ZONING & PLATTING COMMISSION

~~MINUTES~~ Handouts

DECEMBER 3, 2013

C-3+C-4

Canyons @ Rob Roy Rezoning

Zoning & Platting Commission Agenda Items #3 and #4

C814-88-0001.10 and C814-88-0001(RCA)

Davenport Ranch/Rob Roy Chronology

- October 10, 1980 – Davenport Ranch MUD Consent Agreement
- March 30, 1988 - First Amendment to Consent Agreement – (restricted the use of subject property to Limited Office)
- December 1, 1988 - Letter Agreement between Davenport Limited and Westview Development - (restricted the use of subject property to Limited Office)
- January 19, 1989 – Restrictive Covenant - (restricted the use of subject property to Limited Office)
- February 2, 1989 - Davenport Ranch PUD approved – (zoned subject property to PUD-LO)
- March 16, 1989 - Second Amendment to Consent Agreement - (restricted the use of subject property to Limited Office)
- March 26, 2001 – Rob Roy 360 Subdivision Plat – (restricted subject property to uses other than Residential)

Letter Agreement – December 1, 1988

December 1, 1988

Rob Roy Homeowners Association
c/o Duane Cooper, President
17 Cousteau Lane
Austin, Texas 78746

RE: Letter of Agreement

The following is a Letter of Agreement between Davenport Limited, a Texas limited partnership (to include all legal entities) represented by Beth Morian, President of Westview Development, Inc., the general partner of Davenport Limited and the Rob Roy Homeowners Association, Inc., a Texas non-profit corporation, represented by a Special Committee of Gail Beall, Steve Hudson, Charles Kalteyer, and Ruth Kohlhaas based on numerous meetings. This Agreement covers only land to be held by Davenport Limited adjacent to the Rob Roy subdivision which fronts on the Capital of Texas Highway (Loop 360). The tract designations "Tract D" and "Tract C-3", used herein refer to the tracts so designated on the attached P.U.D. Site Plans (Exhibit A) which have been submitted to the City of Austin in Case No. C-14-88-0601, to be heard by Austin City Council on December 8, 1988.

Commercial

1. Tract D, lots A-1, B-33, and B-34 are to be the only portions of Tract D designated for commercial use and are to comply with the Comprehensive Watershed Ordinance ("CWO") and the Hill Country Roadway Ordinance ("HCRO"), with low intensity and the bonuses reflected on said P.U.D. Site Plans. Copies of the CWO and the HCRO are attached hereto for convenience of reference and made a part hereof. There will be a maximum of 228,200 square feet of commercial space on Tract D, distributed as follows: lot A-1 will have a maximum of 88,800 sq. ft. (Exhibit B), lot B-33 will have a maximum of 74,500 sq. ft. (Exhibit C), and lot B-34 will have a maximum of 64,900 sq. ft. (Exhibit C).

2. Layout and design of the commercial tracts are to be approved by the Joint Davenport Ranch/Rob Roy Homeowners Association Architectural Control Committee ("Joint ACC") for building placement, parking, lighting, utility areas, and external building materials. All commercial development will be designed to have a minimum visual and noise impact on the Rob Roy Subdivision, paying particular attention to the southwest and west sides of lot B-33, Tract D (hilltop and hillside areas). To this end, the Rob Roy Homeowners Association will support waivers from HCRO and CWO to build on flat areas of B-33 that are closer to the right-of-way than currently allowed, due to environmental, aesthetic enhancement and land compatibility concerns, as shown on said Exhibit A attached hereto.

3. There will be no restaurant on Tract D except on lots B-33 and B-34. The only type of restaurant allowed will be the type engaged in (a) the preparation and retail sale of food and beverages (excluding alcoholic beverages) or (b) the retail sale of food and beverages (other than alcoholic beverages) in a ready-to-consume state, or (c) both, and in any event primarily for consumption on-premises or at other locations on Tract D; provided, however, (1) no such restaurant shall serve food through a drive-through window to persons in a motor vehicle, and (2) the combined area of the premises of all restaurants on each of lots B-33 and B-34 shall not exceed 2,000 square feet per lot. The restaurant must conform to the requirements listed in the conditional uses for GO zoning in the zoning ordinance.

4. No local retail or general retail (LR or GR) will be allowed in Tract D, lot A-1 is to be LO, lot B-33 is to be GO, and lot B-34 is to be GO, or more restrictive. It is understood that there will be retail uses within the offices to serve the offices as allowed in the zoning classifications. The following uses, as defined by the Austin Zoning Ordinance now in effect, will not be allowed: Business or Trade School, Convalescent Services, Family Homes, Group Homes Class I (Ltd.), Group Homes Class I (Gen.), Group Homes Class II, Congregate Living, Residential Treatment, Transitional Housing, and present conditional uses under the GO zoning classification (other than Restaurant (Limited) as permitted under paragraph 3 above).

5. The Joint ACC will be created and established pursuant to, and its powers and duties, as herein described, set forth in, Deed Restrictions and Covenants for the three commercial parcels in Tract D: lots A-1, B-33, and B-34, which shall be recorded in the Real Property Records of

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Letter Agreement – December 1, 1988 (cont.)

Travis County, Texas. The deed restrictions and covenants for the three commercial parcels in Tract D to be imposed thereon pursuant to this letter agreement shall also provide that they cannot be amended without consent of Rob Roy Homeowners Association, Inc. The Joint ACC will be composed of one member appointed by Rob Roy Homeowners Association, one by Davenport Ranch, or its successor, and a third member shall be selected by the first two members.

6. In an effort to preserve existing sight lines of the city view for residents on Pascal Lane and St. Stephens School Road, the office building constructed on Tract D, lot A-1 must meet all the following criteria:

   a. have residential character and a pitched roof;

   b. have a building height which meets all the following criteria: (a) not exceed 35 feet as measured by the present City of Austin method; (b) the roof ridge not exceed an absolute height of 44 feet measured from the highest point on the ground on which the building is located; and (c) the roof ridge not extend above a plane projecting easterly at an angle of 0° 33' 00" below the horizontal plane which is three feet above and parrallel to the easterly edge of the surface of the presently existing rear concrete deck of the house on Lot 2, Block H, Phase 2 Rob Roy Subdivision (such plane three feet above said concrete deck being located at State Plane Coordinates E 2,789,765.725 and N 243,772.647, elevation 940.00 MSL, City of Austin datum, all as shown on the survey work attached hereto as Exhibit B and made a part hereof for all purposes); and

   c. contain not more than 3 stories.

The office building constructed on Lot B-33 shall not exceed 35 feet in height (as measured by the present City of Austin method) with the roof ridge not to exceed 44 feet in height, and the one constructed on Lot B-34 shall not exceed 40 feet in height (as measured by the present City of Austin method) with the roof ridge not to exceed 49 feet in height. Further, if a waste water drain field is located on the hilltop areas of Lot B-34, the trench pressure dosing technique will be utilized in constructing waste water drain field thereon and a written opinion of an arborist approved by the Joint ACC shall be obtained, without expense to Rob Roy Homeowners Association, Inc., to the effect that neither the location of construction of the facilities, nor the proposed discharge levels thereof or the levels of contaminant therein are likely to result in the material loss of or damage to healthy trees existing on the hilltop areas.

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Residential

7. Residential areas of Tracts D and C-3 will be single family detached with an average over-all density of 2 acres per unit. No lot will be smaller than 1 acre. Lot 1, Block B will be impressed with a conservation easement.

