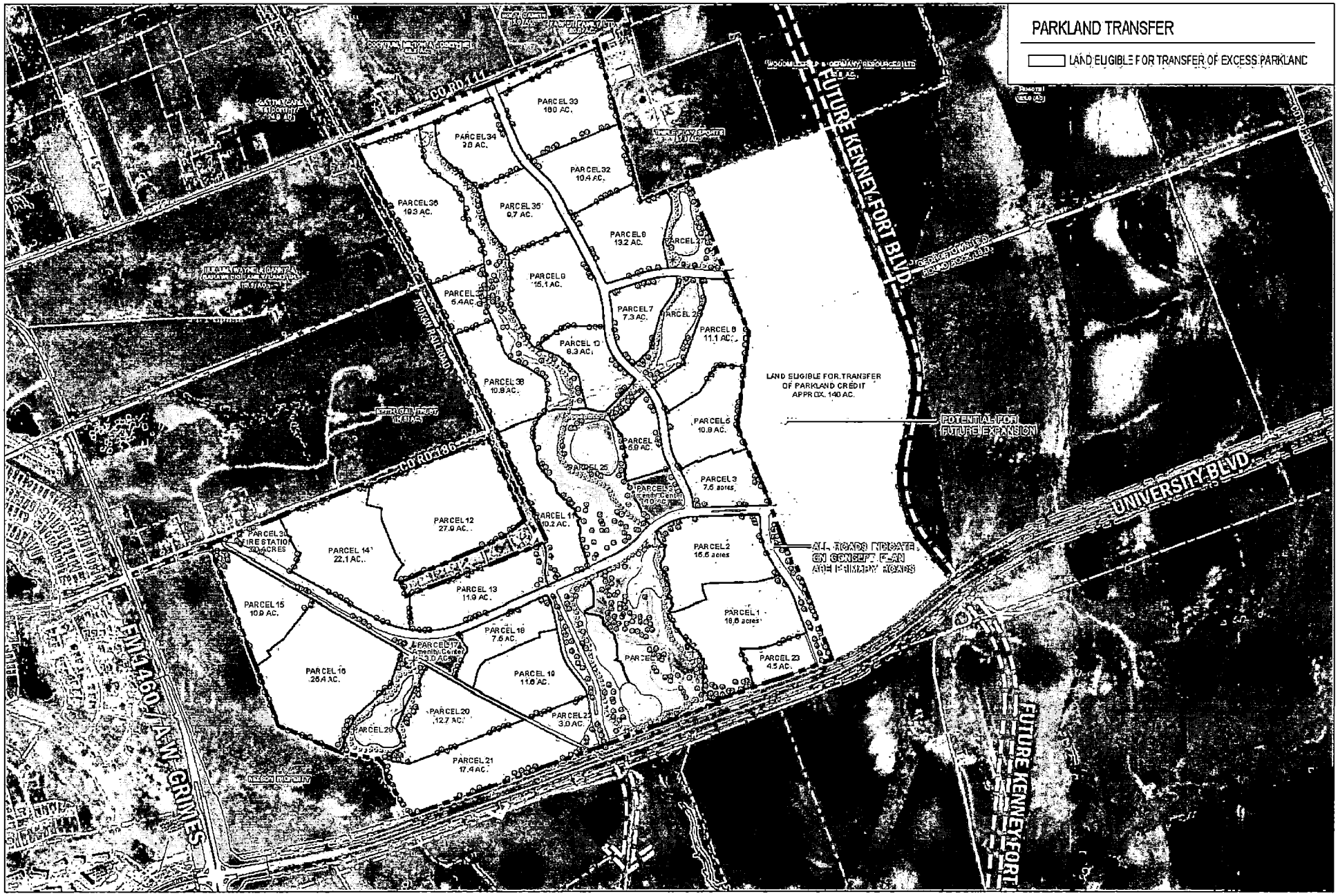


EXHIBIT E-1

LAND ELIGIBLE FOR PARK LAND TRANSFER

VIZCAYA

ROUND ROCK, TEXAS

0 600 1200 1800

Scale: 1" = 1200'

North

Date: March 18, 2014

SEC Planning, LLC

Land Planning + Landscape Architecture + Community Branding

AUSTIN, TEXAS

Base mapping compiled from best available information. All map data should be considered as preliminary, in need of verification, and subject to change. This land plan is conceptual in nature and does not represent any regulatory approval. Plan is subject to change.

EXHIBIT E-2

Avery North PUD

Parkland Dedication Analysis

PARKLAND DEDICATION REQUIREMENTS PER SUBDIVISION ORDINANCE

Zoning Type	Acreage	Parkland Requirement	
Residential (SF-2)	478.6 acres	38.3 acres	(8% of total acreage)
Non-residential	24.9 acres	$19,920	($800/acre)
Fire Station	3.0 acres		
Total Parkland Dedication Requirements:		**38.3 acres and $19,920**	

PARKLAND DEDICATION PROVIDED IN AVERY NORTH PUD

Parkland Type	Acreage	Acres Credited toward Parkland Requirements	
Private Amenity Centers (2)	7.0 acres	3.5 acres	(50% credit)
Parkland - Floodplain	45.6 acres	19.1 acres	(Max. 50% of requirement)
Park/Open Space	50.0 acres	50.0 acres	(100% credit)
Total Parkland Dedication Provided:		**72.6 acres**	
Total Residential Parkland Dedication Requirement:		**38.3 acres**	
Difference between Requirement and Provided:		**34.3 acres**	
Credit to Satisfy Non-Residential Requirement:		**1.0 acres (4% of 24.9 acres)**	
Remaining Parkland Requirement Credits*:		**33.3 acres**	

*Parkland Requirement Credits can only be transferred to the adjacent properties shown on **Exhibit "E-1"** for future expansion of the Avery North PUD development. No other tracts shall be allowed to utilize/transfer Parkland Requirement Credits from the Avery North PUD. Parkland Requirement Credits shall be applied to Subdivision Ordinance – Parkland Dedication Requirements that are adopted at the time of the development of the adjacent properties shown on **Exhibit "E-1"**. Credits shall be transferred at a 1:1 ratio to be applied to the Parkland Dedication Requirements of those properties. Any Parkland Dedication Requirements not met

with the transfer of the 45.51 acre Parkland Requirement Credits shall be met with additional parkland dedication or fee in lieu of parkland dedication associated with those properties/developments.

taylor morrison

Homes Inspired by You

SEC Planning, LLC

Land Planning + Landscape Architecture + Community Branding

AUSTIN, TEXAS
t 512.246.7003 + f 512.246.7703
www.secplanning.com + info@secplanning.com

EXHIBIT F
TRANSPORTATION CORRIDOR

VIZCAYA
ROUND ROCK, TEXAS

North
Scale: NTS
May 14, 2014

SHEET FILE: P:\120037-TAMO\Cadfiles\PLANNING\Exhibits\Wokan Overlay Exhibit Development Agreement.dwg

Base mapping compiled from best available information. All map data should be considered as preliminary, in need of verification, and subject to change. This land plan is conceptual in nature and does not represent any regulatory approval. Plan is subject to change.