

ORDINANCE NO. Z-13-01-24-L7

AN ORDINANCE AMENDING ORDINANCE NO. Z-99-01-28-9A2, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON JANUARY 28, 1999, BY ADOPTING THIS AMENDMENT NO. 3 TO THE DEVELOPMENT PLAN OF PUD NO. 35, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE, PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, on January 28, 1999, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-99-01-28-9A2, which established PUD No. 35, and

WHEREAS, on September 22, 2005, the City Council of the City of Round Rock adopted Ordinance No. Z-05-09-22-13E1, amending PUD No. 35 regarding drive-thru automated teller machines, and

WHEREAS, on July 26, 2012, the City Council of the City of Round Rock adopted Ordinance No. Z-12-07-26-H1, amending PUD No. 35 regarding a day care, residential and office uses, and

WHEREAS, an application has been made to the City Council of the City of Round Rock, Texas, to amend the Development Plan of PUD No. 35, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning this Amendment No. 2 to Ordinance No. Z-99-01-28-9A2 on the 19th day of December 2012, 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-99-01-28-9A2 be amended, and

WHEREAS, on the 24th day of January, 2013, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No. Z-99-01-28-9A2 and

WHEREAS, the City Council determined that the requested amendment to Ordinance No. Z-99-01-28-9A2 promotes the health, safety, morals and general welfare of the community, and

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, and Sections 46-92 and 46-106, Code of Ordinances, 2010 Edition, City of Round Rock, Texas concerning public notices, hearings, and other procedural matters has been fully complied with, Now Therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:

I.

That the City Council hereby determines that the proposed amendment to Planned Unit Development (PUD) District #35 meets the following goals and objectives:

- (1) The amendment to P.U.D. #35 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) The amendment to P.U.D. #35 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #35 does not have an undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety and general welfare.

II.

That Exhibit 'C', Section I of the Development Plan of PUD No. 35, as approved in Ordinance No. Z-99-01-28-9A2 and amended in Ordinance No. Z-05-09-22-13E1 and in Ordinance No. Z-12-07-26-H1, is hereby deleted in its entirety, and replaced with a new Section I, which shall read as follows:

1. DEVELOPMENT AREAS

- 1.1. **Tract One:** Tract One shall comprise all property within the PUD south of Park Valley Drive.
- 1.2. **Tract Two:** Tract Two shall comprise all property within the PUD north of Park Valley Drive, with the exception of **Tract 2-A and Tract 2-B**, as described below.
- 1.3. **Tract 2-A:** Approximately 3.384 acres of land more particularly described in **Exhibit "A-1"**
- 1.4. **Tract 2-B:** Approximately 2.471 acres of land more particularly described in **Exhibit "A-2"**.

III.

That Exhibit 'C' of the Development Plan of PUD No. 35, as approved in Ordinance No. Z-99-01-28-9A2 and amended in Ordinance No. Z-05-09-22-13E1 and in Ordinance No. Z-12-07-26-H1, is hereby amended to include the following:

9. PERMITTED USES AND DEVELOPMENT STANDARDS FOR TRACTS 2-A AND 2-B

9.1. Application of Standards

In accordance with Chapter 46-156 of the Round Rock Code of Ordinances, as amended, the following use regulations, design standards and development standards shall apply to all development on the portions of the Property identified as **Tracts 2-A and 2-B**, as described in **Exhibits "A-1" and "A-2"**.

9.2. Definitions

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

9.3. Property

This Plan covers approximately 5.86 acres of land, located within the city limits of Round Rock, Texas, and more particularly described in Exhibits "A-1" and "A-2" (the "Property").

9.4. Applicability of City Ordinances

9.4.1. 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 **SF-2 (Single Family - Standard Lot)**, **TH (Townhome)** or **OF (Office)** zoning districts and other sections of the Code, as applicable, and as hereafter amended. If there is a conflict between this Plan and the Code, this Plan shall supersede the specific conflicting provisions of the Code.