8. The single family home areas will become a part of the Rob Roy Homeowners Association, subject to the formal approval of the Rob Roy Homeowners Association and execution of deed restrictions, covenants and design philosophy substantively the same as those applicable to Rob Roy Phases 1 and 2 a copy of which is attached hereto as Exhibit D. After approval by the Rob Roy Homeowners Association to annex said single family home areas, the owner of an annexed lot shall become liable for dues to Rob Roy Homeowners Association when both of the following requirements have been met: (a) Davenport Limited, or its successor, conveys such lot to a natural person or to another person which is engaged in the construction of houses, and (b) temporary or permanent potable water, electricity and telephone services become available for use on said lot. Homesites not accessed by St. Stephens School Road or Pascal will not be part of the Rob Roy Homeowners Association, but the deed restrictions will be the same concerning location, design, construction, architecture, and materials. The homes will be compatible with the homes in Rob Roy and the plans therefor will be reviewed and approved by the Joint ACC.

9. Except as stated below, the single family homes will be accessible only through Pascal Lane and St. Stephens School Road. St. Stephens School Road and Pascal Court will dead end and not access Loop 360, and no new connection from St. Stephens School Road to Loop 360 will be sought or requested by Davenport Limited or its successors or assigns. It is understood that not more than four (4) single family lots may have to be accessed from lot B-33, (Tract D), but the access will not connect with St. Stephens School Road.

Other Conditions

11. The preliminary subdivision plan, including roadways, lot layout, and drainage, is to be approved by the Joint ACC. The Joint ACC shall have full authority to approve, reject, and/or amend plans as to adopted standards and deed restrictions.

12. Tract C will be restricted by Davenport Limited prior to conveyance of any portion thereof to educational use and/or

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Letter Agreement – December 1, 1988 (cont.)

single family detached homes and such restrictions shall also require compliance with the Comprehensive Watershed Ordinance and the Hill Country Roadway Ordinance.

13. Tracts C and D will be restricted by Davenport Limited prior to conveyance of any portions thereof to require compliance with all compatibility standards now required by the Interim Land Development Code of the City of Austin. Both parties agree to request the City of Austin to annex for limited purposes all portions of Tracts D and C-3 (to the extent Davenport Limited does not include them in a municipal utility district).

14. Details of the membership and functions of the Rob Roy Homeowners Association/Davenport Ranch Joint Architectural Control Committee will be established to the mutual satisfaction of the Homeowners Association and Davenport Limited. Davenport Limited agrees to reduce all the contents of this letter agreement to deed restrictions encumbering title to the respective tracts stated and record them in the Real Property Records of Travis County, Texas prior to the conveyance of any of such tracts and to provide a copy of the instruments proposed to be used therefor not later than thirty (30) days prior to the date consideration of official approval of a P. U. D. final site plan covering the respective tracts is to be given by the City of Austin Planning Commission.

15. The Rob Roy Homeowner Association and Davenport Ranch respectively represent and warrant to the other they have full power and authority to enter into this Agreement. To this end, they will present evidence of each party's authority.

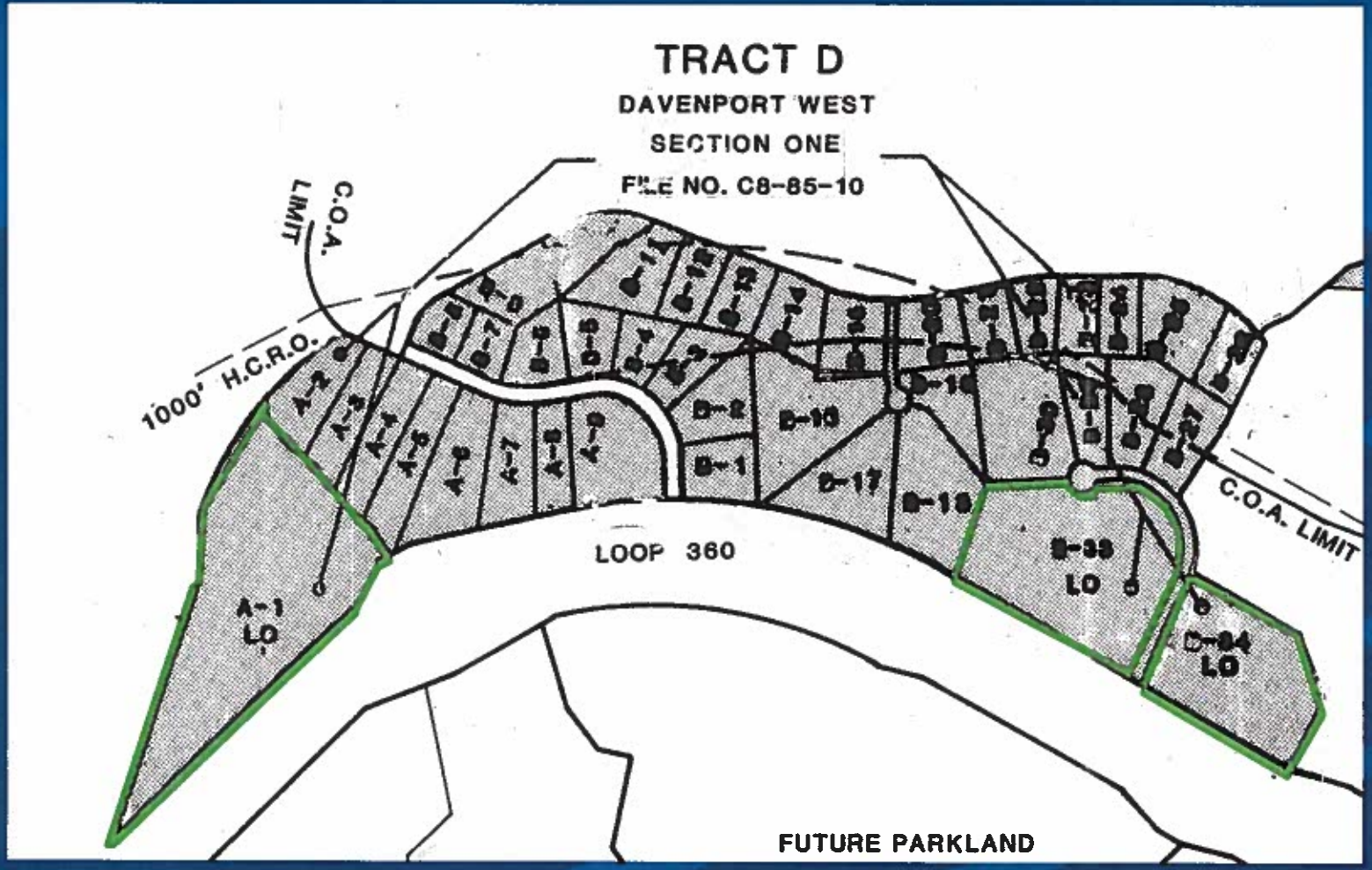
16. This Letter Agreement shall be effective and binding on each party and its assigns only upon satisfactory completion of all conditions for the closing of the so-called "St. Stephens land swap", including all City of Austin, Davenport Ranch MUD #1, St. Stephens Episcopal School and the Episcopal Diocese of Texas, and Wild Basin Nature Preserve approvals and transactions.

Duane Cooper, President
Rob Roy Homeowners
Association, Inc.
Austin, Texas

Beth Morian, President
Westview Development, Inc.
General Partner of
Davenport Limited

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Letter Agreement – December 1, 1988 (cont.)




