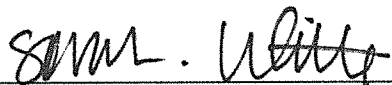


THE STATE OF TEXAS            \*  
COUNTY OF WILLIAMSON        \*  
CITY OF ROUND ROCK            \*

I, SARA L. WHITE, City Clerk of the City of Round Rock, Texas, do hereby certify that I am the custodian of the public records maintained by the City of Round Rock and the attached is a true and correct copy of Ordinance No. O-2014-2205, which rezones 0.3848 acres of land from MU-2 (Mixed Use Downtown Medium Density) to Planned Unit Development (PUD) No. 99. This ordinance was approved and adopted by the City Council of the City of Round Rock at a regular meeting held on the 12<sup>th</sup> day of February 2015, and is recorded in the City Council Minute Book 60.

CERTIFIED by my hand and seal of the City of Round Rock, Texas on this 17<sup>th</sup> day of February 2015.

  
\_\_\_\_\_  
SARA L. WHITE, TRMC, City Clerk



**ORDINANCE NO. O-2015-2205**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROUND ROCK, TEXAS ADOPTED IN SECTION 46-132(b)(1), CODE OF ORDINANCES (2010 EDITION), CITY OF ROUND ROCK, TEXAS, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE 0.3848 ACRES OF LAND, DESCRIBED AS LOT 6, LOT 7, AND THE NORTH HALF OF LOT 8, BLOCK 1 OF THE WASHINGTON ANDERSON ADDITION, IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS, FROM MU-2 (MIXED-USE DOWNTOWN MEDIUM DENSITY) ZONING DISTRICT TO PUD (PLANNED UNIT DEVELOPMENT) NO. 99 ZONING DISTRICT; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**

**WHEREAS**, an application has been made to the City Council of the City of Round Rock, Texas to amend the Official Zoning Map to rezone 0.3848 acres of land, described as Lot 6, Lot 7, and the north half of Lot 8, Block 1 of the Washington Anderson Addition, in Round Rock, Williamson County, Texas, being more fully described in Exhibit "A" attached hereto, from MU-2 (Mixed-Use Downtown Medium Density) zoning district to Planned Unit Development (PUD) No. 99 zoning district, and

**WHEREAS**, the City Council has submitted the requested change in the Official Zoning Map to the Planning and Zoning Commission for its recommendation and report, and

**WHEREAS**, the Planning and Zoning Commission held a public hearing concerning the requested change on the 7th day of January, 2015, following lawful publication of the notice of said public hearing, and

**WHEREAS**, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that the Official Zoning Map be amended so that the zoning classification of the property described in Exhibit "A" be changed to PUD No. 99, and

**WHEREAS**, on the 12th day of February, 2015, after proper notification, the City Council held a public hearing on the requested amendment, and

**WHEREAS**, the City Council determines that the zoning provided for herein 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 46-92 and Section 46-132, 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 has hereby determined the Planned Unit Development (PUD) No. 99 meets the following goals and objectives:

- (1) The development in PUD No. 99 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) P.U.D. No. 99 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) P.U.D. No. 99 does not have an undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety and general welfare.
- (4) P.U.D. No. 99 will be adequately provisioned by essential public facilities and services including streets, parking, drainage, water, wastewater facilities, and other necessary utilities.
- (5) P.U.D. No. 99 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 the Official Zoning Map adopted in Section 46-132(b)(1), Code of Ordinances (2010 Edition), City of Round Rock, Texas, is hereby amended so that the zoning classification of the property described in Exhibit "A", attached hereto and incorporated herein shall be, and is hereafter designated as, Planned Unit Development (PUD) No. 99, and that the Mayor is hereby authorized and directed to enter into the Development Plan for PUD No. 99 attached hereto as Exhibit "B", which agreement shall govern the development and use of said property.

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 Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution 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 12<sup>th</sup> day of February, 2015.

Alternative 2.

**READ** and **APPROVED** on first reading this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**READ, APPROVED** and **ADOPTED** on second reading this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.



