

ORDINANCE NO. O-2022-156

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROUND ROCK, TEXAS ADOPTED IN ZONING AND DEVELOPMENT CODE, CHAPTER 2, ARTICLE I, SECTION 2-2(b)(1), CODE OF ORDINANCES (2018 EDITION), CITY OF ROUND ROCK, TEXAS, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO ORIGINALLY ZONE 31.17 ACRES OF LAND OUT OF THE ROBERT MCNUTT SURVEY, ABSTRACT NO. 422, IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS, AS PLANNED UNIT DEVELOPMENT (PUD) NO. 138; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, the City of Round Rock, Texas has recently annexed 31.17 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" (the "Property"), attached hereto and incorporated herein, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the original zoning of the Property on the 2nd day of March, 2022, 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 Property in Exhibit "A" be originally zoned as Planned Unit Development (PUD) No. 138, and

WHEREAS, on the 28th day of April, 2022, after proper notification, the City Council held a public hearing on the proposed original zoning, 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 Zoning and Development Code, Chapter 10, Article I, Section 10-2 and Article IV, Sections 10-20 and 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 has hereby determined the Planned Unit Development (PUD) No. 138 meets the following goals and objectives:

- (1) The development in PUD No. 138 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) P.U.D. No. 138 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) P.U.D. No. 138 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. 138 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. 138 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 Zoning and Development Code, Chapter 2, Article I, Section 2-2(b)(1), Code of Ordinances (2018 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. 138, and that the Mayor is hereby authorized and directed to enter into the Development Plan for PUD No. 138 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 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 28 day of April, 2022.

Alternative 2.

READ and APPROVED on first reading this the _____ day of _____, 2022.

READ, APPROVED and ADOPTED on second reading this the _____ day of _____, 2022.