Rob Roy

Restrictive Covenant

Entered into on January 19, 1989 Pursuant to the PUD

DAVENPORT RANCH WEST PLANNED UNIT DEVELOPMENT

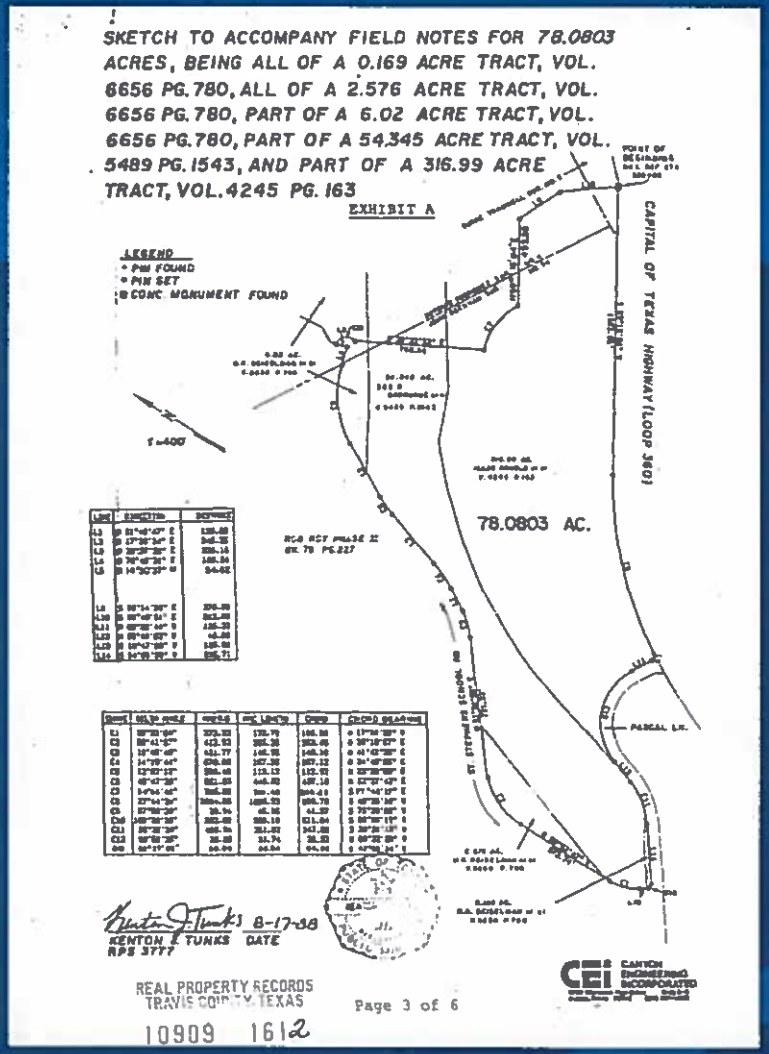
Section One

Land Uses

Tract*	Permitted Land Uses**
Block A, Lots 2 through 9, and Block B, Lots 1 through 30	Single Family Residence Uses
Block A, Lot 1, and Block B, Lots 33 and 34	Limited Office Uses

Restrictive Covenant (cont.)

Entered into on January 19, 1989 Pursuant to the PUD



SKETCH TO ACCOMPANY FIELD NOTES FOR 78.0803 ACRES, BEING ALL OF A 0.169 ACRE TRACT, VOL. 6656 PG. 780, ALL OF A 2.576 ACRE TRACT, VOL. 6656 PG. 780, PART OF A 6.02 ACRE TRACT, VOL. 6656 PG. 780, PART OF A 54.345 ACRE TRACT, VOL. 5489 PG. 1543, AND PART OF A 316.99 ACRE TRACT, VOL. 4245 PG. 163

EXHIBIT A

LEGEND
- PIN FOUND
- PIN SET
- CONC. MONUMENT FOUND

78.0803 AC.

CAPITAL OF TEXAS HIGHWAY (LOOP 360)

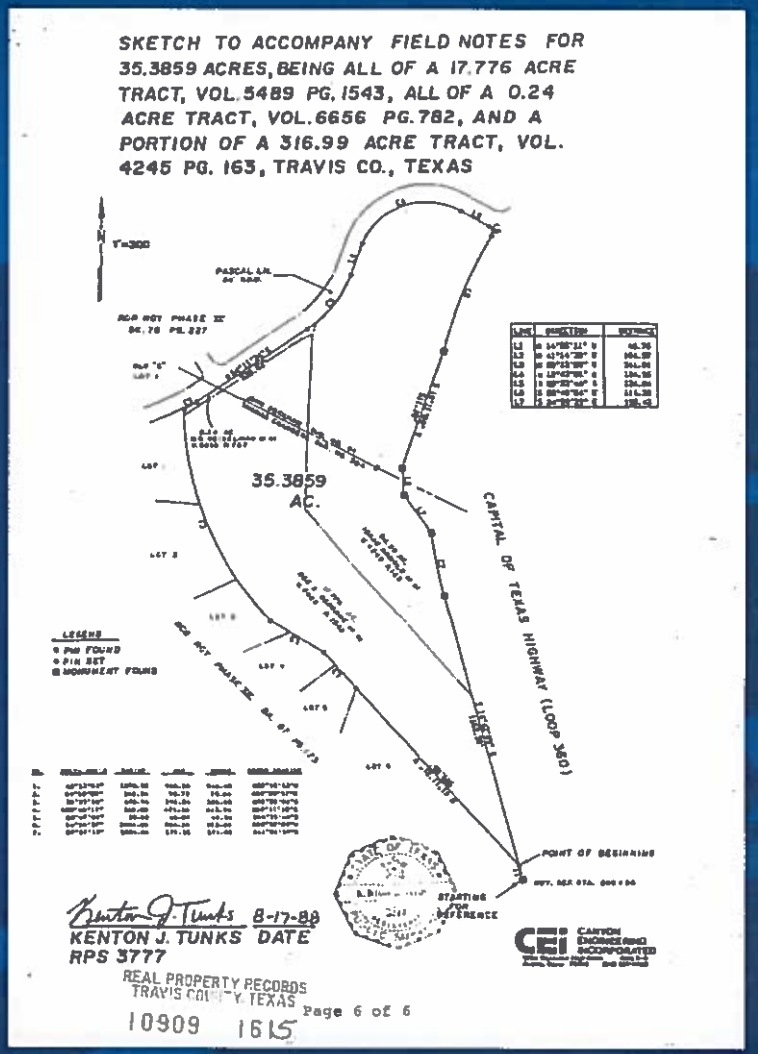
PASCAL LN.