9.4.2. Other Ordinances

All other Ordinances within the Code, as hereafter 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.

9.5. Permitted Uses - Tract 2-A

9.5.1. The following principal uses are permitted:

9.5.1.1. All land uses allowed in the **SF-2 (Single Family - Standard Lot)** zoning district; or

9.5.1.2. All land uses allowed in the **TH (Townhome)** zoning district; or

9.5.1.3. All land uses allowed in the **OF (Office)** zoning district, including one (1) **Day Care**, with a maximum of 14,000 square feet of floor area.

9.5.2. The requirement in Section 46-160 (i)(2)(e) for a Special Exception for a Day Care of greater than 10,000 square feet shall not apply.

9.6. Permitted Uses - Tract 2-B

The following principal uses are permitted:

9.6.1. All land uses allowed in the **SF-2 (Single Family - Standard Lot)** zoning district; or

9.6.2. All land uses allowed in the **TH (Townhome)** zoning district; or

9.6.3. All land uses allowed in the **OF (Office)** zoning district, with the exception of **Daycare**.

9.7. Driveway Tree Planting

The existing driveway for the Park Valley Assisted Living, identified as "Driveway B" on Exhibit "E", shall contain large species trees with a minimum caliper of four inches (4"), planted thirty feet (30') on center, excluding driveway locations, as shown on the Site Development Plan approved by the City on April 14, 2011.

9.8. Compatibility Buffer

9.8.1. No compatibility buffer or fencing shall be required between OF (Office) and SF-2 (Single Family - Standard Lot) or TH (Townhome) uses within the boundaries of the Property.

9.8.2. No compatibility buffer or fencing shall be required between the uses within the boundaries of the Property and the abutting uses within Tract 2 of Planned Unit Development (PUD) 35.

9.9. Side Setbacks

Side setbacks for all applicable platted lots shall be measured from the curb line of the existing "Driveway B" referenced in Section 7 above.

9.10. Access

Access to the Property shall be provided from:

9.10.1. The future "Driveway A" identified on Exhibit "E"

9.10.2. The existing "Driveway B" identified on Exhibit "E"; and

9.10.3. The existing "Driveway C" on Park Valley Drive identified on Exhibit "E".

9.11. Non-Residential Lot Configuration

All non-residential lots shall have a minimum frontage width of 50 feet along Wyoming Springs Drive. This minimum width shall extend to the depth of the front setback, as established by Chapter 46 of the Code, as amended.

9.12. Townhome Off-Street Parking Requirements

9.12.1. For one and two bedroom units: Two (2) parking spaces per dwelling unit, with a minimum of one (1) space garage-enclosed. Additional parking spaces shall be provided in the amount of 10% (ten percent) of the total number of required spaces.

9.12.2. For three or more bedroom units: Two (2) garage-enclosed parking spaces per dwelling unit. Additional parking spaces shall be provided in the amount of 10% (ten percent) of the total number of required spaces.

9.13. Garage Orientation and Screening Wall

Should townhome units be designed so that garage doors which are integrated into the façade of the units face Wyoming Springs Drive, the following shall be required:

9.13.1. A masonry fence shall be constructed on the property line abutting the Wyoming Springs Drive right-of-way, provided that no fence shall be constructed within an easement without prior approval from the City.

9.13.2. The masonry fence shall be constructed of brick or natural stone and shall meet the requirements of a compatibility fence, as detailed in Section 46-200 (e)(2)(a) and (e)(2)(b) of the Code, as amended.

IV.

That Exhibit "A" is hereby revised to include Exhibit A-1 and Exhibit A-2, as attached hereto and incorporated herein.

V.

That Exhibit "E", as attached hereto and incorporated herein, is added to the Development Plan of PUD No. 35.

VI.

That a "List of Exhibits", as attached hereto and incorporated herein, is added to the Development Plan of PUD No. 35.

VII.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted

and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Alternative 1.

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

READ, PASSED, and ADOPTED on first reading this 24th day of January, 2013.

