



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-2016-3836 which zones 31.54 acres of land to Planned Unit Development (PUD) No. 108. This ordinance was approved and adopted at a regular meeting held by the City Council on the 13th day of October 2016 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 14th day of October 2016.

SARA L. WHITE, TRMC, City Clerk



ORDINANCE NO. O-2016-3836

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROUND ROCK, TEXAS ADOPTED IN SECTION 46-132(b)(1), CODE OF ORDINANCES (2010 EDITION), CITY OF ROUND ROCK, TEXAS, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE 31.54 ACRES OF LAND, OUT OF THE ROBERT MCNUTT SURVEY, ABSTRACT NO. 422, IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS, FROM AG (AGRICULTURAL) ZONING DISTRICT TO PUD (PLANNED UNIT DEVELOPMENT) NO. 108 ZONING DISTRICT; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, an application has been made to the City Council of the City of Round Rock, Texas to amend the Official Zoning Map to rezone 31.54 acres of land, out of the Robert McNutt Survey, Abstract No. 422, in Round Rock, Williamson County, Texas, being more fully described in Exhibit "A" attached hereto, from AG (Agricultural) zoning district to Planned Unit Development (PUD) No. 108 zoning district, and

WHEREAS, the City Council has submitted the requested change in the Official Zoning Map to the Planning and Zoning Commission for its recommendation and report, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested change on the 21st day of September, 2016, following lawful publication of the notice of said public hearing, and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that the Official Zoning Map be amended so that the zoning classification of the property described in Exhibit "A" be changed to PUD No. 108, and

WHEREAS, on the 13th day of October, 2016, after proper notification, the City Council held a public hearing on the requested amendment, and

WHEREAS, the City Council determines that the zoning provided for herein promotes the health, safety, morals and protects and preserves the general welfare of the community, and

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, and Section 46-92 and Section 46-132, 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 has hereby determined the Planned Unit Development (PUD) No. 108 meets the following goals and objectives:

- (1) The development in PUD No. 108 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) P.U.D. No. 108 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) P.U.D. No. 108 does not have an undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety and general welfare.
- (4) P.U.D. No. 108 will be adequately provisioned by essential public facilities and services including streets, parking, drainage, water, wastewater facilities, and other necessary utilities.
- (5) P.U.D. No. 108 will be constructed, arranged and maintained so as not to dominate, by scale and massing of structures, the immediate neighboring properties or interfere with their development or use in accordance with any existing zoning district.

II.

That the Official Zoning Map adopted in Section 46-132(b)(1), Code of Ordinances (2010 Edition), City of Round Rock, Texas, is hereby amended so that the zoning classification of the property described in Exhibit "A", attached hereto and incorporated herein shall be, and is hereafter designated as, Planned Unit Development (PUD) No. 108, and that the Mayor is hereby authorized and directed to enter into the Development Plan for PUD No. 108 attached hereto as Exhibit "B", which agreement shall govern the development and use of said property.

III.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

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

Alternative 1.

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

READ, PASSED, and ADOPTED on first reading this 13th day of October, 2016.

Alternative 2.

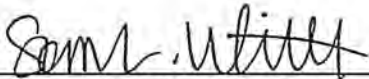
READ and **APPROVED** on first reading this the _____ day of _____, 2016.

READ, APPROVED and **ADOPTED** on second reading this the _____ day of _____, 2016.



ALAN MCGRAW, Mayor
City of Round Rock, Texas

ATTEST:



SARA L. WHITE, City Clerk

EXHIBIT

"A"

**DEVELOPMENT PLAN
ARDEN PARK
PLANNED UNIT DEVELOPMENT NO. 108**

**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 Johnson, Travis Dale & Edelgunde; 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 31.54 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 September 21, 2016, 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. 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 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.

ARDEN PARK PLANNED UNIT DEVELOPMENT 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.”