Kenton J. Tunks 8-17-88
KENTON J. TUNKS DATE
RPS 3777

CEI CANTON ENGINEERING INCORPORATED

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS
10909 1612

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SKETCH TO ACCOMPANY FIELD NOTES FOR 35.3859 ACRES, BEING ALL OF A 17.776 ACRE TRACT, VOL. 5489 PG. 1543, ALL OF A 0.24 ACRE TRACT, VOL. 6656 PG. 782, AND A PORTION OF A 316.99 ACRE TRACT, VOL. 4245 PG. 163, TRAVIS CO., TEXAS

35.3859 AC.

CAPITAL OF TEXAS HIGHWAY (LOOP 360)

POINT OF BEGINNING

LEGEND
- PIN FOUND
- PIN SET
- MONUMENT FOUND

Kenton J. Tunks 8-17-88
KENTON J. TUNKS DATE
RPS 3777

CEI CANTON ENGINEERING INCORPORATED

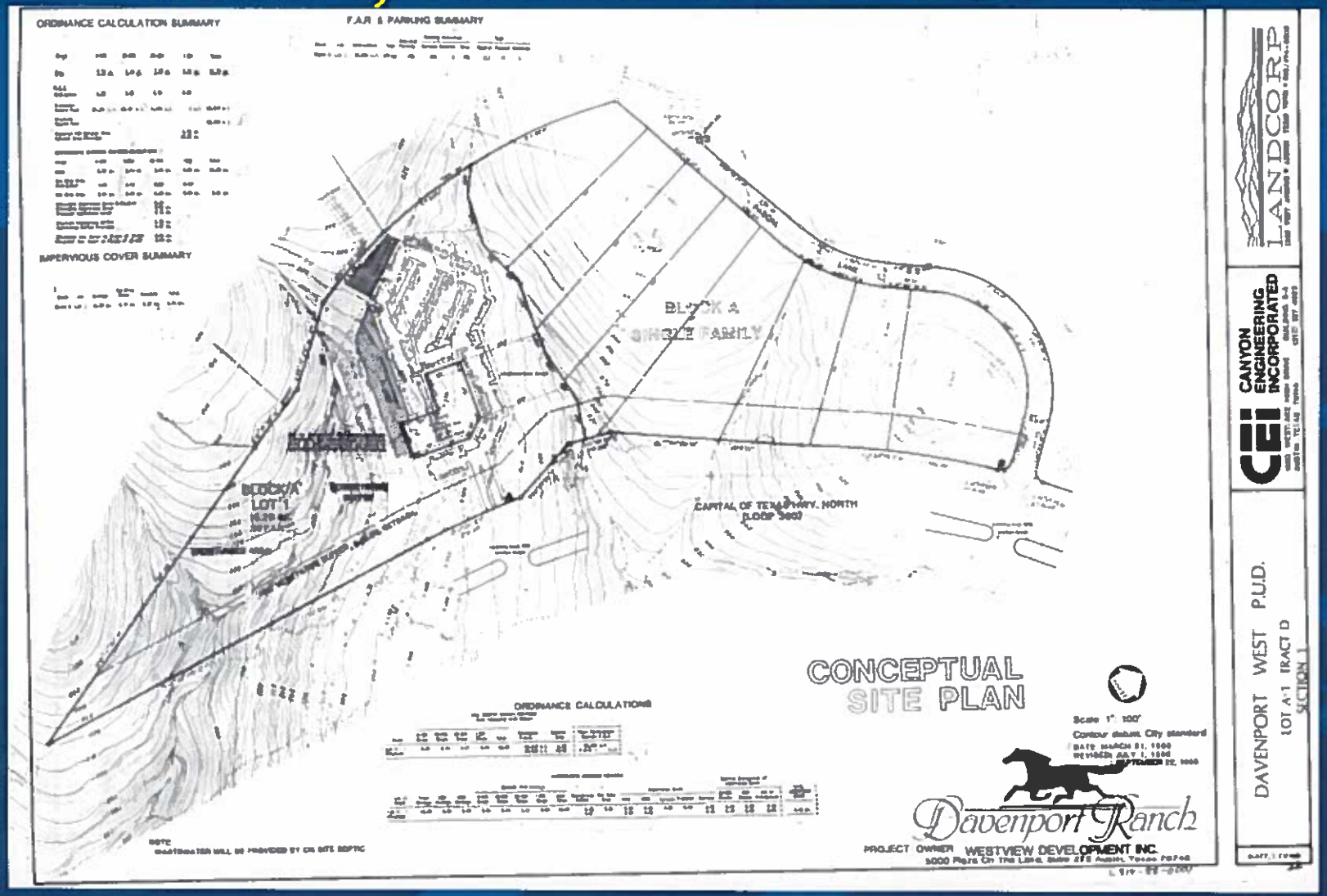
REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS
10909 1615

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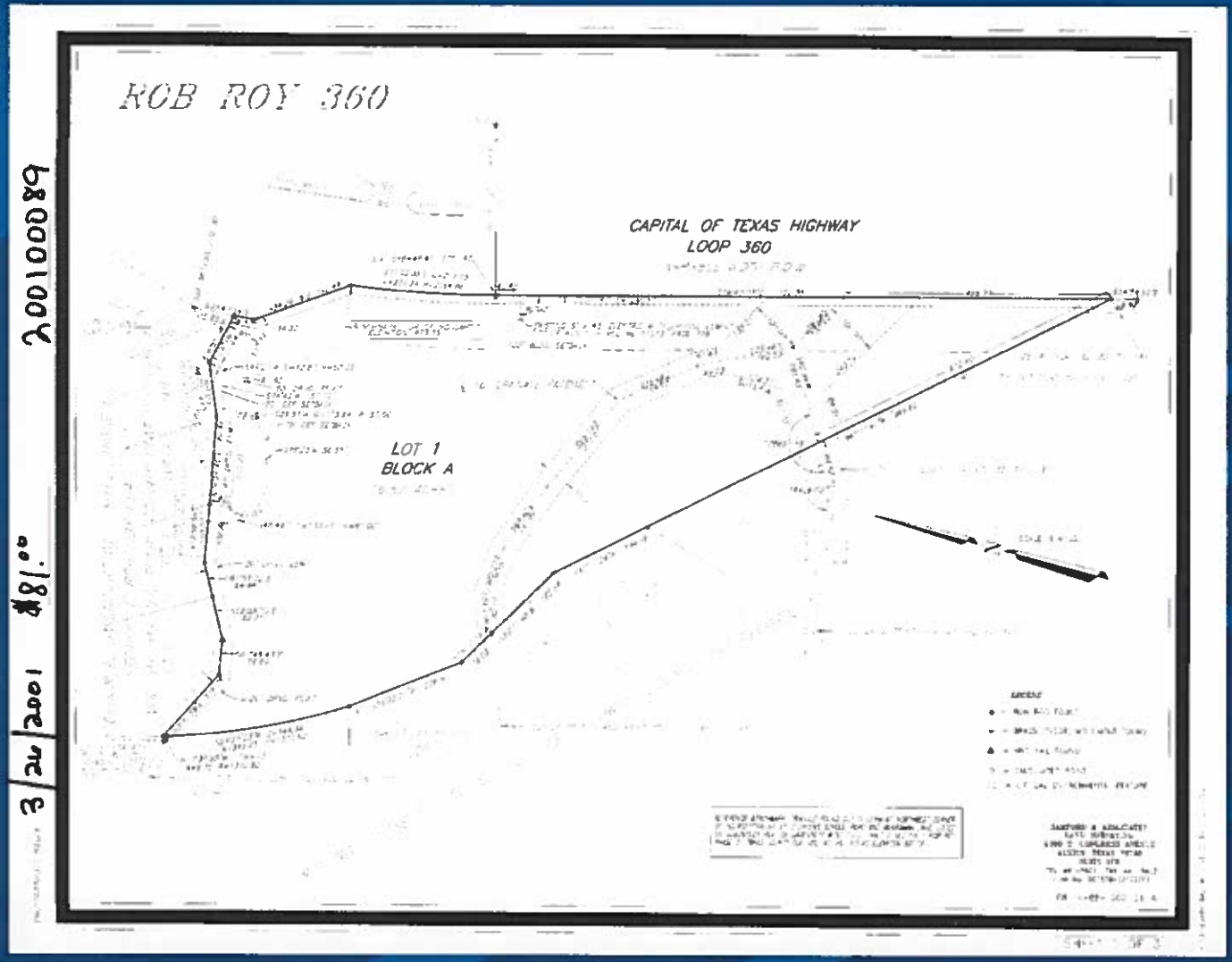
Davenport Ranch PUD

