

ORDINANCE NO. G-06-09-28-13C2

AN ORDINANCE AMENDING ORDINANCE NO. Z-05-09-08-10C3, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON SEPTEMBER 8, 2005, BY AMENDING SECTION 13 OF PUD NO. 65, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE, PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, on September 8, 2005, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-05-09-08-10C3, which established PUD No. 65, and

WHEREAS, an application has been made to the City Council of the City of Round Rock, Texas, to amend Section 13 of PUD No. 65, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. Z-05-09-08-10C3 on the 12th day of July, 2006, 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-05-09-08-10C3 be amended, and

WHEREAS, on the 10th day of August, 2006, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No. Z-05-09-08-10C3, and

WHEREAS, the City Council determined that the requested amendment to Ordinance No. Z-05-09-08-10C3 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 Section 11.300, Code of Ordinances, 1995 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 #65 meets the following goals and objectives:

- (1) The amendment to P.U.D. #65 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) The amendment to P.U.D. #65 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #65 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 Section 13 of the Development Plan of PUD No. 65, as approved in Ordinance No. Z-05-09-08-10C3 is hereby amended by adding a new subsection, which shall read as follows:

13.3 Primary Access Drive

The Primary Access Drive ("roadway"), as depicted in Exhibit "C-1", shall serve as an alternate public access providing legal access to platted lots if the following conditions are met:

- 13.3.1 The roadway width, geometry and striping shall be designed and constructed in accordance with the City's Development and Construction Standards Transportation Criteria Manual. Pavement thickness and materials are not required to meet City standards.
- 13.3.2 The roadway shall not be extended beyond the boundary of the Property.
- 13.3.3 The roadway shall be platted as a special use lot and title shall be vested with the owners of the land within the boundaries of the PUD, each holding an undivided interest in the roadway. This undivided interest shall transfer with the individual title to each platted lot within the boundaries of the Property.
- 13.3.4 The roadway shall be given a name that is approved by the Planning Department and is in compliance with Williamson County Emergency Services standards. All platted lots that take frontage only from the private roadway shall be addressed on the private roadway. Lots with dual

frontage may be addressed either from the private roadway or public right-of-way.

13.3.5 The roadway may not be temporarily or permanently closed without the prior approval of the City's Fire Marshall and Transportation Director, except in the event of an emergency.

13.3.6 Pedestrian accommodations (e.g. sidewalks) shall be made along the roadway or similar provisions shall be made within the Property as approved by the City Engineer.

III.

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

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

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Alternative 1.

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

READ, PASSED, and ADOPTED on first reading this 28th day of September, 2006.

Alternative 2.

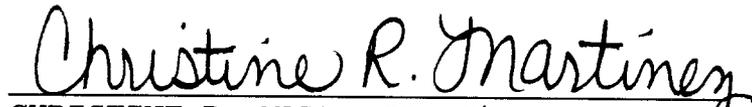
READ and APPROVED on first reading this the _____ day of _____, 2006.

READ, APPROVED and ADOPTED on second reading this the _____ day of _____, 2006.



NYLE MAXWELL, Mayor
City of Round Rock, Texas

ATTEST:



CHRISTINE R. MARTINEZ, City Secretary

Amendment to PUD 65

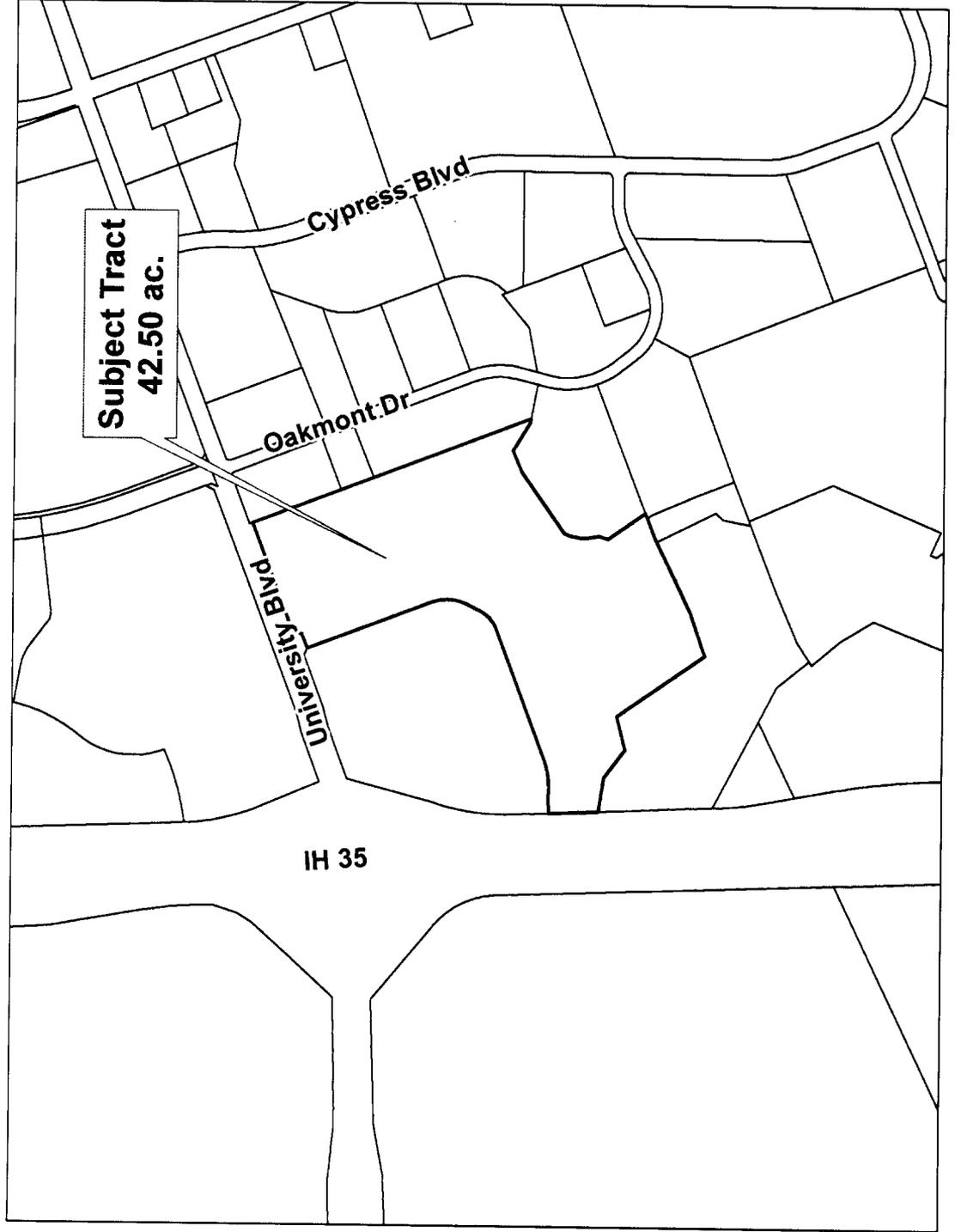
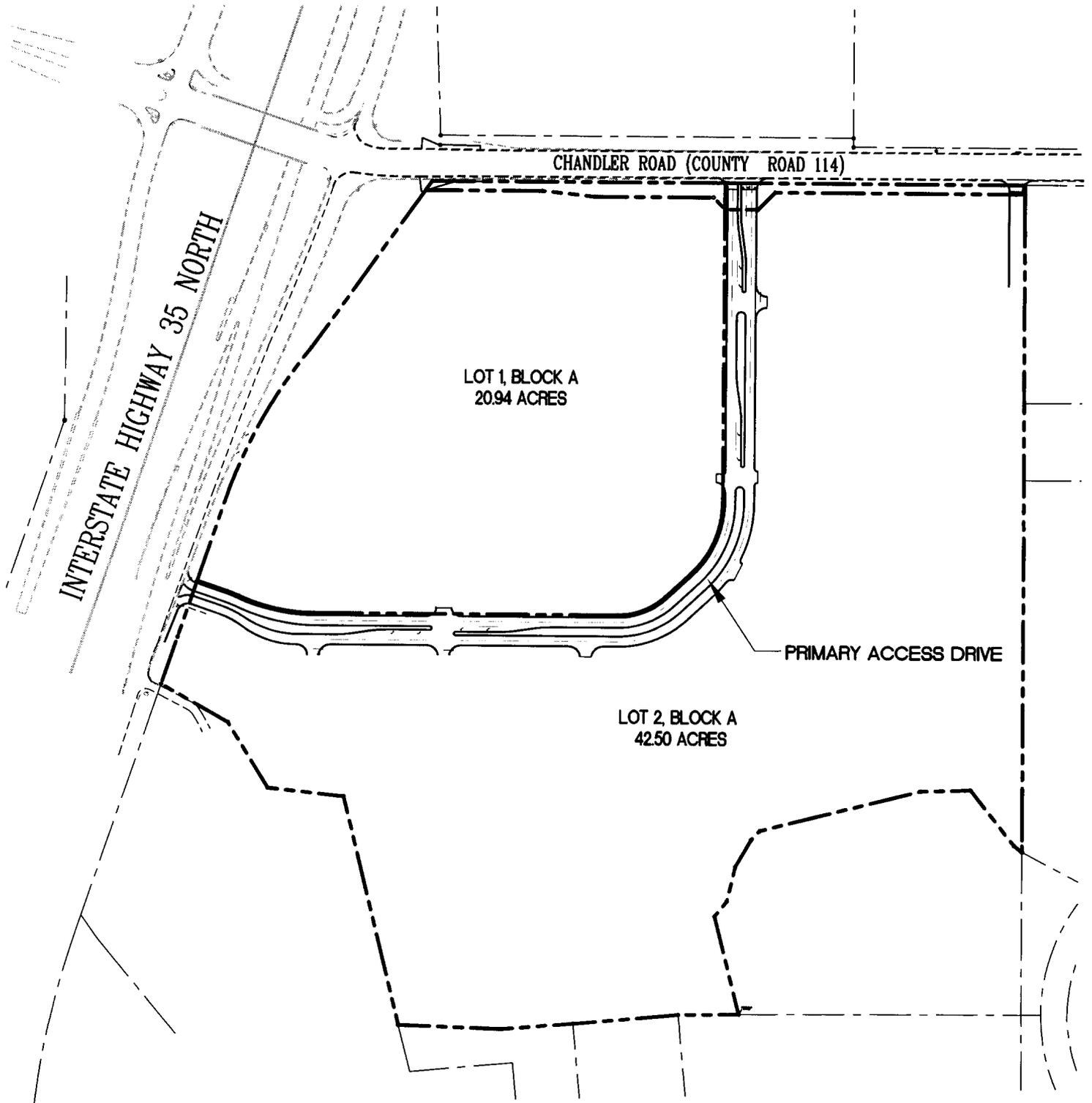


