

ORDINANCE NO. O-2018-5640

AN ORDINANCE AMENDING ORDINANCE NO. Z-02-01-24-8B1, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON JANUARY 24, 2002, BY AMENDING SECTION II.10, THE LIST OF EXHIBITS, EXHIBITS "A", "C", AND "D" OF PUD NO. 56, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, on January 24, 2002, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-02-01-24-8B1, which established PUD No. 56, and

WHEREAS, on January 12, 2006, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-06-01-12-10B3, which amended Sections 10.3, 10.3.4 and Exhibits "C" and "D" of PUD No. 56, and

WHEREAS, on May 12, 2011, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-11-05-12-11A1, which amended Section II.10.1 of the Development Plan, Exhibit "A", Exhibit "C" and Exhibit "D" – Development Parcel 1 of PUD No. 56, and

WHEREAS, the City of Round Rock has approved minor changes to PUD No. 56, which do not substantively or adversely change the plan, on seven separate occasions, and

WHEREAS, on January 22, 2015, the City Council of the City of Round Rock, Texas, adopted Ordinance No. O-2015-2126, which added Exhibit "A-2", and replaced Exhibit "C" and Exhibit "D" – Development Parcel 1-A, and the List of Exhibits of PUD No. 56; and

WHEREAS, an application has been made to the City Council of the City of Round Rock, Texas, to amend Section II.10, the List of Exhibits, Exhibits "A", "C", and "D" of PUD No. 56, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. Z-02-01-24-8B1 on the 20th day of June, 2018, 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-02-01-24-8B1 be amended, and

WHEREAS, on the 26th day of July 2018, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No. Z-02-01-24-8B1, and

WHEREAS, the City Council determined that the requested amendment to Ordinance No. Z-02-01-24-8B1 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 #56 meets the following goals and objectives:

- (1) The amendment to P.U.D. #56 is equal to or superior to development that would occur under the standard ordinance requirements.

- (2) The amendment to P.U.D. #56 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #56 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 Section II.10 of the Development Plan of PUD No. 56, as approved in Ordinance No. Z-02-01-24-8B1 and amended in Ordinance No. Z-11-05-12-11A1, is hereby deleted in its entirety and replaced with a new Section II.10, which shall read as follows:

10. DRIVEWAY ACCESS TO A. W. Grimes Boulevard and Gattis School Road:

Exhibit 'C' identifies the general locations for driveways serving each parcel, indicated by 'MC' (median cut) and 'CC' (curb cut). The exact location for all driveways are subject to the approval of the City.

III.

That the List of Exhibits as approved in Ordinance No. Z-02-1-24-8B1 and amended in Ordinance No. O-2015-2126, is hereby amended and replaced in its entirety with the new List of Exhibits, attached hereto and incorporated herein.

IV.

That Exhibit "A" of the Development Plan of PUD No. 56, as approved in Ordinance No. Z-02-01-24-8B1 and amended in Ordinance No. Z-11-05-12-11A1 and Ordinance No. O-2015-2126, is hereby amended to include the attached Exhibit "A-3" *Legal Description*, attached hereto and incorporated herein.

V.

That Exhibit "C" of the Development Plan of PUD No. 56, as approved in Ordinance No. Z-02-01-24-8B1 and amended in Ordinance No. Z-06-01-12-10B3, Ordinance No. Z-11-05-12-11A1, and Ordinance No. O-2015-2126, is hereby amended and replaced in its entirety with the new attached Exhibit "C," attached hereto and incorporated herein.

VI.

That Exhibit "D" of the Development Plan of PUD No. 56, as approved in Ordinance No. Z-02-01-24-8B1 and amended in Ordinance No. Z-06-01-12-10B3, Ordinance No. Z-11-05-12-11A1, and Ordinance No. O-2015-2126, is hereby amended to include the attached Exhibit "D" *Development Parcel 1-C Commercial and Office*, attached hereto and incorporated herein.