C814-88-0001 – Approved February 2, 1989

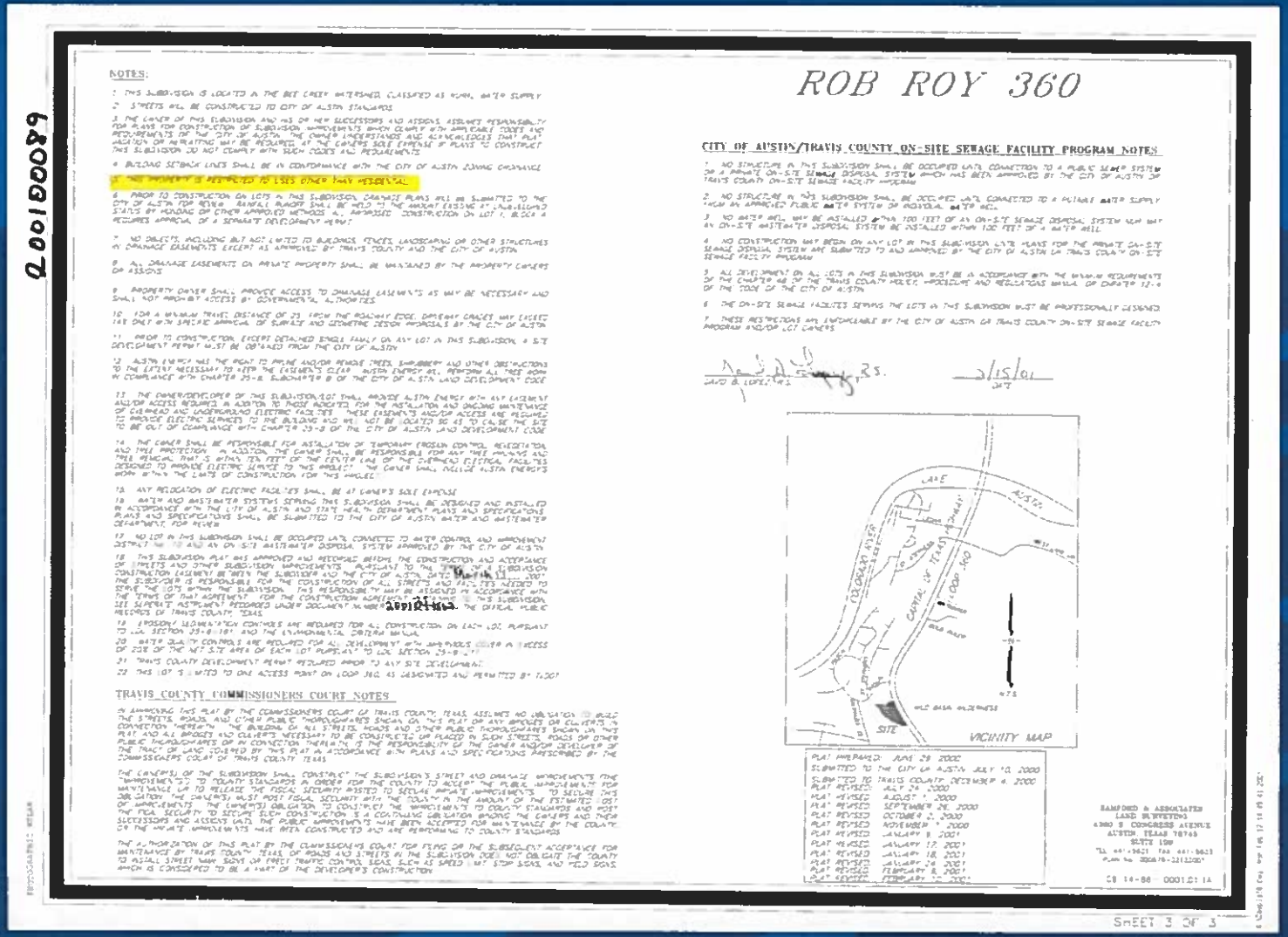
Lot A-1, Tract D - Zoned PUD - LO



Rob Roy 360 Subdivision Plat Recorded on March 26, 2001



Rob Roy 360 Subdivision Plat Recorded on March 26, 2001 (cont.)



200100089

NOTES:

1. THIS SUBDIVISION IS LOCATED IN THE BEE CREEK WATERSHED, CLASSIFIED AS WARM, WATER SUPPLY.
2. STREETS WILL BE CONSTRUCTED TO CITY OF AUSTIN STANDARDS.
3. THE OWNER OF THIS SUBDIVISION AND HIS OR HER SUCCESSORS AND ASSIGNS ASSUMES RESPONSIBILITY FOR PLANS FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS WHICH COMPLY WITH APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF AUSTIN. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PLAT VACATION OR REPLATTING MAY BE REQUIRED, AT THE OWNERS SOLE EXPENSE, IF PLANS TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.
4. BUILDING SETBACK LINES SHALL BE IN CONFORMANCE WITH THE CITY OF AUSTIN ZONING ORDINANCE.
5. THIS SUBDIVISION IS RESTRICTED TO USES OTHER THAN RESIDENTIAL.
6. PRIOR TO CONSTRUCTION ON LOTS IN THIS SUBDIVISION, DRAINAGE PLANS WILL BE SUBMITTED TO THE CITY OF AUSTIN FOR REVIEW. RUNOFF RUNOFF SHALL BE HELD TO THE AMOUNT EXISTING AT [illegible] STATE BY HOLDING OR OTHER APPROVED METHODS AS IMPOSSIBLE CONSTRUCTION ON LOT 1, BLOCK A REQUIRES APPROVAL OF A SEPARATE DEVELOPMENT PERMIT.
7. NO OBJECTS, INCLUDING BUT NOT LIMITED TO BUILDINGS, FENCES, LANDSCAPING OR OTHER STRUCTURES IN DRAINAGE EASEMENTS EXCEPT AS APPROVED BY TRAVIS COUNTY AND THE CITY OF AUSTIN.
8. ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNERS OR ASSIGNS.
9. PROPERTY OWNER SHALL PROVIDE ACCESS TO DRAINAGE EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY GOVERNMENTAL AUTHORITIES.
10. FOR A MINIMUM TRAVEL DISTANCE OF 25 FEET FROM THE ROADWAY EDGE, DRIVEWAY GRADES MAY EXCEED 14% ONLY WITH SPECIFIC APPROVAL OF SURFACE AND GEOMETRIC DESIGN PROPOSALS BY THE CITY OF AUSTIN.
11. PRIOR TO CONSTRUCTION, EXCEPT DETACHED SINGLE FAMILY ON ANY LOT IN THIS SUBDIVISION, A SITE DEVELOPMENT PERMIT MUST BE OBTAINED FROM THE CITY OF AUSTIN.
12. AUSTIN ENERGY HAS THE RIGHT TO PRUNE AND/OR REMOVE TREES, SHRUBBERY AND OTHER OBSTRUCTIONS TO THE EXTENT NECESSARY TO KEEP THE EASEMENTS CLEAR. AUSTIN ENERGY WILL PERFORM ALL TREE WORK IN COMPLIANCE WITH CHAPTER 25-8, SUBCHAPTER B OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
13. THE OWNER/DEVELOPER OF THIS SUBDIVISION/LOT SHALL PROVIDE AUSTIN ENERGY WITH ANY EASEMENT AND/OR ACCESS REQUIRED BY AUSTIN ENERGY FOR THE INSTALLATION AND ONGOING MAINTENANCE OF OVERHEAD AND UNDERGROUND ELECTRIC FACILITIES. THESE EASEMENTS AND/OR ACCESS ARE REQUIRED TO PROVIDE ELECTRIC SERVICES TO THE BUILDING AND WILL NOT BE LOCATED SO AS TO CAUSE THE SITE TO BE OUT OF COMPLIANCE WITH CHAPTER 25-8 OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
14. THE OWNER SHALL BE RESPONSIBLE FOR INSTALLATION OF TEMPORARY EROSION CONTROL, REVEGETATION, AND TREE PROTECTION. IN ADDITION, THE OWNER SHALL BE RESPONSIBLE FOR ANY TREE PRUNING AND TREE REMOVAL THAT IS WITHIN TEN FEET OF THE CENTER LINE OF THE OVERHEAD ELECTRICAL FACILITIES DESIGNED TO PROVIDE ELECTRIC SERVICE TO THIS PROJECT. THE OWNER SHALL INCLUDE AUSTIN ENERGY'S WORK WITHIN THE LIMITS OF CONSTRUCTION FOR THIS PROJECT.
15. ANY RELOCATION OF ELECTRIC FACILITIES SHALL BE AT OWNER'S SOLE EXPENSE.
16. WATER AND WASTEWATER SYSTEMS SERVING THIS SUBDIVISION SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE CITY OF AUSTIN AND STATE HEALTH DEPARTMENT PLANS AND SPECIFICATIONS. PLANS AND SPECIFICATIONS SHALL BE SUBMITTED TO THE CITY OF AUSTIN WATER AND WASTEWATER DEPARTMENT FOR REVIEW.
17. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO WATER CONTROL AND IMPROVEMENT DISTRICT [illegible] AND AN ON-SITE WASTEWATER DISPOSAL SYSTEM APPROVED BY THE CITY OF AUSTIN.
18. THIS SUBDIVISION PLAT WAS APPROVED AND RECORDED BEFORE THE CONSTRUCTION AND ACCEPTANCE OF STREETS AND OTHER SUBDIVISION IMPROVEMENTS PURSUANT TO THE [illegible] SUBDIVISION CONSTRUCTION AGREEMENT BETWEEN THE SUBDIVIDER AND THE CITY OF AUSTIN, DATED [illegible]. THE SUBDIVIDER IS RESPONSIBLE FOR THE CONSTRUCTION OF ALL STREETS AND FACILITIES NEEDED TO SERVE THE LOTS WITHIN THE SUBDIVISION. THIS RESPONSIBILITY MAY BE ASSIGNED IN ACCORDANCE WITH THE TERMS OF THAT AGREEMENT. FOR THE CONSTRUCTION AGREEMENT, SEE SUBPART [illegible] ASSIGNMENT RECORDED UNDER DOCUMENT NUMBER 2001021463 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.
19. EROSION/SEDIMENTATION CONTROLS ARE REQUIRED FOR ALL CONSTRUCTION ON EACH LOT PURSUANT TO LDC SECTION 25-8-181 AND THE ENVIRONMENTAL CRITERIA MANUAL.
20. WATER QUALITY CONTROLS ARE REQUIRED FOR ALL DEVELOPMENT WITH IMPERVIOUS COVER IN EXCESS OF 20% OF THE NET SITE AREA OF EACH LOT PURSUANT TO LDC SECTION 25-8-211.
21. TRAVIS COUNTY DEVELOPMENT PERMIT REQUIRED PRIOR TO ANY SITE DEVELOPMENT.
22. THIS LOT IS LIMITED TO ONE ACCESS POINT ON LOOP 360, AS DESIGNATED AND PERMITTED BY TxDOT.

TRAVIS COUNTY COMMISSIONERS COURT NOTES

IN APPROVING THIS PLAT BY THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS, ASSUMES NO OBLIGATION TO BUILD THE STREETS, ROADS, AND OTHER PUBLIC THOROUGHFARES SHOWN ON THIS PLAT OR ANY BRIDGES OR CULVERTS IN CONNECTION THEREWITH. THE BUILDING OF ALL STREETS, ROADS AND OTHER PUBLIC THOROUGHFARES SHOWN ON THIS PLAT AND ALL BRIDGES AND CULVERTS NECESSARY TO BE CONSTRUCTED OR PLACED IN SUCH STREETS, ROADS OR OTHER PUBLIC THOROUGHFARES OR IN CONNECTION THEREWITH IS THE RESPONSIBILITY OF THE OWNER AND/OR DEVELOPER OF THE TRACT OF LAND COVERED BY THIS PLAT IN ACCORDANCE WITH PLANS AND SPECIFICATIONS PRESCRIBED BY THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS.

THE OWNER(S) OF THE SUBDIVISION SHALL CONSTRUCT THE SUBDIVISION'S STREET AND DRAINAGE IMPROVEMENTS (THE "IMPROVEMENTS") TO COUNTY STANDARDS IN ORDER FOR THE COUNTY TO ACCEPT THE PUBLIC IMPROVEMENTS FOR MAINTENANCE. IN TO RELEASE THE FISCAL SECURITY POSTED TO SECURE IMPROVEMENTS. TO SECURE THIS OBLIGATION, THE OWNER(S) MUST POST FISCAL SECURITY WITH THE COUNTY IN THE AMOUNT OF THE ESTIMATED COST OF IMPROVEMENTS. THE OWNER(S) OBLIGATION TO CONSTRUCT THE IMPROVEMENTS TO COUNTY STANDARDS AND POST THE FISCAL SECURITY TO SECURE SUCH CONSTRUCTION IS A CONTINUING OBLIGATION BINDING THE OWNERS AND THEIR SUCCESSORS AND ASSIGNS UNTIL THE PUBLIC IMPROVEMENTS HAVE BEEN ACCEPTED FOR MAINTENANCE BY THE COUNTY OR THE PRIVATE IMPROVEMENTS HAVE BEEN CONSTRUCTED AND ARE PERFORMING TO COUNTY STANDARDS.

THE AUTHORIZATION OF THIS PLAT BY THE COMMISSIONERS COURT FOR FILING OR THE SUBSEQUENT ACCEPTANCE FOR MAINTENANCE BY TRAVIS COUNTY, TEXAS, OF ROADS AND STREETS IN THE SUBDIVISION DOES NOT OBLIGATE THE COUNTY TO INSTALL STREET NAME SIGNS OR TRAFFIC CONTROL SIGNS, SUCH AS SPEED LIMIT, STOP SIGNS, AND YIELD SIGNS, WHICH IS CONSIDERED TO BE A PART OF THE DEVELOPER'S CONSTRUCTION.

