

**ORDINANCE NO. O-2021-130**

**AN ORDINANCE AMENDING ORDINANCE NO. Z-07-06-28-10C2, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON JUNE 28, 2007, BY AMENDING SECTION II, REPLACING EXHIBIT "B" AND EXHIBIT "C" AND ADDING EXHIBIT "D" AND EXHIBIT "E" TO THE DEVELOPMENT PLAN OF PUD NO. 74, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.**

**WHEREAS**, on June 28, 2007, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-07-06-28-10C2, which established PUD No. 74, and

**WHEREAS**, an application has been made to the City Council of the City of Round Rock, Texas, to amend Section II *Development Standards*, to replace Exhibit "B" and Exhibit "C" and to add Exhibit "D" and Exhibit "E" to the Development Plan of PUD No. 74, and

**WHEREAS**, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. Z-07-06-28-10C2 on the 7th day of April, 2021, 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-07-06-28-10C2 be amended, and

**WHEREAS**, on the 13th day of May, 2021, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No. Z-07-06-28-10C2, and

**WHEREAS**, the City Council determined that the requested amendment to Ordinance No. Z-07-06-28-10C2 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 Zoning and Development Code, Chapter 10, Article I, Section 10-2 and Article IV, Section 10-22, Code of Ordinances (2018 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 #74 meets the following goals and objectives:

- (1) The amendment to P.U.D. #74 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) The amendment to P.U.D. #74 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #74 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 *Development Standards* of the Development Plan of PUD No. 74, as approved in Ordinance No. Z-07-06-28-10C2, is hereby deleted in its entirety and replaced with a new Section II *Development Standards*, attached hereto and incorporated herein.

**III.**

That Exhibit "B" to the Development Plan of PUD No. 74, as approved in Ordinance No. Z-07-06-28-10C2, is hereby deleted in its entirety and replaced with the attached Exhibit "B".

**IV.**

That Exhibit "C" to the Development Plan of PUD No. 74, as approved in Ordinance No. Z-07-06-28-10C2, is hereby deleted in its entirety and replaced with the attached Exhibit "C".

**V.**

That Exhibit "D", as attached hereto and incorporated herein, is added to the Development Plan of PUD No. 74.

**VI.**

That Exhibit "E", as attached hereto and incorporated herein, is added to the Development Plan of PUD No. 74.

**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.

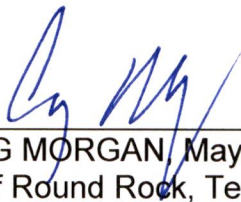
By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

**READ, PASSED, and ADOPTED** on first reading this 13<sup>th</sup> day of March, 2021.

Alternative 2.

**READ and APPROVED** on first reading this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**READ, APPROVED and ADOPTED** on second reading this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

  
\_\_\_\_\_  
CRAIG MORGAN, Mayor  
City of Round Rock, Texas

ATTEST:  
  
\_\_\_\_\_  
MEAGAN SPINKS, Deputy City Clerk

## II.

### DEVELOPMENT STANDARDS

#### 1. DEFINITIONS

Words and terms used herein shall have their usual force and meaning, or as defined in the City of Round Rock Code of Ordinances, as amended, hereinafter referred to as "the Code."

#### 2. PROPERTY

This plan covers approximately 37.975 acres of land, located within the city limits of Round Rock, Texas, and more particularly described in **Exhibit "A"**.

#### 3. PURPOSE

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

#### 4. APPLICABILITY OF CITY ORDINANCES

##### 4.1 Zoning and Subdivision Ordinances

The Property shall be regulated for purposes of zoning and subdivision by this Plan. All aspects not specifically covered by this Plan shall be regulated by the **General Commercial-Limited (C-1a)** zoning district for Parcels 1A and 1B, by the **Multifamily-Medium Density (MF-2)** zoning district for Parcel 2, and the **Multifamily - Urban (MF-3)** for Parcels 1C and 1D, and other sections of the Code, as applicable. 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 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. PERMITTED USES**

The following principal uses are permitted on the Property, which is divided into two development parcels for the purpose of this description, as described on **Exhibit "B"**:

### **5.1      Parcels 1A and 1B - Commercial**

All uses permitted in the C-1a (General Commercial-Limited) zoning district are permitted.

### **5.2      Parcel 1C - Urban Multifamily**

Multifamily residential development, in accordance with the MF-3 (Multifamily - Urban) zoning district standards, as amended in this Plan.

### **5.3      Parcel 1D - Parking Garages**

Detached parking garages are permitted.

### **5.4      Parcel 2 - Multifamily**

All uses permitted in the MF-2 (Multifamily - Medium Density) zoning district are permitted.

### **5.5      Urban Multifamily Density**

The combined minimum density of MF-3 units on Parcel 1C and Parcel 1D shall be 30 units per acre based on 11.29-acres of net developable area.

## **6. SITE ACCESS**

### **6.1    Existing and Planned Public Street Access**

As described on **Exhibit "B"**, the site has frontage on US 79 on the south and A.W. Grimes Boulevard (FM 1460) on the west. Plateau Vista Boulevard, to the west across A.W. Grimes Boulevard (FM 1460), dead ends at the approximate midpoint of the site. The Owner has a Reciprocal Easement agreement with the owner of a tract of land at the southeast corner of Parcel 1C, recorded in Doc. No. 2006040140. This easement provides for the dedication of right-of-way to the City for a collector road referred to as Phillip Warner Drive. A dedication deed is being prepared.

