

ORDINANCE NO. 126

AN ORDINANCE GRANTING APPROVAL OF A LAND USE PLAN IN CONNECTION WITH A PLANNED UNIT DEVELOPMENT; PROVIDING FOR CERTAIN CONDITIONS AND DEPARTURES FROM PROVISIONS OF ORDINANCES; PROVIDING FOR SCOPE APPROVAL OF THE PROJECT; PROVIDING FOR PROCEDURES FOR FUTURE DEVELOPMENT WITHIN THE PLANNED UNIT DEVELOPMENT; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS:

Section 1. Planned Unit Development Approved.

(a) The Planned Unit Development ("PUD") and the zoning designation as such, proposed by Cottonwood Holdings, Ltd. and the Eppright family interests and the Land Use Plan submitted in connection with the PUD are hereby approved.

(b) The boundaries of the PUD district shall be as is set forth by a metes and bounds description contained in Exhibit "A-1" attached hereto and incorporated herein by reference.

(c) Approval of the Land Use Plan is subject to the following conditions:

- (1) The PUD designation is applicable only to lands located within the municipal city limits. The authorization provided herein pertains only to those lands set forth in the Land Use Plan located within the City's municipal limits as is set forth in Exhibit "A-1".
- (2) The Land Use Plan approved herein consists of those documents attached hereto and incorporated by reference as follows:

Appendix A. - A document entitled "Planned Unit Development General Land Use Plan dated June 11, 1996 setting forth a map of the PUD, notes, land account table, additional conditions and phasing approach, prepared on behalf of Cottonwood Holdings, Ltd. by Land Design Studio.

Appendix B. - A memorandum dated July 11, 1996 authored by Gary Bellomy, ASLA, which sets forth the intention of the developers of land within the PUD to develop the project in accordance with the concepts stated therein.

(3) Additional documents relating to the PUD are on file in the office of the City Secretary, as follows:

- i. Schematic map (entitled "Concept Plan Alternate") showing streets, parks, public areas, area uses, etc., prepared by Land Design Studio.
- ii. Cottonwood PUD Development Report authored by Gary Bellomy.

These documents may be used as references to show the general intention for "neo-traditional" development. However, it is understood that they indicate examples of such development.

Section 2. Scope of Approval. The approval of the PUD contained herein applies on that portion of the PUD which is within the City's municipal limits at the effective date of this ordinance, subject to potential extension under Section 6 herein.

Section 3. Compliance Required. The Applicant for the PUD shall comply with the Land Use Plan approved herein and with all of the ordinances of the City of Manor and the conditions and terms set forth herein except where departures are specifically authorized in Section 5 of this ordinance or by a variance or special exception in accordance with the Zoning Ordinance No. 36-P, or the Subdivision Ordinance.

Section 4. Conditions. Approval of this subdivision plat of lands located within the PUD's boundary or proposed boundary is specifically conditioned upon the following conditions being met at the time the applications for subdivisions are submitted:

(a) A water and wastewater plan showing which areas will be served with utility services and other information required to be shown by the Subdivision Ordinance, as amended.

(b) The requirements for parkland dedication in the Subdivision Ordinance must be complied with, except that any previous "excess" dedications may be carried forward and applied to satisfy dedication requirements on subsequent plats in the PUD.

(c) Proof that the width of the streets will not unduly hamper fire trucks from traversing the streets must be submitted. This may be proved with a certificate signed by the chief of the appropriate fire department to show that the street width is sufficient in the opinion of the chief, or other proof reasonably acceptable to the City reviewing officer or body.

(d) A declaration of which streets are to be public and which are to be private must be made, and there must be a showing of how and by whom the streets will be maintained in the future.

(e) The development and each phase approved shall generally adhere to the neo-traditional neighborhood concepts for all residential projects and shall generally conform to the concepts as are set forth in Section 1(c) herein, and the development goals and objectives set forth in Section 5 (j) (7 through 8) of the Zoning Ordinance as amended. If there is a substantial departure from these concepts, then when the PUD Developer submits applications required under Section 6 (c) (1-3) herein, the said applications may be processed for a development to reflect the actual applications under the conventional requirements for R-1 residential or C, or I, as indicated in the Land Use Plan without rezoning, but the departures set forth in Section 5 herein shall not be allowed for those particular applications.

(f) The FEMA 100 year floodplain data shall determine the location of the 100 year floodplain in the PUD notwithstanding any designation to the contrary.