Alternative 2.

READ and APPROVED on first reading this the ____ day of _____, 2013.

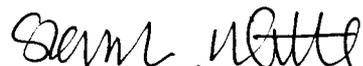
READ, APPROVED and ADOPTED on second reading this the ____ day of _____, 2013.



~~ALAN MCGRAW, Mayor~~
City of Round Rock, Texas

Kris Whitfield, Mayor Pro-Tem

ATTEST:

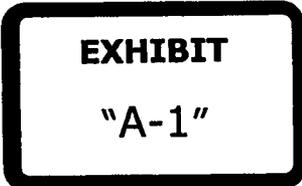


SARA L. WHITE, City Clerk

**LIST OF EXHIBITS
PUD 35**

- Exhibit A - Description of 59.833 acre tract
- Exhibit A-1 - Description of 3.384 acre tract
- Exhibit A-2 - Description of 2.471 acre tract
- Exhibit B - Lienholders of Record/Proposed Assessments
- Exhibit C - Permitted Uses and Development Standards
- Exhibit D - Location and Design of ATM
- Exhibit E - Driveway locations

3.384 ACRES
PORTION OF LOT 2, BLOCK "A"
PARK VALLEY



11-337(KWA)
BER 5, 2011
04170-10002

DESCRIPTION

OF A 3.384 ACRE TRACT OF LAND SITUATED IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF LOT 2, BLOCK "A", FINAL PLAT OF PARK VALLEY ASSISTED LIVING SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NO. 2011024845 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 3.384 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found in the curving easterly right-of-way line of Wyoming Springs Drive (120' R.O.W.), being the northwesterly corner of Lot 1, Block "A" Wyoming Springs Medical Clinic Addition, a subdivision of record in Cabinet R, Slides 274-276 of the Plat Records of Williamson County, Texas, for the southwesterly corner of said Lot 2 and hereof;

THENCE, along said easterly right-of-way line of Wyoming Springs Drive, being the westerly line of said Lot 2 and hereof, along a curve to the left, having a radius of 985.41 feet, a central angle of 08°11'44", an arc length of 140.95 feet and a chord which bears, N00°14'09"E, a distance of 140.83 feet to the northwesterly corner hereof;

THENCE, N69°24'19"E, leaving said easterly right-of-way line of Wyoming Springs Drive, over and across said Lot 2, for the northerly line hereof, a distance of 454.37 feet to a point in the westerly line of said Lot 1, Block "A" Final Plat of Park Valley Assisted Living Subdivision, being the easterly line of said Lot 2, for the northeasterly corner hereof, from which a 1/2 inch iron rod with cap set at the northeasterly corner of said Lot 2 bears N20°37'14"W, a distance of 266.16 feet;

THENCE, S20°37'14"E, along the westerly line of said Lot 1 Block "A" Park Valley Assisted Living Subdivision, being the easterly line of said Lot 2 and hereof, a distance of 466.81 feet to a 1/2 inch iron rod with cap set in the northerly line of said Lot 1, Block "A" Wyoming Springs Medical Clinic Addition, being the southerly line of said Lot 2, for the southeasterly corner hereof;

THENCE, N77°00'15"W, along the northerly line of said Lot 1, Block "A" Wyoming Springs Medical Clinic Addition, being the southerly line of said Lot 2, for the southerly line hereof, a distance of 605.83 feet to the **POINT OF BEGINNING** containing an area of 3.384 acres (147,423 sq. ft.) of land, more or less, within these metes and bounds.

THE BASIS OF BEARINGS SHOWN HEREON IS THE TEXAS COORDINATE SYSTEM, NAD 83(93), CENTRAL ZONE, UTILIZING CITY OF ROUND ROCK CONTROL NETWORK MONUMENTS: 01-002, 01-003 AND 01-030 AS PUBLISHED ON THE DATE OF THIS SURVEY.

