

ORDINANCE NO. 2-12-10-25-13

AN ORDINANCE AMENDING THE ORDINANCES TO THE DEVELOPMENT PLANS OF PUD NOS. 2, 4, 10, 15, 20, 26, 31, 39, 40, 42, 53, 68, 70, 71, 73, 74, 78, 83, 84, 85, 89, AND 90, AS REFERENCED IN SECTION NOS. I THROUGH XXII, AND APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE, PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, the City Council of the City of Round Rock, Texas, has previously adopted various ordinances which established Planned Unit Development ("PUD") Nos. 2, 4, 10, 15, 20, 26, 31, 39, 40, 42, 53, 68, 70, 71, 73, 74, 78, 83, 84, 85, 89, AND 90, and

WHEREAS, each of the aforementioned PUD's contains language providing for multifamily development; and

WHEREAS, the City has recently amended its zoning ordinances regulating multifamily development in the City; and

WHEREAS, it is necessary to amend the language in the aforementioned PUD's to reflect the amended multifamily regulations; and

WHEREAS, the City proposes to amend the language in the aforementioned PUD's to reflect the amended multifamily regulations; and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning this Ordinance No. 2-12-10-25-13 on the 25th day of July, 2012, and on the 5th day of September, 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 this Ordinance No. 2-12-10-25-13 be adopted which amends the aforementioned PUD's, and

WHEREAS, on the 27th day of September, 2012, after proper notification, the City Council held a public hearing on this Ordinance No. Z-12-10-25-13, and

WHEREAS, the City Council determined that this Ordinance No. Z-12-10-25-13 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 46-92, 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 paragraph three of the PUD #2 Agreement, as approved in Ordinance No. 1238 by the City Council of the City of Round Rock on November 22, 1986, is hereby amended to read as follows:

NOW, THEREFORE, it is agreed that the land shall be developed as a planned unit development in accordance with that certain Declaration of Covenants and Restrictions for PUD #2 ("Declaration") to be recorded in the real property records of Williamson County, Texas and shall be known as "PUD #2." PUD #2 shall consist of a phased, medium density multifamily (MF-2) residential development and certain recreational amenities, all of which shall be constructed in accordance with the site plan ("Site Plan") for PUD #2 attached hereto as Exhibit "B" and made a part hereof. ALL buildings, parking, driveways and landscaped areas shall be developed on PUD #2 in accordance with Exhibit "B". All aspects not specifically covered by this PUD shall be

regulated by the MF-2 (Multifamily – Medium Density) zoning district, as applicable and as amended. If there is a conflict between this PUD and the Round Rock City Code, this PUD shall supersede the specific conflicting provisions of the Code.

II.

That Section II of the Development Guidelines of Exhibit “B” of PUD No. 4, as approved in Ordinance No. 1297 by the City Council of the City of Round Rock on March 28, 1991, is hereby amended to read as follows:

II. AUTHORITY/DEFINITIONS

Definitions

- Multi-family – All uses allowed in Single Family Detached and Single Family Detached/Attached and including apartments for rent and condominiums (stacked flats) for sale with a maximum density of 18 du/ac. All multi-family development regulations not specifically covered in this PUD shall be regulated by the MF-1 (Multifamily – Low Density) zoning district, as applicable and as amended. If there is a conflict between this PUD and the Round Rock City Code, this PUD shall supersede the specific conflicting provisions of the Code.

III.

That Sections 2.1 and 13.1 of the Development Plan of Exhibit “B” of PUD No. 10, as approved in Ordinance No. Z-93-12-09-9F, by the City Council of the City of Round Rock on December 12, 1993, and amended in Ordinance No. Z-95-07-27-10D, by the City Council of the City of Round Rock on July 27, 1995, are hereby amended to read as follows:

2. DEVELOPMENT AND LAND USE

2.1 The lands shall be developed for medium density multifamily (MF-2) uses as generally shown on the plan attached hereto as Exhibit "C". The development of the area shall consist of a maximum of 336 residential dwelling units together with parking, a rental office, recreational amenities, and other accessory uses.