Section 5. Departures. The developer or its successor is specifically approved to depart from requirements set forth in the City of Manor's Ordinances as follows:

- (a) Width of minor street at 24' - 26' rather than 30'.
- (b) Single family lot size at 4,500 s.f. likely rather than 7,500 (R-1) or 7,200 (R-2).
- (c) Minimum lot width of 40' rather than 60'.
- (d) Single family setbacks of 10' front, 10' rear and 5' side yard. Multifamily setbacks of 15' front, 10' side and 10' rear.
- (e) Dwelling unit density for multi-family of 20 dwelling units/acre vs. 36 dwelling units/acre in ordinance.
- (f) Others stated in or incorporated by reference herein.

Section 6. Future Build-Out of PUD.

(a) The City Council has considered the entire Land Use Plan consisting of approximately 1248.9997 acres of land and approves in concept the plans and specifications pertaining to the PUD. It will be necessary for the developer or its successor to submit applications for the PUD district zoning designation for lands which may be added in the future, but no filing fees need to be paid for PUD district zoning approvals. The application may incorporate the original application documents for this

PUD, in lieu of new documents. When and if lands located within the boundaries of the PUD proposal are annexed into the City, such lands shall be given the appropriate zoning classification in accordance with the procedures set forth in Section 13 of the Zoning Ordinance.

(b) The property description of the entire area encompassing the 1248.9997 acres of land is set forth herein as Exhibits A-1 and A-2 and incorporated by reference.

(c) The PUD developers who apply to enlarge the PUD within the City's municipal limits shall:

- (1) Petition the City for annexation of land in accordance with Chapter 43 of the Local Government Code, as amended.
- (2) Petition the City to zone the subject parcel of land as PUD.
- (3) Submit application for Preliminary and Final Plat approval to the City in accordance with the Subdivision Ordinance, as amended.

Such applications or petitions may all be interlinked and submitted together, so that all would be granted or none would be granted.

(d) Joint meetings of the City of Manor, City Council and the Planning and Zoning Commission may be held to consider the foregoing applications in accordance with Section 18 of the Zoning Ordinance.

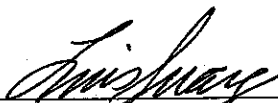
Section 7. Severability. If any word, phrase, clause, sentence, paragraph, section or other part of this ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section or other part of this ordinance to any other persons or circumstances, shall be affected thereby.

Section 8. Adoption. The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each hearing on the PUD and meeting at which this ordinance was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such hearing and meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

Section 9. Effective Date. This ordinance shall become effective immediately upon adoption and signature, except as otherwise provided above.

PASSED AND APPROVED this 23rd day of July, 1996.

THE CITY OF MANOR

By:  _____
Luis Suarez, Mayor

ATTEST:

 _____
Nancy Boatright, City Secretary

Exhibit A-1

AREA INSIDE MANOR CITY LIMITS FOR "P.U.D. GENERAL LAND USE PLAN"

METES AND BOUNDS DESCRIPTION

Being all that certain 292.7963 acre tract or parcel of land out of and part of that certain 1020.318 acre tract as described in Deed to Cottonwood General Partner, L.C., recorded in Volume 12251, Page 1531, Travis County Real Property Records (TCRPR) and out of that certain 97.212 acre tract (called Tract 2) in Deed to Cottonwood Holdings, Ltd. and as described in Deed recorded in Volume 9658, Page 366, TCRPR, and being comprised of a 58.1610 acre tract (TRACT 1) called a 58.134 acre tract (called Second Tract of a 816.928 acre tract) in Deed to Austin Manor Investments recorded in Volume 8623, Page 931, Travis County Real Property Records (TCRPR), and, a 0.3629 acre tract (TRACT 2) called a 0.36 acre tract (called Third Tract of a 203.39 acre tract) in said Deed to Austin Manor Investments recorded in Volume 8623, Page 931, TCRPR; and out of and part of that certain 758.794 acre tract (called First Tract of 816.928 acres) and out of and part of that certain 181.445 acre tract (called First Tract of 203.39 acres, both as described in Warranty Deed to Austin Manor Investments, and recorded in Volume 8623, Page 931, Travis County Real Property Records (TCRPR); all being situated in the SUMNER BACON SURVEY NO. 62 and the WILLIAM STANDERFORD SURVEY NO. 69, Travis County, Texas, all being originally out of Tracts 2, 3, 4, 5, 6, 7, 8, and 9, of the T. M. RECTOR ESTATE, according to the map or plat thereof as described in Volume 52, Page 323, Cause No. 6096, Travis County Probate Records, and being a 3.0418 acre tract situated in the JAMES MANOR SURVEY NO. 40, A-546 (called 3.055 acres), as described in Deed to Austin Manor Investments by Deed recorded in Volume 8103, Page 270, TCRPR; said 292.7963 acre tract being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a point marking the Northeast corner of the herein described tract, same being located at the intersection with the existing City of Manor City Limits Line, same being located in the East line of said 1020.318 acre tract and being further located North $31^{\circ}25'$ East-654.09 feet from a concrete monument found marking the intersection of the Northerly right-of-way line of U.S. Highway 290, with the said East line of the 1020.318 acre tract;