\_\_\_\_\_  
ALAN MCGRAW, Mayor  
City of Round Rock, Texas

ATTEST:

  
\_\_\_\_\_  
SARA L. WHITE, City Clerk

CRICHTON AND ASSOCIATES  
LAND SURVEYORS  
107 NORTH LAMPASAS  
ROUND ROCK, TEXAS  
512-244-3395

EXHIBIT  
"A"

FIELD NOTES

FIELD NOTES FOR A 0.3848 ACRE TRACT OF LAND BEING LOT 6, LOT 7, AND THE NORTH HALF OF LOT 8, BLOCK 1 OF THE WASHINGTON ANDERSON ADDITION TO THE TOWN OF ROUND ROCK, WILLIAMSON COUNTY, TEXAS, AN UNRECORDED SUBDIVISION, BEING TWO TRACTS. TRACT I BEING THE SAME TRACT RECORDED IN VOL. 937, PG. 880, DEED RECORDS, WILLIAMSON COUNTY, TEXAS AND TRACT II BEING THE SAME TRACT RECORDED IN DOC. NO. 9639459, OFFICIAL RECORDS, WILLIAMSON COUNTY, TEXAS. SAID 0.3848 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod set at the point of intersection of the East R.O.W. line of North Mays Street and the South R.O.W. line of Milam Avenue, being the northwest corner of the said Tract II, the northwest corner of this tract and the **POINT OF BEGINNING**.

THENCE N 77° 19' 00" E, with the South R.O.W. line of Milam Avenue, 124.95 feet to a ½" iron rod set at the point of intersection of the South R.O.W. line of Milam Avenue and the West R.O.W. line of an alley, being the Northeast corner of the said Tract II and the Northeast corner of this tract.

THENCE S 21° 14' 00" E, with the West line of the said alley, at 67.50 feet pass the Southeast corner of said Tract II also being the Northeast corner of said Tract I, in all a total distance of 135.61 feet to a ½" iron rod set being the Northeast corner of a tract of land described as in deed to Gary and Charlotte Cooper in Vol. 2357, Pg. 366, Deed Records, Williamson County, Texas. Said iron rod also being the Southeast corner of said Tract I, and the Southeast corner of this tract.

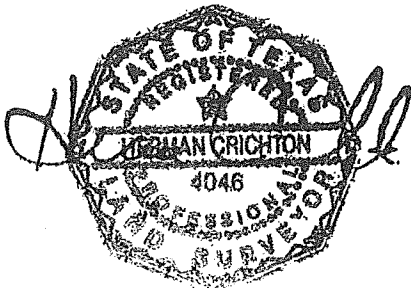
THENCE S 77° 19' 00" W, with the North line of the said Cooper tract, 125.03 feet to a ½" iron rod set on the East R.O.W. line of North Mays Street, being the Northwest corner of the said Cooper tract, the Southwest corner of the said Tract I, and the Southwest corner of this tract.

THENCE N 21° 12' 09" W, with the East R.O.W. line of North Mays Street, at 67.50 feet pass the Northwest corner of the said Tract I, also being the Southwest corner of the said Tract II, in all a total distance of 135.60 feet to the **POINT OF BEGINNING** and containing 0.3848 acres of land more or less.

I hereby certify that the foregoing field notes were prepared from a survey on the ground under my supervision and are true and correct to the best of my knowledge and belief.

Witness my hand and seal this 17th day of January, 2002.

Herman Crichton, R.P.L.S. 4046





## I.

### GENERAL PROVISIONS

#### 1. CONFORMITY WITH DEVELOPMENT STANDARDS

That all uses and development within the Property shall conform to the Development Standards included in Section II herein.

#### 2. CHANGES AND MODIFICATIONS

No changes or modifications will be made to this Plan unless all provisions pertaining to changes or modifications as stated in Section II. 10.

#### 3. ZONING VIOLATION

Owner understands that any person, firm, corporation or other entity violating any conditions or terms of the Plan shall be subject to any and all penalties for the violation of any zoning ordinance provisions as stated in Section 1-9, Code of Ordinances, City of Round Rock, Texas, as amended.

#### 4. MISCELLANEOUS PROVISIONS

##### 4.1. **Severability**

In case one or more provisions contained of this Plan are deemed invalid, illegal or unenforceable in any respect such invalidity, illegality or unenforceability shall not affect any other provisions of this Plan and in such event, this Plan shall be construed as if such invalid, illegal or unenforceable provision had never been contained in this Plan.

##### 4.2 **Venue**

All obligations of the Plan are performable in Williamson County, Texas, and venue for any action shall be in Williamson County.

##### 4.2. **Effective Date**

This Plan shall be effective from and after the date of approval by the City Council.



## II.

### DEVELOPMENT STANDARDS

#### 1. DEFINITIONS

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

#### 2. PROPERTY

This Plan covers approximately 0.3848 acres of land, located within the city limits of Round Rock, Texas, and more particularly described in **Exhibit "A"**.