2. PROPERTY

This Plan covers approximately 31.6 acres of land located within the City of Round Rock, Texas, and more particularly as described in **Exhibit “A”**.

3. PURPOSE

The purpose of this Plan is to ensure a PUD that: 1) is equal to, superior than and/or more consistent than that which would occur under the standard ordinance requirements, 2) is in harmony with the General Plan, as amended, 3) does not have an undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety and welfare, 4) is adequately provisioned by essential public facilities and services, and 5) will be developed and maintained so as not to dominate, by scale or massing of structures, the immediate neighboring properties or interfere with their development or use.

4. APPLICABILITY OF CITY ORDINANCES

4.1 **Zoning and Subdivision Ordinances**

The Property shall be regulated for purposes of zoning and subdivision by this Plan. All aspects not specifically covered by this Plan shall be regulated by the **SF-2 (Single Family – Standard Lot)** zoning district or the **SF-1 (Single Family – Large Lot)** 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.

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 Concept Plan

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

5.2 Large Single Family Lots

As required by the Code, Section 46-136 (c)(6), where subdivided residential lots immediately abut existing residential lots of 10,000 square feet or greater, said lots shall be a minimum of 10,000 square feet in size. **Exhibit "C"** indicates the location of the 10,000 square foot lots.

5.3 Public Drainage Conveyance Reserve Area

A 40 foot wide area of the Property shall be reserved for dedication to the public along the eastern boundary of the Property, adjacent to Oak Bluffs Estates and along the southern boundary from the eastern edge of the Evergreen Drive right-of-way to the eastern property boundary, as indicated on **Exhibit "B"**. This will be used for public drainage facilities which will serve the Property and the surrounding area. A storm water drainage study is being completed by the City. The design of the facilities resulting from this study will determine the specific amount of the 40 foot wide area that will be necessary for the improvements.

6. DEVELOPMENT STANDARDS

6.1 Lot Size, setbacks and coverage ⁽¹⁾

Minimum Lot Area	10,000 sq. ft.	6,000 sq. ft.
Minimum Lot Width	70 ft.	50 ft.
Minimum Width of Principal Building	40 ft.	40 ft.
Minimum Setback from Street (ROW)	20 ft./15 ft.	20 ft./15 ft. ⁽²⁾
Minimum Garage Door Setback from Street (ROW)	25 ft./20 ft.	25 ft./20 ft. ⁽³⁾
Minimum Rear Setback	20 ft.	10 ft.
Minimum Side Setback	5 ft.	5 ft.
Maximum Height of Principal Building	2.5 stories	2.5 stories
Minimum Setback for Accessory Building	5 ft.	5 ft. ⁽⁴⁾
Maximum Height of Accessory Building	15 ft.	15 ft.
Maximum Height of Fence within Street Yard	3 ft.	3 ft. ⁽⁵⁾
Maximum Height of Fence outside Street Yard	8 ft.	8 ft. ⁽⁵⁾ ⁽⁶⁾
Maximum Lot Coverage	40%	50%

⁽¹⁾ Special purpose lots, including but not limited to landscape lots and utility lots, are exempt from these requirements.

⁽²⁾ For corner lots, the side setback is reduced.

⁽³⁾ Side-entry garages shall have a reduced setback from the right-of-way.

⁽⁴⁾ Accessory buildings or structures are not permitted in any front street yard.

⁽⁵⁾ All fences shall provide a finished face to abutting streets.

⁽⁶⁾ Fences shall not conflict with sight triangles at street intersections or obstruct views from adjacent driveways.

6.2 Exterior Finish

- 1) The exterior wall finish shall be a minimum of 75% stone, simulated stone, brick, or stucco. No more than 50% shall be stucco. Up to 25% of the exterior wall finish may be fiber cement siding (excluding flat, unarticulated panels).
- 2) An alternative wall finish consisting of 100% stucco may be permitted only in conjunction with a tile roof.
- 3) The use of materials such as wood shingles, wood siding, and architectural steel or metal shall be limited to accent features.
- 4) Accessory buildings not exceeding 150 square feet in gross floor area are exempt from the percentage and materials requirements listed above.