THENCE, South $31^{\circ}25'$ West, with the East line of said 1020.318 acre tract, a distance of 654.09 feet to a concrete monument found marking the intersection of the Northerly right-of-way line of U.S. Highway 290 with the said East line of the said 1020.318 acre tract;

THENCE, crossing said U.S. Highway 290, South $31^{\circ}49'03''$ West, a distance of 258.62 feet to an iron rod found marking the Northeast corner of the herein described tract, same being the Northeast corner of said 58.5239 acre tract, same being the Northwest corner of that certain 93.787 acre tract as conveyed by Deed to Ruben H. Johnson Company, recorded in Volume 5610, Page 828, Travis County Deed Records (TCDR), same being located in the South right-of-way line of U.S. 290 East (based on 222 feet in width) and being further located South $31^{\circ}49'03''$ West, a distance of 258.62 feet from a State Department of Highways and Public Transportation (SDHPT) concrete monument;

THENCE, South $31^{\circ}28'34''$ West, with the Southeast line of the herein described tract and the Southeast line of said 58.5239 acre tract, and the Northwesterly line of an old abandoned county road, as vacated in Volume D, Page 520, TCDR, a distance of 1620.28 feet to an iron rod found for angle point and corner, same being an internal "L" corner of said 93.787 acre tract, same being located North $56^{\circ}12'18''$ West, a distance of 20.78 feet from an iron rod found marking the Northwest corner of that certain 0.23 acre tract as conveyed by Deed to Cleora McVade, recorded in Volume 7585, Page 917, TCDR;

THENCE, South $33^{\circ}05'54''$ West, with the Southeast line of the herein described tract, a distance of 106.33 feet to a 60d nail found in fence corner marking the Southeast corner of the herein described tract and the Southeast corner of said 58.5239 acre tract, same being in the Northerly line of that certain 9.997 acre tract as conveyed by Deed to A. Jo Baylor, Trustee, recorded in Volume 865, Page 277, TCRPR;

THENCE, North 59°03'21" West, with the Southwest line of the herein scribed tract and the said 58.5239 acre tract and the Northeast line of said 9.997 acre tract, a distance of 356.38 feet to an iron rod found for angle point and corner;

THENCE, North 60°15'09" West, with the said Southwest line of the herein described tract and the said Northeast line of the 9.997 acre tract, passing at a distance of 43.45 feet a point marking the Southeast corner of that certain 0.115 acre tract conveyed by Deed to Gary Warren, recorded in Volume 12187, Page 18, TCRPR, passing at a distance of 93.45 feet the Southeast corner of that certain 0.115 acre tract conveyed by Deed to Howard Richards, recorded in Volume 12269, Page 1278, TCRPR, passing at a distance of 143.45 feet the Southeast corner of that certain 0.115 acre tract conveyed by Deed to H. Schneider, recorded in Volume 8585, Page 396, TCRPR, passing at a distance of 193.45 feet the Southeast corner of that certain 0.115 acre tract conveyed by Deed to R. Eppright, recorded in Volume 8585, Page 393, TCRPR, passing at a distance of 243.45 feet the Southwest corner of that certain 0.115 acre tract conveyed by Deed to R. Rochner, recorded in Volume 8585, Page 390, TCRPR, and continuing a total distance of 350.91 feet to an iron rod found for angle point and corner, same being the Northwest corner of said 9.997 acre tract and the Northeast corner of the City of Manor Cemetery;

THENCE, North 59°52'02" West, with the said Southwest line of the herein described tract and the Northeast line of said City of Manor Cemetery, a distance of 366.67 feet to an iron rod found for angle point and corner, same being the Northwest corner of said Cemetery and the original Northeast corner of A. E. LANE'S ADDITION, a subdivision according to the map or plat thereof recorded in Volume 2, Page 223, Travis County Plat Records (TCPR);