### **6.2    Dedication of Public Access Easement**

**6.2.1** Prior to the recordation of a final plat for any part of the Property, the Owners shall dedicate a joint use and public access easement, aligned with Plateau Vista Boulevard. The easement shall be seventy (70) feet in

width beginning at its intersection with A.W. Grimes Boulevard (FM 1460) and shall narrow to sixty-five (65) feet in width at a point approximately 252 feet east of A.W. Grimes Boulevard (FM 1460) and shall extend to the easternmost boundary of the Property, as indicated on Exhibit "C", attached hereto. The easement shall include corner clips for the purpose of accommodating curb radii and traffic control devices, as indicated on Exhibit "C". The easement document shall be subject to the review and approval of the City Transportation Director to insure compliance with this section.

### **6.3 Dedication of Collector Road - Parcel 2**

**6.3.1** Prior to, or concurrent with, the recordation of a final plat for Parcel 2, the Owner shall dedicate up to 35 feet of right-of-way to the City for the collector road on the eastern boundary of the site, from the northern boundary of the easement described in section 6.2 to the northernmost point at which the right-of-way exits the Property, as indicated on **Exhibit "C"**.

### **6.4 Construction of Private Drive - Parcel 2**

**6.4.1** Prior to the issuance of a Certificate of Occupancy for any building on Parcel 2, the Owner shall construct a private drive within a portion of the easement described in section 6.2. The drive shall extend from A.W. Grimes Boulevard (FM 1460) for approximately 660 feet, to a point approximately fifty (50) feet beyond the easternmost entrance to the multifamily development on Parcel 2, as indicated on **Exhibit "C"**. The design of the private drive shall meet the City standard for a local collector street, without parking, and shall be designed and constructed in accordance with the City Design and Construction Standards according to the Transportation Criteria Manual.

**6.4.2** The Owner shall construct sidewalks, a minimum of 4 feet in width, on both sides of the private drive, within the joint use and public access easement, prior to or concurrent with, the development of Parcel 2.

**6.4.3** The private drive shall not be temporarily or permanently closed without prior approval of the City's Fire Marshal and Transportation Director, except in the event of an emergency.

#### **6.5 Dedication of Collector Road - Parcels 1C**

Prior to, or concurrent with, the recordation of the final plat for Parcel 1C, the Owner shall dedicate right-of-way to the City for the collector road on the eastern boundary of the site, from the norther terminus of the adjacent reciprocal agreement and restrictive covenant tract, extending to the northern boundary of the easement described in section 6.2, as indicated on **Exhibit "C"**.

#### **6.6 Construction of Collector Road - Parcel 1C**

Prior to the issuance of a Certificate of Occupancy for any building on Parcel 1C, the Owner shall construct a 30-foot roadway section within the right-of-way described in section 6.5. Acceptance of the road construction by the City shall be a condition of the issuance of a certificate of occupancy for any building on Parcel 1C.

#### **6.7 Public Dedication of Private Drives**

If any of the private drives mentioned in this Plan become publicly dedicated streets, setbacks shall be from the public right-of-way.

### **7. DEVELOPMENT STANDARDS**

#### **7.1 Parcels 1C and 1D (Multifamily - Urban)**

The requirements of the MF-3 zoning district shall apply, except as modified by:

**7.1.1** A landscape buffer, ten (10) feet in width, extending from the southern boundary of the joint use and public access easement, as described in section 6.2, shall be required. The buffer shall be clear of obstructions, easements, or other planting limitations. The following elements shall be applied within the landscape buffer:

- 1)** One medium tree, as defined in the Code, per twenty-five (25) linear feet (75% of selected trees shall be of an evergreen species).
- 2)** One small tree, as defined in the Code, per ten (10) linear feet (75% of selected trees shall be of an evergreen species).
- 3)** One large shrub, as defined in the Code, per six (6) linear feet.

- 4) One large tree, as defined in the Code, per forty (40) linear feet.

7.1.2 A minimum of thirty-six (36) landscape screening trees shall be installed within a twenty-eight (28) foot wide area along Philip Warner Drive and along Plateau Vista Blvd to provide screening, as generally indicated on **Exhibit 'E'**. Such trees shall consist of Live Oaks planted at a minimum 3-inch caliper spaced a minimum of 40-ft. apart and Eastern Red Cedars planted at a minimum of 2-inch caliper spaced at a minimum of 30-ft. apart.

7.1.3 No building on the property shall exceed four (4) stories in height of occupiable floors. Detached parking garages on Parcel 1D shall be limited to one (1) story.

7.1.4 Minimum building setbacks:

- 1) Plateau Vista - 10 feet
- 2) Phillip Warner - 15 feet

7.1.5 Minimum parking requirements:

- 1) The following parking requirements shall be provided with each phase of development:
  - a. 1-bedroom unit: 1 space
  - b. 2-bedroom unit: 2 spaces
  - c. 3-bedroom unit: 2.5 spaces
- 2) Additional parking in the amount equal to five percent (5%) of the combined parking required for the dwelling units shall be provided to accommodate guest parking.
- 3) Tandem parking shall be permitted so long as the tandem space is in front of a garage that is attached to a residential structure. Tandem spaces shall measure a minimum of 9 feet in width by 18 feet in length.