6.3 Garage Door Treatment

- 1) An upgraded garage door, 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, shall be required.
- 2) Upgraded garage doors shall not be required for swing in, side entry garages.

6.4 Fencing

- 1) Perimeter Fencing: Three different types of perimeter fencing shall be required. The location of each type of fence is indicated on **Exhibit "D"**.
 - a) Masonry Fence - constructed of natural stone; with a cast-in-place structural footing; top capped; both sides of the fence shall have a finished face; fence shall have a height of a minimum of six feet; and construction details or shop drawings must be sealed by a civil engineer, structural engineer, or landscape architect and provided prior to the issuance of a building permit.
 - b) Concrete Panel Fence - constructed of pre-cast concrete panel fence materials, installed per manufacturer's specifications; construction details or shop drawings must be sealed by a civil engineer, structural engineer, or landscape architect and provided prior to the issuance of a building permit; both sides of the fence shall have a finished face; and fence shall have a height of a minimum of six feet.
 - c) Wood Fence – constructed of Cedar, privacy fence with a picket size of 1" x 6"; a top cap; treated rails; metal posts and masonry columns spaced at intervals of 100 feet; the finished side of the fence shall face the abutting properties.
- 2) Homeowner Fences: Single-Family home 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.
- 3) Common Area Fencing: Any common area fencing shall be constructed of brick, stone, reinforced concrete, decorative masonry, wrought iron or tubular steel.
- 4) Open Space Fencing: Fences abutting open space or amenities such as greenbelts, 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 are outlined in Section 6.4 (1) (c) above.

6.5 County Road 123 Right-of-Way Reserve

- 1) Thirty feet of the Property shall be reserved for dedication to the public along CR 123 for future road right-of-way, as indicated on **Exhibit "B"**.

6.6 Red Bud Lane Landscaping

- 1) A minimum ten foot (10') wide Landscape Lot shall be provided along the extent of Red Bud Lane unless otherwise indicated on **Exhibit "B"**.
- 2) The landscaping within the Landscape Lot for Red Bud Lane shall comply with the City Code for Landscaping, Section 46-195(g)1.b.1 & (g)1.b.2, Parking lot landscaping, along public streets, as amended.
- 3) The landscaping improvements shall be maintained by the Red Bud Lane Homeowners Association.

6.7 Residential Lot Landscaping

- 1) Drought tolerant turf grass shall be planted on all portions of a residential lot not covered by buildings, hardscaping, or landscape beds.
- 2) The front yard of all residential lots shall contain trees at the following minimum rate, according to lot width at the street:

	80 feet or less	Greater than 80 feet
Large trees	1	2
Small trees	1	3

- 3) Residential lots that abut parks, trails, or similar public open spaces on the side or rear yard shall contain a minimum of one (1) large tree and one (1) small tree in each yard that abuts said space.
- 4) All large trees shall have a caliper of three (3) inches and small trees shall have a caliper of one (1) inch at time of planting and shall be container grown.
- 5) Large trees shall not be planted closer than five (5) feet to any lot line, fire hydrant, underground utility (excluding irrigation), or water meter box, and no closer than four (4) feet to any sidewalk, driveway, or curb.
- 6) Improved soils with a minimum 20% organic content shall be provided in all required landscape areas to a depth of at least four (4) inches.
- 7) Underground irrigation shall not be required for landscaped areas. However, should underground irrigation be implemented it shall be in accordance with Title 30, Part I, Chapter 344 of the Texas Administrative Code (30 TAC 344). Irrigation may be supplemented with a rainwater harvesting system.
- 8) Nothing shall be erected, placed, allowed to grow, or planted so that it impedes vision between the height of three feet and ten feet above the curb within a sight visibility triangle.