THENCE, North 58°29'42" West, with the said Southwest line of the herein described tract and the said 58.5239 acre tract and the Northeast line of that certain tract conveyed to Anderson by Deed recorded in Volume 8702, Page 813, TCRPR, a distance of 141.14 feet to an iron rod found for angle point and corner;

THENCE, with the said Southwest line of the herein described tract and of the said 58.5239 acre tract and the Northeast line of said A. E. LANE'S ADDITION, and the Southwesterly line of COTTONWOOD COMMERCIAL SOUTH SECTION ONE, the following five (5) courses and distances:

- (1) North 59°05'39" West, passing at a distance of 103.35 feet the Southeast corner of Lot 7 of COTTONWOOD COMMERCIAL SOUTH SECTION ONE, a subdivision of a portion of said 58.5239 acres recorded in Volume 94, Page 393, TCRPR, and continuing a total distance of 457.00 feet to an iron rod set for angle point and corner;
- (2) North 59°00'00" West-359.92 feet to an iron rod set for angle point and corner;
- (3) North 59°05'00" West-243.47 feet to an iron rod found for angle point and corner;
 -) North 58°42'33" West, passing at a distance of 81.40 feet an iron rod found marking the common North corner of Lot 1 and Lot 2, Block 11, A. E. LANE'S ADDITION, passing at a distance of 133.75 feet an iron rod found marking the common North corner of Lot 2 and Lot 3, passing at a distance of 186.33 feet an iron rod found marking the common North corner of Lot 3 and Lot 4, and continuing a total distance of 314.95 feet to an iron rod found for angle point and corner; and
- (5) North 58°51'13" West-112.14 feet to an iron rod set marking the Southwest corner of said 58.1610 acre tract, the Southeast corner of said 0.3629 acre tract and the common West corner of said T. M. RECTOR ESTATE Tract 3 and Tract 4;

THENCE, continue with the Southwest line of the herein described tract and of the said 0.3629 acre tract and the said Northeast line of A. E. LANE'S ADDITION the following two (2) courses and distances:

- (1) North 58°51'13" West-81.45 feet to an iron rod found marking the West 1/2 of Lot 8, Block 10; and
- (2) North 58°26'34" West-149.08 feet to an iron rod set for the most Westerly corner of the herein described tract and of said 0.3629 acre tract, same being located in the said South right-of-way line of U.S. 290 East (variable width), same being the most Westerly apex corner of said 58.5239 acre tract, and of said COTTONWOOD COMMERCIAL SOUTH SECTION ONE;

THENCE, crossing said U.S. Highway 290 North $59^{\circ}13'54''$ West, a distance of 0.32 feet an iron rod set for angle point and corner, same being in the original Northeast line of A. E. LANE'S ADDITION, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 2, Page 223, Travis County Plat Records (TCPR);

THENCE, North $59^{\circ}17'58''$ West, with the Southwesterly line of said 203.39 acre tract and the Northeast line of said A. E. LANE'S ADDITION, passing at a distance of 1.98 feet an iron rod found and continuing a total distance of 295.07 feet to an iron rod found marking the Northeast corner of said 3.0418 acre tract, same being the common North corner of Lot 7 and Lot 8, Block 3, said A. E. LANE'S ADDITION, same being further located South $59^{\circ}07'23''$ East, a distance of 100.33 feet from an iron pipe found marking the Northwest corner of Lot 6, Block 3, and the original Northwest corner of said A. E. LANE'S ADDITION;

THENCE, South $13^{\circ}42'48''$ West, with the East line of said 3.0418 acre tract and the East line of said Lot 7, Block 3, a distance of 178.33 feet to an iron rod set for the Southeast corner of said 3.0418 acre tract, same being located in the curving North right-of-way line of U.S. 290 East;

THENCE, in a Southwesterly direction along the arc of a curve to the left and with the said North right-of-way line of U.S. 290 East, said curve having a radius of 3836.62 feet, a chord bearing and distance of South $87^{\circ}01'47''$ West-42.27 feet to an iron rod found for angle point and corner;

THENCE, North $64^{\circ}14'41''$ West, with a Southwest line of the said 3.0418 acre tract and the Northeasterly right-of-way of Gregg-Manor Road, a distance of 347.67 feet to a SDHPT brass monument found for angle point and corner;

THENCE, with the Easterly right-of-way line of Gregg-Manor Road and the West line of said 3.0418 acre tract and said 203.39 acre tract, and the herein described tract, the following eleven (11) courses and distances:

- (1) North $34^{\circ}16'29''$ West-220.71 feet to an iron rod found for angle point and corner;
- (2) North $35^{\circ}24'43''$ West-200.14 feet to an iron rod found for angle point and corner;
- (3) North $34^{\circ}33'22''$ West-141.01 feet to an iron pipe found marking the most Westerly corner of said 3.0418 acre tract, same being in the Westerly line of said 203.39 acre tract;
- (4) North $58^{\circ}35'33''$ West-2.78 feet with the said Westerly line of the 203.39 acre tract to an iron rod set for corner and the point of curvature of a curve to the right;
- (5) In a Northwesterly direction along an arc of a curve to the right, said curve having a radius of 532.96 feet, an arc length of 322.71 feet, a chord bearing and distance of North $09^{\circ}10'09''$ West-317.80 feet to an iron rod found for point of tangency,

same being further located South $82^{\circ}01'45''$ East-79.83 feet from an iron rod found on the West right-of-way line of said Gregg-Manor Road;

- (6) North $08^{\circ}09'25''$ East-625.30 feet to a point for corner;
- (7) North $08^{\circ}09'25''$ East-207.80 feet to a point of curvature;
- (8) In a Northeasterly direction along the arc of a curve to the left, said curve having a radius of 2905.45 feet, an arc length of 451.27 feet, a chord bearing and distance of North $03^{\circ}43'55''$ East-450.81 feet;
- (9) North $00^{\circ}47'03''$ West-282.72 feet to a point of curvature;
- (10) In a Northwesterly direction along the arc of a curve to the left, said curve having a radius of 1469.50 feet, an arc length of 599.72 feet, a chord bearing and distance of North $12^{\circ}24'45''$ West-595.57 feet; and
- (11) North $24^{\circ}05'00''$ West, a distance of 275.25 feet to an iron rod set for the Northwest corner of the herein described tract, same being located in the curving said City of Manor City Limits Line;

THENCE, in a Southeasterly direction along the arc of a curve to the right and with the said City of Manor City Limits Line, said curve having a radius of 2640.00 feet, a chord bearing and distance of South $78^{\circ}20'55''$ East-1029.14 feet to a point of compound curvature for a corner of the herein described tract;

THENCE, continue, in a Southeasterly direction along the arc of a curve to
a right and with the said City of Manor City Limits Line, said curve
having a radius of 2640.00 feet, a chord bearing and distance of South 65°
02'05" East-545.91 feet to a point of tangency of the herein described
tract;

THENCE, South 59°05'36" East, with the said City of Manor City Limits
Line, a distance of 4380.39 feet to the POINT OF BEGINNING and containing
292.7963 acres of land, not including the area encompassed by existing
U.S. Highway 290 right-of-way.

Compiled From Office and Field Information By:

Robert M. Sherrrod, R.P.L.S.
GEO, A Geographical Land Services Co.
4412 Spicewood Springs Road, #1002
Austin, Texas 78759

RMS:Ks
May 28, 1996
Revised: July 22, 1996
GEO Job No. 966467



Exhibit A-2

AREA OUTSIDE MANOR CITY LIMITS FOR "P.U.D. GENERAL LAND USE PLAN"

METES AND BOUNDS DESCRIPTION

Being all that certain 956.2034 acre tract or parcel of land out of and part of that certain 1020.318 acre tract as described in Deed to Cottonwood General Partner, L.C., recorded in Volume 12251, Page 1531, Travis County Real Property Records (TCRPR) and out of that certain 97.212 acre tract (called Tract 2) in Deed to Cottonwood Holdings, Ltd. and as described in Deed recorded in Volume 9658, Page 366, TCRPR, all being situated in the SUMNER BACON SURVEY NO. 62 and the WILLIAM STANDERFORD SURVEY NO. 69 AND NO. 70, Travis County, Texas, all being originally out of Tracts 2, 4, 5, 6, 7, 8, and 9, of the T. M. RECTOR ESTATE, according to the map or plat thereof as described in Volume 52, Page 323, Cause No. 6096, Travis County Probate Records; said 956.2034 acre tract being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a point marking the Southeast corner of the herein described tract, same being located at the intersection with the existing City of Manor City Limits Line, same being located in the East line of said 1020.318 acre tract and being further located North $31^{\circ}25'$ East-654.09 feet from a concrete monument found marking the intersection of the Northerly right-of-way line of U.S. Highway 290, with the said East line of the 1020.318 acre tract, same being in the West line of that certain tract to R. A. Butler as recorded in Volume 4968, Page 2223, TCDR;

THENCE, North $31^{\circ}25'$ East, with the said East line of 1020.318 acre tract, a distance of 502.95 feet to an internal "L" corner, same being the Northwest corner of said Butler tract;