7.1.6 Garage Parking requirements:

- 1) A minimum of fifty percent (50%) of all required residential parking, in accordance with Section 7.1.4 above, shall be provided within a garage, as follows:
  - a. A minimum of 35% of all required residential parking shall be accommodated in a structured parking garage that is directly attached to a residential structure, so that the parking garage is internal to, or wrapped by, the residential

structure.

b. The remainder of the garage parking requirement shall be accommodated in either:

i. Tuck-under garage spaces attached to a residential structure; or

- ii. Detached garages built with similar building materials to match the primary structures in a location not facing public right-of-way or access easements.

7.1.7 The remainder of the required parking not in a garage structure may be located on surface lots.

7.1.8 Balconies:

No less than seventy-five (75) percent of all dwelling units shall have a balcony.

7.1.9 Amenities:

A minimum of five (5) residential amenities, as described in the MF-3 (Multifamily - Urban) zoning district, Section 2-24 (d)(4) of the Code, shall be provided.

7.1.10 Parcel 1C Building Design - MF-3:

The design elements of the urban multifamily buildings shall substantially comply with the depictions contained in **Exhibit "D"**, including, but not limited to elevation variation, roof pitch, and orientation, incorporating an urban style.

**7.2 Parcel 1A and 1B (General Commercial-Limited)**

The requirements of the C-1a zoning district shall apply, except as modified by:

- 7.2.1 The easement described in section 6.2 shall be considered a public street for the purpose of applying the development standards in the Code.

**7.3 Parcel 2 (Multifamily - Medium Density)**

The requirements of the MF-2 zoning district shall apply, except as modified by:

- 7.3.1 The easement described in section 6.2 shall be considered a public street for the purpose of applying the development standards in the Code.
- 7.3.2 No use shall be allowed in the required setback along the norther boundary of the joint use and public access easement, except that parking shall be allowed in the setback more than 10 feet from the boundary. Such parking shall require a landscaped buffer at least 10

feet deep designed in accordance with the landscape requirements found in Section 11.501 of the Code.

**7.3.3** The design of the landscape buffer shall be coordinated with the design of the landscape buffer along the southern boundary of the joint use and public access easement on Parcel 1C, to provide for consistent landscape applications for the two landscape buffers.

**7.3.4** Pedestrian access and connections with the adjoining Parcel 1C shall be provided at a minimum of two (2) locations. The connections shall be coordinated as a part of the site development plan review process for Parcel 2 and Parcel 1C.

## **8. CONCEPT PLAN**

Approval of this Development Plan constitutes Concept Plan approval under the City Subdivision Ordinance.

## **9. GENERAL PLAN 2030**

Approval of this Development Plan amends the Future Land Use Map of the comprehensive plan for land uses.

## **10. CHANGES TO DEVELOPMENT PLAN**

### **10.1 Minor Changes**

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

### **10.2 Major Changes**

All changes not permitted under section 10.1 above shall be resubmitted following the same procedure required by the original PUD application.

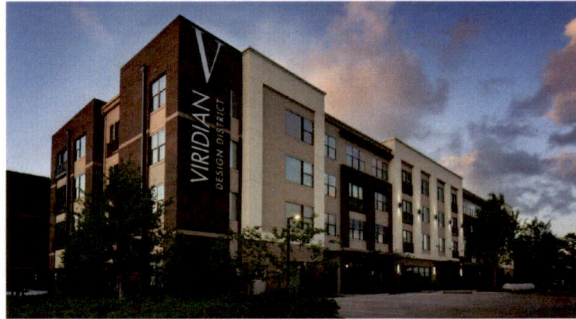
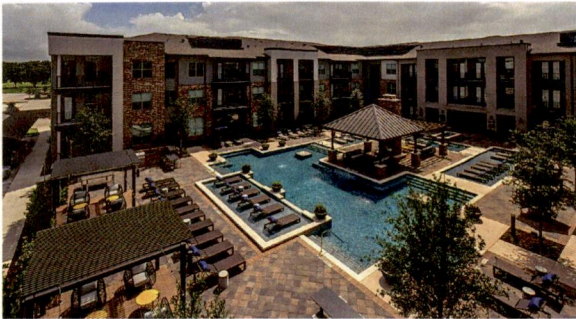
LIST OF EXHIBITS

<u>Exhibit</u>	<u>Description</u>
Exhibit "A"	Legal Description and Sketch of 37.975-acre tract
Exhibit "B"	Concept Plan with PUD Parcel boundaries
Exhibit "C"	Site Access
Exhibit "D"	MF-3 Elevations
Exhibit "E"	Landscaping for Parcel 1D

(EXHIBITS)