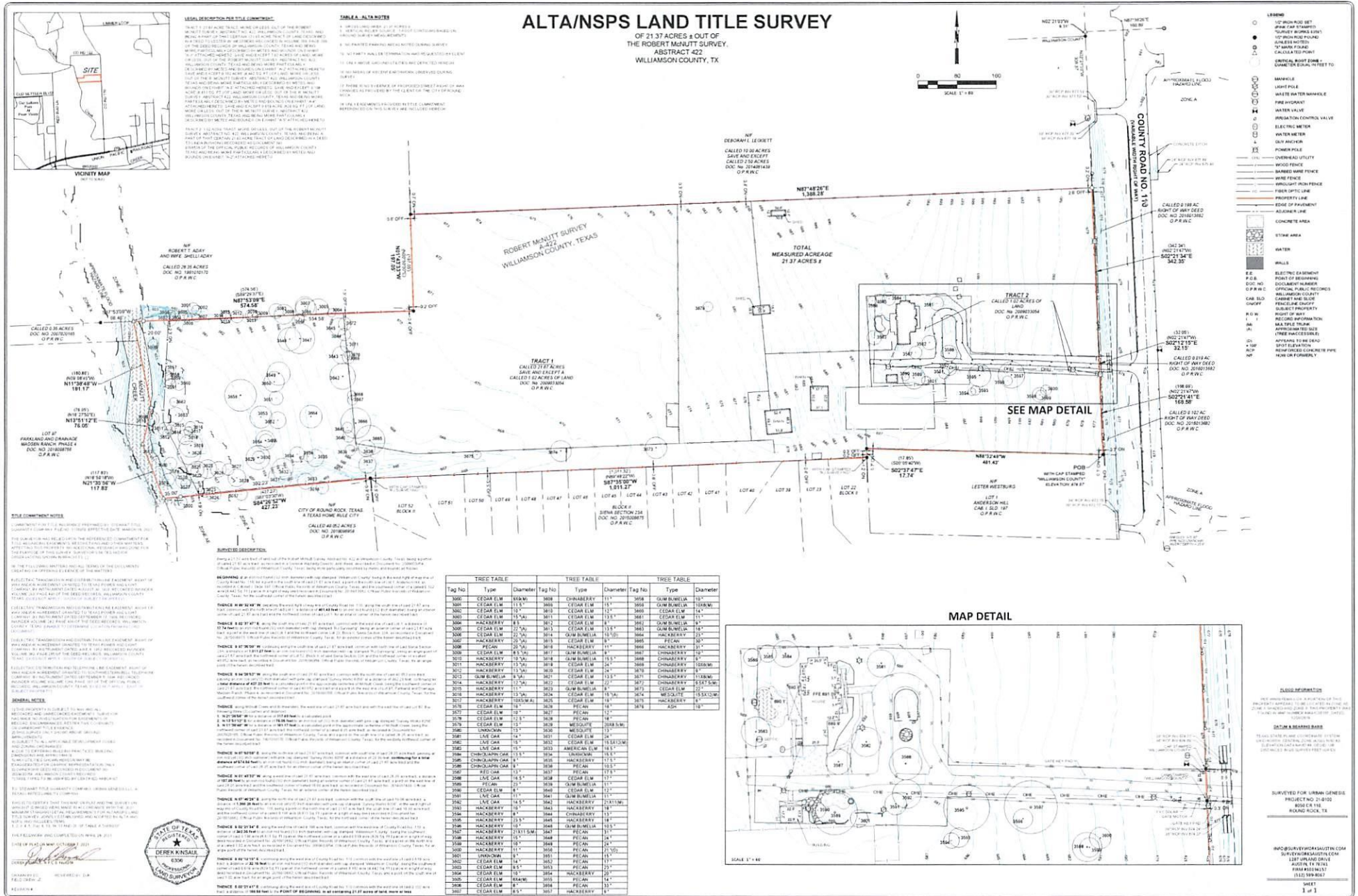


CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:



MEAGAN SPINKS, City Clerk



EXHIBIT

"B"

8050 CR 110

PLANNED UNIT DEVELOPMENT NO. 138

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 Deborah Leggett, Stephen & Margo Martinez, and John & Linda Reed; as its respective interests may appear in the respective portions of the hereinafter described property; and its 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 31.168 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 Part III, Section 10-22 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 March 2, 2022, the City's Planning and Zoning Commission recommend 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.7.

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 Part III, Article II, Code Of Ordinances, City of Round Rock, Texas, as amended.

4. MISCELLANEOUS PROVISIONS

4.1 Severability

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

4.2 Venue

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

4.3 Effective Date

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

II. DEVELOPMENT STANDARDS

1. DEFINITIONS

Words and terms used herein shall have their usual force and meaning, or as defined in the Code.

2. PROPERTY

This Plan covers approximately 31.168 acres of land, located within the City of Round Rock, Texas, and more particularly described in Exhibit "A", hereinafter referred to as "the Property."

3. PURPOSE

The purpose of this Plan is to ensure a PUD that 1) is equal to, superior to, 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 TH (Townhouse) 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 Concept Plan

This plan, as depicted in Exhibit "B", shall serve as the concept plan required by Part III, Section 10-26 of the Code, as amended.

4.3 Other Ordinances

All other Ordinances within the Code, as applicable and 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.

4.4 The Code is defined herein as the City of Round Rock, Texas, Code of Ordinances ("Code").

5. LAND USE AND PERMITTED USES

5.1 Land Use

The purpose of the Plan is to provide an attached and detached single-family residential development on the property as identified in Exhibit A.

5.2 Permitted Uses

- (1) A maximum density of twelve (12) dwelling units per acre shall be allowed, unless the requirements in Section 2-20(g) are met, in which case the maximum number of dwelling units per acre is 14.
- (2) Single-family detached residential units on a common lot, with each dwelling unit having a private external entrance and a private yard area.
- (3) A maximum of 40 single-family detached residential units shall be allowed.
- (4) Single-family attached townhome residential units (with a minimum of three and a maximum of five attached units per building) on a common lot, with each dwelling unit having a private external entrance and a private yard area "Townhome".
- (5) A leasing and/or management center and associated amenities for the Property shall be a permitted use.

6. DEVELOPMENT STANDARDS

6.1 Private Alley

- (1) All Townhomes shall provide garages with rear access to a private alley except for end units, which may provide garage access from the side.
- (2) Single family detached residential units may have front-loaded garages.
- (3) Private alleys shall be a minimum of 26' in width from the edge of drivable surfaces.
- (4) All refuse storage and pick-up shall be from the alley for Townhomes.

