



THE STATE OF TEXAS \*

COUNTY OF WILLIAMSON \*

CITY OF ROUND ROCK \*

I, SARA L. WHITE, City Clerk of the City of Round Rock, Texas, do hereby certify that I am the custodian of the public records maintained by the City of Round Rock and the attached is a true and correct copy of Ordinance No. O-2015-2826 which approves amendment no. 2 to the PUD (Planned Unit Development) No. 40 zoning district. This ordinance was approved and adopted at a regular meeting held by the City Council on the 8<sup>th</sup> day of October and recorded in the City Council minute book no. 61.

CERTIFIED by my hand and seal of the City of Round Rock, Texas on this 13<sup>th</sup> day of October 2015.

SARA L. WHITE, TRMC, City Clerk



**ORDINANCE NO. O-2015-2826**

**AN ORDINANCE AMENDING ORDINANCE NO. Z-00-09-14-9B3, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON SEPTEMBER 14, 2000, BY AMENDING THE DEVELOPMENT PLAN OF PUD NO. 40, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE, PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.**

**WHEREAS**, on September 14, 2000, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-00-09-14-9B3, which established PUD No. 40, and

**WHEREAS**, on February 13, 2014, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-14-02-13-G1 to amend Sections II.2, II.5, II.6, and II.8, delete Section II.9, replace Exhibits "A", "C", "E", "F", and "G", delete Exhibits "D", "H", and "I", and replace the Exhibit List (Amendment No. 1), 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. 40, and

**WHEREAS**, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. Z-00-09-14-9B3 on the 19th day of August 2015, 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-00-09-14-9B3 be amended, and

**WHEREAS**, on the 8th day of October 2015, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No. Z-00-09-14-9B3, and

**WHEREAS**, the City Council determined that the requested amendment to Ordinance No. Z-00-09-14-9B3 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 #40 meets the following goals and objectives:

- (1) The amendment to P.U.D. #40 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) The amendment to P.U.D. #40 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #40 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. 40, as approved in Ordinance No. Z-00-09-14-9B3 and amended in Ordinance No. Z-14-02-13-G1, 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.

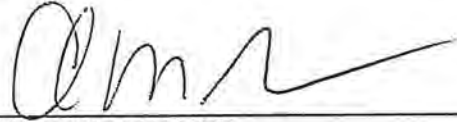
By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

**READ, PASSED, and ADOPTED** on first reading this 8<sup>th</sup> day of October, 2015.

Alternative 2.

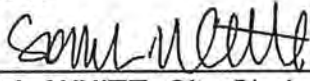
**READ and APPROVED** on first reading this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

READ, APPROVED and ADOPTED on second reading this the \_\_\_\_ day of \_\_\_\_\_, 2015.



ALAN MCGRAW, Mayor  
City of Round Rock, Texas

ATTEST:



SARA L. WHITE, City Clerk

**EXHIBIT**  
**"A"**

**DEVELOPMENT PLAN  
PLANNED UNIT DEVELOPMENT NO. 40  
KENNEY FORT  
AMENDMENT NO. 2**

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

**WHEREAS**, the Owner is the owner of certain real property consisting of 83 acres, as more particularly described in **Exhibit "A"**, (herein after referred to as the "Property") attached hereto and made a part hereof; and

**WHEREAS**, the City Council approved Ordinance Z-00-09-14-9B3, establishing Planned Unit Development No. 40 ("the PUD"), on September 14, 2000; and

**WHEREAS**, the City Council approved Ordinance Z-14-02-13-G1, the first amendment to Planned Unit Development No. 40 ("the PUD"), on February 13, 2014; and

**WHEREAS**, pursuant to Chapter 46-106 of the Code of Ordinances of the City of Round Rock, Texas ("the Code"), the Owner has submitted a request for a major amendment to the permitted uses and land use regulations; 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 August 19, 2015, the City's Planning and Zoning Commission recommended approval of the Owner's application for a major revision to the PUD; and

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

**NOW THEREFORE:**

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.11.

**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 Chapter 46, 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.

**4.3. Effective Date**

This Plan shall be effective from and after the date of approval by the City Council.



## II.

### DEVELOPMENT PLAN

#### 1. PROPERTY

This Development Plan covers approximately 83 acres of land, located within the city limits of Round Rock, Texas, and more particularly described in Exhibit "A".

#### 2. PURPOSE

The purpose of this Plan is to insure a Planned Unit Development ("PUD") that: (i) is equal to or superior to development that would occur under the standard ordinance requirements, (ii) is in harmony with the General Plan of the City of Round Rock, Texas, (iii) does not have an undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety and welfare, (iv) is adequately provisioned by essential public facilities and services, and (v) will be developed and maintained so as to not dominate, by scale or massing of structures, the immediate neighboring properties or interfere with their development or use in accordance with any existing zoning district.

#### 3. APPLICABILITY OF CITY ORDINANCES

##### 3.1. Zoning and Subdivision Ordinance

The Property shall be regulated for purposes of zoning and subdivision by this Plan. All aspects not specifically covered by this Plan shall be regulated by **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.

##### 3.2. Other Ordinances

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

#### 4. DEVELOPMENT AREAS

The Property is divided into four (4) separate development areas, **Parcels B, C, D and E**. The total land area and the combined maximum building area for all buildings located in each development area is shown on **Exhibit "C"** attached hereto and incorporated herein.

**4.1. Parcel B** is comprised of approximately 20.3 net developable acres. In addition, approximately 7.4 acres will be designated for parkland or open space along the tributaries of Brushy Creek.

**4.2. Parcel C** is comprised of approximately 15.5 net developable acres. In addition, approximately 6.9 acres will be designated for parkland or open space along Brushy Creek and its tributaries.

**4.3. Parcel D** is comprised of approximately 9.2 net developable acres. In addition, approximately 1.6 acres will be designated for parkland or open space along the tributaries of Brushy Creek.



4.4. **Parcel E** is comprised of approximately 12.2 net developable acres. In addition, approximately 3.6 acres will be designated for parkland or open space along the tributaries of Brushy Creek.

4.5. The approximately 19.5 acres designated for parkland/open space shall be used for hike and bike trails, and passive park uses such as picnic areas. In addition it may be used to provide street crossings, utilities and drainage facilities. No permanent structures will be permitted within this area without consent from the Director of Parks and Recreation. Residential densities shall be calculated based on gross acres. Parkland will be subdivided as a separate lot and dedicated to the City as public parkland at time of final platting of these parcels.