EXHIBIT C-1

PRIMARY ACCESS DRIVE



PROPOSED AMENDMENT TO PUD 65, SECTION 13 OF THE DEVELOPMENT PLAN:

13.3 Primary Access Drive

The Primary Access Drive (“roadway”), as depicted in **Exhibit “C-1”**, shall serve as an alternate public access providing legal access to platted lots if the following conditions are met:

- The roadway width, geometry and striping shall be designed and constructed in accordance with the City's Development and Construction Standards Transportation Criteria Manual. Pavement thickness and materials are not required to meet City standards.
- The roadway shall not be extended beyond the boundary of the Property.
- The roadway shall be platted as a special use lot and title shall be vested with the owners of the land within the boundaries of the PUD, each holding an undivided interest in the roadway. This undivided interest shall transfer with the individual title to each platted lot within the boundaries of the Property.
- The roadway shall be given a name that is approved by the Planning Department as in compliance with Williamson County Emergency Services standards. All platted lots that take frontage only from the private roadway shall be addressed on the private roadway. Lots with dual frontage may be addressed either from the private roadway or public right-of-way.
- The roadway may not be temporarily or permanently closed without the prior approval of the City's Fire Marshall and Transportation Director, except in the event of an emergency.
- Pedestrian accommodations (e.g. sidewalks) shall be made along the roadway or similar provisions shall be made within the Property as approved by the City Engineer.