VII.

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 July, 2018.

Alternative 2.

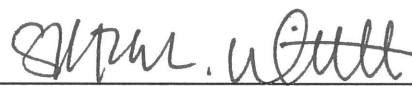
READ and APPROVED on first reading this the _____ day of _____, 2018.

READ, APPROVED and ADOPTED on second reading this the _____ day of _____, 2018.



CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:



SARA L. WHITE, City Clerk

LIST OF EXHIBITS

Exhibit	Description
A	Field Notes
A-1	Field Notes, Parcel 1-A
A-2	Field Notes, Parcel 1-B
A-3	Field Notes, Parcel 1-C
B	Lien Holder consent
C	Land Use Map
C-1	Preliminary Plat
D	Plan & Development Standards
D-1	Town Centre Tracts
D-2	Alternative Local Streets
E	Trail Schematic
F	Gattis School Road Field Notes

Legal Description

BEING a 1.643 acre tract of land situated in the City of Round Rock, Williamson County, Texas, and out of the Asa Thomas Survey, Abstract Number 609, Williamson County, Texas, and being a portion of the called 14.801 acre tract of land described in the Warranty Deed to Hickerson Round Rock Land, LP recorded under Document Number 2009070070 of the Official Public Records of Williamson County, Texas; said 1.643 acre tract of land being more particularly described as follows with bearing referenced to the Texas Coordinate System of 1983, Central Zone:

BEGINNING at the point of intersection of the southerly right-of-way line of Gattis School Road (public right-of-way width varies) with the westerly right-of-way line of Joyce Lane (public right-of-way width varies) for the most northerly northeast corner of said 14.801 acre tract and the herein described tract;

THENCE with the easterly line of said 14.801 acre tract and the westerly right-of-way line of said Joyce Lane, the following four (4) courses and distances:

- 1.) Southeasterly with a non-tangent curve to the right having a radius of 15.00 feet and a delta angle of $86^{\circ}08'46''$, an arc distance of 22.55 feet (the chord of said curve bears South $47^{\circ}37'09''$ East a distance of 20.49 feet) to a point for corner;
- 2.) South $02^{\circ}00'25''$ East a distance of 100.92 feet to a point for corner and the beginning of a non-tangent curve to the right;
- 3.) Southwesterly with said non-tangent curve to the right having a radius of 370.00 feet and a delta angle of $13^{\circ}20'25''$, an arc distance of 86.15 feet (the chord of said curve bears South $04^{\circ}53'03''$ West a distance of 85.95 feet) to a point for corner;
- 4.) South $11^{\circ}37'36''$ West a distance of 43.70 feet to a point for the southeast corner of the herein described tract;

THENCE departing said westerly right-of-way line of Joyce Lane, over and across said 14.801 acre tract the following five (5) courses and distances:

- 1.) South $89^{\circ}55'24''$ West a distance of 265.76 feet to a point for the most southerly southwest corner of the herein described tract;
- 2.) North $49^{\circ}08'06''$ West a distance of 10.68 feet to a point for corner;
- 3.) North $40^{\circ}51'54''$ East a distance of 12.53 feet to a point for corner;
- 4.) North $00^{\circ}58'32''$ East a distance of 146.24 feet to a point for corner;
- 5.) North $65^{\circ}34'20''$ West a distance of 163.50 feet to a point in the southerly right-of-way line of said Gattis School Road, same being the northerly line of said 14.801 acre tract for the northwest corner of the herein described tract;

THENCE with the northerly line of said 14.801 acre tract and the southerly right-of-way line of said Gattis School Road, North 88°09'30" East a distance of 409.68 feet to the POINT OF BEGINNING and CONTAINING an area of 1.643 acres of land.

"This document was prepared under 22 TAC 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 political subdivision for which it was prepared."

I, James E. Johnson, a Registered Professional Land Surveyor, do hereby certify that this metes & bounds accurately describes the boundaries of an annex tract for Williamson County Public Utility District No. 56.