6.2 Private Drives

- (1) Private drives shall be a minimum width of 26 feet from edge of drivable surfaces.
- (2) Parking shall be permitted along the private drives in accordance with the dimensional standards of City Code.

6.3 Ground Level Mechanical Equipment

- (1) All mechanical equipment shall be located within the private alleys for Townhomes and in the side or rear yards for single family detached units.
- (2) Mechanical equipment shall be screened where visible from private drives or common areas, excluding visibility from private alleys.

6.4 Building Setbacks, Separation, and Height

- (1) The setbacks for primary buildings for any lot on which multiple residential units are located shall comply with and following:
 - a. 10' minimum front building setback from the back of curb of the private drive for Townhome uses
 - b. 10' minimum front building setback for front-facing garages for single family detached residential units
 - c. 0' minimum rear building setback from the back of curb of the alley for Townhome uses
 - d. 20' minimum building setback from common property line associated with an abutting residential or commercial zoned property and/or use
 - e. 10' minimum building setback from common property line associated with an abutting public open space or parkland use
- (2) The separation requirements between buildings shall be as follows:
 - a. 10' minimum separation between buildings, however a side setback of zero feet is allowed only for internal attached units with a common wall.
 - b. Building separation shall be a minimum of 10 feet, measured from roof eave to roof eave, or a minimum of 5 feet, measured from the assumed lot line to the roof eave unless the eaves are one hour fire-rated, and the decking is fire retardant for the length of the roof or as otherwise approved by the Building Official.
- (3) The swimming pool and any surrounding patio or decking shall be separated from the southern property line by a minimum of 250 feet.

6.5 Landscape Buffer

- (1) Landscape buffer shall be provided along the southern property line as depicted on the concept plan "Exhibit B" and shall meet the standards of Chapter 8, Article 1, Section 8-2 (e) of the Code.

6.6 Perimeter Fencing

- (1) In the locations depicted on the concept plan "Exhibit B" there shall be a fence with a minimum height of six (6) feet installed along the property line.
 - a. Permitted fence materials are masonry, pre-cast concrete panel, or architectural concrete masonry unit (CMU)
 - b. Fence shall comply with the material and construction standards of Chapter 8, Article 1, Section 8-2 (f)(1)(a) or (2)(b) of the Code, as applicable.

6.7 Fencing for Private Yards and Amenities

- (2) All fences shall provide a finished face to abutting drive aisles and/or public rights-of-way.
- (3) Fences shall not conflict with sight visibility triangles at drive aisle intersections or obstruct views from adjacent driveways.
- (4) Fence posts for all new fences shall be constructed of rust-resistant metal parts, concrete-based masonry, or concrete pillars of sound structural integrity, or other type of post approved by the Director of Planning.
- (5) Fence posts and fence panels for non-wood fences shall be capped or have an integral finished top
- (6) Maximum fence height: six (6) feet.

6.8 Landscaping

The landscape development standards outlined in the Code, Part III, Chapter 8, Article II, Section 8-10 shall apply, with the following modifications:

- (1) All development areas which include turf shall utilize Drought Tolerant Turf Grasses, as defined by the Code.
- (2) Plant Material shall be of the native and/or adapted species, including those selected from Native and Adapted Landscape Plants, an Earth-Wish Guide for Central Texas, created by the Texas Cooperative Extension, Grow Green, and the Lady Bird Johnson Wildflower Center as revised or replaced.
- (3) Unit Trees
 - a. Each single family detached dwelling unit shall provide a large species of tree, whether through the preservation of existing trees on the site or

the planting of one (1), three-inch (3") caliper container-grown tree.

- b. Each Townhome end unit shall provide one (1) large species tree, whether through the preservation of existing trees on the site or the planting of one (1) three-inch (3") caliper container-grown tree. Where two buildings abut, one tree shall satisfy the requirement for both end units.
- c. Each Townhome interior unit shall provide one (1) ornamental tree, whether through the preservation of existing trees on the site or the planting of a one-inch (1") caliper container-grown tree.

(4) Street trees shall be planted along the private drives at rate of one (1) tree per 40 linear feet of private drive length.

