

ORDINANCE NO. Z-00-01-13-9C9

AN ORDINANCE AMENDING ORDINANCE NO. Z-94-01-13-8M, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON JANUARY 13, 1994, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROUND ROCK, TEXAS, AS ADOPTED IN SECTION 11.305(2), CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS TO REFLECT SAID AMENDMENT; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, on January 13, 1994, the City Council of the City of Round Rock, Texas adopted Ordinance No. Z-94-01-13-8M, which established 398.16 acres described in Exhibit "A" of said Ordinance as Planned Unit Development (PUD) District #4, and

WHEREAS, an application has been made to the City Council of the City of Round Rock, Texas to amend Ordinance No. Z-94-01-13-8M, said amendment to: 1) allow less than 10,000 square foot lots within the property designated as Parcel N in Exhibit "C" of Ordinance No. Z-94-01-13-8M, (now Parcel N-2); 2) to allow for the extension of a collector road through Parcel N-2; and 3) certain improvements to Harvey Penick Drive, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. Z-94-01-13-8M and P.U.D. #4 on the 22nd day of December, 1999, following lawful publication of said public hearing, and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that Ordinance No. Z-94-01-13-8M be amended, and

WHEREAS, on the 13th day of January, 2000, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No. Z-94-01-13-8M and P.U.D. #4, and

WHEREAS, the City Council determined that the amendment to Ordinance No. Z-94-01-13-8M and P.U.D. #4 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 Section 11.300, Code of Ordinances, 1990 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 COUNCIL OF THE CITY OF ROUND ROCK, TEXAS, THAT:

I.

That the City Council hereby determine that the proposed amendment to Planned Unit Development (PUD) District #4 meets the following goals and objectives:

- (1) The change to the development in the proposed P.U.D. #4 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) The amendment to P.U.D. #4 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #4 does not have an undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety and general welfare.
- (4) The amendment to P.U.D. #4 will be adequately served by essential public facilities and services including streets, parking, drainage, water, wastewater facilities, and other necessary utilities.
- (5) The amendment to P.U.D. #4 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 Ordinance No. Z-94-01-13-8M, passed and adopted by the City Council of Round Rock, Texas, on January 13, 1994, is hereby amended as follows:

- (1) Exhibit "C" of Ordinance No. Z-94-01-13-8M is hereby amended by replacing said Exhibit "C" with a new Exhibit "C", (Exhibit "A" herein), which indicates that Parcel N is now divided into two separate parcels, Parcels N-1 and N-2.
- (2) Exhibit "D" of Ordinance No. Z-94-01-13-8M is hereby amended by replacing said Exhibit "D" with a new Exhibit "D", (Exhibit "B" herein), which reflects the inclusion of Parcels N-1 and N-2, and allows lot sizes in Parcel N-2 to be less than 10,000 square feet.

- (3) Exhibit "F" of Ordinance No. Z-94-01-13-8M is hereby amended by replacing said Exhibit "F" with a new Exhibit "F", (Exhibit "C" herein), which reflects the extension of a collector road into Parcel N-2.
- (4) Section 4.0, Access, is hereby amended by adding a new subsection 4.6, which shall read as follows:

4.6 Access to Elementary School Parking Lot

Prior to recordation of Forest Creek, Section 17, the Developer shall reconstruct Harvey Penick Drive from the intersection of Forest Creek Drive along the frontage of the Forest Creek Elementary School tract to a forty (40) foot wide, curb and guttered two (2) lane major collector road. The Developer shall additionally be responsible for transitioning this reconstruction of Harvey Penick Drive to the existing ribbon curb cross-section south of said school site. A twenty-five (25) foot driveway from Harvey Penick Drive to the elementary school parking lot at the rear of the school property shall also be constructed at this time.

III.

That the Official Zoning Map adopted in Section 11.305(2), Code of Ordinances, 1990 Edition, City of Round Rock, Texas is hereby amended to reflect the amendment to Ordinance No. Z-94-01-13-8M and P.U.D. #4 established therein.

IV.

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, and the Act.

Alternative 1.

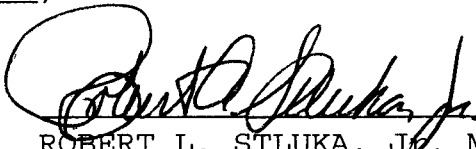
By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this 13th day of January, 2000.