## 5. CONCEPT PLAN

**Exhibit "C"** shall serve as the Concept Plan for the project, according to Section 36-39 of the Code.

## 6. DEFINITIONS

Words and terms used herein, not specifically defined in this section, shall have their usual force and meaning, or as defined in the Code of Ordinances (2010), City of Round, Rock, Texas, hereinafter referred to as "the Code". The following term is defined for use in this Plan:

6.1. *Single Family Detached, Common Lot* means one or more single family detached residential dwellings located on a single ownership lot, with each dwelling unit having a private external entrance, private parking, and a private yard area.

## 7. PERMITTED USES AND DEVELOPMENT STANDARDS

### 7.1. **Parcel B**

- a) Townhouses in compliance with the **TH (Townhouse)** zoning district
- b) Multi-family residential in compliance with the **MF-2 (Multi-Family – Medium Density)** zoning district.
- c) Single-family residential in compliance with the **SF-2 (Single Family - Standard Lot)** zoning district.
- d) Local commercial services in compliance with the **C-2 (Local Commercial)** zoning district, with the following exception:
  - i. Eating Establishments are prohibited from having drive-through service
- e) Offices in compliance with the **OF (Office)** zoning district.
- f) Single Family Detached, Common Lot (as defined in Section II.6) in compliance with the development standards contained in the attached **Exhibit "D"**.

### 7.2. **Parcel C**

- a) Townhouses in compliance with the **TH (Townhouse)** zoning district.
- a) Multi-family residential in compliance with the City approved site development plan for the Kenney Fort Apartments, SDP1410-0004.

- b) Single-family residential in compliance with the **SF-2 (Single Family - Standard Lot)** zoning district.
- c) Local commercial services in compliance with the **C-2 (Local Commercial)** zoning district.
- d) Offices in compliance with the **OF (Office)** zoning district.

**7.3. Parcel D**

- a) Townhouses in compliance with the **TH (Townhouse)** zoning district, except that:
  - i. a townhouse may consist of two or more dwelling units which otherwise meet the definition of townhouse;
  - ii. setbacks from street right-of-way do not apply to private drive aisles;
  - iii. side and rear setbacks do not apply when adjacent to parkland or open space lots;
  - iv. Section 46-139 (d) does not apply.
- e) Single-family residential in compliance with the **SF-2 (Single Family - Standard Lot)** zoning district.
- b) Local commercial services in compliance with the **C-2 (Local Commercial)** zoning district, with the following exception:
  - i. restaurants are prohibited from having drive-through service
- c) Group Living for Seniors in compliance with the **SR (Senior)** zoning district.
- d) Single Family Detached, Common Lot (as defined in Section II.6.) in compliance with the development standards contained in the attached **Exhibit "F"**.

**7.4. Parcel E**

- a) Commercial in compliance with the **C-1a (General Commercial - Limited)** zoning district.
- b) Group Living for Seniors in compliance with the **SR (Senior)** zoning district.
- c) Townhouses in compliance with the **TH (Townhouse)** zoning district, except that:
  - i. a townhouse may consist of two or more dwelling units which otherwise meet the definition of townhouse;
  - ii. setbacks from street right-of-way do not apply to private drive aisles;
  - iii. side and rear setbacks do not apply when adjacent to parkland or open space lots;
  - iv. Section 46-139 (d) does not apply.
- d) Single-family residential in compliance with the **SF-2 (Single Family - Standard Lot)** zoning district.
- e) Single Family Detached, Common Lot (as defined in Section II.6.) in compliance with the development standards contained in the attached **Exhibit "F"**.

## **8. TRANSPORTATION**

- 8.1. A traffic impact analysis (TIA) for the Plan, dated June 2000, was approved by the City. The TIA indicated the need to construct several area roadways including Double Creek Drive, Forest Creek Drive, and Kenney Fort Boulevard (Arterial A). These roadways have since been constructed. Additional roadways internal to the site remain the responsibility of the developer. These will be determined during the platting and/or site planning process.
- 8.2. The findings of the TIA remain applicable with regard to land uses and trip generation. If any changes to the land use(s) or intensity are proposed, further analysis may be required, as determined by the City.

## **9. TREE CREDITS**

- 9.1. Each caliper inch of a protected tree, as defined in **Chapter 43 – Tree Protection and Preservation**, that is removed during the development of **Parcels B, C, D & E** may be replaced by:
  - a) Preserving an equivalent number of caliper inches of a protected tree species of any size which are located in any of the open space areas shown on **Exhibit “E”**, which includes the open space area within the adjacent PUD No. 97 (Ordinance Z-14-02-13-G2); or
  - b) Planting a replacement tree or a number of trees of a protected tree species with equivalent caliper inches on the Parcel from which the tree was removed; each replacement tree shall be a minimum of three inches caliper and a minimum of ten feet in height and five-foot spread, when planted; all replacement trees shall comply with generally accepted criteria such as those provided in the tree technical manual.
  - c) The Owner(s) of **Parcels B, C, D & E** shall have the discretion to elect between the two aforementioned options;
- 9.2. Up to 100 percent of the inches to be replaced may be done through tree credits.
- 9.3. Owner shall receive credit for any trees preserved within the open space areas shown on **Exhibit “E”**.

## **10. GENERAL PLAN 2010**

This Development Plan amends the Round Rock General Plan 2020, which was adopted on July 22, 2010.

## **11. CHANGES TO DEVELOPMENT PLAN**

### **11.1. 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.

**11.2. 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: Survey of 83.122 acre tract
- Exhibit B: Lienholder's consent
- Exhibit C: Concept Plan
- Exhibit D: Development Standards – Single Family Detached, Common Lot
- Exhibit E: Tree Credits

## EXHIBIT "A"

### Description for 83 acre Tract

83.122 Acres – Proposed PUD 40

THAT PART OF THE PRIOR A. HOLDER SURVEY, ABSTRACT No. 297, IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THAT 147.076 ACRE TRACT OF LAND CONVEYED TO ROUND ROCK RANCH, LTD., A TEXAS LIMITED PARTNERSHIP BY DEED RECORDED IN VOLUME 2418, PAGE 51 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Begin at the Southeast Corner of the said 147.076 Acre Tract, same being on the West Line of that 11.08 Acre Tract described in the deed to Leigh H. Loveday recorded in Volume 833, Page 526 of the Deed Records of Williamson County, Texas, and also being on the Northeasterly Line of the M. K. & T. Railroad Right of Way as described in a deed recorded in Volume 111, Page 302 of the Deed Records of Williamson County, Texas;

THENCE along said Northeasterly Line of the M. K. & T. Railroad and the Southeasterly Line of said 147.076 Acre Tract the following six courses:

1. Northwesterly along the arc of a curve to the left a distance of 448.50 feet, said curve having a radius of 2914.93 feet, a central angle of 08°48'57", and a chord bearing N.35°43'54"W., 448.06 feet;
2. N.49°51'17"E. a distance of 25.00 feet to a point on a non-tangent curve to the left;
3. Northwesterly along the arc of said curve, a distance of 307.94 feet, said curve having a radius of 2939.93 feet, a central angle of 06°00'05" and a chord bearing N.43°08'41"W., 307.80 feet;
4. S.43°51'21"W. a distance of 25.00 feet to a point on a non-tangent curve to the left;
5. Northwesterly along the arc of said curve, a distance of 282.83 feet, said curve having a radius of 2914.93 feet, a central angle of 05°33'34" and a chord bearing N.48°56'51"W., 282.72 feet;
6. N.51°44'46"W. a distance of 2038.30 feet;

THENCE departing said Northeasterly Line of the M. K. & T. Railroad and across the said 147.076 Acre Tract the following eight courses:

1. N.78°56'07"E. a distance of 387.50 feet;
2. N.84°43'08"E. a distance of 292.54 feet;
3. N.32°32'49"E. a distance of 258.50 feet;
4. N.04°22'53"W. a distance of 375.00 feet;
5. N.26°15'00"E. a distance of 154.64 feet;
6. N.32°54'41"E. a distance of 207.73 feet;
7. N.16°22'10"W. a distance of 203.56 feet;
8. N.16°14'56"E. a distance of 79.60 feet to a point in the Center of Brushy Creek and the Northerly Line of said 147.076 Acre Tract;

THENCE along the Center of Brushy Creek and the Northerly Line of said 147.076 Acre Tract the following five courses:

1. S.33°34'04"E. a distance of 93.74 feet;
2. THENCE S.50°00'05"E. a distance of 283.99 feet;
3. THENCE S.86°37'35"E. a distance of 288.43 feet;
4. THENCE N.49°12'37"E. a distance of 111.99 feet;
5. THENCE N.02°03'49"W. a distance of 161.85 feet;
6. THENCE N.81°41'43"E. a distance of 539.28 feet to the Northeast Corner of said 147.076 Acre Tract and to the Northwest Corner of that 193.12 Acre Tract described in a deed to J. E Rusk recorded in Volume 2064, Page 370 of the Deed Records of Williamson County, Texas;

83.122 Acres – Proposed PUD 40

THENCE along the East Line of said 147.076 Acre Tract and the West Line of said 193.12 Acre Tract the following four courses:

1. S.03°56'27"E. a distance of 656.21 feet;
2. S.03°39'10"E. a distance of 404.67 feet;
3. S.04°35'04"E. a distance of 372.64 feet;
4. S.25°25'33"E. a distance of 52.92 feet to the Southeast Corner of said 193.12 Acre Tract and the Northwest Corner of that 9.02 Acre Tract described in a deed to C. H. Crossley recorded in Volume 694, Page 756 of the Deed Records of Williamson County Texas;

THENCE along the East Line of said 147.076 Acre Tract and the West Line of said 9.02 Acre Tract the following two courses:

1. S.30°10'16"E. a distance of 14.08 feet;
2. S.01°42'18"E. a distance of 565.11 feet to the Southwest Corner of said 9.02 Acre Tract and the Northwest Corner of that 29.158 Acre Tract described in a deed to Wilbert Felfe recorded in Volume 2149, Page 195 of the Official Records of Williamson County, Texas;

THENCE S.01°42'35"E. along the East Line of said 147.076 Acre Tract a distance of 1132.98 feet to the Southwest Corner of that 10.80 Acre Tract described in a deed to Roger P. Fuller recorded in Volume 2006, Page 192 of the Official Records of Williamson County, Texas, the same being the Northwest Corner of said 11.08 Acre Tract;

THENCE along the East Line of said 147.076 Acre Tract and the West Line of said 11.08 Acre Tract the following two courses:

1. S.01°41'15"E. a distance of 145.73 feet;
2. S.02°44'39"E. a distance of 14.22 feet to the said Point of Beginning.

Containing 83.122 acres, more or less, as shown on the sketch attached.

*John K. Weigand Nov. 24, 2013*  
J. Kenneth Weigand  
Registered Professional Land Surveyor No. 5741  
State of Texas

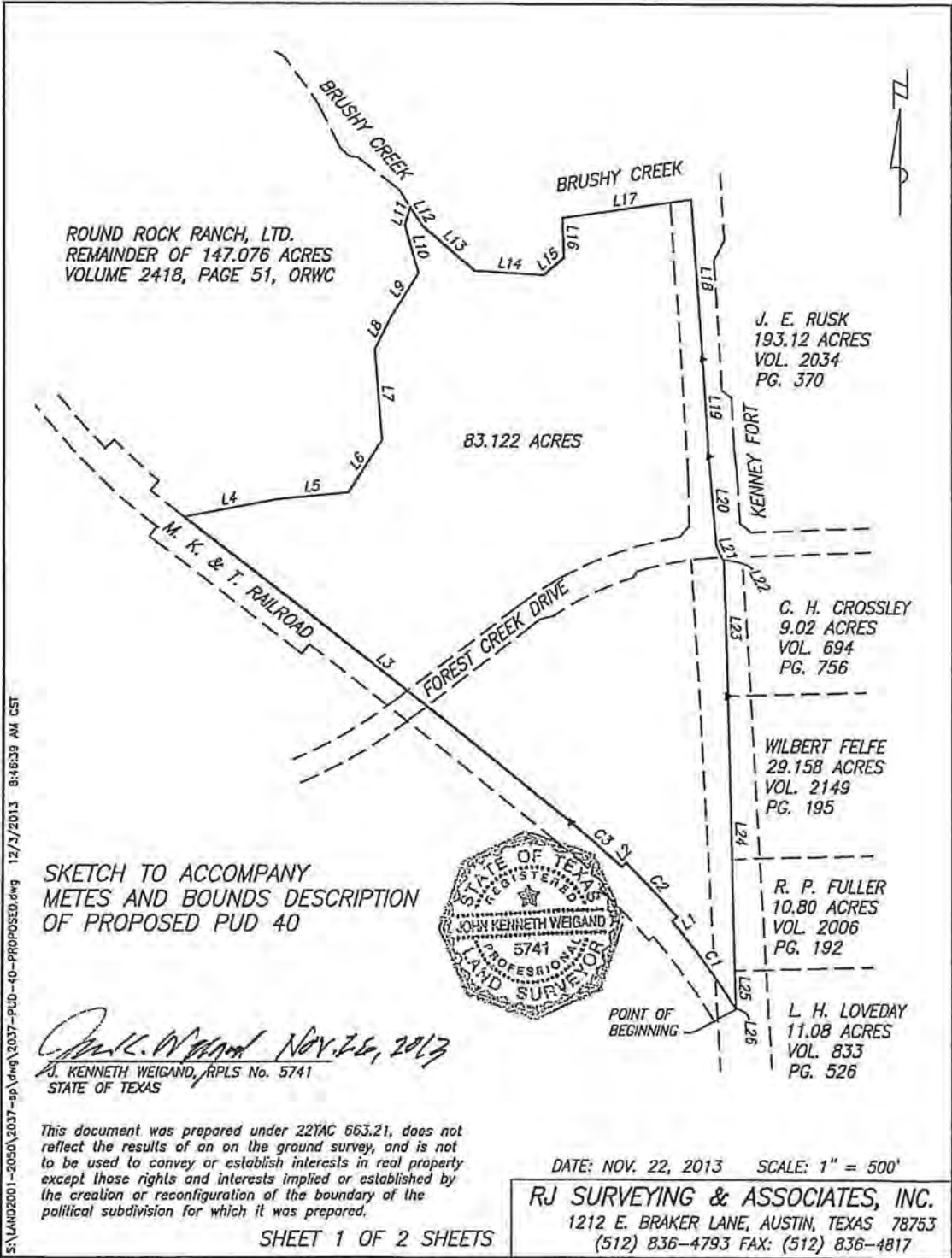
RJ Surveying & Associates, Inc.  
1212 East Braker Lane  
Austin, Texas 78753