(5) Trees required by Section 6.7(3)(a-b) above may be counted toward tree replacement credits required by the Code and toward the street tree requirements of Section 6.7(4) above.

(6) Tree planting location (for both unit and street trees)

- a. Trees may be planted in either between the residential units and the sidewalk or between the sidewalk and the private drive aisle.
- b. Clustering of street trees may be permitted if approved by the Director of the Planning Department or designee and tree spacing is adequate for the tree species that is proposed.

(7) Foundation Planting Requirements.

- a. Amenity and leasing structures shall provide foundation treatment in accordance with the Code, Part II, Chapter 8, Article II, Section 8-10.
- b. Each detached townhome unit shall be landscaped with a minimum of the following foundation plantings:
 - i. Front Facades: A minimum of 75% of the length of the front façade, excluding the garage, shall be comprised of landscape shrub plantings.
 - ii. Side Facades facing drive or common area: A minimum of 50% of the length of the side façade shall be comprised of landscape shrub plantings.
- c. Each detached single-family unit shall be landscaped with a minimum

of the following foundation plantings:

- iii. Front Facades: A minimum of 75% of the length of the front façade, excluding the garage, shall be comprised of landscape shrub plantings.
- iv. Side Facades facing drive or common area: A minimum of 50% of the length of the side façade shall be comprised of landscape shrub plantings.
- v. Side Façade not visible from drive or common area: A minimum of 25% of the length of the side façade shall be comprised of landscape shrub plantings. Where side facades are not visible from drives or common areas are fenced with opaque privacy fencing, foundation shrub plantings shall not be required.

6.9 **Architectural Standards**

The following design elements shall be exhibited across the development:

(1) No more than two (2) buildings shall be repeated in a row with the same elevation.

(2) No more than two adjacent buildings shall share the same color scheme.

(3) Building Articulation Elements

(a) Residential detached buildings facing any public or private drive shall incorporate two (2) of the following:

- i. Three unique material patterns or colors
- ii. Two unique roof eave lines
- iii. Changes in elevation depths for a minimum of 2' for every 25' of building facade, and

(b) Residential Townhome buildings facing any public or private drive shall incorporate three (3) of the following:

- i. Three unique material patterns or colors
- ii. Two unique roof eave lines

- iii. Changes in elevation depths for a minimum of 2' for every 25' of building facade, and
- (c) In addition to items specified in 3(a-b) above, residential dwelling units facing any public or private drive shall incorporate three (3) of the following:
 - i. Balcony
 - ii. Front porch
 - iii. Covered & recessed entrance
 - iv. Arched window
 - v. Awnings
 - vi. Gable brackets or beams
 - vii. Dormer

6.10 Parking

- (1) Minimum parking requirements for residential dwelling units shall be as follow:
 - a. 1.5 parking spaces per 1-bedroom unit
 - b. 2 parking spaces per 2-bedroom unit; and
 - c. 2.5 parking spaces per 3+ bedroom unit.
- (2) The leasing office will be parked at a minimum of 1 space for each 250 square feet of leasing or management office area, exclusive of the parking requirements in Section 6.5(1) above.
- (3) 50% of all required parking for residential dwelling units shall be provided within a garage.
- (4) Visitor Parking:
 - d. A minimum of 5% of the required parking spaces for residential dwelling units shall be required for visitor parking and may be located:
 - i. Parallel along the private drives; or

- ii. 90-degree spaces adjacent to the drive aisles and in accordance with City Code.
- e. Visitor Parking is exclusive of minimum parking requirements established in sections 6.5(1)& (2) above

6.11 Sidewalk Standards

Internal walkways consisting of 5' minimum wide sidewalks shall be provided along both sides of all private drives, excluding private alleyways.

6.12 Maintenance

A private association or management company for the property will be established or retained for the maintenance of any landscape and irrigation of common areas and private yards, as well as for all community signage, walls, fencing, private alleys, private drives, and sidewalks, medians, stormwater management facilities, and common open spaces.