WITNESS MY HAND AND SEAL this 22nd day of May, 2018.



James E. Johnson
5/22/2018

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

SCALE 1" = 50'



GATTIS SCHOOL ROAD
(R.O.W. VARIES)

LEGEND

△ CALCULATED POINT
O.P.R.W.C.T. OFFICIAL PUBLIC RECORDS OF
WILLIAMSON COUNTY, TEXAS

POINT OF
BEGINNING

N 88°09'30" E 409.68'

N 65°34'20" W 163.50'

HICKERSON ROUND ROCK LAND, LP
WARRANTY DEED
CALLED 14.801 ACRES
DOC. NO. 2009070070 O.P.R.W.C.T.

1.643 ACRES

JOYCE LANE
(R.O.W. VARIES)

S 02°00'25" E 100.92'

C2

43.70'
S 11°37'36" W

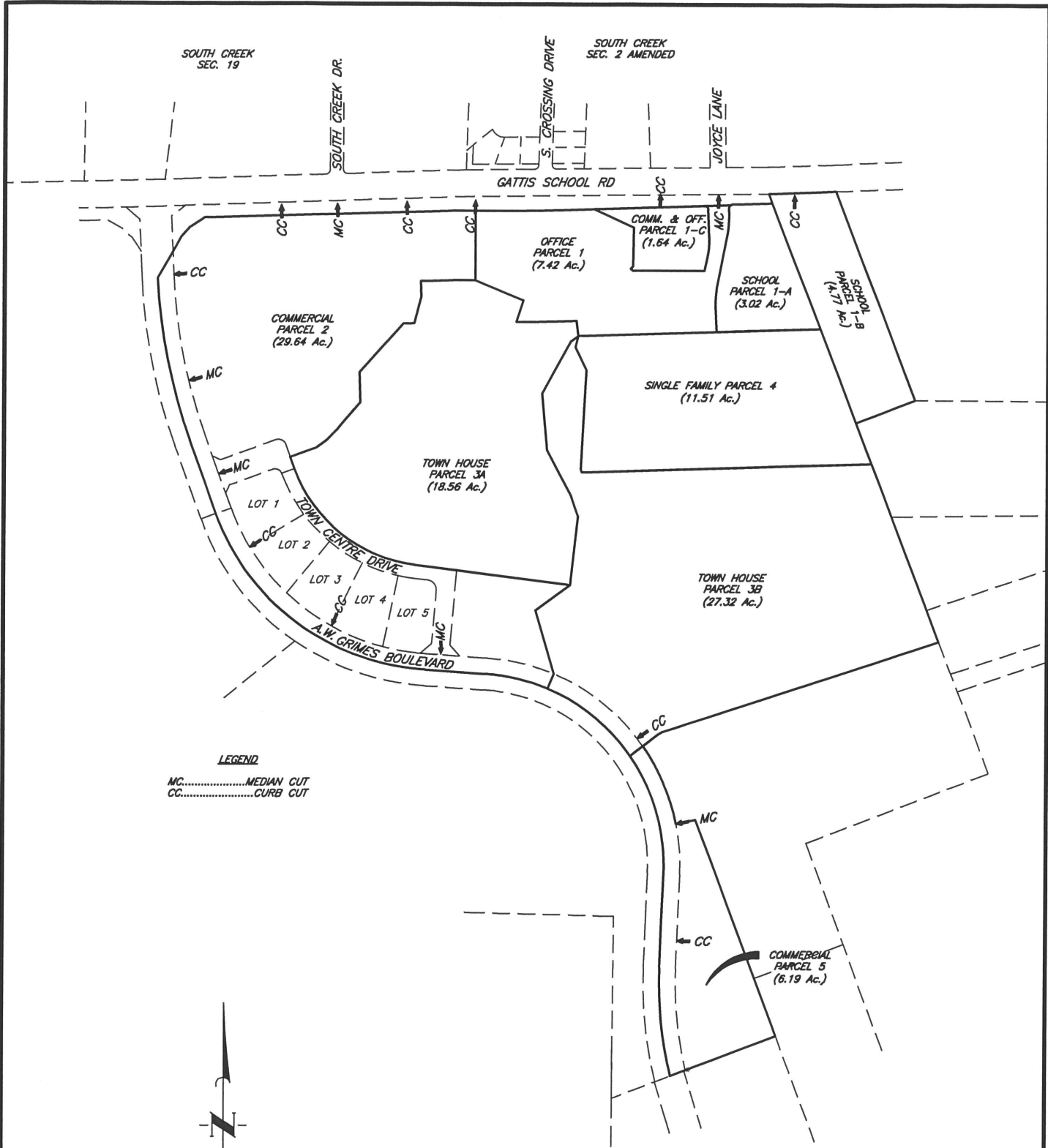
S 89°55'24" W 265.76'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 49°08'06" W	10.68'
L2	N 40°51'54" E	12.53'