THENCE, South $58^{\circ}59'$ East, a distance of 4.21 feet to a point for external "L" corner, same being the Southwest corner of a tract to R. C. Sneed as recorded in Volume 4678, Page 1843, TCDR;

THENCE, North $31^{\circ}04'$ East, with the said East line of 1020.318 acre tract, a distance of 1128.36 feet to an angle point for corner;

THENCE, North $30^{\circ}25'$ East, with the said East line of 1020.318 acre tract, a distance of 1079.18 feet to a point for corner, same being the Southeast corner of that certain 150.00 acre tract to Russell Eppright;

THENCE, North $30^{\circ}25'$ East, with the said East line of 1020.318 acre tract, a distance of 436.19 feet to an angle point for corner, same being the Northwest corner of said Sneed tract and the Southwest corner of that certain tract to G. J. Eppright as recorded in Volume 4036, Page 513, TCDR;

THENCE, North $30^{\circ}57'$ East, with the said East line of 1020.318 acre tract, a distance of 1714.11 feet to a point marking the Northeast corner of said 1020.318 acre tract, same being the common East corner of Tracts 7 and 8, said T. M. RECTOR ESTATE;

THENCE, North $30^{\circ}57'$ East, with the East line of said 150.00 acre tract, a distance of 1523.35 feet to an iron rod found for the Northeast corner of the herein described tract, same being located in the West line of that certain tract to D. S. Daniel as recorded in Volume 6759, Page 2272, TCDR, same being the Southeast corner of that certain tract to E. Gonzenback as recorded in Volume 3188, Page 1047, TCDR;

THENCE, North $58^{\circ}56'$ West, with the North line of said 150.00 acre tract, a distance of 1857.88 feet to angle point, same being the most Northerly Northwest corner of said 150.00 acre tract and the Northeast corner of said 97.212 acre tract;

THENCE, North $58^{\circ}56'$ West, with the North line of said 97.212 acre tract, a distance of 3185.81 feet to an iron rod found for the Northwest corner of said 97.212 acre tract, same being an internal corner of that certain tract to E. Weiss as recorded in Volume 681, Page 216, TCDR;

THENCE, South $34^{\circ}17'$ West, with the West line of said 97.212 acre tract, a distance of 337.78 feet to an angle point;

THENCE, South 32°35' West, with the said West line of the 97.212 acre tract, a distance of 1185.56 feet to a point for the Southwest corner of said 97.212 acre tract, same being the most Northerly corner of said 1020.318 acre tract, same being in the common line of said Tracts 7 and 8, T. M. RECTOR ESTATE;

THENCE, South 32°35' West, with a West line of said 1020.318 acre tract, a distance of 210.79 feet to an iron rod found for internal "L" corner;

THENCE, with the North line of said 1020.318 acre tract, the following five (5) courses and distances:

- (1) North 59°42' West-437.88 feet, to an iron pipe found for angle point;
- (2) North 60°15' West-247.97 feet, to an angle point;
- (3) North 59°31' West-367.73 feet, to an angle point;
- (4) North 58°55' West-356.59 feet, to an angle point; and
- (5) North 60°16' West-552.57 feet, to an iron rod found for the Northeast corner of said 1020.318 acre tract, same being in the Southeasterly right-of-way line of Fuchs Grove Road (60 feet in width);

THENCE, South 30°49' West, with the said Southeasterly right-of-way line of Fuchs Grove Road and the West line of said 1020.318 acre tract, a distance of 3706.11 feet to an iron rod found marking the Southwest corner of said 1020.318 acre tract, same being located in the Northeasterly right-of-way line of Gregg-Manor Road (80 feet in width);

THENCE, with the said Northeasterly right-of-way line of Gregg-Manor Road and the Southwest line of said 1020.318 acre tract, the following seven (7) courses and distances:

- (1) South 18°01' East-263.64 feet to a point of curvature;
- (2) In a Southeasterly direction along the arc of a curve to the right, having a radius of 613.20 feet, a chord bearing and distance of South 05°28' East-266.49 feet to a point of tangency;
- (3) South 07°05' West-342.26 feet to a point of curvature;
- (4) In a Southeasterly direction along the arc of a curve to the left, having a radius of 532.82 feet, a chord bearing and distance of South 05°05' East-224.59 feet to a point of tangency;
- (5) South 17°15' East-416.20 feet to a point of curvature;
- (6) In a Southeasterly direction along the arc of a curve to the left, having a radius of 1392.09 feet, a chord bearing and distance of South 20°40' East-165.93 feet to a point of tangency; and
- (7) South 24°05' East-118.95 feet to an iron found marking the Southwest corner of the herein described tract of land, same being at the intersection of the existing City of Manor City Limits Line;

