

ORDINANCE NO. Z-11-11-10-9A3

AN ORDINANCE AMENDING ORDINANCE NO. Z-08-10-23-11B7, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON OCTOBER 23, 2008, BY AMENDING SECTIONS II.6.7, II.10.2, II.11.1 AND THE LIST OF EXHIBITS, AND BY ADDING NEW SECTION II.10.6 AND EXHIBITS "I" AND "J" TO THE DEVELOPMENT PLAN OF PUD NO. 83, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE, PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, on October 23, 2008, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-08-10-23-11B7, which established PUD No. 83, and

WHEREAS, the City and SBB Holdings. ("Owner") agreed to an Administrative Amendment (Amendment No. 1), as defined in Section 16.1 of PUD No. 83, such amendment filed as Document No. 2009085854 with the County Clerk of Williamson County, Texas, and

WHEREAS, on January 28, 2010, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-10-01-28-9A3, which replaced the Development Plan in its entirety of PUD No. 83, and

WHEREAS, the City and Owner agreed to an Administrative Amendment (Amendment No. 3), as defined in Section 16.1 of PUD No. 83, such amendment filed as Document No. 2010085709 with the County Clerk of Williamson County, Texas, and

WHEREAS, an application has been made to the City Council of the City of Round Rock, Texas, to amend Sections II.6.7, II.10.2, II.11.1, and the List of Exhibits, and by adding new Section II.10.6 and Exhibits "I" and "J" of PUD No. 83, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. Z-08-10-23-11B7 on the 4th day of October, 2011, 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-08-10-23-11B7 be amended, and

WHEREAS, on the 10th day of November, 2011, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No. Z-08-10-23-11B7, and

WHEREAS, the City Council determined that the requested amendment to Ordinance No. Z-08-10-23-11B7 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 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 #83 meets the following goals and objectives:

- (1) The amendment to P.U.D. #83 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) The amendment to P.U.D. #83 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #83 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 II.6.7(2) of the Development Plan of PUD No. 83, as approved in Ordinance No. Z-08-10-23-11B7 and amended in Ordinance No. Z-10-01-28-9A3, is hereby deleted in its entirety, and replaced with a new Section II.6.7(2), which shall read as follows:

6.7. Parcel 7 (Office/Townhouse)

(2) All residential development shall conform to the standards described within the **TH (Townhouse) District**, Chapter 46, Section 46-139 (c), (d) and (e) of the Code as amended, except:

- (i) The development shall substantially conform to the Conceptual Site Plan depicted in **Exhibit "I"**.
- (ii) The boundaries of the development shall be enclosed by a wall or fence, as follows:
 - 1. Bordering Sandy Brook Drive, a wall which meets the requirements of a Subdivision Wall in Section 36-116 of the Code, which may include concrete panel system walls.
 - 2. Bordering the public parkland and Zodiac Lane, the wall shall:
 - a. Meet the requirements of a Subdivision Wall in Section 36-116 of the Code, which may include concrete panel system walls; or
 - b. Consist of a masonry base, which may include concrete panel system walls, not exceeding three feet (3') in height with a finished face on both sides, topped with wrought iron, decorative metal or other equivalent materials approved by the Zoning Administrator
- (iii) No garage structures shall face Sandy Brook Drive.
- (iv) The maximum height of a principal building for a single-unit townhouse structure is three (3) stories, except that any façade of a townhouse facing Sandy Brook Drive shall be limited to two (2)

stories. Walk-out basements are not considered a floor, provided they do not front on Sandy Brook Drive.

- (v) The maximum lot coverage or building footprint is sixty-five percent (65%).
- (vi) Driveway access to individual dwelling units shall not be permitted directly from Sandy Brook Drive consistent with the requirements of Section 11.6 of this Plan.
- (vii) All dwelling units shall either be established as condominium units, pursuant to the Texas Uniform Condominium Act, Section 82.001 et. seq., Texas Property Code, or as platted subdivided lots in accordance with the provisions of the City Code in effect at the time of subdivision platting. The above requirements shall be completed prior to the issuance of certificate of occupancy.
- (viii) The minimum sidewalk width for sidewalks adjacent to Sandy Brook is four feet (4') and the minimum sidewalk width for sidewalks adjacent to Campus Village is six feet (6').
- (ix) The minimum lot area for a single-unit shall be 1,960 square feet per unit, and the minimum lot width shall be 24 feet per lot. However, the minimum average lot area for a single-unit shall be 2,500 square feet, and the minimum average lot width shall be 25 feet per unit.
- (x) A minimum of two (2) parking spaces shall be provided for each dwelling unit. At least one (1) of the required parking spaces shall be garage-enclosed. Units with three (3) or more bedrooms shall have a minimum of two (2) garage-enclosed parking spaces.
- (xi) Garages are exempt from Section 46-139 TH (Townhouse) District (d) (1) which requires single-unit townhouse garages to face an alley.
- (xii) The exterior finish of all buildings shall be masonry, except for doors, windows, trim, and accents. Masonry shall be defined as stone, simulated stone, brick, or stucco. No more than twenty-five percent (25%) of the building façade may be horizontally installed cement based siding. No more than thirty percent (30%) of the building façade may be stucco. The use of materials such as wood shingles or wood siding shall be limited to accent features. One hundred percent (100%) stucco may be permitted in conjunction