CURVE TABLE			
CURVE	RADIUS	ARC LENGTH	CHORD BEARING
C1	15.00'	22.55'	S 47°37'09" E
C2	370.00'	86.15'	S 04°53'03" W



JONES & CARTER
Texas Board of Professional Engineers Registration No. F-439
Texas Board of Professional Land Surveying Registration No. 10046101
3100 Alvin Devane Boulevard, Suite 150 • Austin, Texas 78741 • 512.441.9493



LEGEND
 MC.....MEDIAN CUT
 CC.....CURB CUT



SCALE: 1" = 500'


CHALLENGER SCHOOL FOUNDATION	
EXHIBIT C REVISED	
DRIVEWAY ACCESS & PARCEL LAYOUT	
 JONES & CARTER, INC. ENGINEERS • PLANNERS • SURVEYORS <small>Texas Board of Professional Engineers Registration No. F-439 1701 Directors Blvd., Suite 400 Austin, Texas 78744 (512) 441-9493</small>	
SCALE:	1" = 500'
DATE:	06-07-2018
JOB NO:	0A023-0040-00

EXHIBIT "D"
DEVELOPMENT PARCEL 1-C
Commercial and Office

1. PROPERTY DESCRIPTION

This portion of the Plan area covers approximately 1.64 acres of land, located within the city limits of Round Rock, Texas, and more particularly described in **Exhibit "A-3"**.

2. PERMITTED USES

All uses permitted in the **C-2 (Local Commercial)** zoning district, except that fuel sales shall be prohibited.

3. DESIGN STANDARDS

All aspects not specifically covered by this Plan shall be regulated by the **C-2 (Local Commercial)** 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. LANDSCAPE EASEMENTS & STREET TREES

In addition to the landscaping requirements of the C-2 (Local Commercial) district, the following shall apply:

4.1. Landscape Easement

- (1) A thirty foot (30') wide landscape easement shall be provided adjacent to Gattis School Road, as identified on **Exhibit "C"**.
- (2) All areas located within the easement shall be used solely for the purpose of landscaping and sidewalks, except for driveways crossing the easement, lighting, monument signs, irrigation, entry features, underground utilities, meters, utility structures and equipment required to provide utilities to the Property.
- (3) Surface drainage swales may be placed within the easement provided they are approved as part of a comprehensive landscape plan.
- (4) Drainage detention and water quality structures are prohibited in the easement.

- (5) Landscaping within the easement shall be credited against street yard landscape requirements.