6.13 Amenities

Amenities will be provided within the residential area and will include at least 8 of the following amenities, without duplication:

- (1) Social room available for resident use
- (2) Playground equipment
- (3) Sport Courts
- (4) Swimming pool
- (5) Minimum 2,500 SF fenced dog park with at least 25' in depth
- (6) Private fitness facility
- (7) Outdoor BBQ facility to include a minimum of 4 tables and 2 grills
- (8) Bike racks for 20 bikes and repair station
- (9) Dog wash station to include a tub basin with sprayer and cleaning supplies including, but not limited to, dog shampoo.
- (10) Business center, to contain no less than one computer, printer, fax machine,

copier, and scanner (printer, fax machine, copier and scanner may be integrated into a single device) available for resident use.

7. **CHANGES TO DEVELOPMENT PLAN**

7.1 **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. Minor changes include, but are not limited to; street realignment, and small Plan deviations (defined as a no more than 10% deviation from a numerical development standard of the Plan).

7.2 **Major Changes**

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

8. **LIST OF EXHIBITS**

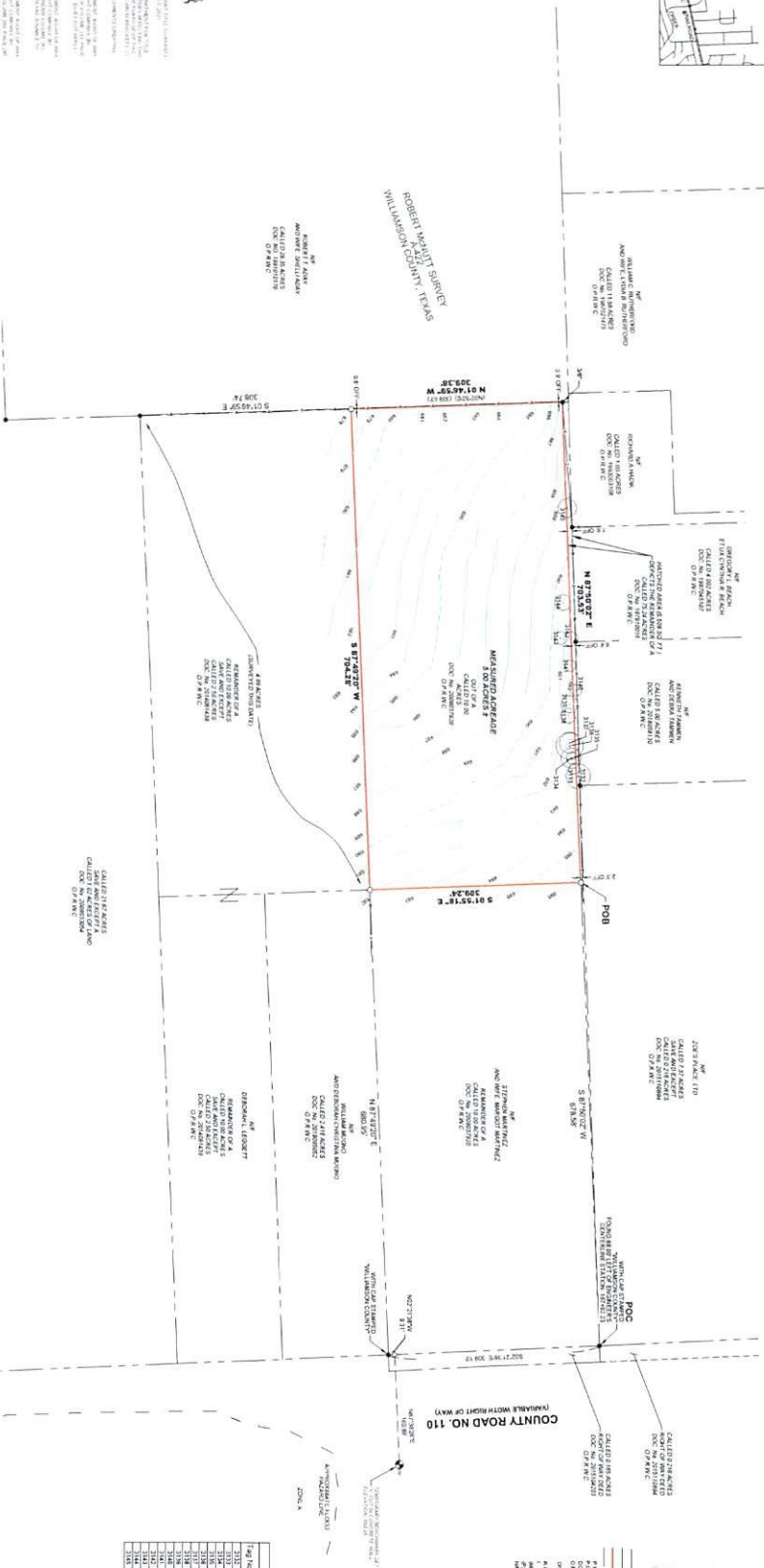
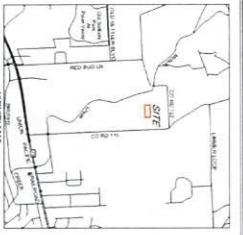
Exhibit "A" Property Description