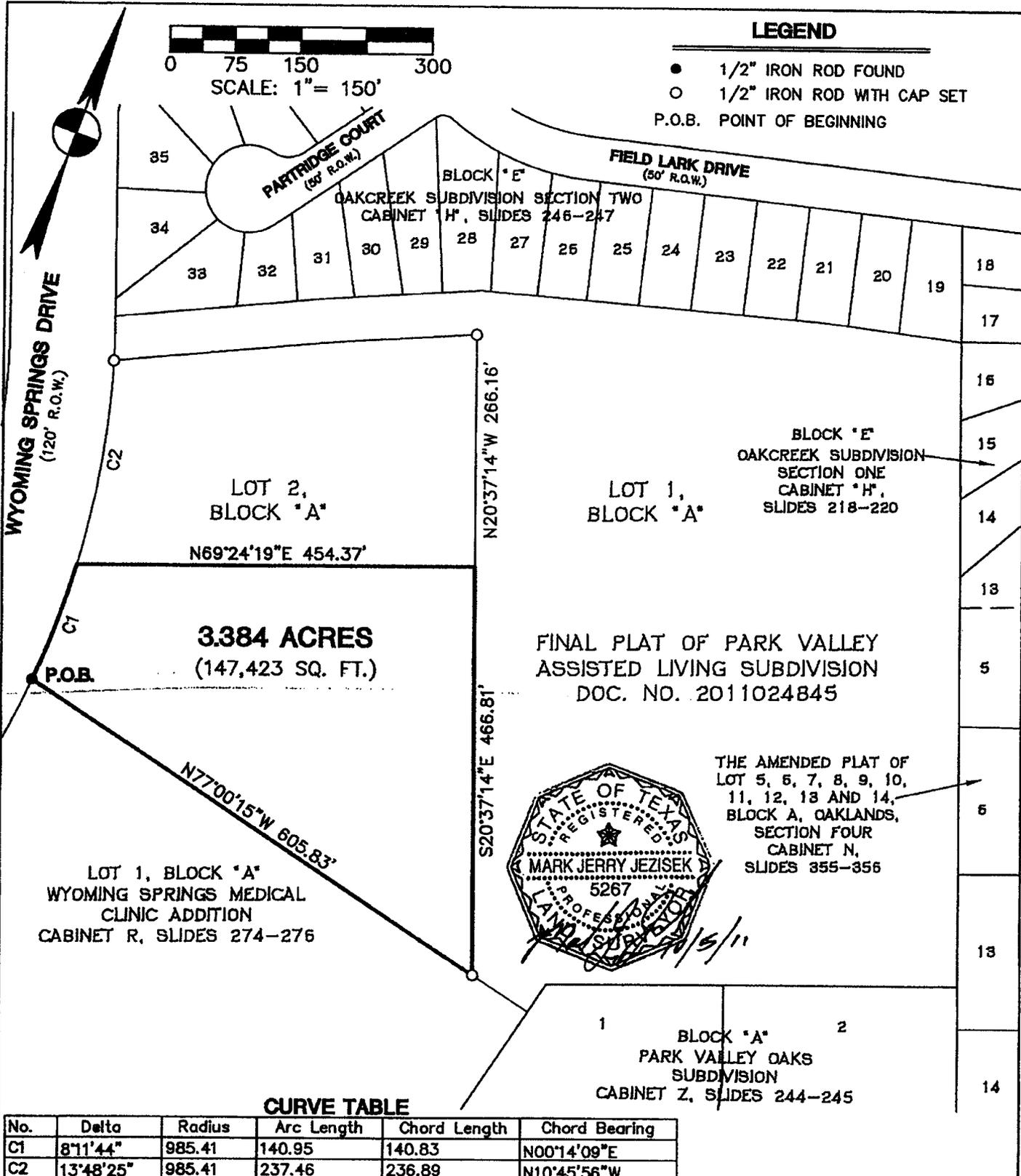
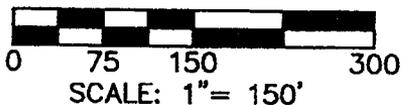
BURY & PARTNERS, INC.
ENGINEERS-SURVEYORS
221 WEST SIXTH STREET, SUITE 600
AUSTIN, TEXAS 78701