4.2. Street Trees

- (1) Street trees shall be planted within the landscape easement described above, in accordance with the following criteria:
 - (a) Large species trees with a minimum caliper size of 3.5 inches, planted no more than 40 feet apart.
- (2) Street trees shall comply with the following standards:
 - (a) Avoid interference with street lights, signage and other features;
 - (b) No plantings in street intersection triangles, a minimum of 35 feet by 35 feet, as measured from the face of the curb;
 - (c) Planted no less than five feet (5') from underground utilities and fifteen feet (15') from overhead lines;
 - (d) Planted no less than five feet (5') from fire hydrants;
 - (e) Planted no less than four feet (4') from the back of curb;
 - (f) Irrigated by a permanent automatic irrigation system;
 - (g) The Owner shall submit a street tree planting plan with the submittal of a site plan for development.
 - (h) Street trees and their associated irrigation system along Gattis School Road shall be installed to the satisfaction of the City prior to the issuance of a Certificate of Occupancy for any development on the Property.
 - (i) A fiscal maintenance guarantee shall be provided by the Owner for replacement of the street trees and repair of the irrigation systems for a period of two years. The City shall have the authority to identify all trees or other plant materials which require replacement. The fiscal guarantee shall be extended for one year for plants that are replaced.
 - (j) A Property Owners Association (POA) shall be established, funded and assigned the responsibility for ongoing maintenance, repair and replacement of both street trees and irrigation. Irrigation shall be paid for by the POA.

5. TRANSPORTATION

The requirement for a Traffic Impact Analysis (TIA), as required by Section 46-197 of the Code, for the 1.64-acre Parcel 1-C shall be determined by the City at the time of platting or site plan submittal.

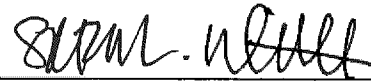
THE STATE OF TEXAS *

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-2018-5640, which approves an Amendment to Planned Unit Development (PUD) No. 56. This ordinance was approved and adopted by the City Council of the City of Round Rock at a regular meeting held on the 26th day of July 2018, and is recorded in the City Council Minute Book 62.

CERTIFIED by my hand and seal of the City of Round Rock, Texas on this 14th day of August 2018.



SARA L. WHITE, City Clerk



ORDINANCE NO. O-2018-5640

AN ORDINANCE AMENDING ORDINANCE NO. Z-02-01-24-8B1, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON JANUARY 24, 2002, BY AMENDING SECTION II.10, THE LIST OF EXHIBITS, EXHIBITS "A", "C", AND "D" OF PUD NO. 56, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, on January 24, 2002, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-02-01-24-8B1, which established PUD No. 56, and

WHEREAS, on January 12, 2006, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-06-01-12-10B3, which amended Sections 10.3, 10.3.4 and Exhibits "C" and "D" of PUD No. 56, and

WHEREAS, on May 12, 2011, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-11-05-12-11A1, which amended Section II.10.1 of the Development Plan, Exhibit "A", Exhibit "C" and Exhibit "D" – Development Parcel 1 of PUD No. 56, and

WHEREAS, the City of Round Rock has approved minor changes to PUD No. 56, which do not substantively or adversely change the plan, on seven separate occasions, and

WHEREAS, on January 22, 2015, the City Council of the City of Round Rock, Texas, adopted Ordinance No. O-2015-2126, which added Exhibit "A-2", and replaced Exhibit "C" and Exhibit "D" – Development Parcel 1-A, and the List of Exhibits of PUD No. 56; and

WHEREAS, an application has been made to the City Council of the City of Round Rock, Texas, to amend Section II.10, the List of Exhibits, Exhibits "A", "C", and "D" of PUD No. 56, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. Z-02-01-24-8B1 on the 20th day of June, 2018, 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-02-01-24-8B1 be amended, and

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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 #56 meets the following goals and objectives:

- (1) The amendment to P.U.D. #56 is equal to or superior to development that would occur under the standard ordinance requirements.

- (2) The amendment to P.U.D. #56 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
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II.

That Section II.10 of the Development Plan of PUD No. 56, as approved in Ordinance No. Z-02-01-24-8B1 and amended in Ordinance No. Z-11-05-12-11A1, is hereby deleted in its entirety and replaced with a new Section II.10, which shall read as follows:

10. DRIVEWAY ACCESS TO A. W. Grimes Boulevard and Gattis School Road:

Exhibit 'C' identifies the general locations for driveways serving each parcel, indicated by 'MC' (median cut) and 'CC' (curb cut). The exact location for all driveways are subject to the approval of the City.