13. APPLICABILITY OF CITY ORDINANCES

13.1 Zoning and Subdivision. The Land shall be regulated for the purpose of zoning and subdivision by this Agreement. All aspects not specifically covered by this Agreement or modified by the intent of this Agreement shall conform to the MF-2 (Multifamily – Medium Density) zoning district, as applicable and as amended. If there is a conflict between this PUD and the Round Rock City Code, this PUD shall supersede the specific conflicting provisions of the Code. ~~provisions of the City Zoning and Subdivision Ordinances.~~

IV.

That Section II.5.1. of the Development Plan of PUD No. 15, as approved in Ordinance No. Z-94-10-27-9D by the City Council of the City of Round Rock on October 27, 1994, and amended in Ordinance No. Z-95-09-28-9J by the City Council of the City of Round Rock on September 28, 1995, is hereby amended to read as follows:

5. PERMITTED USES

5.1 Parcel One

The permitted uses of Parcel One, more particularly described in Exhibit "C", attached hereto and incorporated herein, shall be either as medium density multifamily (MF-2) residential, except as modified in Exhibit "F", attached hereto and incorporated herein, or as (I-2) Industrial Park, except as modified in Exhibit "E", attached hereto and incorporated herein, but not both.

V.

That Sections II.5.1. and II.5.2. of the Development Plan of PUD No. 20, as approved in Ordinance No. Z-95-09-28-9I, by the City Council of the City of Round Rock on September 28, 1995, are hereby amended to read as follows:

5. PERMITTED USES

5.1 Parcel One

The permitted uses of Parcel One, more particularly described in Exhibit "C", attached hereto and incorporated herein, shall be either as medium density multifamily (MF-2) residential, except as modified in Exhibit "D", attached hereto and incorporated herein, or as (I-2) Industrial Park, except as modified in Exhibit "E", attached hereto and incorporated herein, but not both.

5.2 Parcel Two

The permitted uses of Parcel Two, more particularly described in Exhibit "C", attached hereto and incorporated herein, shall be either as medium

density multifamily (MF-2) residential, except as modified in Exhibit "D", attached hereto and incorporated herein, or as (I-2) Industrial Park, except as modified in Exhibit "E", attached hereto and incorporated herein, but not both.

VI.

That Section II.5.1. of the Development Plan of Exhibit "C" of PUD No. 26, as approved in Ordinance No. Z-96-06-13-9B by the City Council of the City of Round Rock on June 13, 1996, is hereby amended to read as follows:

5. **PERMITTED USES**

5.1 **Multifamily Residential**

The properties described in Exhibits "C-1" and "C-2" shall be used and developed for ~~standard~~ medium density multifamily (MF-2) uses, except as modified in accordance with the development standards set forth in Exhibit "C-4", attached hereto and incorporated herein.

VII.

That Section II.5. of the Development Plan of PUD No. 31, as approved in Ordinance No. Z-97-02-13-9F by the City Council of the City of Round Rock on February 13, 1997, and amended in Ordinance No. Z-98-08-13-9B1 by the City Council of the City of Round Rock on August 13, 1998, is hereby amended to read as follows:

5. PERMITTED USES

The property shall be used and developed for medium density multifamily (MF-2) use in accordance with the Development Standards set forth in Exhibit "C" attached hereto and incorporated herein.

VIII.

That Exhibits "F-2" and "F-4", as approved in Ordinance No. Z-99-02-25-12B4 , by the City Council of the City of Round Rock on February 25, 1999, and Exhibit "F-3", as amended in Ordinance No. Z-01-02-22-9A1 by the City Council of the City of Round Rock on February 22, 2001, of PUD No. 39 are hereby amended as follows:

All references to "Multifamily (MF)" and "MF" zoning and uses shall henceforth read as "Multifamily - Urban (MF-3)" and "MF-3" zoning and uses, respectively.

IX.

That Section 1.1 of Exhibit "E" of PUD No. 40, as approved in Ordinance No. Z-00-09-12-9B3 by the City Council of the City of Round Rock on September 12, 2000, is hereby amended to read as follows:

1. PERMITTED USES:

1.1 Residential Uses

- Townhouses (as defined in Section 1 of the Development Plan portion of this Agreement).
- Medium density multifamily (MF-2) residential.
- Cluster housing (as defined in Section 1 of the Development Plan portion of this Agreement).
- Residential condominiums.

- Single-family residential.

X.