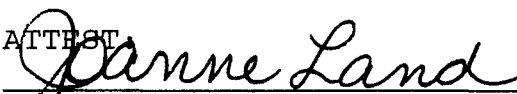
Alternative 2.

READ and APPROVED on first reading this the _____ day of _____, 2000.

READ, APPROVED and ADOPTED on second reading this the _____ day of _____, 2000.



ROBERT L. STLUKA, Jr. Mayor
City of Round Rock, Texas

ATTEST


JOANNE LAND, City Secretary

P.U.D. AMENDMENT APPLICATION
Application No. 99-5141

FOREST CREEK PUD NO. 4

PUBLIC HEARING AND ZONING RECOMMENDATION

EXHIBIT "C"

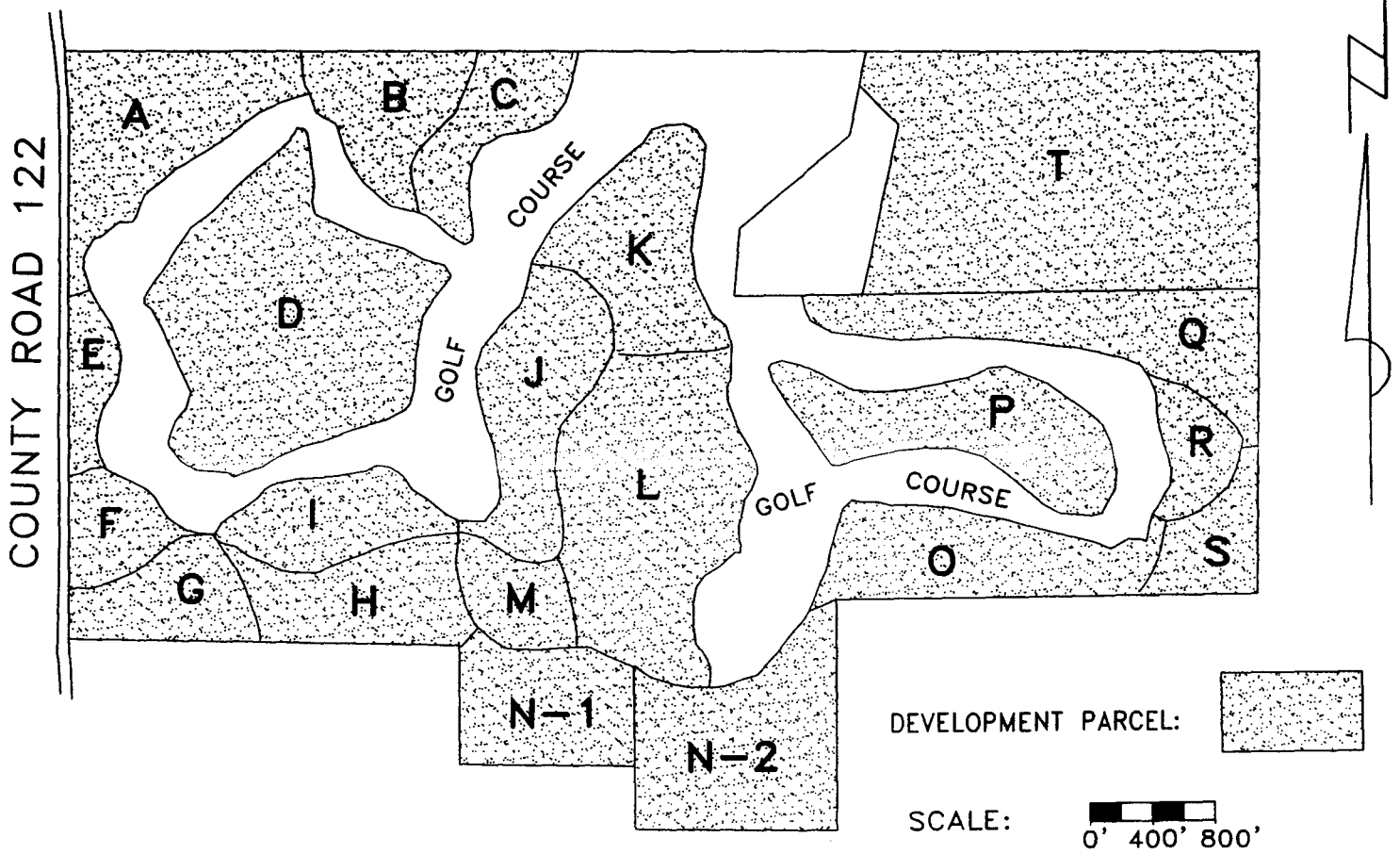


EXHIBIT
"A"