III.

That the List of Exhibits as approved in Ordinance No. Z-02-1-24-8B1 and amended in Ordinance No. O-2015-2126, is hereby amended and replaced in its entirety with the new List of Exhibits, attached hereto and incorporated herein.

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That Exhibit "C" of the Development Plan of PUD No. 56, as approved in Ordinance No. Z-02-01-24-8B1 and amended in Ordinance No. Z-06-01-12-10B3, Ordinance No. Z-11-05-12-11A1, and Ordinance No. O-2015-2126, is hereby amended and replaced in its entirety with the new attached Exhibit "C," attached hereto and incorporated herein.

VI.

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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 July, 2018.

Alternative 2.

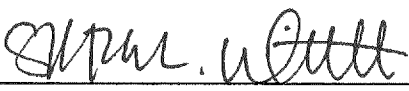
READ and APPROVED on first reading this the _____ day of _____, 2018.

READ, APPROVED and ADOPTED on second reading this the _____ day of _____, 2018.



CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:



SARA L. WHITE, City Clerk

LIST OF EXHIBITS

Exhibit	Description
A	Field Notes
A-1	Field Notes, Parcel 1-A
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Legal Description

BEING a 1.643 acre tract of land situated in the City of Round Rock, Williamson County, Texas, and out of the Asa Thomas Survey, Abstract Number 609, Williamson County, Texas, and being a portion of the called 14.801 acre tract of land described in the Warranty Deed to Hickerson Round Rock Land, LP recorded under Document Number 2009070070 of the Official Public Records of Williamson County, Texas; said 1.643 acre tract of land being more particularly described as follows with bearing referenced to the Texas Coordinate System of 1983, Central Zone:

BEGINNING at the point of intersection of the southerly right-of-way line of Gattis School Road (public right-of-way width varies) with the westerly right-of-way line of Joyce Lane (public right-of-way width varies) for the most northerly northeast corner of said 14.801 acre tract and the herein described tract;

THENCE with the easterly line of said 14.801 acre tract and the westerly right-of-way line of said Joyce Lane, the following four (4) courses and distances:

- 1.) Southeasterly with a non-tangent curve to the right having a radius of 15.00 feet and a delta angle of $86^{\circ}08'46''$, an arc distance of 22.55 feet (the chord of said curve bears South $47^{\circ}37'09''$ East a distance of 20.49 feet) to a point for corner;
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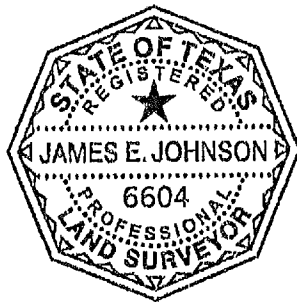
- 1.) South $89^{\circ}55'24''$ West a distance of 265.76 feet to a point for the most southerly southwest corner of the herein described tract;
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- 4.) North $00^{\circ}58'32''$ East a distance of 146.24 feet to a point for corner;
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THENCE with the northerly line of said 14.801 acre tract and the southerly right-of-way line of said Gattis School Road, North 88°09'30" East a distance of 409.68 feet to the POINT OF BEGINNING and CONTAINING an area of 1.643 acres of land.

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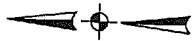
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James E. Johnson
5/22/2018

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

SCALE 1" = 50'



GATTIS SCHOOL ROAD
(R.O.W. VARIES)

LEGEND

△ CALCULATED POINT
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N 88°09'30" E 409.68'

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WARRANTY DEED
CALLED 14.801 ACRES
DOC. NO. 2009070070 O.P.R.W.C.T.