#### 3. PURPOSE

The purpose of this Plan is to ensure a PUD that 1) is equal to, superior than and/or more consistent than that which would occur under the standard ordinance requirements, 2) is in harmony with the General Plan, as amended, 3) does not have an undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety and welfare, 4) is adequately provisioned by essential public facilities and services, and 5) will be developed and maintained so as not to dominate, by scale or massing of structures, the immediate neighboring properties or interfere with their development or use.

#### 4. APPLICABILITY OF CITY ORDINANCES

##### 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 **MU-2 (Mixed-use downtown medium density)** zoning district and other sections of the Code, as applicable, and as amended. If there is a conflict between this Plan and the Code, this Plan shall supersede the specific conflicting provisions of the Code.

##### 4.2. Other Ordinances

All other Ordinances within the Code, as 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.

**5. PERMITTED USES**

**5.1.** All uses in the **MU-2 (Mixed-use downtown medium density)** zoning district, in addition to:

1) Wine bar, subject to the following:

- a) Wine bar shall be defined as an establishment for the sale and consumption on the premises of wine or beer, the sale of wine or beer by the bottle for consumption off of the premises, and food service facilities for the preparation and service of multiple entrees.
- b) With the location of an outdoor rear or side service area or patio, Owner shall be required to install and maintain a landscape buffer along the eastern property line for a distance of 60 feet from East Milam Avenue. Such landscape buffer shall consist of Arizona Cypress trees of a minimum of a 3-inch caliper diameter, measured at twelve- inches (12") above base, planted at a spacing of 20 feet on center.
- c) All applicable State alcoholic beverage licensing requirements shall be met.
- d) Within the outdoor premises of the wine bar, including seating areas on patios, it shall be lawful for the owner of any dog to permit such animal to enter and remain within the outdoor seating area or patio.

**5.2.** Unless otherwise described below, the definitions of all terms used to describe uses in this document shall be those found in the Zoning Code of the City of Round Rock, as amended.

**6. TRANSPORTATION**

The City has determined that the project will have no significant impact on transportation and has waived the requirement for a traffic impact assessment.

**7. GENERAL PLAN 2020**

This Development Plan is in compliance with the Round Rock General Plan 2020, which was adopted on July 22, 2010.

**8. CONCEPT PLAN**

This Plan serves as the Concept Plan required by Section 36-39 of the Code.

9. UNDERGROUND UTILITY SERVICE

Except where approved in writing by the Zoning Administrator, all electrical, telephone and cablevision distribution and service lines, other than overhead lines that are three phase or larger, shall be placed underground.

10. CHANGES TO DEVELOPMENT PLAN

10.1. Minor Changes

Minor changes to this Plan which do not substantially and adversely change this Plan may be approved administratively, if approved in writing, by the Zoning Administrator and the City Attorney.

10.2. Major Changes

All changes not permitted under section 10.1 above shall be resubmitted following the same procedure required by the original PUD application.

LIST OF EXHIBITS

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
Exhibit "A"	Legal Description of Property

CRICHTON AND ASSOCIATES  
LAND SURVEYORS  
107 NORTH LAMPASAS  
ROUND ROCK, TEXAS  
512-244-3395

EXHIBIT  
"A"

FIELD NOTES

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BEGINNING at a 1/2" iron rod set at the point of intersection of the East R.O.W. line of North Mays Street and the South R.O.W. line of Milam Avenue, being the northwest corner of the said Tract II, the northwest corner of this tract and the POINT OF BEGINNING.

THENCE N 77° 19' 00" E, with the South R.O.W. line of Milam Avenue, 124.95 feet to a 1/2" iron rod set at the point of intersection of the South R.O.W. line of Milam Avenue and the West R.O.W. line of an alley, being the Northeast corner of the said Tract II and the Northeast corner of this tract.

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THENCE N 21° 12' 09" W, with the East R.O.W. line of North Mays Street, at 67.50 feet pass the Northwest corner of the said Tract I, also being the Southwest corner of the said Tract II, in all a total distance of 135.60 feet to the POINT OF BEGINNING and containing 0.3848 acres of land more or less.

I hereby certify that the foregoing field notes were prepared from a survey on the ground under my supervision and are true and correct to the best of my knowledge and belief.

Witness my hand and seal this 17th day of January, 2002.

Herman Crichton, R.P.L.S. 4046

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Electronically Recorded  
OFFICIAL PUBLIC RECORDS

*Nancy E. Rister*

Nancy E. Rister, County Clerk  
2/17/2015 1:39 PM

Pages: 12 Fee: \$ 65.00

Williamson County Texas