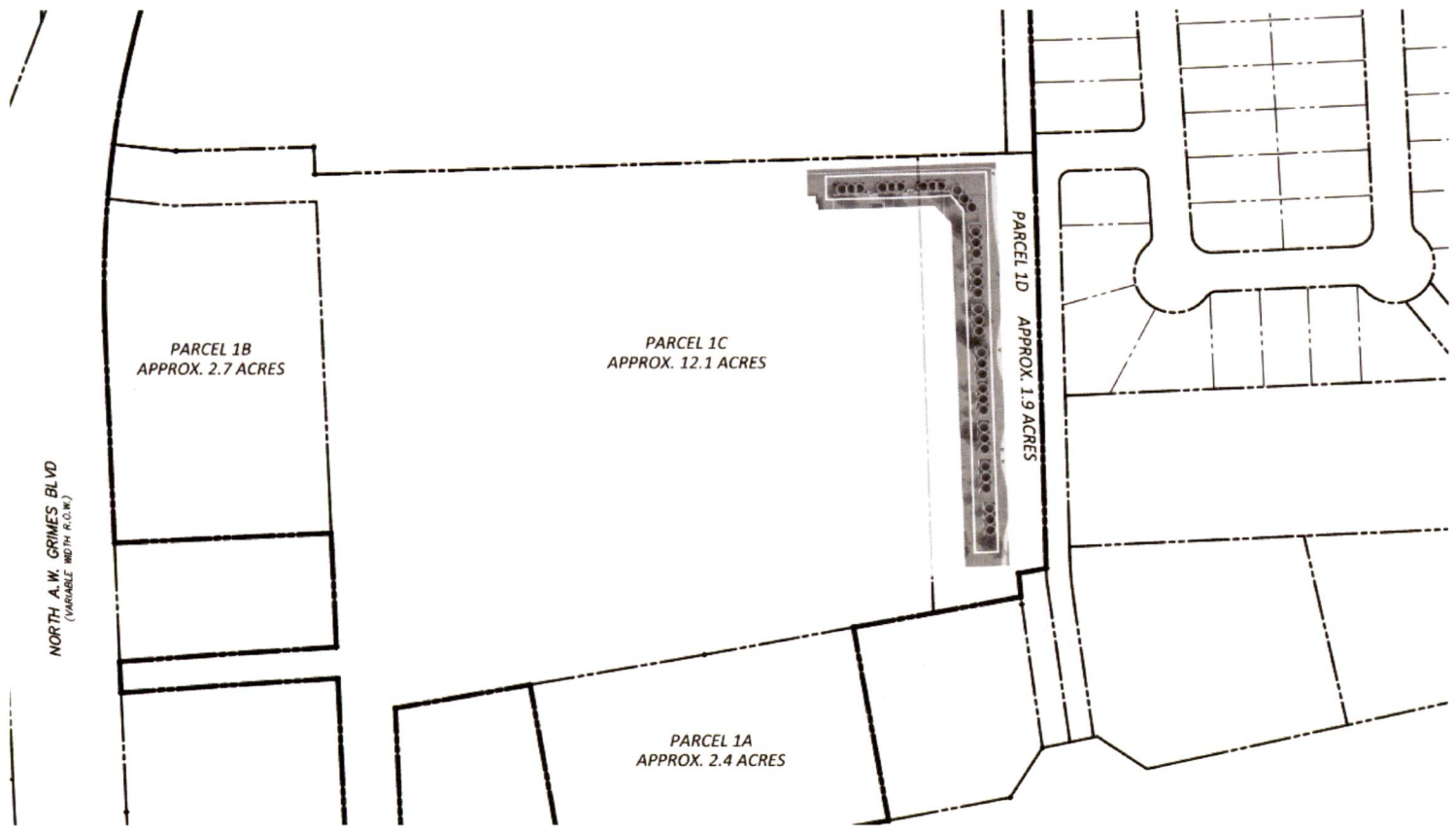


**W PARTNERSHIP**  
Wallace · Wilson · Architects

## EXHIBIT "D"

**Concept Images**  
STANMORE 20-50 | Palm Valley

Plotted: 3-24-2021



NORTH A.W. GRIMES BLVD  
(VARIABLE WIDTH R.O.W.)

PARCEL 1B  
APPROX. 2.7 ACRES

PARCEL 1C  
APPROX. 12.1 ACRES

PARCEL 1A  
APPROX. 2.4 ACRES

PARCEL 1D  
APPROX. 1.9 ACRES

EXHIBIT  
"E"

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-2021-130 which approves Amendment No. 1 to the Planned Unit Development (PUD) No. 74 zoning district. This ordinance was approved and adopted at a regular meeting held by the City Council on the 13<sup>th</sup> day of May 2021 and recorded in the City Council minute book no. 63.

CERTIFIED by my hand and seal of the City of Round Rock, Texas on this 2<sup>nd</sup> day of June 2021.



A handwritten signature in cursive script, appearing to read "Sara L. White", is written over a horizontal line.

SARA L. WHITE, TRMC, City Clerk

**ORDINANCE NO. O-2021-130**

**AN ORDINANCE AMENDING ORDINANCE NO. Z-07-06-28-10C2, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON JUNE 28, 2007, BY AMENDING SECTION II, REPLACING EXHIBIT "B" AND EXHIBIT "C" AND ADDING EXHIBIT "D" AND EXHIBIT "E" TO THE DEVELOPMENT PLAN OF PUD NO. 74, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.**

**WHEREAS**, on June 28, 2007, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-07-06-28-10C2, which established PUD No. 74, and

**WHEREAS**, an application has been made to the City Council of the City of Round Rock, Texas, to amend Section II *Development Standards*, to replace Exhibit "B" and Exhibit "C" and to add Exhibit "D" and Exhibit "E" to the Development Plan of PUD No. 74, and

**WHEREAS**, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. Z-07-06-28-10C2 on the 7th day of April, 2021, 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-07-06-28-10C2 be amended, and

**WHEREAS**, on the 13th day of May, 2021, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No. Z-07-06-28-10C2, and

**WHEREAS**, the City Council determined that the requested amendment to Ordinance No. Z-07-06-28-10C2 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 Zoning and Development Code, Chapter 10, Article I, Section 10-2 and Article IV, Section 10-22, Code of Ordinances (2018 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 #74 meets the following goals and objectives:

- (1) The amendment to P.U.D. #74 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) The amendment to P.U.D. #74 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #74 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 *Development Standards* of the Development Plan of PUD No. 74, as approved in Ordinance No. Z-07-06-28-10C2, is hereby deleted in its entirety and replaced with a new Section II *Development Standards*, attached hereto and incorporated herein.