1.643 ACRES

N 00°58'32" E 146.24'

S 89°55'24" W 265.76'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 49°08'06" W	10.68'
L2	N 40°51'54" E	12.53'

CURVE TABLE			
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE
C1	15.00'	22.55'	86°08'46" E
C2	370.00'	86.15'	13°20'25" W



JONES | CARTER

Texas Board of Professional Engineers Registration No. F-439
Texas Board of Professional Land Surveying Registration No. 10046101
3100 Alvin Devane Boulevard, Suite 150 • Austin, Texas 78741 • 512.441.9493

JOYCE LANE
(R.O.W. VARIES)

S 02°00'25" E 100.92'

S 11°37'36" W 43.70'

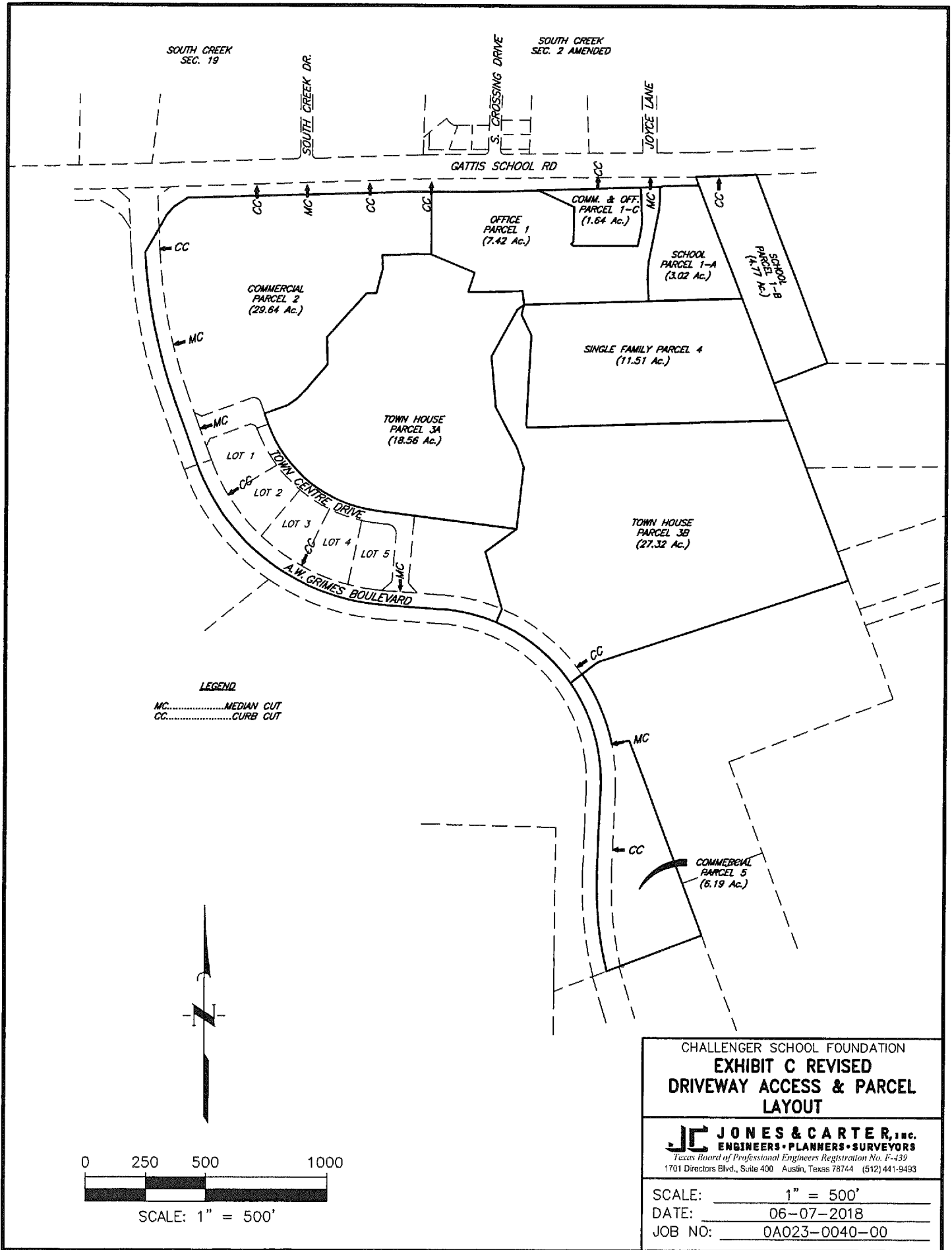


EXHIBIT "D"
DEVELOPMENT PARCEL 1-C
Commercial and Office

1. PROPERTY DESCRIPTION

This portion of the Plan area covers approximately 1.64 acres of land, located within the city limits of Round Rock, Texas, and more particularly described in **Exhibit "A-3"**.

2. PERMITTED USES

All uses permitted in the **C-2 (Local Commercial)** zoning district, except that fuel sales shall be prohibited.

3. DESIGN STANDARDS

All aspects not specifically covered by this Plan shall be regulated by the **C-2 (Local Commercial)** 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. LANDSCAPE EASEMENTS & STREET TREES

In addition to the landscaping requirements of the **C-2 (Local Commercial)** district, the following shall apply:

4.1. Landscape Easement

- (1) A thirty foot (30') wide landscape easement shall be provided adjacent to Gattis School Road, as identified on **Exhibit "C"**.
- (2) All areas located within the easement shall be used solely for the purpose of landscaping and sidewalks, except for driveways crossing the easement, lighting, monument signs, irrigation, entry features, underground utilities, meters, utility structures and equipment required to provide utilities to the Property.
- (3) Surface drainage swales may be placed within the easement provided they are approved as part of a comprehensive landscape plan.
- (4) Drainage detention and water quality structures are prohibited in the easement.

- (5) Landscaping within the easement shall be credited against street yard landscape requirements.

4.2. Street Trees