with tile roofs. Architectural features shall be in substantial compliance with covered entries and columns as shown in "Exhibit I" University Village Townhouse Project.

III.

That Section II.10.2 of the Development Plan of PUD No. 83, as approved in Ordinance No. Z-10-01-28-9A3, is hereby deleted in its entirety, and replaced with a new Section II.10.2, which shall read as follows:

10.2 Sandy Brook Drive

- (1) In lieu of constructing the widening of Sandy Brook Drive to a pavement width of forty feet (40') from University Boulevard through the Zodiac Lane intersection, ending at the radius returns for the intersection, the Owner shall provide:
 - i. Construction plans for the above widening, prepared and sealed by a Registered Professional Engineer in the State of Texas, acceptance of such plans being subject to review and approval by the City;
 - ii. Cost estimates for the above widening prepared and sealed by a Registered Professional Engineer in the State of Texas, acceptance of such cost estimates being subject to review and approval by the City; and
 - iii. Fiscal security in the amount of 110% of said cost estimates; such fiscal security shall be provided prior to any one of following:
 1. Acceptance by the City of the construction of Satellite View; or
 2. Acceptance by the City of the construction of Zodiac Lane; or
 3. The recordation of a final plat for any portion of Parcel 3, Parcel 6, or Parcel 7.

IV.

That a new Section II.10.6 is hereby included in the Development Plan of PUD No. 83, as approved in Ordinance No. Z-08-10-23-11B7 and amended in Ordinance No. Z-10-01-28-9A3, which shall read as follows:

10.6 Private Streets - Parcel 7 (Townhouse)

Private streets shall be permitted on Parcel 7 for townhouse development, subject to the provisions of Chapter 36-126 - Gated Communities of the Code, as hereafter amended,

with the following exceptions to the design standards as generally depicted in "EXHIBIT I":

- (1) Single outlet streets may terminate without a cul-de-sac.
- (2) The minimum 150 foot centerline offset of adjacent intersections as required per Section 1.3.1 (C) (4) General Design Criteria of the Transportation Criteria Manual (DACs), as amended, may be reduced to a minimum offset of 100 feet at the Zodiac Lane entrance and the amenity center island.
- (3) Flared or rounded driveway approaches are exempt from Section 5 - Driveways 5.3.1 (G) of the Transportation Criteria Manual (DACs), and may encroach onto an adjacent lot frontages if necessary to accommodate narrow lot configurations.
- (4) Although generally prohibited per Section 5 - Driveways 5.3.1 (F) of the Transportation Criteria Manual (DACs), parking may be designed as head-in, back-out with direct access to private streets.
- (5) Section 3 - Street Flow of the Drainage Criteria Manual (DACs) is revised so that streets may be designed with an inverted crown and no use of curb inlets.
- (6) Grate inlets may be used to capture and convey street flow.
- (7) Street lights shall be required per Section 36-115 except that street lights shall be spaced at 300 feet and no closer than 150 feet apart. Deviations from City of Round Rock street light requirements with respect to spacing and pole type are allowed. The Street Lighting Agreement between the City and the utility service provider is not applicable to this development.
- (8) Private streets shall not have street names or associated street signs. Addressing of lots shall be off Zodiac Lane, as determined by City of Round Rock GIS and Fire Departments. This provision does not include safety or traffic calming signs such as STOP signs, YIELD signs, etc.

V.

That Section II.11.1 of the Development Plan of PUD No. 83, as approved in Ordinance No. Z-08-10-23-11B7 and amended in Ordinance No. Z-10-01-28-9A3, is hereby amended to read as follows:

11.1 Parcel 1 - Access to Parcel 1 is available via four (4) public streets including University Boulevard (existing road), Sandy Brook Drive (existing road), University Village Drive (proposed road), and Satellite View (proposed road extension). All driveway locations shall be approved by the Department of Transportation Services. One (1) access drive shall be permitted to serve Parcel 1 from Sandy Brook Drive. If provided, the drive shall align with one of the existing access drives located across Sandy Brook Drive and serving the development to the west. Two (2) access drives to/from University Boulevard, ~~two (2) one (1)~~ access drives to/from University Village Drive to/from the tract west of University Village Drive, one (1) access drive to/from University Village Drive to/from the tract east of University Village Drive, and two (2) access drives to/from Satellite View are permitted. One (1) additional access drive at University Boulevard west of University Village Drive may be permitted consistent with spacing requirements specified in the Transportation Criteria Manual.