MARK J. JEZISEK
R.P.L.S. NO. 5267
STATE OF TEXAS



LEGEND

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD WITH CAP SET
- P.O.B. POINT OF BEGINNING



FINAL PLAT OF PARK VALLEY ASSISTED LIVING SUBDIVISION
DOC. NO. 2011024845

THE AMENDED PLAT OF LOT 5, 6, 7, 8, 9, 10, 11, 12, 13 AND 14, BLOCK A, OAKLANDS, SECTION FOUR, CABINET N, SLIDES 355-356



CURVE TABLE

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	8°11'44"	985.41	140.95	140.83	N00°14'09"E
C2	13°48'25"	985.41	237.46	236.89	N10°45'56"W

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ENGINEERING SOLUTIONS
221 West Sixth Street, Suite 600
Austin, Texas 78701
Tel: (512)328-0611 Fax: (512)328-0320
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SKETCH TO ACCOMPANY DESCRIPTION
OF 3.384 ACRES OF LAND OUT OF THE JACOB M. HARRELL SURVEY, SITUATED IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF LOT 2, BLOCK "A", FINAL PLAT OF PARK VALLEY ASSISTED LIVING SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NO. 2011024845 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.

PREVARIAN

2.471 ACRES
PORTION OF LOT 2, BLOCK "A"
PARK VALLEY

EXHIBIT

"A-2"

1-338 (KWA)
BER 5, 2011
04170-10002

DESCRIPTION

OF A 2.471 ACRE TRACT OF LAND SITUATED IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF LOT 2, BLOCK "A", FINAL PLAT OF PARK VALLEY ASSISTED LIVING SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NO. 2011024845 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 2.471 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found in the curving easterly right-of-way line of Wyoming Springs Drive (120' R.O.W.), being the the most westerly southwest corner of Lot 1 of said Final Plat of Park Valley Assisted Living Subdivision, for the northwesterly corner of said Lot 2 and hereof;

THENCE, leaving said easterly right-of-way line of Wyoming Springs Drive, along a portion of the westerly line of said Lot 1, being the northerly line of said Lot 2 and hereof, the following two (2) courses and distances:

- 1) N64°08'43"E, a distance of 254.03 feet to a 1/2 inch iron rod with cap set for an angle point;
- 2) N66°02'14"E, a distance of 161.13 feet to a 1/2 inch iron rod with cap set at an angle point in the westerly line of said Lot 1, for the northeasterly corner of said Lot 2 and hereof;

THENCE, S20°37'14"E, along the westerly line of said Lot 1, being the easterly line of said Lot 2 and hereof, a distance of 266.16 feet to a 1/2 inch iron rod with cap set for the southeasterly corner hereof;

THENCE, S69°24'19"W, leaving the westerly line of said Lot 1, over and across said Lot 2, for the southerly line hereof, a distance of 454.37 feet to a point in the curving easterly right-of-way line of Wyoming Springs Drive, being the westerly line of said Lot 2, for the southwesterly corner hereof;

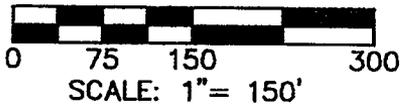
THENCE, along said easterly right-of-way line of Wyoming Springs Drive, for the westerly line of said Lot 2 and hereof, along a curve to the left having a radius of 985.41 feet, a central angle of 13°48'25", an arc length of 237.46 feet and a chord which bears, N10°45'56"W, a distance of 263.89 feet to the **POINT OF BEGINNING** containing an area of 2.471 acres (107,647 sq. ft.) of land, more or less, within these metes and bounds.