- (1) Street trees shall be planted within the landscape easement described above, in accordance with the following criteria:
 - (a) Large species trees with a minimum caliper size of 3.5 inches, planted no more than 40 feet apart.
- (2) Street trees shall comply with the following standards:
 - (a) Avoid interference with street lights, signage and other features;
 - (b) No plantings in street intersection triangles, a minimum of 35 feet by 35 feet, as measured from the face of the curb;
 - (c) Planted no less than five feet (5') from underground utilities and fifteen feet (15') from overhead lines;
 - (d) Planted no less than five feet (5') from fire hydrants;
 - (e) Planted no less than four feet (4') from the back of curb;
 - (f) Irrigated by a permanent automatic irrigation system;
 - (g) The Owner shall submit a street tree planting plan with the submittal of a site plan for development.
 - (h) Street trees and their associated irrigation system along Gattis School Road shall be installed to the satisfaction of the City prior to the issuance of a Certificate of Occupancy for any development on the Property.
 - (i) A fiscal maintenance guarantee shall be provided by the Owner for replacement of the street trees and repair of the irrigation systems for a period of two years. The City shall have the authority to identify all trees or other plant materials which require replacement. The fiscal guarantee shall be extended for one year for plants that are replaced.
 - (j) A Property Owners Association (POA) shall be established, funded and assigned the responsibility for ongoing maintenance, repair and replacement of both street trees and irrigation. Irrigation shall be paid for by the POA.

5. TRANSPORTATION

The requirement for a Traffic Impact Analysis (TIA), as required by Section 46-197 of the Code, for the 1.64-acre Parcel 1-C shall be determined by the City at the time of platting or site plan submittal.

**ELECTRONICALLY RECORDED
OFFICIAL PUBLIC RECORDS**

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Pages: 15 Fee: \$73.00
08/14/2018 04:18 PM



Nancy E. Rister

Nancy E. Rister, County Clerk
Williamson County, Texas