### III.

That Exhibit "B" to the Development Plan of PUD No. 74, as approved in Ordinance No. Z-07-06-28-10C2, is hereby deleted in its entirety and replaced with the attached Exhibit "B".

### IV.

That Exhibit "C" to the Development Plan of PUD No. 74, as approved in Ordinance No. Z-07-06-28-10C2, is hereby deleted in its entirety and replaced with the attached Exhibit "C".

### V.

That Exhibit "D", as attached hereto and incorporated herein, is added to the Development Plan of PUD No. 74.

### VI.

That Exhibit "E", as attached hereto and incorporated herein, is added to the Development Plan of PUD No. 74.

### 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 13<sup>th</sup> day of March, 2021.

Alternative 2.

**READ and APPROVED** on first reading this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**READ, APPROVED and ADOPTED** on second reading this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

  
\_\_\_\_\_  
CRAIG MORGAN, Mayor  
City of Round Rock, Texas

ATTEST:

  
MEAGAN SPINKS, Deputy City Clerk

## II.

## DEVELOPMENT STANDARDS

1. DEFINITIONS

Words and terms used herein shall have their usual force and meaning, or as defined in the City of Round Rock Code of Ordinances, as amended, hereinafter referred to as "the Code."

2. PROPERTY

This plan covers approximately 37.975 acres of land, located within the city limits of Round Rock, Texas, and more particularly described in **Exhibit "A"**.

3. PURPOSE

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

4. APPLICABILITY OF CITY ORDINANCES4.1 **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 **General Commercial-Limited (C-1a)** zoning district for Parcels 1A and 1B, by the **Multifamily-Medium Density (MF-2)** zoning district for Parcel 2, and the **Multifamily - Urban (MF-3)** for Parcels 1C and 1D, and other sections of the Code, as applicable. 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 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. PERMITTED USES

The following principal uses are permitted on the Property, which is divided into two development parcels for the purpose of this description, as described on **Exhibit "B"**:

### 5.1 **Parcels 1A and 1B - Commercial**

All uses permitted in the C-1a (General Commercial-Limited) zoning district are permitted.

### 5.2 **Parcel 1C - Urban Multifamily**

Multifamily residential development, in accordance with the MF-3 (Multifamily - Urban) zoning district standards, as amended in this Plan.

### 5.3 **Parcel 1D - Parking Garages**

Detached parking garages are permitted.

### 5.4 **Parcel 2 - Multifamily**

All uses permitted in the MF-2 (Multifamily - Medium Density) zoning district are permitted.

### 5.5 **Urban Multifamily Density**

The combined minimum density of MF-3 units on Parcel 1C and Parcel 1D shall be 30 units per acre based on 11.29-acres of net developable area.

## 6. SITE ACCESS

### 6.1 **Existing and Planned Public Street Access**

As described on **Exhibit "B"**, the site has frontage on US 79 on the south and A.W. Grimes Boulevard (FM 1460) on the west. Plateau Vista Boulevard, to the west across A.W. Grimes Boulevard (FM 1460), dead ends at the approximate midpoint of the site. The Owner has a Reciprocal Easement agreement with the owner of a tract of land at the southeast corner of Parcel 1C, recorded in Doc. No. 2006040140. This easement provides for the dedication of right-of-way to the City for a collector road referred to as Phillip Warner Drive. A dedication deed is being prepared.

### 6.2 **Dedication of Public Access Easement**

**6.2.1** Prior to the recordation of a final plat for any part of the Property, the Owners shall dedicate a joint use and public access easement, aligned with Plateau Vista Boulevard. The easement shall be seventy (70) feet in

width beginning at its intersection with A.W. Grimes Boulevard (FM 1460) and shall narrow to sixty-five (65) feet in width at a point approximately 252 feet east of A.W. Grimes Boulevard (FM 1460) and shall extend to the easternmost boundary of the Property, as indicated on Exhibit "C", attached hereto. The easement shall include corner clips for the purpose of accommodating curb radii and traffic control devices, as indicated on Exhibit "C". The easement document shall be subject to the review and approval of the City Transportation Director to insure compliance with this section.

### **6.3 Dedication of Collector Road - Parcel 2**

**6.3.1** Prior to, or concurrent with, the recordation of a final plat for Parcel 2, the Owner shall dedicate up to 35 feet of right-of-way to the City for the collector road on the eastern boundary of the site, from the northern boundary of the easement described in section 6.2 to the northernmost point at which the right-of-way exits the Property, as indicated on **Exhibit "C"**.

### **6.4 Construction of Private Drive - Parcel 2**

**6.4.1** Prior to the issuance of a Certificate of Occupancy for any building on Parcel 2, the Owner shall construct a private drive within a portion of the easement described in section 6.2. The drive shall extend from A.W. Grimes Boulevard (FM 1460) for approximately 660 feet, to a point approximately fifty (50) feet beyond the easternmost entrance to the multifamily development on Parcel 2, as indicated on **Exhibit "C"**. The design of the private drive shall meet the City standard for a local collector street, without parking, and shall be designed and constructed in accordance with the City Design and Construction Standards according to the Transportation Criteria Manual.

**6.4.2** The Owner shall construct sidewalks, a minimum of 4 feet in width, on both sides of the private drive, within the joint use and public access easement, prior to or concurrent with, the development of Parcel 2.

**6.4.3** The private drive shall not be temporarily or permanently closed without prior approval of the City's Fire Marshal and Transportation Director, except in the event of an emergency.