PARCEL	A	B	C	D	E	F	G	H	I	J	K	L	M	N-1	N-2	O	P	Q	R	S	T	
Parcel Size (Acres)	21	15	10	49	6	7	10	15	13	20	24	48	10	19	33	19	26	26	6	10	85	
Assigned L.U.E.	85	54	46	172	24	59	73	50	30	70	108	168	77	67	113	65	90	92	21	36	200	
Maximum L.U.E.	93	59	50	189	26	65	80	55	33	77	119	185	85	74	124	72	99	101	23	40	225	
Single Family Residential	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Attached Residential						X	X				X											
Multi-Family Residential						X							X									
Limited Commercial						X	X															
Daycare						X	X															
Churches						X	X															
Amend. #1 Assigned LUE Changes						+32	+43		-75													
Amend. #2 Assigned LUE Changes		+10						-10														
Amend. #3: Addition of Tract T																						
SPECIAL CONDITIONS	1	1	1		4	3	5	8								*8						11
as listed below	2						6															
	3						7															
						9	9															

LEGEND OF SPECIAL CONDITIONS:

- 1) Lots adjacent to the northern property lines shall have a minimum lot size of 10,000 sq. ft.
- 2) Lots adjacent to County Road 122 shall have a minimum lot size of 10,000 sq. ft.
- 3) A maximum of two access points from this parcel to County Road 122 may be permitted.
- 4) A maximum of four access points to County Road 122 may be permitted.
- 5) All buildings, other than single family detached homes, shall maintain a 100 foot setback from the southern boundary of the parcel.
- 6) Commercial uses shall be located adjacent to County Road 122.
- 7) A buffer along the southern property line shall be provided by use of landscaping, berming, or fencing.
- 8) Lots adjacent to the southern property line shall have a minimum lot size of 10,000 sq. ft.
- 9) Total impervious cover shall not exceed 80 percent of each lot.
- 10) Park, subdivision amenity areas and schools are permitted uses in all development parcels.
- 11) *Minimum lot size is 10,000 square feet.*

Note: * Current amendment to Exhibit .