THE BASIS OF BEARINGS SHOWN HEREON IS THE TEXAS COORDINATE SYSTEM, NAD 83(93), CENTRAL ZONE, UTILIZING CITY OF ROUND ROCK CONTROL NETWORK MONUMENTS: 01-002, 01-003 AND 01-030 AS PUBLISHED ON THE DATE OF THIS SURVEY.

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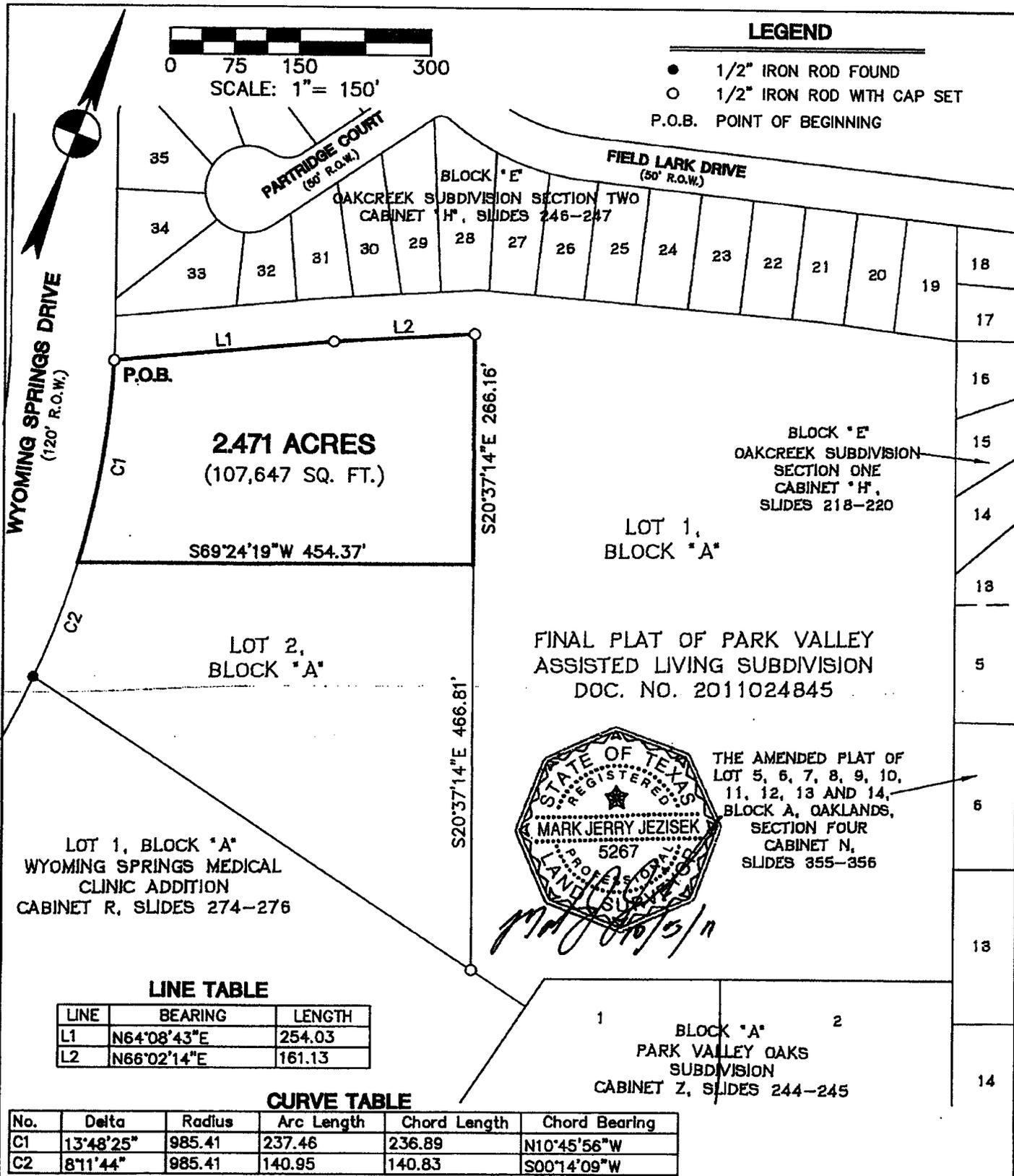