That Section 1 of the Development Standards for Development Parcels “1, 2, and 3” in Exhibit “D” of PUD No. 42, as approved in Ordinance No. Z-99-08-12-9B6 by the City Council of the City of Round Rock on August 12, 1999, is hereby amended to read as follows:

1. PERMITTED USES

The following principal uses are permitted:

~~A maximum density of twenty (20) Medium density multifamily (MF-2) residential, dwelling units per acre, together~~ with accompanying recreational amenities, shall be permitted on Parcels 1, 2, and 3.

The requirements of this Agreement replace 11.320 (3), (q) and (r) of the Code.

XI.

That Section 1 of the Development Standards for Parcel 2 in Exhibit “D” of PUD No. 53, as approved in Ordinance No. Z-02-01-24-8B1 by the City Council of the City of Round Rock on January 24, 2002, is hereby amended to read as follows:

1. PERMITTED USES

The following principal uses are permitted:

~~A maximum density of seventeen (17) Medium density multifamily (MF-2) residential dwelling units per acre~~ with a maximum density of seventeen (17) dwelling units per acre, together with accompanying recreational amenities, shall be permitted on Parcel “2”.

The requirements of this Agreement replace 11.320 (3), (q) and (r) of the Code.

XII.

That Section II.4.1. of the Development Plan of Exhibit "B" of PUD No. 68, as approved in Ordinance No. Z-06-06-08-9B6 by the City Council of the City of Round Rock on June, 8, 2006, is hereby amended to read as follows:

4. APPLICABILITY OF CITY ORDINANCES

4.1 Zoning and Subdivision Ordinances

This property shall be regulated for the purposes of zoning and subdivision by this Plan. All aspects not specifically covered by this Plan shall be regulated by the MF-2 (Multifamily – Medium Density) zoning district and other applicable sections of the Code, as amended. If there is a conflict between this Agreement and Plan and the Code, this Agreement and Plan shall supersede the specific conflicting provisions of the Code.

XIII.

That Sections II.4.1. and II.6. of the Development Plan of Exhibit "B" of PUD No. 70, as approved in Ordinance No. Z-06-12-21-8A2 by the City Council of the City of Round Rock on December 21, 2006, are hereby amended to read as follows:

4. APPLICABILITY OF CITY ORDINANCES

4.1 Zoning and Subdivision Ordinances

This property shall be regulated for the purposes of zoning and subdivision by this Plan. All aspects not specifically covered by this Plan shall be regulated by the C-1 (General Commercial) or MF-3 (Multifamily – Urban) zoning district that best applies to the use of the Property 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.

6. PERMITTED USES, HEIGHT AND SETBACK

The permitted uses and limitations are as follows:

Permitted Use ¹	Building Height Limitation	Building Setbacks from ⁶ :			Maximum Residential Units
		Hester's Crossing	La Frontera Boulevard	Kouri Avenue	
Office ³ (OF)	144 feet	8 feet	8 feet	8 feet	n/a
Restaurant ⁴	45 feet ²	8 feet	8 feet	8 feet	n/a
General Commercial (C-1)	45 feet ²	8 feet	8 feet	8 feet	n/a
Multifamily - <u>Urban</u> (MF- <u>3</u>) ⁵	60 feet	8 feet	8 feet	8 feet	39 per acre

1. Zoning designations indicate all uses permissible under the Code for such designation as of the date of this Ordinance. Such uses may include, but are not limited to, other uses also listed in this chart. Limitations for any specific C-1 or MF-3 use listed in this chart will control over the general C-1 or MF-3 listing.
2. Decorative architectural features may exceed the stated height limitation by 15 feet.
3. Including the following associated uses: Restaurant (including bar and liquor sales), Research & Development, and General Commercial (C-1).
4. Including bar and liquor sales.
5. 10% of the floor space constructed upon the lot(s) contained within a site plan must be developed for office, restaurant, or general commercial uses. Multilevel parking must be provided for the multifamily units. Total residential units may not exceed 360 units. The number of Maximum Residential Units does not guarantee the availability of water and wastewater capacities. On-site and off-site utility improvements may be required of the developer.
6. Building setbacks may be increased during the site plan review process if necessary to accommodate traffic sight lines or utilities as designated on a corresponding plat or site plan.

XIV.