### **6.5 Dedication of Collector Road - Parcels 1C**

Prior to, or concurrent with, the recordation of the final plat for Parcel 1C, the Owner shall dedicate right-of-way to the City for the collector road on the eastern boundary of the site, from the norther terminus of the adjacent reciprocal agreement and restrictive covenant tract, extending to the northern boundary of the easement described in section 6.2, as indicated on **Exhibit "C"**.

### **6.6 Construction of Collector Road - Parcel 1C**

Prior to the issuance of a Certificate of Occupancy for any building on Parcel 1C, the Owner shall construct a 30-foot roadway section within the right-of-way described in section 6.5. Acceptance of the road construction by the City shall be a condition of the issuance of a certificate of occupancy for any building on Parcel 1C.

### **6.7 Public Dedication of Private Drives**

If any of the private drives mentioned in this Plan become publicly dedicated streets, setbacks shall be from the public right-of-way.

## **7. DEVELOPMENT STANDARDS**

### **7.1 Parcels 1C and 1D(Multifamily - Urban)**

The requirements of the MF-3 zoning district shall apply, except as modified by:

**7.1.1** A landscape buffer, ten (10) feet in width, extending from the southern boundary of the joint use and public access easement, as described in section 6.2, shall be required. The buffer shall be clear of obstructions, easements, or other planting limitations. The following elements shall be applied within the landscape buffer:

- 1)** One medium tree, as defined in the Code, per twenty-five (25) linear feet (75% of selected trees shall be of an evergreen species).
- 2)** One small tree, as defined in the Code, per ten (10) linear feet (75% of selected trees shall be of an evergreen species).
- 3)** One large shrub, as defined in the Code, per six (6) linear feet.

- 4) One large tree, as defined in the Code, per forty (40) linear feet.

7.1.2 A minimum of thirty-six (36) landscape screening trees shall be installed within a twenty-eight (28) foot wide area along Philip Warner Drive and along Plateau Vista Blvd to provide screening, as generally indicated on **Exhibit 'E'**. Such trees shall consist of Live Oaks planted at a minimum 3-inch caliper spaced a minimum of 40-ft. apart and Eastern Red Cedars planted at a minimum of 2-inch caliper spaced at a minimum of 30-ft. apart.

7.1.3 No building on the property shall exceed four (4) stories in height of occupiable floors. Detached parking garages on Parcel 1D shall be limited to one (1) story.

7.1.4 Minimum building setbacks:

- 1) Plateau Vista - 10 feet
- 2) Phillip Warner - 15 feet

7.1.5 Minimum parking requirements:

- 1) The following parking requirements shall be provided with each phase of development:
  - a. 1-bedroom unit: 1 space
  - b. 2-bedroom unit: 2 spaces
  - c. 3-bedroom unit: 2.5 spaces
- 2) Additional parking in the amount equal to five percent (5%) of the combined parking required for the dwelling units shall be provided to accommodate guest parking.
- 3) Tandem parking shall be permitted so long as the tandem space is in front of a garage that is attached to a residential structure. Tandem spaces shall measure a minimum of 9 feet in width by 18 feet in length.

7.1.6 Garage Parking requirements:

- 1) A minimum of fifty percent (50%) of all required residential parking, in accordance with Section 7.1.4 above, shall be provided within a garage, as follows:
  - a. A minimum of 35% of all required residential parking shall be accommodated in a structured parking garage that is directly attached to a residential structure, so that the parking garage is internal to, or wrapped by, the residential

structure.

- b. The remainder of the garage parking requirement shall be accommodated in either:
  - i. Tuck-under garage spaces attached to a residential structure; or

- ii. Detached garages built with similar building materials to match the primary structures in a location not facing public right-of-way or access easements.

**7.1.7** The remainder of the required parking not in a garage structure may be located on surface lots.

**7.1.8** Balconies:

No less than seventy-five (75) percent of all dwelling units shall have a balcony.

**7.1.9** Amenities:

A minimum of five (5) residential amenities, as described in the MF-3 (Multifamily - Urban) zoning district, Section 2-24 (d)(4) of the Code, shall be provided.

**7.1.10** Parcel 1C Building Design - MF-3:

The design elements of the urban multifamily buildings shall substantially comply with the depictions contained in **Exhibit "D"**, including, but not limited to elevation variation, roof pitch, and orientation, incorporating an urban style.

**7.2 Parcel 1A and 1B (General Commercial-Limited)**

The requirements of the C-1a zoning district shall apply, except as modified by:

**7.2.1** The easement described in section 6.2 shall be considered a public street for the purpose of applying the development standards in the Code.

**7.3 Parcel 2 (Multifamily - Medium Density)**

The requirements of the MF-2 zoning district shall apply, except as modified by:

**7.3.1** The easement described in section 6.2 shall be considered a public street for the purpose of applying the development standards in the Code.

**7.3.2** No use shall be allowed in the required setback along the norther boundary of the joint use and public access easement, except that parking shall be allowed in the setback more than 10 feet from the boundary. Such parking shall require a landscaped buffer at least 10

feet deep designed in accordance with the landscape requirements found in Section 11.501 of the Code.

**7.3.3** The design of the landscape buffer shall be coordinated with the design of the landscape buffer along the southern boundary of the joint use and public access easement on Parcel 1C, to provide for consistent landscape applications for the two landscape buffers.

**7.3.4** Pedestrian access and connections with the adjoining Parcel 1C shall be provided at a minimum of two (2) locations. The connections shall be coordinated as a part of the site development plan review process for Parcel 2 and Parcel 1C.