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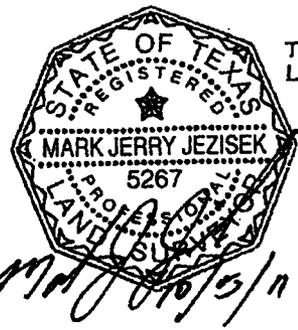


LEGEND

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD WITH CAP SET
- P.O.B. POINT OF BEGINNING



FINAL PLAT OF PARK VALLEY ASSISTED LIVING SUBDIVISION
DOC. NO. 2011024845



THE AMENDED PLAT OF LOT 5, 6, 7, 8, 9, 10, 11, 12, 13 AND 14, BLOCK A, OAKLANDS, SECTION FOUR CABINET N, SLIDES 355-356

LINE TABLE

LINE	BEARING	LENGTH
L1	N64°08'43"E	254.03
L2	N66°02'14"E	161.13

CURVE TABLE

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	13°48'25"	985.41	237.46	236.89	N10°45'56"W
C2	8°11'44"	985.41	140.95	140.83	S00°14'09"W

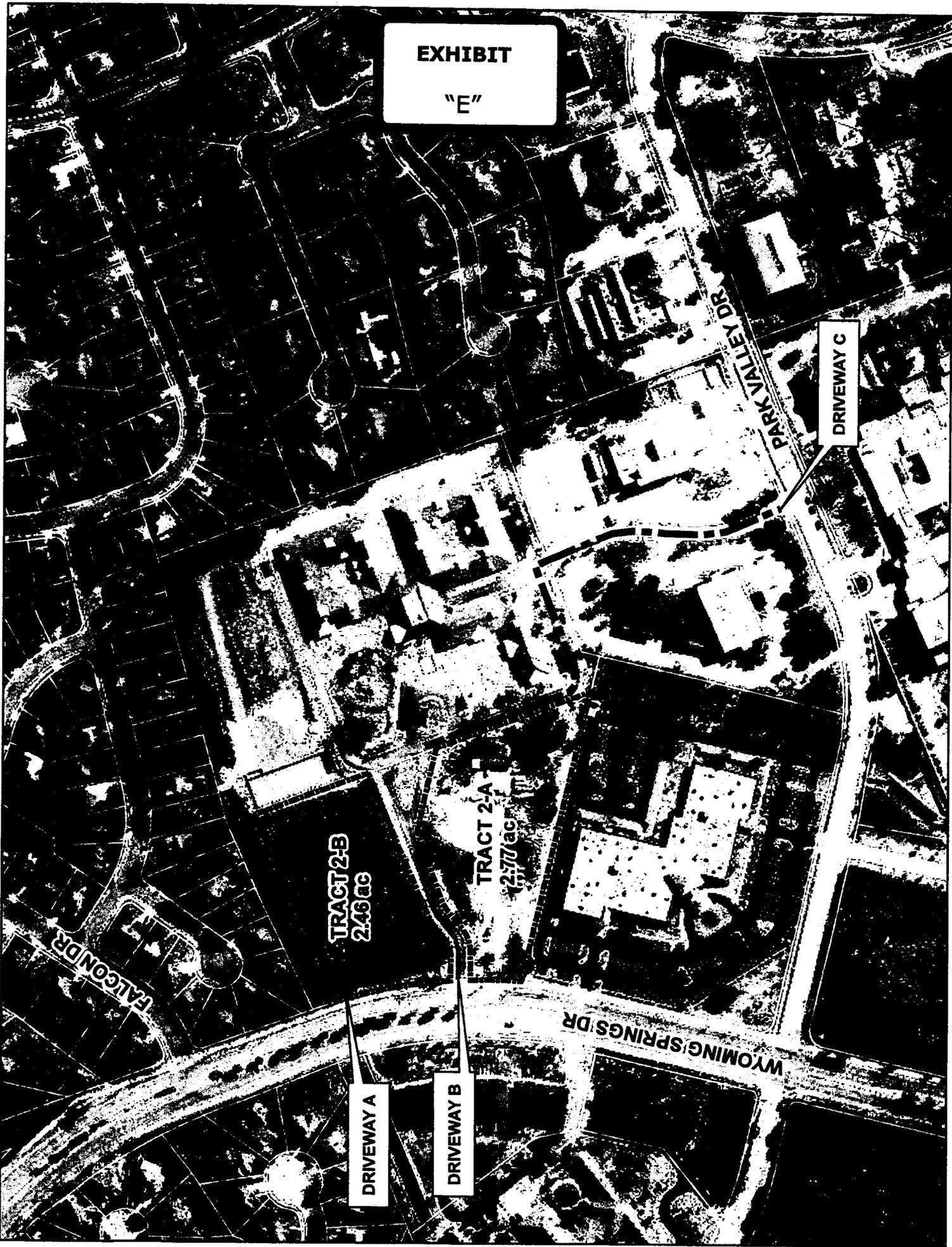
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SKETCH TO ACCOMPANY DESCRIPTION
OF 2.471 ACRES OF LAND OUT OF THE JACOB M. HARRELL SURVEY, SITUATED IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF LOT 2, BLOCK "A", FINAL PLAT OF PARK VALLEY ASSISTED LIVING SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NO. 2011024845 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.