All iron rods set have RJ Surveying caps  
Bearings are Texas State Plane Central Zone NAD 83

This document was prepared under 22TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.





ROUND ROCK RANCH, LTD.  
REMAINDER OF 147.076 ACRES  
VOLUME 2418, PAGE 51, ORWC

83.122 ACRES

J. E. RUSK  
193.12 ACRES  
VOL. 2034  
PG. 370

C. H. CROSSLEY  
9.02 ACRES  
VOL. 694  
PG. 756

WILBERT FELTE  
29.158 ACRES  
VOL. 2149  
PG. 195

R. P. FULLER  
10.80 ACRES  
VOL. 2006  
PG. 192

L. H. LOVEDAY  
11.08 ACRES  
VOL. 833  
PG. 526

SKETCH TO ACCOMPANY  
METES AND BOUNDS DESCRIPTION  
OF PROPOSED PUD 40



*John K. Weigand* Nov. 26, 2013  
J. KENNETH WEIGAND, RPLS No. 5741  
STATE OF TEXAS

This document was prepared under 22TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

DATE: NOV. 22, 2013 SCALE: 1" = 500'

**RJ SURVEYING & ASSOCIATES, INC.**  
1212 E. BRAKER LANE, AUSTIN, TEXAS 78753  
(512) 836-4793 FAX: (512) 836-4817

SHEET 1 OF 2 SHEETS

S:\LAND\2001-2050\2037-sp.dwg (2037-PUD-40-PROPOSED.dwg 12/7/2013 8:46:39 AM DST

S:\LAND\2001-2050\2037-SP\DWG\2037-PUD-40-PROPOSED.dwg 12/3/2013 8:46:39 AM CST



LINE TABLE		
LINE	LENGTH	BEARING
L1	25.00'	N49°51'17"E
L2	25.00'	S43°51'21"W
L3	2038.30'	N51°44'46"W
L4	387.50'	N78°56'07"E
L5	292.54'	N84°43'08"E
L6	258.50'	N32°32'49"E
L7	375.00'	N04°22'53"W
L8	154.64'	N26°15'00"E
L9	207.73'	N32°54'41"E
L10	203.56'	N16°22'10"W
L11	79.60'	N16°14'56"E
L12	93.74'	S33°34'04"E
L13	283.99'	S50°00'05"E
L14	288.43'	S86°37'35"E
L15	111.99'	N49°12'37"E
L16	161.85'	N02°03'49"W
L17	539.28'	N81°41'43"E
L18	656.21'	S03°56'27"E
L19	404.67'	S03°39'10"E
L20	372.64'	S04°35'04"E
L21	52.92'	S25°25'33"E
L22	14.08'	S30°10'16"E
L23	565.11'	S01°42'18"E
L24	1132.98'	S01°42'35"E
L25	145.73'	S01°41'15"E
L26	14.22'	S02°44'39"E

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BRNG.	CHORD
C1	448.50	2914.93	8°48'57"	N35°43'53"W	448.06
C2	307.94	2939.93	6°00'05"	N43°08'41"W	307.80
C3	282.83	2914.93	5°33'34"	N48°56'51"W	282.72

SKETCH TO ACCOMPANY  
 METES AND BOUNDS DESCRIPTION  
 OF PROPOSED PUD 40

DATE: NOV. 22, 2013 SCALE: 1" = 500'

**RJ SURVEYING & ASSOCIATES, INC.**  
 1212 E. BRAKER LANE, AUSTIN, TEXAS 78753  
 (512) 836-4793 FAX: (512) 836-4817

SHEET 2 OF 2 SHEETS

**EXHIBIT "B"**

EXHIBIT "B"

LIENHOLDER'S CONSENT

THE STATE OF TEXAS

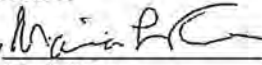
COUNTY OF WILLIAMSON

That First Texas Bank, Round Rock, Texas, acting herein by and through its duly authorized officers being the holder of a lien as evidenced by Deed of Trust recorded in Document No. 199956276 of the Official Public Records of Williamson County, Texas, does hereby consent to the Agreement and Development Plan of 147.076 acres of land situated in Round Rock, Williamson County, Texas, and does further hereby join, approve and consent to all provisions shown therein.

FIRST TEXAS BANK  
Round Rock, Texas

By:   
Jon E. Sloan, President

ATTEST:

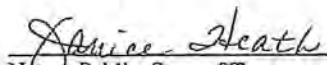
By:   
Maria Fulton  
Assistant Vice President