- (1) Driveways to/from University Boulevard shall provide a minimum throat depth of forty feet (40'), as measured from the ultimate right-of-way line.
- (2) Minimum curb return radii of twenty-five feet (25') shall be provided at driveway intersections with University Boulevard.

VI.

That the List of Exhibits as approved Z-08-10-23-11B7 and amended in Ordinance No. Z-10-01-28-9A3, is hereby deleted in its entirety, and replaced with the new List of Exhibits, attached hereto and incorporated herein.

VII.

That Exhibits "I" and "J", as attached hereto and incorporated herein, are added to the Development Plan of PUD No. 83.

VIII.

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.

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 10th day of November, 2011.

Alternative 2.

READ and APPROVED on first reading this the ____ day of _____, 2011.

READ, APPROVED and ADOPTED on second reading this the ____ day of _____, 2011.



ALAN MCGRAW, Mayor
City of Round Rock, Texas

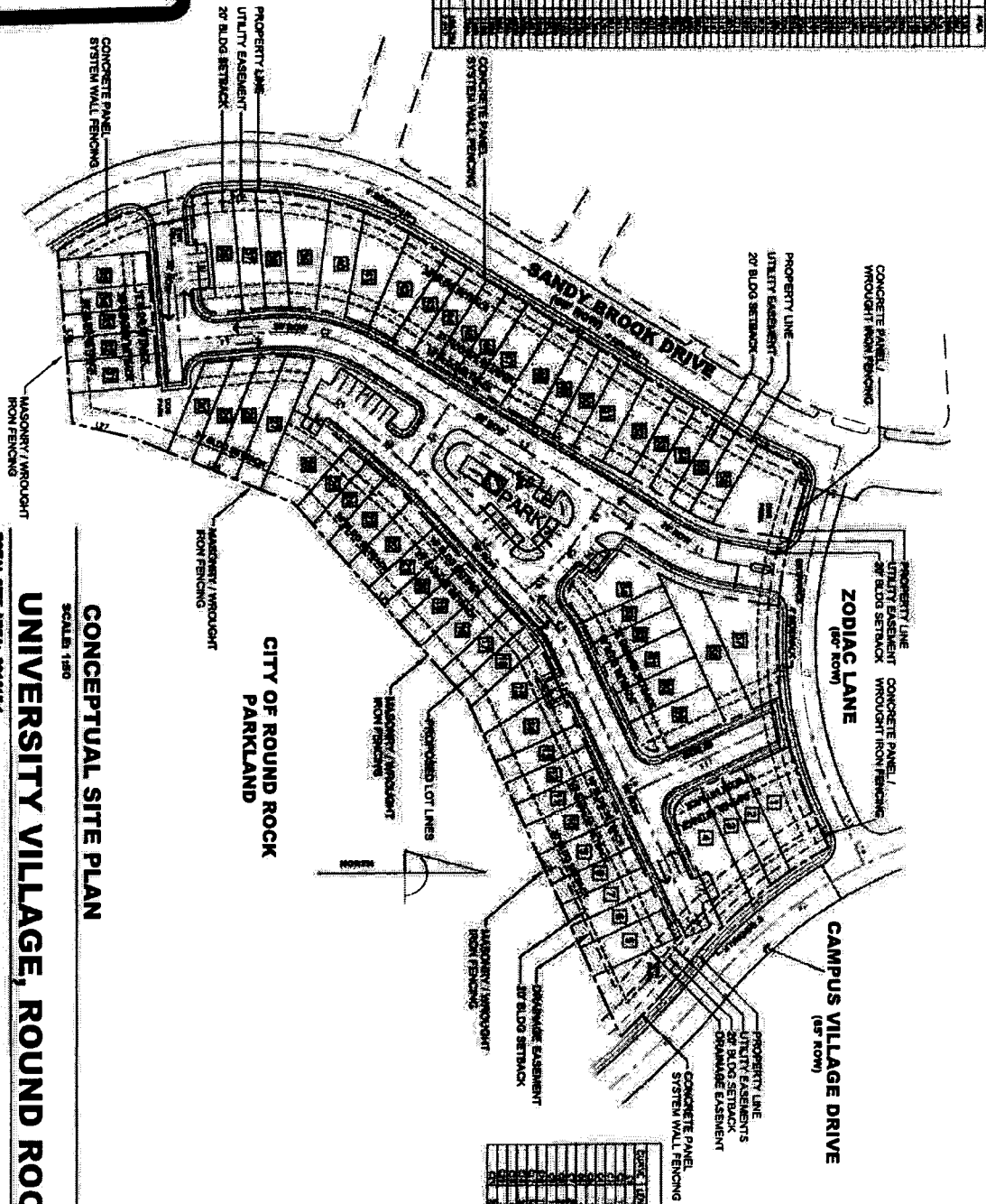
ATTEST:



SARA L. WHITE, City Secretary

EXHIBIT

"I"



CONCEPTUAL SITE PLAN
 SCALE: 1/8" = 1'-0"
UNIVERSITY VILLAGE, ROUND ROCK TX
 TOTAL SITE AREA: 3241617.1

DATE: 09/22/2011

File No.	Project Name	Scale
Drawn By	Checked By	Design By
Date	Revision	Notes

UNIVERSITY VILLAGE
 EXHIBIT A
 ROUND ROCK, TEXAS

HANRAHAN • PRITCHARD ENGINEERING, INC.
 CONSULTING ENGINEERS
 8301 Cross Park Drive
 AUSTIN, TEXAS 78754
 OFFICE: 512-426-4754 FAX: 512-426-0752
 www.hpe.com



SHEET
 01 of 01

EXHIBIT

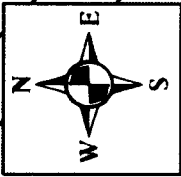
"J"



**UNIVERSITY VILLAGE TOWNHOMES
ROUND ROCK, TEXAS**

**ARNOLD K. ALTSULER
INVESTMENTS, REAL ESTATE, DEVELOPMENT
5150 HIDALGO ST., # 805
HOUSTON, TEXAS 77056**





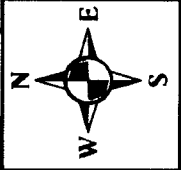
Campus Village Dr

Sandy Brook Dr

Eagles Nest St

**Subject Tract
Parcel 7
7.38 ac.**





PF2

Campus Village Dr

PUD

PUD PUD 84

SF2

Sandy-Brook-Dr

Subject Tract
Parcel 7
7.38 ac.

Eagles Nest St

SF2



City Council Agenda Summary Sheet

Agenda Item No.	9A3.
Agenda Caption:	Consider an ordinance approving Amendment No. 4 to the Planned Unit Development (PUD) No. 83 zoning district to allow townhomes within a gated community. (First Reading)
Meeting Date:	November 10, 2011
Department:	Planning and Development Services
Staff Person making presentation:	Peter Wysocki Planning Director

Item Summary:

The University Village PUD was approved in October of 2008 and has since been amended three times. The 7.38 acre Parcel 7 was originally designated for office or town home development. The proposed amendment will change the development standards for town home development on Parcel 7 in order to accommodate a different site layout and to provide for a gated, private street community.

The applicant reports that, due to financing constraints, selling multiple townhouse units as condominiums on a commonly owned lot is not currently an option. The proposed amendment is therefore designed to allow the town homes to be built on individual lots. In order to accommodate the proposed layout of the town homes, the minimum lot area and the minimum lot width have been slightly reduced from the town home standard. However, the average lot size and average lot width meet the 2,500 SF and 25-foot code requirements. All units will have two off-street parking spaces. One and two bedroom units will have one space within a garage; whereas, three-plus bedroom units will have two car garages. The development will be surrounded with a subdivision wall, except where it borders public parkland and Zodiac Lane. In these two locations, the fencing will consist of a 3-foot masonry base topped with wrought iron or other decorative metal. A private amenity center will also be provided. The development will be subject to requirements for a gated community, providing private streets which meet the City's standards in terms of width and structural design. However, some exceptions to geometric standards are necessary to meet the desired site layout. In order to ensure that the town home development is built as proposed, building elevations and a street/lot layout are additional included as exhibits in the PUD ordinance.

In order to address outstanding issues with the development of the PUD, this amendment also contains the following two revisions which are not related to Parcel 7: (1) the property owner will be required to provide construction plans, cost estimates and fiscal security for the widening of Sandy Brook Drive, instead of being required to construct it. The land owner and city staff have jointly come to an agreement that it is preferred that Sandy Brook Drive to be reconstructed as a single, city capital project and that the land owner pay his pro-rata contribution. And, (2) the number of driveways to Campus Village Drive from Parcel 1 is increased from one (1) to two (2).

Date of Public Hearing (if required): N/A
Recommended Action: Approval - The Planning and Zoning Commission unanimously recommend approval of this amendment at their October 4, 2011 meeting.