ROB ROY 360

CITY OF AUSTIN/TRAVIS COUNTY ON-SITE SEWAGE FACILITY PROGRAM NOTES

1. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC WATER SYSTEM OR A PRIVATE ON-SITE SEWAGE DISPOSAL SYSTEM WHICH HAS BEEN APPROVED BY THE CITY OF AUSTIN OR TRAVIS COUNTY ON-SITE SEWAGE FACILITY PROGRAM.
2. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC WATER SUPPLY SYSTEM OR APPROVED PUBLIC WATER SYSTEM OR PRIVATE WATER WELL.
3. NO WATER WELL MAY BE INSTALLED WITHIN 100 FEET OF AN ON-SITE SEWAGE DISPOSAL SYSTEM AND NO ON-SITE WASTEWATER DISPOSAL SYSTEM BE INSTALLED WITHIN 100 FEET OF A WATER WELL.
4. NO CONSTRUCTION MAY BEGIN ON ANY LOT IN THIS SUBDIVISION UNTIL PLANS FOR THE PRIVATE ON-SITE SEWAGE DISPOSAL SYSTEM ARE SUBMITTED TO AND APPROVED BY THE CITY OF AUSTIN OR TRAVIS COUNTY ON-SITE SEWAGE FACILITY PROGRAM.
5. ALL DEVELOPMENT ON ALL LOTS IN THIS SUBDIVISION MUST BE IN ACCORDANCE WITH THE MINIMUM REQUIREMENTS OF THE CHAPTER 48 OF THE TRAVIS COUNTY RULES, PROCEDURE AND REGULATIONS MANUAL OR CHAPTER 15-10 OF THE CODE OF THE CITY OF AUSTIN.
6. THE ON-SITE SEWAGE FACILITIES SERVING THE LOTS IN THIS SUBDIVISION MUST BE PROFESSIONALLY DESIGNED.
7. THESE RESTRICTIONS ARE ENFORCEABLE BY THE CITY OF AUSTIN OR TRAVIS COUNTY ON-SITE SEWAGE FACILITY PROGRAM AND/OR LOT OWNERS.

DAVID B. LOVELADY [illegible] R.S. — 3/15/01 DATE

PLAT PREPARED: JUNE 28, 2000
SUBMITTED TO THE CITY OF AUSTIN: JULY 10, 2000
SUBMITTED TO TRAVIS COUNTY: DECEMBER 6, 2000
PLAT REVISED: JULY 26, 2000
PLAT REVISED: AUGUST 7, 2000
PLAT REVISED: SEPTEMBER 26, 2000
PLAT REVISED: OCTOBER 2, 2000
PLAT REVISED: NOVEMBER 9, 2000
PLAT REVISED: JANUARY 8, 2001
PLAT REVISED: JANUARY 17, 2001
PLAT REVISED: JANUARY 18, 2001
PLAT REVISED: JANUARY 26, 2001
PLAT REVISED: FEBRUARY 8, 2001
PLAT REVISED: FEBRUARY [illegible], 2001

BAMFORD & ASSOCIATES
LAND SURVEYING
4380 S. CONGRESS AVENUE
AUSTIN, TEXAS 78745
SUITE 109
TEL 441-3621 FAX 441-3623
EMAIL 3BAMFORD@AOL.COM

CB 14-86 0001.01 1A

SHEET 3 OF 3

Deed History

- 9-11-1986 – Property conveyed from Westview Development, Inc. to Davenport Limited
- 12-11-2000 – Property conveyed from Davenport Limited to Robbie Mayfield Companies, Inc.
- 10-31-2006 - Property conveyed from Robbie Mayfield Companies, Inc. to Brandywine Acquisition Partners, LP

Modifying the Restrictive Covenant

Sec. 3.03 "Except as provided otherwise herein, this Restrictive Covenant may be modified, amended or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, or such other governing body as may succeed the City Council of Austin, and (b) by the owner(s) who is/are the owner(s) at the time of such modification, amendment or termination of the portions(s) of the Property which is/are directly affected by the proposed modification, amendment or termination."

Restrictive Covenant – SPC-00-2013C

02 ATC-55 Robbie Mayfield Co. (TLM)

TRV 2013057904
3 pgs

BJ

Site Plan Case No. SPC-00-2013C

RESTRICTIVE COVENANT

OWNER: Robbie Mayfield Companies, Inc

ADDRESS: 2630 Exposition Blvd #214, Austin, Texas 78703

CONSIDERATION: Ten and No/100 Dollars ($10 00) and other good and valuable consideration paid by Rob Roy Homeowners' Association, Inc , the receipt and sufficiency of which is acknowledged

PROPERTY Lot 1, Block A Davenport West P.U D. , Tract D, Section 1 Rob Roy Phase 3, a subdivision recorded in Vol 91, Page 97, Plat Records of Travis County, Texas.

WHEREAS, the Owner of the Property, Rob Roy Homeowners' Association, Inc., and the Joint Davenport Ranch/Rob Roy Homeowners Association Architectural Control Committee ("Joint ACC") agree that the Property should be impressed with certain covenants and restrictions as conditions for supporting approval by the Austin Planning Commission of the City of Austin Site Plan Permit No SPC-00-2013C as submitted by Owner to the City of Austin as of the date hereof , and

WHEREAS, the Joint ACC has met and reviewed and approved the layout and design, as well as the colors and materials of the proposed improvements on the Property, and

WHEREAS, in accordance with the Letter of Agreement, Owner, Rob Roy Homeowners' Association, Inc and the Joint ACC desire to record by this Restrictive Covenant, the powers and duties of the Joint ACC with respect to its process of approval of Owner's Site Plan and its authority with respect to any amendments thereto,

NOW, THEREFORE, it is declared that the Owner of the Property, for the consideration, shall hold, sell and convey the Property subject to the following covenants and restrictions impressed upon the Property by this Restrictive Covenant These covenants and restrictions shall run with the land and shall be binding on the Owner of the Property, its heirs, successors and assigns

1 Owner agrees that the building built on the Property in accordance with Site Plan Permit No SPC-00-2013C shall maintain a roof plane which is free of any satellite dishes, radio towers, mechanical or other equipment other than required air intakes, exhaust vents, elevator shafts or other penetrations required by Code of any regulatory agency or entity

2 Any signage affixed to the building shall be limited to the east elevation of the building,

3. Owner agrees to match, as near as possible, the natural stone roof ballast to the color of the building façade walls

I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness: my hand and seal of office on AUG 05 2013

CONSOLIDATED ADMINISTRATIVE SITE PLAN FOR THE CANYONS AT ROB ROY

800 CAPITAL OF TEXAS HIGHWAY NORTH

AUSTIN, TEXAS

OWNER
BRANDYWINE REALTY TRUST
ENGINEER/AGENT
HANRAHAN + PRITCHARD ENGINEERING, INC.
LANDSCAPE ARCHITECT
CAROLYN WELLY, ASLA
LANDSCAPE ARCHITECT
SURVEYOR
BAMPORD & ASSOCIATES

"THERE ARE NO WATER OR WASTEWATER SERVICES REQUESTED FROM THE CITY OF AUSTIN

"WATER SERVICE WILL BE PROVIDED BY TRAVIS COUNTY WCID #10

"WASTEWATER SERVICE WILL BE PROVIDED BY AN ONSITE SYSTEM BY OTHERS)