THE STATE OF TEXAS

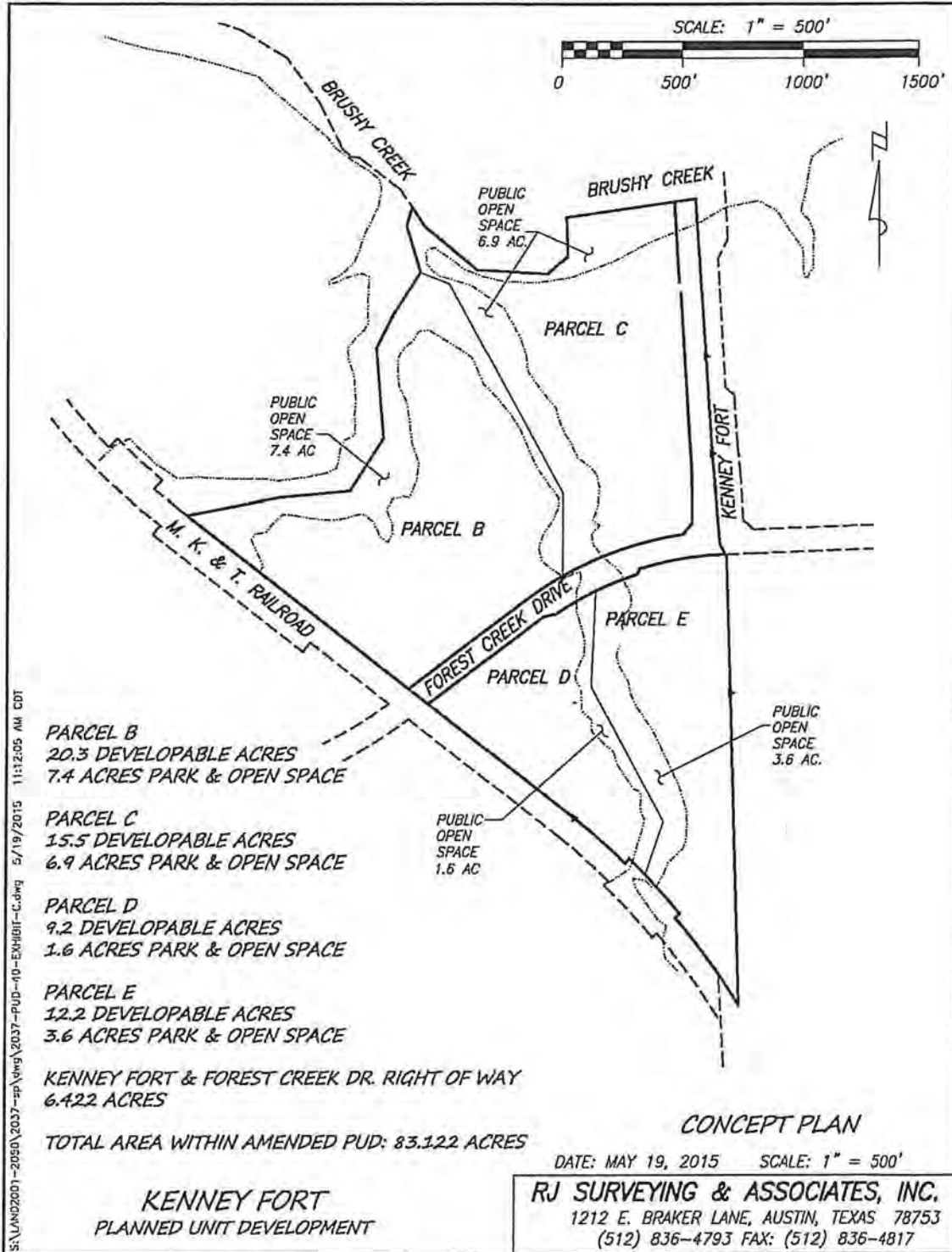
COUNTY OF WILLIAMSON

This instrument was acknowledged before me on the 8 day of August, 2000, by JON E. SLOAN, President of FIRST TEXAS BANK, Round Rock, Texas.



  
Notary Public, State of Texas

**EXHIBIT "C"**  
**Concept Plan**



## EXHIBIT "D"

### DEVELOPMENT STANDARDS Single Family Detached, Common Lot

#### Parcel B

#### 1. Density

- 1.1 Maximum of 95 units

#### 2. Exterior Finish

- 2.1 The exterior finish of all homes shall be a minimum of 75% masonry, excluding elements such as doors, windows, trim and accent features.
- a) Masonry shall be defined as stone, simulated stone, brick or a minimum of 2-step hard coat stucco.
  - b) The use of materials such as wood shingles or wood siding shall be limited to accent features.
- 2.2 The front of all homes and the drive aisle-facing side of all corner units shall be 100% masonry, with no more than 75% consisting of a minimum of 2-step hard coat stucco.
- 2.3 Horizontally installed cement based siding may be used on rear and side elevations. On two story homes with a rear side facing Forest Creek Drive, however, the following shall be required on the second floor elevation:
- a) One window enhancement from the following list:
    - i. Shutters
    - ii. Awnings or shed roofs
    - iii. Window trim
    - iv. Arch windows
  - b) One design feature from the following list:
    - i. Board and batten siding
    - ii. Stucco
    - iii. Balcony
    - iv. Building offset
    - v. Box window

#### 3. Garage Door Treatment

- 3.1 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.

3.2 Upgraded garage doors shall not be required for swing in, side entry garages.

**4. Fencing Design Standards**

4.1 Single family unit 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.

4.2 Perimeter fencing shall be constructed of brick, stone, split-faced or decorative concrete masonry unit (CMU), except when they are abutting open space or amenity areas, in which case they shall be constructed of wrought iron or tubular steel with masonry columns.

**5. Building Setbacks**

The setbacks for individual units shall be determined using **Figure "A" (Typical Building Setbacks)** which contains the typical setbacks. The building setback for the lot on which multiple residential units are located shall be:

5.1 20' from Forest Creek Drive

5.2 20' from the adjoining state of Texas tract

5.3 15' from Kenney Fort Crossing

5.4 10' from public open space

**6. Parking**

A total of 4 parking spaces per unit are required:

6.1 2 garage enclosed parking spaces

6.2 2 parking spaces located in front of the garage and outside of the private access drive

6.3 A minimum of one (1) guest parking space must be provided for every three (3) residential units. These spaces shall be located outside of the private drive aisle and the maximum distance from any residential unit to a guest parking space shall be three hundred feet (300'), measured along the drive lanes.

**7. Private Drive Aisles**

Private drive aisles to serve the units shall be built in the configuration indicated on **Figure "B" (Typical Access Easement Sections)**. Private drive aisles are not built to public street standards and may therefore be gated, subject to the access requirements established by the Fire Marshal.



## 8. Landscaping

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

### 8.1 Drought Tolerant Turf Grasses

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

### 8.2 Native Adapted Plants

Plant material shall be of a native and/or adapted species, including those selected from *Native and Adapted Landscape Plants, an Earth-Wish Guide for Central Texas*, created by the Texas Cooperative Extension, Grow Green and the Lady Bird Johnson Wildflower Center.