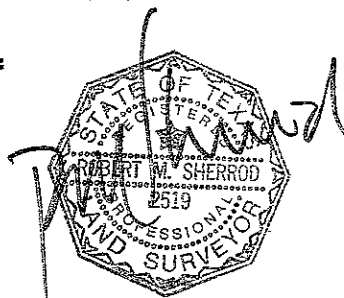
THENCE, in a Southeasterly direction along the arc of a curve to the right and with the said City of Manor City Limits Line, said curve having a radius of 2640.00 feet, a chord bearing and distance of South 78°20'55" East-1029.14 feet to a point of compound curvature for a corner of the herein described tract;

THENCE, continue, in a Southeasterly direction along the arc of a curve to the right and with the said City of Manor City Limits Line, said curve having a radius of 2640.00 feet, a chord bearing and distance of South 65°02'05" East-545.91 feet to a point of tangency of the herein described tract;

THENCE, South 59°05'36" East, with the said City of Manor City Limits Line, a distance of 4380.39 feet to the POINT OF BEGINNING and containing 956.2034 acres of land.

Compiled From Office and Field Information By:

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4412 Spicewood Springs Road, #1002
Austin, Texas 78759
RMS:ks
May 28, 1996
Revised: July 22, 1996
GEO Job No. 966467



(Enlargement of notes from approved PUD plan.)

GREGG LN.

Planned Unit Developm General Land Use Plan

NOTES

Boundaries and Areas. The interior boundaries and areas shown in this plan have not been surveyed. They are approximations. An approved subdivision plat may change a boundary or area as a non-substantial amendment, but only if the PUD remains within the maximum densities and yields stated in the Land Account Table.

Non-Substantial Amendments. Non-substantial amendments to this plan may be approved by the Zoning & Planning & Planning Commission (when acting on a plat), by the City Engineer or other designated City plan reviewer, without Council action. Approval of an amendment shall be expeditiously granted if: (1) the amendment is applied for as prescribed by this plan and (2) the amendment is not a "substantial amendment" as defined. Non-substantial amendments are deemed to be in compliance with this plan, the zoning ordinance and the comprehensive plan.

Intensity of Uses; Conversion. An amendment that increases a land use intensity of an area shown in this plan is deemed to be substantial, unless there is a corresponding and equivalent decrease in the intensity in another area or areas. Intensity is measured in dwelling units (or DU's) for purely residential uses and square feet of gross building floor space (SF's) for other uses. See the Land Account Table. DU's can be converted to SF's, and vice versa, at the rate of 2,000 SF's per DU.

All Plans Incorporated, Etc. This plan incorporates the Land Use Plan and all other plans required by the zoning ordinance.

Non-Residential Use. The maximum amount of non-residential uses which may be contained in a residential tract designated in this plan is 10%.

LAND ACCOUNT TABLE

Land Use	Area (Acres)	Density	Yield	Req. Po
MF	Multi Family	30.69	20 / Ac.	614 DU

Pe
Ordin

Residential uses and square feet of gross building floor space. See the Land Account Table. DU's can be converted to SF's, and versa, at the rate of 2,000 SF's per DU.

Platts Incorporated, Etc. This plan incorporates the Land Use Plan and all other plans required by the zoning ordinance.

Non-Residential Use. The maximum amount of non-residential uses which may be contained in a residential tract designated in this plan is 10%.

(Enlargement of notes from approved PUD pl.

LAND ACCOUNT TABLE

Land Use	Area (Acres)	Density	Yield	Req. Parking	Min Lot size	Setbacks			Max. Height
						Front	Rear	Side	
MF	30.69	20 / Ac.	614 DU	Per Ordinance	8,000 SF 50' width	15'	10'	10'	3 Stories
SF	531.35	4 / Ac.	2125 DU	Per Ordinance	4,500 SF 40' width	10'	10'	5'	2 Stories
PS	440.92	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2 Stories
PF	48.58	N/A	N/A	N/A	N/A	N/A	N/A	N/A	5 Stories
C	44.06	1.0 FAR	1,919,108 SF	Per Ordinance	5,750 SF 50' width	25'	0'	10'	5 Stories
I	171.40	1.0 FAR	7,466,032 SF	Per Ordinance	5,750 SF 50' width	0'	0'	0'	5 Stories
Total			1267.00						