## **8. CONCEPT PLAN**

Approval of this Development Plan constitutes Concept Plan approval under the City Subdivision Ordinance.

## **9. GENERAL PLAN 2030**

Approval of this Development Plan amends the Future Land Use Map of the comprehensive plan for land uses.

## **10. CHANGES TO DEVELOPMENT PLAN**

### **10.1 Minor Changes**

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

### **10.2 Major Changes**

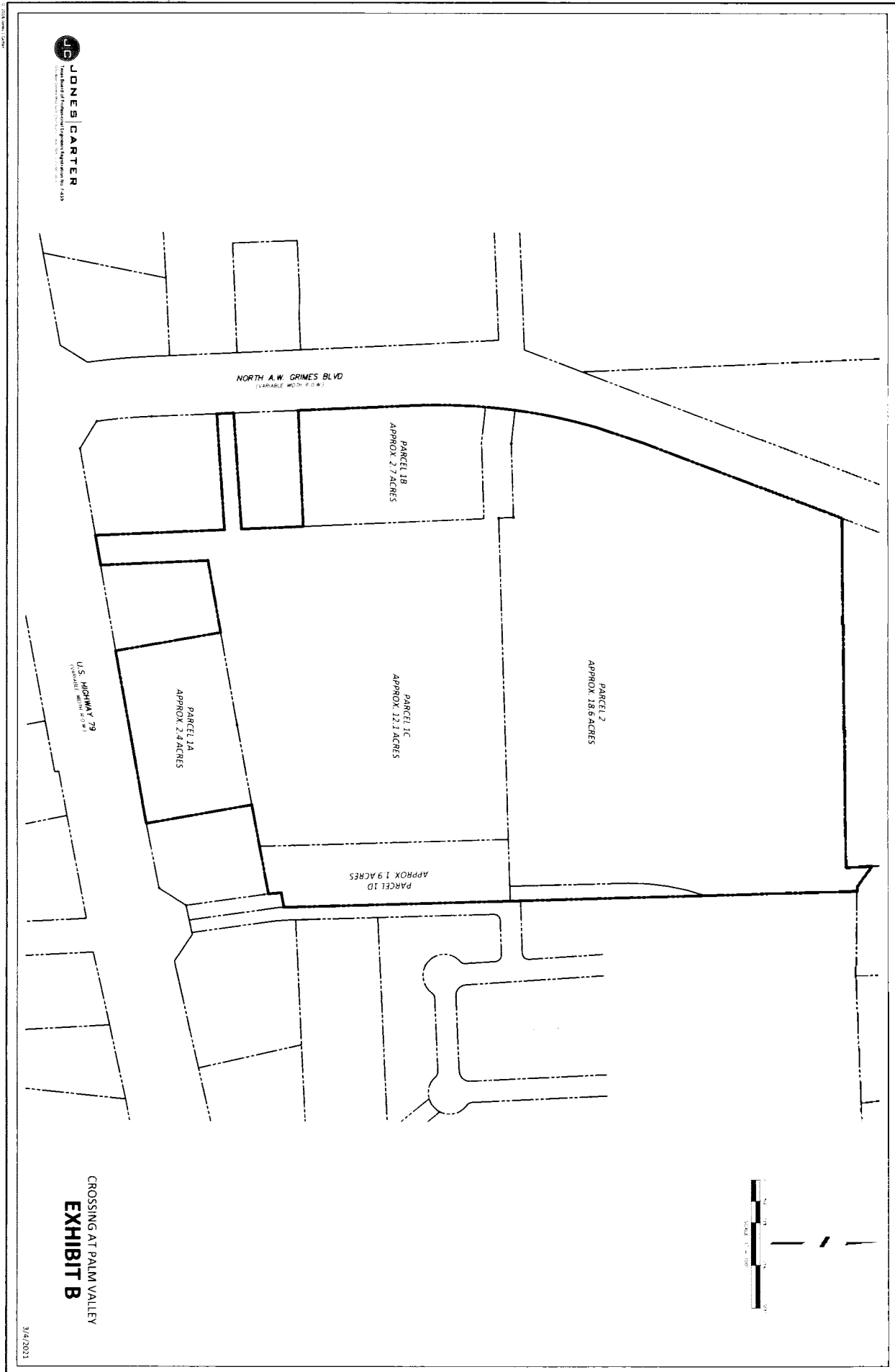
All changes not permitted under section 10.1 above shall be resubmitted following the same procedure required by the original PUD application.

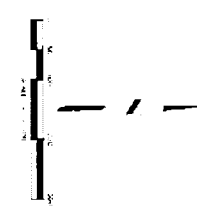
**LIST OF EXHIBITS**

<b><u>Exhibit</u></b>	<b><u>Description</u></b>
Exhibit "A"	Legal Description and Sketch of 37.975-acre tract
Exhibit "B"	Concept Plan with PUD Parcel boundaries
Exhibit "C"	Site Access
Exhibit "D"	MF-3 Elevations
Exhibit "E"	Landscaping for Parcel 1D

(EXHIBITS)