### 8.3 Residential Trees

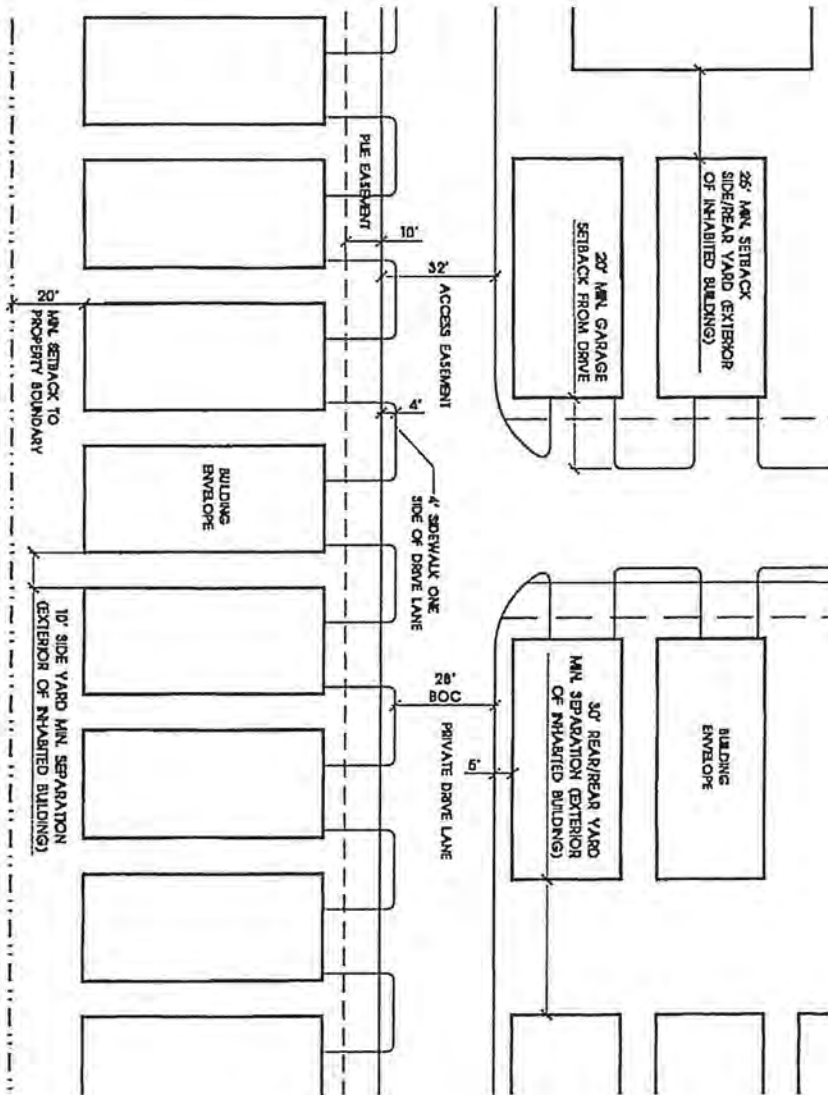
Each single family dwelling unit shall be provided with six inch (6") caliper of large species trees whether through the preservation of existing trees within Parcel B or planting of three inch (3") caliper container-grown trees. The calculation may include trees included within landscape planting along Forest Creek Drive and Kenney Fort Crossing.

### 8.4 Maintenance A private home owners association will be established for the maintenance of landscape and irrigation areas located between the private drive lanes and town houses as well as for all community signage, walls, medians, common open spaces and detention areas.

## 9. Tree Preservation

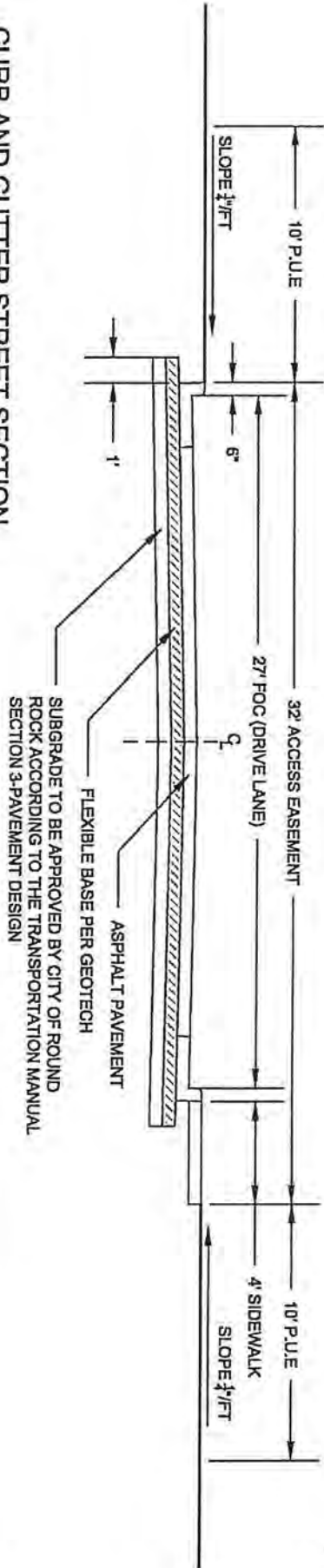
A minimum of 3,100 inches of protected trees, other than those defined as Monarch Trees, shall be preserved.

FIGURE "A"  
 TYPICAL BUILDING SETBACKS  
 KENNEY FORT PUD 40, PARCEL B  
 ROUND ROCK, TEXAS



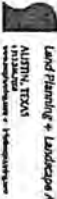
SEC Planning, LLC  
 4127 N. 15th  
 Round Rock, Texas 78664  
 Project: Kenney Fort PUD 40, Parcel B  
 Date: May 27, 2015  
 This drawing is the property of SEC Planning, LLC and is not to be used for any other project without the written consent of SEC Planning, LLC. All rights reserved.