That Section 1.(a) of Exhibit "D" of PUD No. 71, as approved in Ordinance No. Z-06-12-21-8A1 by the City Council of the City of Round Rock on December 21, 2006, is hereby amended to read as follows:

1. General Regulations

(a) Residential Use. Unless otherwise specified, each use listed below shall comply with density and development standards allowed in the appropriate City zoning district where the use is allowed by right, or, subject to the applicable conditions where it is allowed by right with conditions. Single-family uses shall be regulated by existing SF-1 and SF-2 Zoning Districts. Townhouses (i.e., multi-family uses with no more than 12 units per acre and heights no greater than 2.5 stories) shall be regulated by the TH Zoning District. Apartments shall be regulated by the appropriate multifamily Zoning District (MF-1, MF-2, or MF-3) according to the proposed density and mix of uses. Assisted care and Independent living facilities shall be regulated by the SR Zoning District. Amenity centers shall be regulated by the PF-3 Zoning District. Residential uses, or mixed uses, located within 1,000 feet of FM 1431 shall be permitted a maximum height of 12 stories.

XV.

That Section II.4.1. of the Development Plan of Exhibit "B" of PUD No. 73, as approved in Ordinance No. Z-07-07-26-9A2 by the City Council of the City of Round Rock on July 6, 2007, is hereby amended to read as follows:

4. APPLICABILITY OF CITY ORDINANCES

4.1 Zoning and Subdivision Ordinances

This 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 Multifamily – Medium Density (MF-2) 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.

XVI.

That Sections II.4.1 and II.5.2 and II.7.3 of the Development Plan of Exhibit "B" of PUD No. 74, as approved in Ordinance No. Z-07-06-28-10C2 by the City Council of the City of Round Rock on June 28, 2007, are hereby amended to read as follows:

4. APPLICABILITY OF CITY ORDINANCES

4.1 Zoning and Subdivision Ordinances

This 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 General Commercial (C-1) zoning district for Parcels 1A, 1B and 1C and by the Multifamily – Medium Density (MF-2) zoning district for Parcel 2, 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.

5. PERMITTED USES

5.2 **Parcel 2**

All uses permitted in the MF-2 (Multifamily – Medium Density) zoning district are permitted.

7. **DEVELOPMENT STANDARDS**

7.3. **Parcel 2 (Multifamily – Medium Density)**

The requirements of the MF-2 zoning district shall apply, except as modified by:

XVII.

That Sections II.4.1. and II.5.2. and II.5.4. of the Development Plan of Exhibit “B” of PUD No. 78, as approved in Ordinance No. Z-08-01-24-9B1 by the City Council of the City of Round Rock on January 24, 2008, are hereby amended to read as follows:

4. **APPLICABILITY OF CITY ORDINANCES**

4.1 **Zoning and Subdivision Ordinances**

This 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 **LI (Light Industrial) and MF-2 (Multifamily – Medium Density) zoning districts** 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.

5. **PERMITTED USES**

5.2. **Parcel 2 – 36.38 acres**

All uses permitted in the **MF-2 (Multifamily – Medium Density) zoning district**, as amended, are permitted. The maximum density shall be 20 units per acre, based on the gross area of Parcel 2, provided all other provisions of this Plan and the MF-2 (Multifamily – Medium Density) zoning district are met.

5. **PERMITTED USES**

5.4. **Parcel 2 (Multifamily – Medium Density)**

XVIII.

That Sections II.4.1. and II.6.4.(2) of the Development Plan of Exhibit “B” of PUD No. 83, as approved in Ordinance No. Z-08-10-23-11B7 by the City Council of the City of Round Rock on October 23, 2008, and amended in Exhibit “A” in Ordinance No. Z-10-01-28-9A3 by the City Council of the City of Round Rock on January 28, 2010, are hereby amended to read as follows:

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 **C-1a, OF, PF-3, MF-2, OS, and TH** zoning districts, 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.

6. **DEVELOPMENT STANDARDS**

6.4 **Parcel 4 (Public Facilities/Multifamily/Senior Living)**

- (2) Development of residential uses shall conform to the standards described within the **MF-2 (Multifamily – Medium Density) district**, ~~Chapter 11, Section 11.408 (3), (4) and (5) of the Code~~, as amended, except:

XIX.

That Section II.6.1(1)(b) of the Development Plan of PUD No. 84, as approved in Ordinance No. Z-08-11-13-11C13 by the City Council of the City of Round Rock on November 13, 2008, is hereby amended to read as follows:

6. PERMITTED USES

6.1 Conditional Uses

- (1) Multi Family Residential
 - (b) Development standards not addressed in this Plan shall comply with the **MF-2 (Multifamily – Medium Density)** district, as amended.