PREVARIAN

EXHIBIT

"E"



**TRACT 2-B
2.46 AC**

**TRACT 2-A
2.77 AC**

DRIVEWAY C

DRIVEWAY A

DRIVEWAY B

PARK VALLEY DR

WYOMING SPRINGS DR

FALCON DR



City Council Agenda Summary Sheet

Agenda Item No.	L7.
Agenda Caption:	Consider public testimony regarding and an ordinance adopting Amendment No. 3 to the Planned Unit Development (PUD) No. 35 zoning district. (First Reading)
Meeting Date:	January 24, 2013
Department:	Planning and Development Services
Staff Person making presentation:	Brad Wiseman, AICP
	Interim Planning and Development Services Director

Item Summary:

This item is an amendment to PUD 35 to allow for an alternate parking standard for a townhouse project. PUD 35 consists of approximately 60 acres, and was approved in 1999 and amended twice (2005 and 2012). Uses allowed included general commercial, professional offices, medical and dental clinics, assisted living facility, retirement housing, day care, single family homes, and town homes. Much of the 60 acres was developed as the St. David's Round Rock Medical Center. The applicant requests an amendment to the PUD for a 5.86 acre tract located north of Park Valley Drive and east of Wyoming Springs Drive. This amendment will allow for specific off-street parking standards for town homes. The amendment is being requested because the Zoning Code requires that town home units provide two garage enclosed parking spaces and an additional two parking spaces for each residential unit. This parking requirement is the same for single-family homes, which typically have a higher demand than town homes. The proposed amendment would establish the off-street parking requirement as follows:

- 1 and 2-bedroom units: two parking spaces, with a minimum of one garage enclosed space
- 3-bedroom or more units: two parking spaces, both garage enclosed
- Additional requirement for all units: parking spaces equal to 10% of the total number of required spaces (1 space per 5 units)

Review by staff of town home parking requirements in other cities and the number of parking spaces provided for in similar developments elsewhere has indicated that the Zoning Code requires more parking spaces than what is necessary. After review and consideration of the applicant's proposed off-street parking requirement, the Planning and Zoning Commission recommended approval of the PUD amendment at their December 19, 2012 meeting on a 5-0 vote.

Cost: N/A

Recommended Action: Approval

Subject Tract
"Lot 2"
5.86 ac

PUD 35

"Parcel 2"

Wyoming Springs Dr

Park Valley Dr