**CURB AND GUTTER STREET SECTION**



SEC Planning, LLC

Land Planning + Landscape Architecture + Consulting Group



**FIGURE B**  
TYPICAL ACCESS EASEMENT SECTIONS

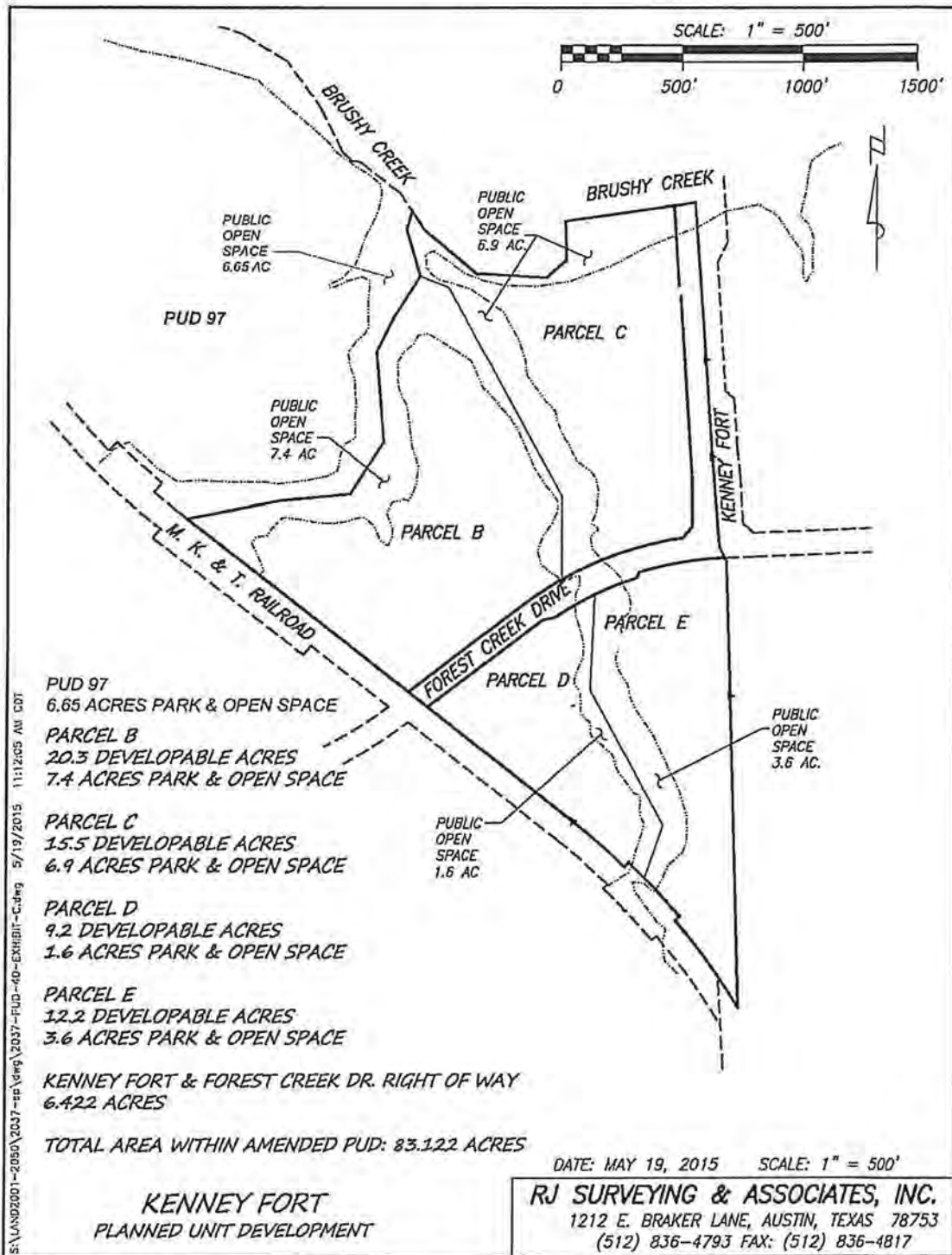
**KENNEY FORT PUD 40, PARCEL B**

ROUND ROCK, TEXAS

Date: May 27, 2015

Sheet title, customer information, user information, and map data should be considered as preliminary. In need of verification, and subject to change. This sheet and plan conception is made and does not represent any regulatory approval. Plan is subject to change.

**EXHIBIT "E"**  
Tree Credits



## EXHIBIT "F"

### DEVELOPMENT STANDARDS Single Family Detached, Common Lot Parcel D and Parcel E

#### **10. Density**

- 10.1 Maximum of 12 units per acre.

#### **11. Exterior Finish**

- 11.1 The exterior finish of all homes shall be a minimum of 75% masonry, excluding elements such as doors, windows, trim and accent features.
- a) Masonry shall be defined as stone, simulated stone, brick or a minimum of 2-step hard coat stucco.
  - b) The use of materials such as wood shingles or wood siding shall be limited to accent features.
- 11.2 The front of all homes and the drive aisle-facing side of all corner units shall be 100% masonry, with no more than 75% consisting of a minimum of 2-step hard coat stucco.
- 11.3 Horizontally installed cement based siding may be used on rear and side elevations. On two story homes with a rear side facing Forest Creek Drive, however, the following shall be required on the second floor elevation:
- a) One window enhancement from the following list:
    - i. Shutters
    - ii. Awnings or shed roofs
    - iii. Window trim
    - iv. Arch windows
  - b) One design feature from the following list:
    - i. Board and batten siding
    - ii. Stucco
    - iii. Balcony
    - iv. Building offset
    - v. Box window

#### **12. Garage Door Treatment**

- 12.1 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.

12.2 Upgraded garage doors shall not be required for swing in, side entry garages.

**13. Fencing Design Standards**

- 13.1 Single family unit 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.
- 13.2 Perimeter fencing shall be constructed of brick, stone, split-faced or decorative concrete masonry unit (CMU), except when they are abutting open space or amenity areas, in which case they shall be constructed of wrought iron or tubular steel with masonry columns.

**14. Building Setbacks**

The setbacks for individual units shall be determined using **Figure "A" (Typical Building Setbacks)** which contains the typical setbacks. The building setback for the lot on which multiple residential units are located shall be:

- 14.1 20' from Forest Creek Drive
- 14.2 20' from the adjoining state of Texas tract
- 14.3 15' from Kenney Fort Crossing
- 14.4 10' from public open space

**15. Parking**

A total of 4 parking spaces per unit are required:

- 15.1 2 garage enclosed parking spaces
- 15.2 2 parking spaces located in front of the garage and outside of the private access drive
- 15.3 Guest parking shall be provided by one of the following:
  - a) Providing for parallel parking on one side of the drive aisle. This requires a drive aisle width equivalent to 30-feet measured 'face of curb to face of curb'; or
  - b) A minimum of one (1) guest parking space must be provided for every three (3) residential units. These spaces shall be located outside of the private drive aisle and the maximum distance from any residential unit to a guest parking space shall be three hundred feet (300'), measured along the drive lanes.
    - i. If this option is used, there must be a substantial number of protected trees, other than Monarch Trees, preserved during the site plan process.

**16. Private Drive Aisles**

Private drive aisles to serve the units shall be built, at a minimum, in the configuration indicated on **Figure "B" (Typical Access Easement Sections)**. Each private drive aisle configuration includes a four foot (4') wide sidewalk on one side of the drive. Private drive aisles are not built to public street standards and may therefore be gated, subject to the access requirements established by the Fire Marshal. In order for private drive aisles to



accommodate parallel parking on one side, the width must measure 30-feet from 'face of curb to face of curb'.

## 17. Landscaping

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

### 17.1 Drought Tolerant Turf Grasses

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

### 17.2 Native Adapted Plants

Plant material shall be of a native and/or adapted species, including those selected from *Native and Adapted Landscape Plants, an Earth-Wish Guide for Central Texas*, created by the Texas Cooperative Extension, Grow Green and the Lady Bird Johnson Wildflower Center.