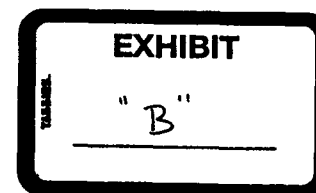
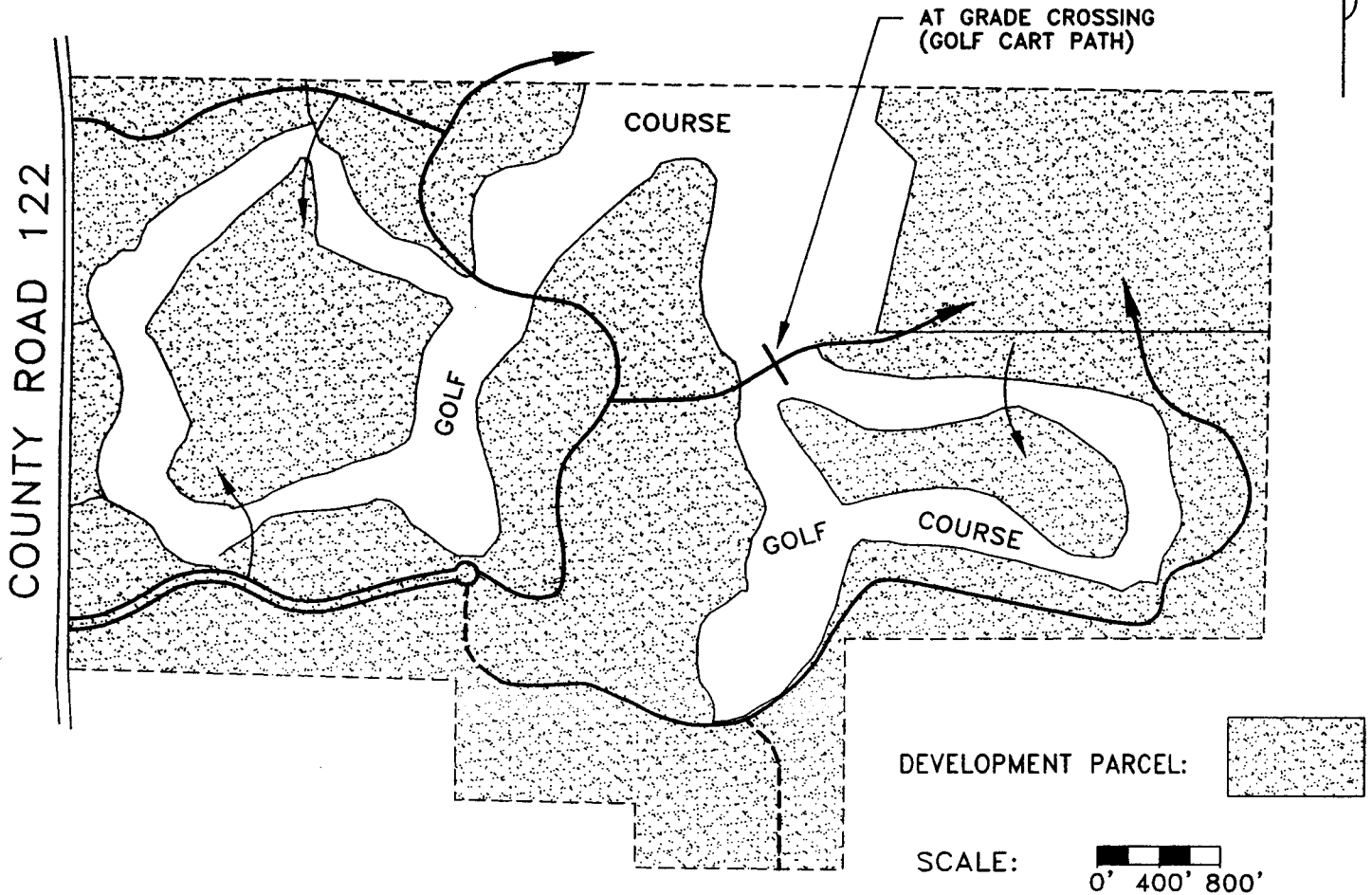


EXHIBIT "F" COLLECTOR ROAD PLAN



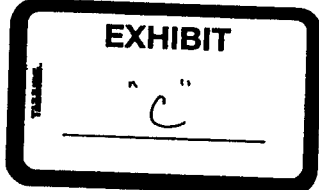
- 4 LANE COLLECTOR (DUAL 25' PLUS 18" RIBBON CURB)
- 2 LANE MAJOR COLLECTOR (25' PLUS 18" RIBBON CURB)
- 2 LANE MINOR COLLECTOR (22' PLUS 18" RIBBON CURB)
- 2 LANE MAJOR COLLECTOR (40' PLUS CURB & GUTTER)