Slopes greater than 15%

ADDITIONAL CONDITIONS

Because of the numerous in-depth reviews this plan has received, not only by the City Council and by the Zoning & Planning Commission, but also by the City's consultants and committees and various other engineers and land planners, and also because of the overlapping utility district jurisdiction and the associated mandatory planning for water, sewer and drainage, the following items are waived (or modified) for this plan: (i) locations and dimensions of setback areas are defined by use district and shall be specified when individual plats are approved, (ii) no fees have been established at the time this plan is submitted, so none is applicable to this plan, (iii) any necessary agreements, provisions and covenants governing use, maintenance, etc. shall be provided with each plat, (iv) additional development plans or reports are not required for this PUD, but any application for amendment must include a clear description and explanation of the proposed amendment, (v) no expiration dates are required for site plans, (vi) street patterns may be designed to encourage multiple routes through neighborhoods, so long as they do not unduly encourage through traffic, (vii) setbacks are prescribed, by land use, in the Land Account Table, (viii) curb cuts will be identified at time of building permits.

PHASING APPROACH

PHASE I SF#1, SF#2, SF#3, PF#1, PF#2, MF#1, C#3, C#4, C#5, C#6, C#7 and part of PS#1. Shall commence by Dec. 31, 1999.

PHASE II SF#5, SF#6, PF#4, MF#2, C#1, C#2, I#2 and part of PS#1.

PHASE III SF#4, SF#7, SF#8, PF#3, PF#5, PF#6, PF#7, I#1 and part of PS#1. Shall conclude by Dec. 31, 2026.

7

July 11, 1996

The Honorable Mayor and
City Council of Manor

RE: Cottonwood Planned Unit Development

At the request of your consulting city engineer, we offer the following explanation of several points in our Planned Unit Development (P.U.D.) application. It is important to keep in mind the philosophy behind the P.U.D. classification expressed in the zoning ordinance. For your convenience, we have paraphrased it as follows:

"The purpose and intent of a Planned Unit Development District is to provide a flexible, alternative procedure to encourage imaginative and innovative designs for the unified development of property..." and further, "When considering a P.U.D., the unique nature of each proposal for a P.U.D. may require, under proper circumstances, the departure from the strict enforcement of certain present codes and ordinances, e.g., without limitation, the width of surfacing of streets and highways, lot size, set backs, alleyways for public utilities, curbs, gutters, sidewalks, and street lights, public parks and playgrounds, school sites... Final approval of a P.U.D. by the city council shall constitute authority for such flexible planning to the extent that the P.U.D. as approved departs from the existing codes and ordinances."

The table below attempts to clarify "departures" from the ordinances and states the benefits of each.

<u>Departure Item</u>	<u>Benefit</u>	
1. Width of minor street @ 24'-26' rather than 30'.	Slower vehicle speeds, more room for street trees to shade street area, less paving and impervious cover.	
2. Single family lot size at 4,500 sf likely rather than 7,500 (R-1) or 7,200 (R-2).	Allows ample room for smaller houses to be built; allows many small neighborhood parks to be included in plan.	8711 burnet road
3. Minimum lot width of 40' rather than 60'.	Makes more efficient use of land and allows large greenbelt areas to be incorporated in plan; works in harmony with curving street layouts to vary front and rear lot widths along curvature.	suite 170 austin, texas 78757 512.467.7767 phone
4. Single family setbacks of 10' front, 10' rear and 5' side yard. Multi-family setbacks of 15' front, 10' side and 10' rear.	Allows buildings to be closer to street, thus encouraging a more lively street atmosphere, allows garages to be near alleys for proper access.	512 452 2378 fax a clean cut affiliate

land planning

landscape architecture

urban design

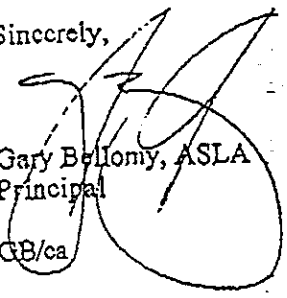
environmental graphics

5. Dwelling unit density for multi-family of 20 dwelling unites/acre vs. 36 dwelling units/acre in ordinance.

Provides for a more probable suburban density of development.

We hope this summary aids in your review of the Cottonwood P.U.D., and we look forward to discussing the project next week.

Sincerely,



Gary Bellomy, ASLA
Principal

GB/ca

cc: Jim Koehn
Dick Lilly
Jim Carpenter

(Note: This plan is greatly reduced. See Tab 1 for a larger version.)
 (Enlargements of notes follow this)