### 17.3 Residential Trees

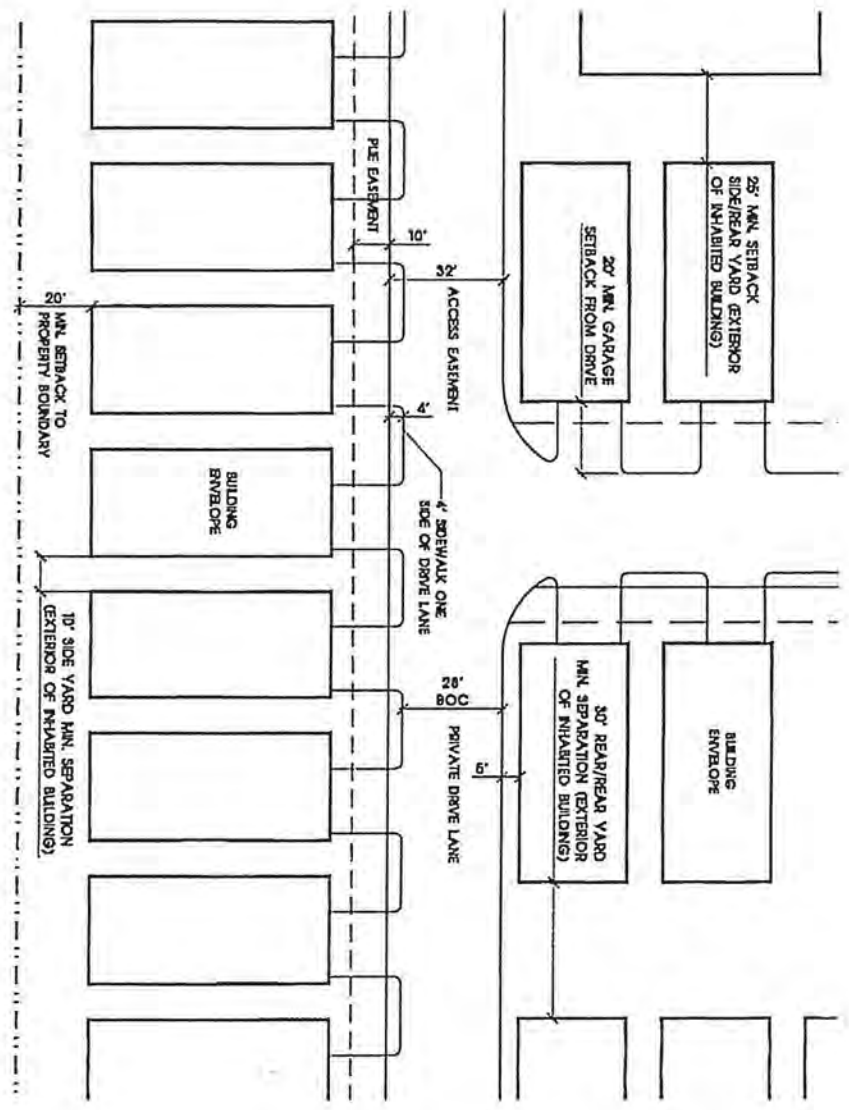
Each single family dwelling unit shall be provided with six inch (6") caliper of large species trees whether through the preservation of existing trees within Parcel B or planting of three inch (3") caliper container-grown trees. The calculation may include trees included within landscape planting along Forest Creek Drive and Kenney Fort Crossing.

17.4 Maintenance A private home owners association will be established for the maintenance of landscape and irrigation areas located between the private drive lanes and town houses as well as for all community signage, walls, medians, common open spaces and detention areas.

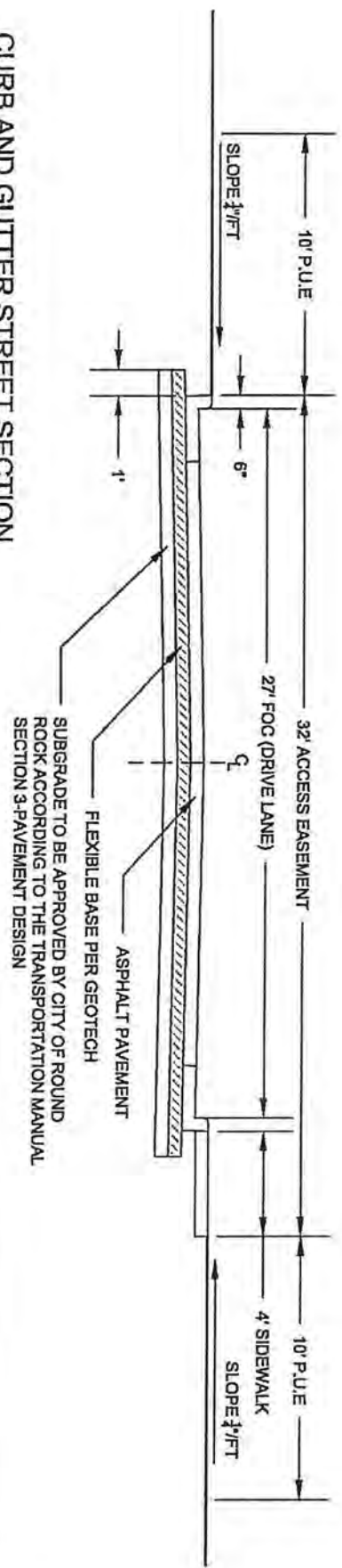
FIGURE "A"  
 TYPICAL BUILDING SETBACKS  
 KENNNEY FORT PUD 40, PARCEL B  
 ROUND ROCK, TEXAS



This graphic depicts the minimum setbacks from the building envelopes of the proposed buildings and structures. The setbacks are shown as dashed lines. The setbacks are shown as dashed lines. The setbacks are shown as dashed lines.



**CURB AND GUTTER STREET SECTION**



**SEC Planning, LLC**  
 Land Planning + Landscape Architecture + Community Branding  
 4111 N. TEXAS  
 ROUND ROCK, TEXAS 78664

**FIGURE B**  
 TYPICAL ACCESS EASEMENT SECTIONS  
**KENNEY FORT PUD 40, PARCEL B**  
 ROUND ROCK, TEXAS

Date: May 27  
 Plans prepared by SEC Planning, LLC for the City of Round Rock, Texas. All rights reserved. Plans are subject to change. This and other information is subject to regulatory approval. Plans are subject to change.

Ordinance No. O-2015-2826

AFTER RECORDING, PLEASE RETURN TO:

4

CITY OF ROUND ROCK  
ATTN: SARA WHITE, CITY CLERK  
221 E. MAIN STREET  
ROUND ROCK, TEXAS 78664

**FILED AND RECORDED**  
OFFICIAL PUBLIC RECORDS 2015091594



*Nancy E. Rister*

Nancy E. Rister, County Clerk  
Williamson County, Texas  
October 16, 2015 11:15 AM  
FEE: \$137.00 BARRICK