LOCATION MAP

INDEX OF SHEETS

1 COVER SHEET
2 FINAL PLAT
3 FINAL PLAT
4 PID HOUSE / APPROVED CONCEPTUAL SITE PLAN (SP-00-0007)
5 PREVIOUS / APPROVED PRELIMINARY PLAN (SP-00-0007)
6 PREVIOUS / APPROVED PRELIMINARY PLAN (SP-00-0007)
7 GENERAL NOTES
8 EXISTING SITE CONDITIONS
9 SLOPE MAP
10 EROSION & SEDIMENTATION CONTROL AND TREE PROTECTION PLAN
11 EROSION & SEDIMENTATION CONTROL AND TREE PROTECTION PLAN
12 EROSION & SEDIMENTATION CONTROL AND TREE PROTECTION DETAILS
13 OVERALL SITE PLAN
14 SITE & DIMENSIONAL CONTROL PLAN - SHEET 1 OF 2
15 SITE & DIMENSIONAL CONTROL PLAN - SHEET 2 OF 2
16 GRADING PLAN - SHEET 1 OF 2
17 GRADING PLAN - SHEET 2 OF 2
18 OVERALL DRAINAGE MAP
19 PROPOSED DRAINAGE AREA MAP
20 STORM SEWER LAYOUT
21 STORM SEWER PROFILES 1, 2 & 3
22 STORM SEWER PROFILES 4, 5, 6, 7, 8 & 9
23 WATER QUALITY POND PLAN
24 WATER QUALITY POND PLAN DETAILS
25 WATER LINE "A" PLAN & PROFILE
26 WATER LINE "A" AND "B" PLAN & PROFILE
27 GENERAL DETAILS
28 GENERAL DETAILS
29 GENERAL DETAILS
30 BUILDING ELEVATIONS AND COMPATIBILITY SECTION
31 TRAFFIC CONTROL PLAN (TXDOT)
32 LANDSCAPE PLAN
33 LANDSCAPE DETAILS / CALCULATIONS

SUBMITTED BY

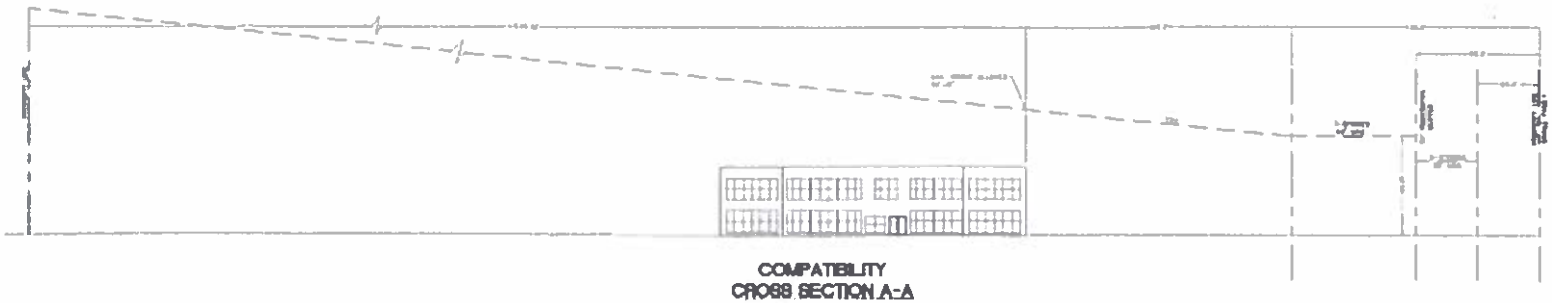
STEPHEN A. JAMES, P.E.

HANRAHAN • PRITCHARD ENGINEERING, INC.
CONSULTING ENGINEERS
8333 CROSS PARK DR
AUSTIN, TEXAS 78754
OFFICE 512.452.4724 FAX 512.452.4721

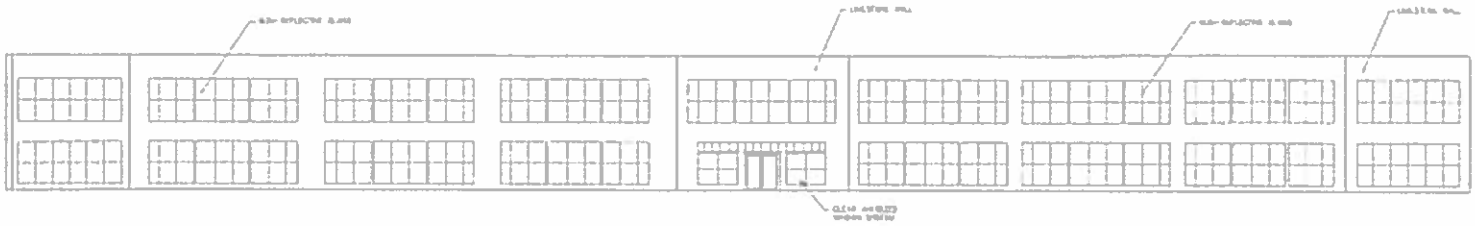
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SHEET 01 OF 33

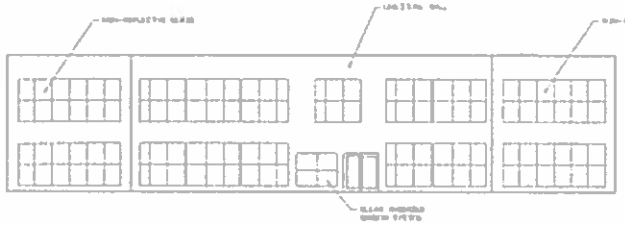

DATE
THE CANYONS OF ROB ROY
ROB N CAPITAL OF TEXAS HWY SB
AUSTIN TEXAS
LANDSCAPE PLAN
SHEET
32 of 33
SCALE: 1" = 50'
SPC-2013-0214C



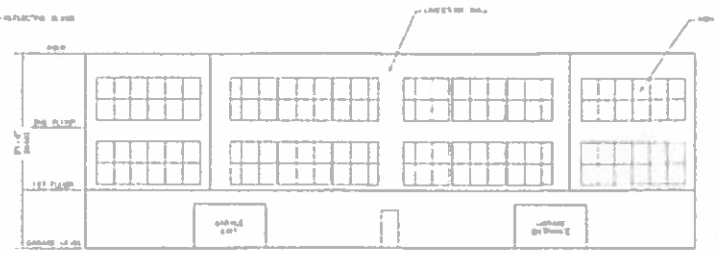
COMPATIBILITY
CROSS SECTION A-A



FRONT ELEVATION



SIDE ELEVATION



SIDE ELEVATION

NOTES:

- FOR INFORMATIONAL PURPOSES ONLY
- ARCHITECTURAL AND STRUCTURAL BUILDING DESIGNS BY OTHERS (SEE ARCHITECTURAL PLANS)
- MIRRORED GLASS WITH A REFLECTANCE GREATER THAN 20% IS PROHIBITED

SPC-2013-0214C

HANRAHAN • PITCHARD ENGINEERING, INC.
HPE

THE CANYONS AT ROB ROY
BUILDING ELEVATIONS
AND COMPATIBILITY SECTION
510 CAPITAL OF TEXAS HWY. NORTH
AUSTIN, TEXAS

SHEET
30 of 33

Item C 6. Austin Oaks Restaurant

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern *(it may be delivered to the contact listed on a notice)*; or
- appearing and speaking for the record at the public hearing;

and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: **www.ci.austin.tx.us/development**.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SP-2013-0058CT
Contact: Amanda Couch, 512-974-2881 or Elsa Garza, 512-974-2308
Public Hearing: Zoning and Platting Commission, Dec 3, 2013

DELORES DICKERSON
Your Name (please print)

☐ I am in favor
☑ I object

3500 GREYSTONE DR. AUSTIN, TX 78731
Your address(es) affected by this application

Delores Dickerson
Signature

12-2-13
Date

Daytime Telephone: 888-848-6541 x 6787

Comments: This lot is teaming with wildlife including deer. There is a stream/brook on this property which feeds our wildlife. The street is VERY steep which will cause a traffic hazard. The greenery on this lot will be destroyed, decreasing the beauty of our neighborhood.

If you use this form to comment, it may be returned to:
City of Austin
Planning and Development Review – 4th floor
Amanda Couch
P. O. Box 1088
Austin, TX 78767-8810