- 9) All minimum required trees shall be in conformance with the preferred species listed in the tree technical manual.
- 10) No artificial plant material may be used in any form to satisfy the requirements of this section.
- 11) A private home owners association will be established for the maintenance of private common areas as well as for all community signage, walls and medians.

7. PRIVATE PARKLAND

A Private Park/Community Center of approximately one (1) acre as shown on Exhibit "C", shall be owned and maintained by the Homeowners Association.

8. PARKLAND DEDICATION

To satisfy the Parkland Dedication requirements outlined in Chapter 36, Article III of the Code, the Applicant shall pay a parkland fee in lieu of conveyance to the Round Rock Parks and Recreation Department consistent with Section 36-79 of the Code.

9. TRAFFIC IMPACT ANALYSIS

A traffic impact analysis (TIA) was reviewed and approved by the City, based on the uses within the Plan area. Based on the results of the TIA, the Owner shall contribute a pro-rata share of the cost of the traffic signal being installed by the City at the intersection of Evergreen Drive/Forest Ridge Blvd. and Redbud Lane.

10. CONSTRUCTION TRAFFIC

- 10.1 During construction of the site improvements and the homes, construction vehicles will be directed to use the entrances to the site from CR 123 and Redbud Lane only.
- 10.2 Owner shall post signs at the entrance to Evergreen Drive stating "NO CONSTRUCTION VEHICLES" during the period of construction.

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

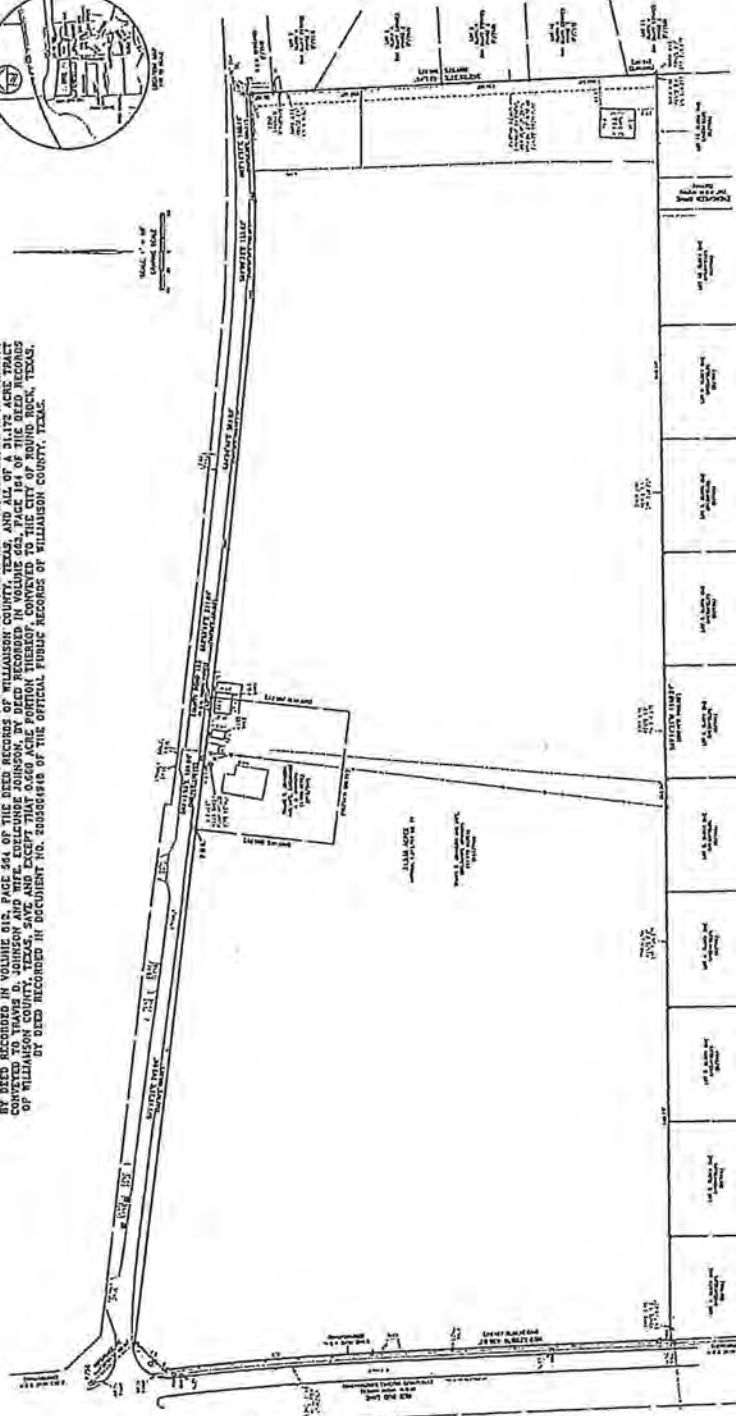
Exhibit "A"	Survey Field Notes
Exhibit "B"	Concept Plan
Exhibit "C"	Location of Large Lots
Exhibit "D"	Fencing Plan