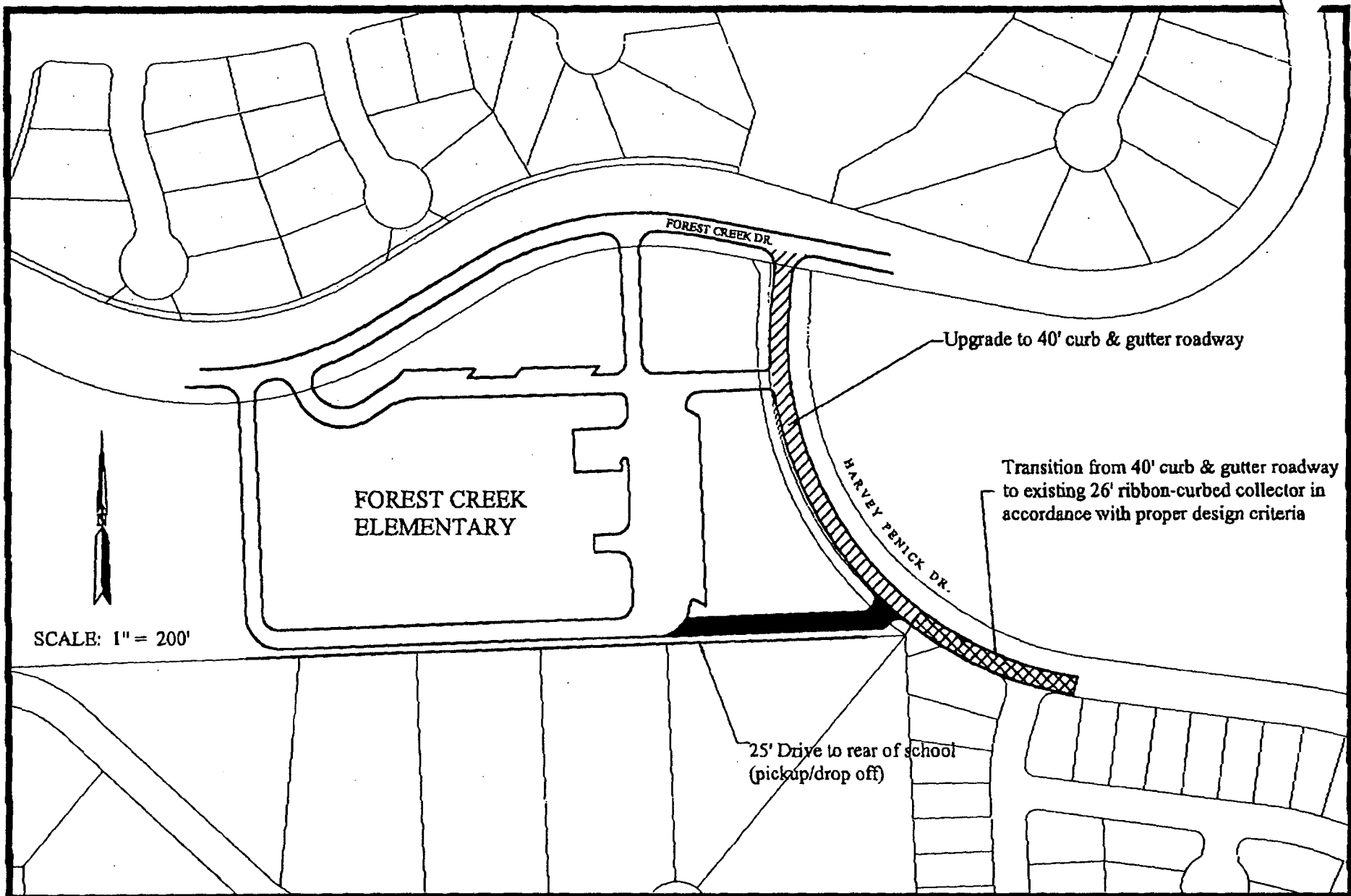
NOTES:

TWO LANE COLLECTORS MAY BE BUILT TO CITY STANDARDS (AMENDED NOV. 1993)

MAJOR COLLECTOR ROADS SHALL BE CONSTRUCTED TO INCLUDE GRADE SEPARATIONS BETWEEN THE ROADWAY AND THE GOLF CART PATHWAY AT THE COST OF THE OWNER, EXCEPT AS SHOWN HEREON.

ALL PLANS MUST BE APPROVED BY THE DIRECTOR OF PUBLIC WORKS





SCALE: 1" = 200'

FOREST CREEK
ELEMENTARY

FOREST CREEK DR.

HARVEY PENICK DR.

Upgrade to 40' curb & gutter roadway

Transition from 40' curb & gutter roadway
to existing 26' ribbon-curbed collector in
accordance with proper design criteria

25' Drive to rear of school
(pickup/drop off)

FOREST CREEK PUD NO. 4 REVISION 5 PROPOSED ROAD/DRIVE IMPROVEMENTS

Forest Creek PUD Amendment #5

4.0 Access

4.6 Access to Elementary School Parking Lot

Prior to recordation of Forest Creek Section 17, the developer shall reconstruct Harvey Penick Drive from the intersection of Forest Creek Dr. along the frontage of the Forest Creek Elementary School to a 2 lane major collector ,40 ft. curb and gutter, transitioning to the to the existing cross-section south of the school site. Additionally, a 25 ft. driveway from Harvey Penick Dr. to the school parking lot to the rear of the school property shall also be required at this time.