Exhibit "B" Concept Plan

Exhibit "C" Typical Unit Layout

ALTANSPS LAND TITLE SURVEY

OF 5.00 ACRES, LOTS OF
THE ROBERT MAULT SURVEY,
ABSTRACT 422,
WILLAMSON COUNTY, TX



TIME TABLE		
Page No.	Type	Due Date
101	NO. 101	10/1/2010
102	NO. 102	10/1/2010
103	NO. 103	10/1/2010
104	NO. 104	10/1/2010
105	NO. 105	10/1/2010
106	NO. 106	10/1/2010
107	NO. 107	10/1/2010
108	NO. 108	10/1/2010
109	NO. 109	10/1/2010
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113	NO. 113	10/1/2010
114	NO. 114	10/1/2010
115	NO. 115	10/1/2010
116	NO. 116	10/1/2010
117	NO. 117	10/1/2010
118	NO. 118	10/1/2010
119	NO. 119	10/1/2010
120	NO. 120	10/1/2010

DEED CERTIFICATE

THIS DEED CERTIFICATE is a true and correct copy of the original deed as recorded in the public records of Williamson County, Texas, and is subject to the provisions of the deed.

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THIS DEED CERTIFICATE is a true and correct copy of the original deed as recorded in the public records of Williamson County, Texas, and is subject to the provisions of the deed.



NOTED DESCRIPTION

The land described in this deed is situated in the County of Williamson, State of Texas, and is subject to the provisions of the deed.

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The land described in this deed is situated in the County of Williamson, State of Texas, and is subject to the provisions of the deed.

TABLE A. LAND NOTES

1. The land described in this deed is situated in the County of Williamson, State of Texas, and is subject to the provisions of the deed.

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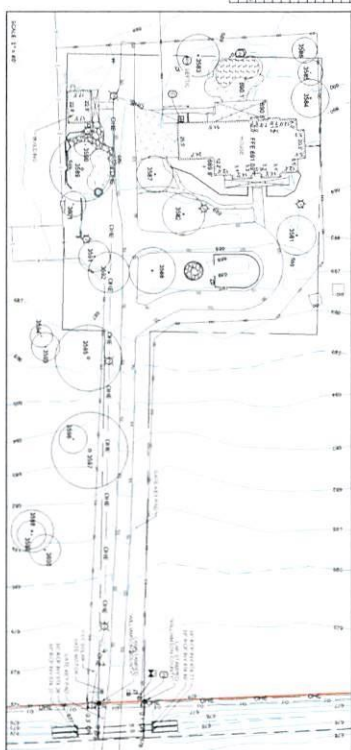
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1. The authors of the paper have not provided any evidence that the model is a good fit to the data. The model is a simple linear regression model, and the authors have not provided any evidence that the model is a good fit to the data. The model is a simple linear regression model, and the authors have not provided any evidence that the model is a good fit to the data.