EXHIBIT

"A"



A LAND TITLE SURVEY OF 31,259 ACRES (APPROXIMATELY 4,579 AC. IS 75% N.W. 1/4 OF THE ROBERT HANNEY SURVEY, ABSTRACT 105, 122, WILLIAMSON COUNTY, TEXAS, BEING ALL OF A 1,000 ACRE TRACT CONVEYED TO TRAVIS B. JOHNSON AND WIFE, EUGENIE W. JOHNSON, BY DEED RECORDED IN VOLUME 612, PAGE 594 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AND ALL OF A 31,172 ACRE TRACT CONVEYED TO TRAVIS B. JOHNSON AND WIFE, EUGENIE W. JOHNSON BY DEED RECORDED IN VOLUME 262, PAGE 124 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AND ACCORDING TO THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, BY DEED RECORDED IN DOCUMENT NO. 2088090918 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.



ADJACENT SURVEYS
 To the North and East are the following surveys:
 [List of adjacent surveys with bearings and distances]

WILLIAMSON COUNTY, TEXAS
 The following are the surveys which are shown on this map:
 [List of surveys shown on the map]

LEGAL DESCRIPTION
 [Detailed legal description of the surveyed land]

ADJACENT OWNERS
 [List of adjacent owners and their survey numbers]

WILLIAMSON COUNTY, TEXAS
 [Additional survey information]

WILLIAMSON COUNTY, TEXAS
 [Additional survey information]

WILLIAMSON COUNTY, TEXAS
 [Additional survey information]

WILLIAMSON COUNTY, TEXAS
 [Additional survey information]

WILLIAMSON COUNTY, TEXAS
 [Additional survey information]

WILLIAMSON COUNTY, TEXAS
 [Additional survey information]