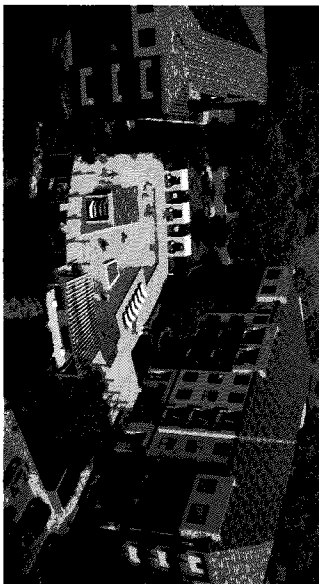
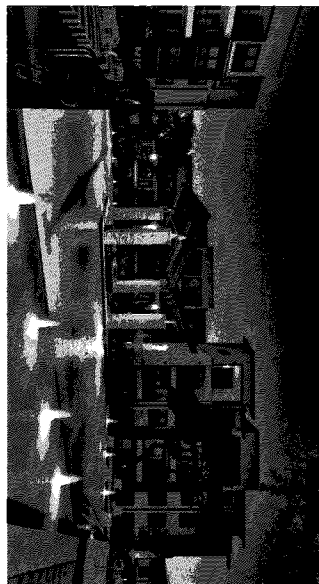
P:\Opportunity\Main\082130 - Palm Valley\2021\082130.dwg A:\303 March 30, 2021





3/4/2021

All or parts of the text on this page was not clearly legible for satisfactory recodation



## EXHIBIT "D"

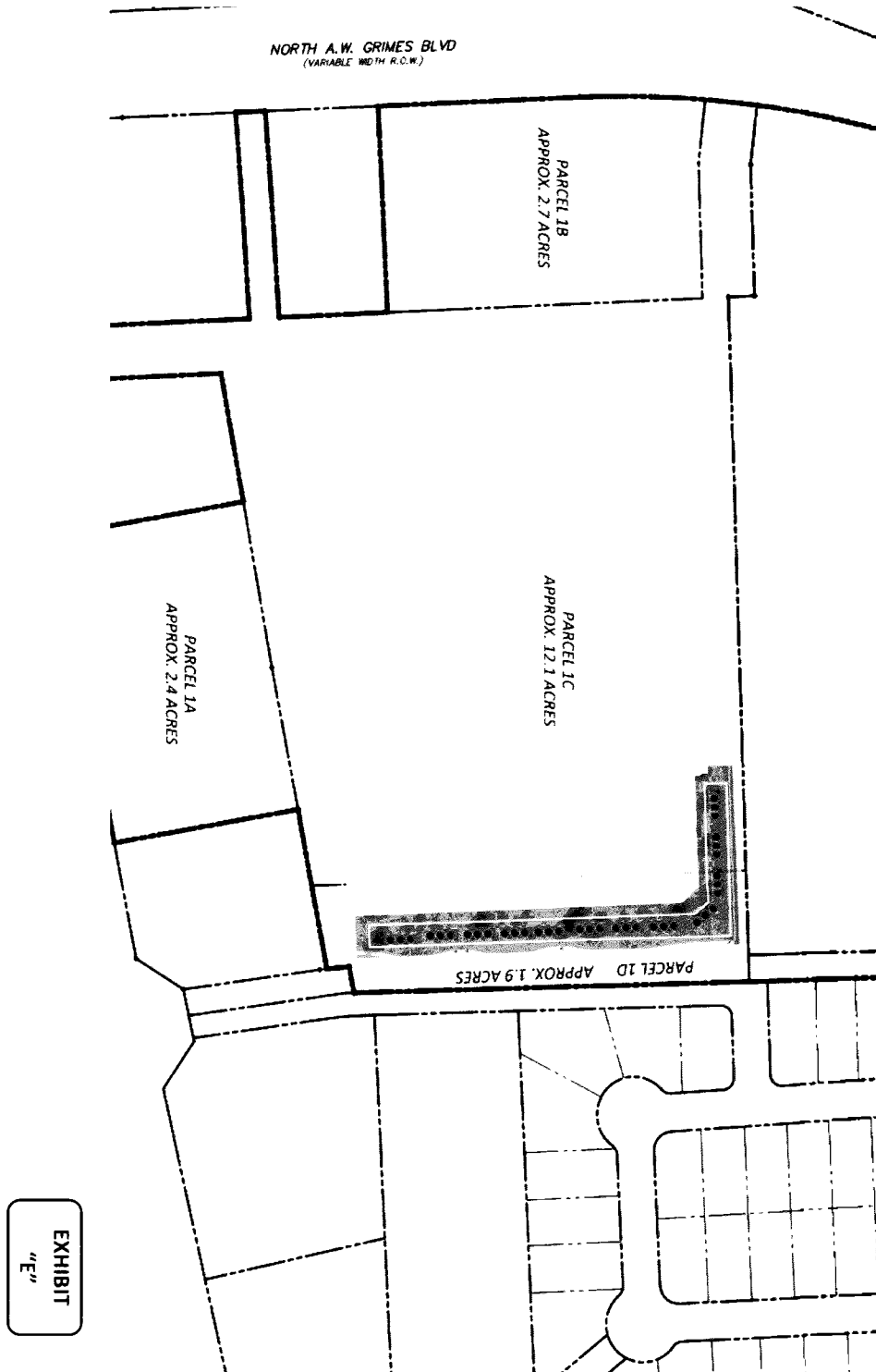
## Concept Images

STANMORE 20-50 | Palm Valley

Plotted 3-24-2021

## RECORDERS MEMORANDUM

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



RECORDERS MEMORANDUM

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

**ELECTRONICALLY RECORDED  
OFFICIAL PUBLIC RECORDS**

**2021082130**

Pages: 20 Fee: \$109.00  
06/02/2021 12:09 PM



*Nancy E. Rister*

Nancy E. Rister, County Clerk  
Williamson County, Texas