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<p>UNITED STATES OF AMERICA DEPARTMENT OF JUSTICE FEDERAL BUREAU OF INVESTIGATION</p> <p><i>[Signature]</i> Special Agent in Charge</p> <p>DATE OF REPORT: 10/15/1964 REPORT MADE AT: NEW YORK, N.Y. REPORT MADE BY: [Redacted] TITLE: [Redacted]</p>	<p>TO: DIRECTOR, FBI (100-374301) FROM: SAC, NEW YORK (100-100000) SUBJECT: [Redacted]</p>	<p>RE: [Redacted]</p>	<p>1. [Redacted]</p> <p>2. [Redacted]</p> <p>3. [Redacted]</p> <p>4. [Redacted]</p> <p>5. [Redacted]</p> <p>6. [Redacted]</p> <p>7. [Redacted]</p> <p>8. [Redacted]</p> <p>9. [Redacted]</p> <p>10. [Redacted]</p>
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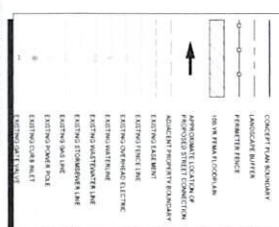
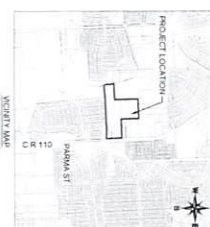
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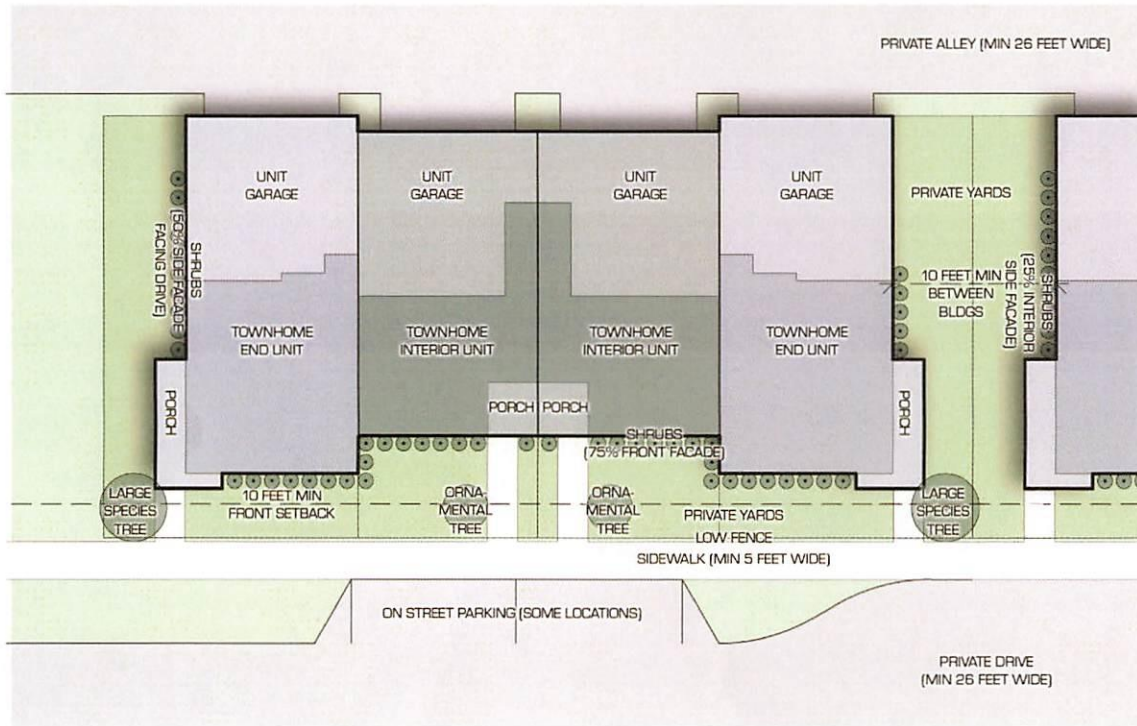
EXHIBIT B
CONCEPT PLAN

OASIS AT ROUND ROCK
8050 C.R. 110, ROUND ROCK

Kimley»Horn
10814 JOLLYVILLE ROAD AVALON IV SUITE 200
AUSTIN, TX 78758
PHONE: 512-418-1771 FAX: 512-418-1791
WWW.KIMLEY-HORN.COM
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TRFPE EXH. No. 928

EXHIBIT 'C'

TOWNHOMES



SINGLE FAMILY DETACHED