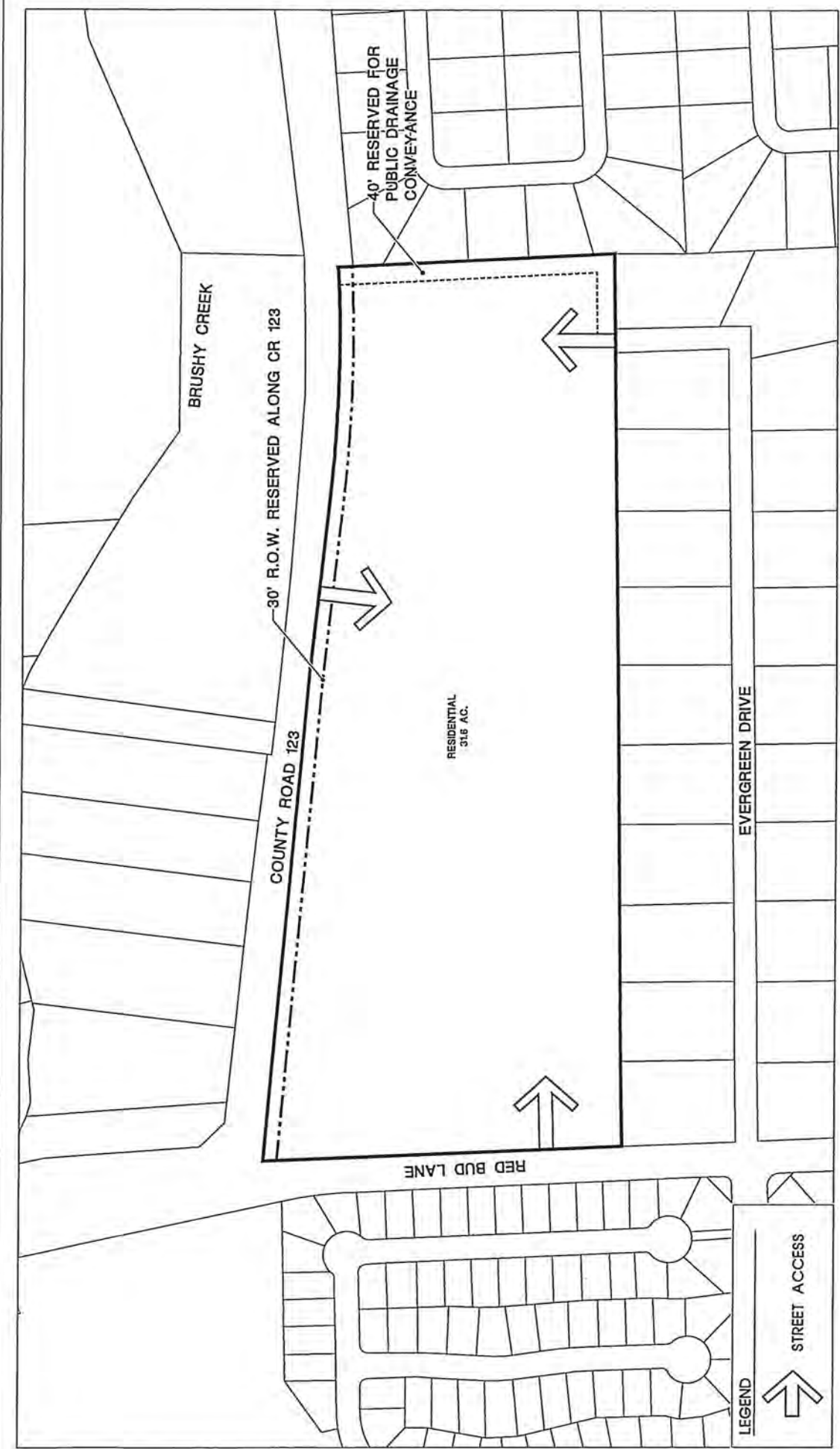
WILLIAMSON COUNTY, TEXAS
 [Additional survey information]

WILLIAMSON COUNTY, TEXAS
 [Additional survey information]

WILLIAMSON COUNTY, TEXAS
 [Additional survey information]

WILLIAMSON COUNTY, TEXAS
 [Additional survey information]

RECORDERS MEMORANDUM
 All or parts of the text on this page was not
 clearly legible for satisfactory recordation.



North

Scale: 1" = 200'

Date: September 16, 2016

SHEET FILE # 1102031-2-UTRACK-2016-PLAN-CONCEPT PLAN PER 2016-09-16.rvt

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

EXHIBIT B
CONCEPT PLAN
RED BUD LANE TRACT
ROUND ROCK, TEXAS

Ordinance No. O-2016-3836
(PUD No. 108)

AFTER RECORDING, PLEASE RETURN TO:

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

(1)

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS 2016097490

ORD Fee: \$105.00
10/17/2016 12:08 PM Tkirk



Nancy E. Rister
Nancy E. Rister, County Clerk
Williamson County, Texas