XX.

That Sections II.4.1. and II.5.1 of the Development Plan of Exhibit “B” of PUD No. 85, as approved in Ordinance No. Z-08-12-18-12B2 by the City Council of the City of Round Rock on December 18, 2008, is hereby amended to read as follows:

4. APPLICABILITY OF CITY ORDINANCES

4.1 Zoning and Subdivision Ordinances

This 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 **MF-2 (Multifamily – 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.

5. PERMITTED USES

5.1. All uses permitted in the **MF-2 (Multifamily – Medium Density)** zoning district, in addition to:

XXI.

That Section II.4.1. and II.6.1 of the Development Plan of Exhibit “B” of PUD No. 89, as approved in Ordinance No. Z-11-03-10-9A1 by the City Council of the City of Round Rock on March 10, 2011, are hereby amended to read as follows:

4. APPLICABILITY OF CITY ORDINANCES

4.1 Zoning and Subdivision Ordinances

This 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 **C-1a (General Commercial – Limited), OF (Office), MF-2 (Multifamily – Medium Density), and OS (Open Space) zoning districts**, as best applies to the use of the Property 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.

6. PERMITTED USES, HEIGHT LIMITS AND SETBACKS

6.1. The following uses and mixed uses shall be permitted on the Property, with the limitations indicated:

Permitted Uses	Building ³ Height Limitation	Building Setbacks from:			Maximum Residential Units
		Hester's Crossing	Sundance Parkway	Other ⁴ Roads	
Office (OF)/ Research and Development / General Commercial –	216 feet	8 feet	25 feet	15 feet	n/a

Limited (C-1a)					
Hotel/General Commercial – Limited (C-1a)	216 feet	8 feet	25 feet	15 feet	n/a
Eating Establishment	45 feet ²	8 feet	25 feet	15 feet	n/a
General Commercial – Limited (C-1a)	45 feet ²	8 feet	25 feet	15 feet	n/a
Research and Development	60 feet	8 feet	25 feet	15 feet	n/a
Multifamily - Medium Density (MF-2) ^{1/} Office (OF)/ General Commercial – Limited (C-1a)	75 feet	8 feet	25 feet	15 feet	70 units per acre or 800 units maximum

1. *Structured parking shall be provided to meet the MF-2 parking requirement for a MF-2 development of 45 units per acre or greater.*
2. *Decorative architectural features may exceed the stated height limitation by 15 feet.*
3. *Building height refers to the vertical distance from the highest point on a structure to the average ground level of the grade where the walls or other structural elements intersect the ground. When a building has varying finish floor elevations due to existing topography, height will be measured separately for each area with the same finish floor elevation. Height to be measured from the average finish grade elevation to the finish building height exclusive of decorative architectural features.*
4. *Building setbacks from other roads may be reduced to 10 feet if dry utilities (if any) are located within the road right-of-way such that there are no dry utilities between the road right-of-way and the building.*

XXII.

That Sections II.4.1. and II.6. of the Development Plan of Exhibit “B” of PUD No. 90, as approved in Ordinance No. Z-12-01-26-8B2 by the City Council of the City of Round Rock on January 26, 2012, are hereby amended to read as follows:

4. APPLICABILITY OF CITY ORDINANCES

4.1 Zoning and Subdivision Ordinances

This 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

MF-2 (Multifamily – Medium Density), TH (Townhouse) and SR (Senior) zoning districts 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.

6. DEVELOPMENT STANDARDS FOR MULTIFAMILY RESIDENTIAL (MF-2)

DISTRICT AREA

6.1. A Multifamily Residential (MF-2) District Area is created and indicated on **Exhibit “B”**. Within the MF-2 District Area, the MF-2 district zoning regulations will govern unless as otherwise provided in this Plan.

6.2. Permitted Uses.

- a) All uses contained in the **MF-2 (Multifamily – Medium Density) zoning district**, as described in Section 46-140.2 of the Code, as amended, shall be permitted.
- b) All uses contained in the **TH (Townhouse) zoning district**, as described in Section 46-139 of the Code, as amended, shall be permitted.
- c) All **TH (Townhouse)** uses shall be governed by the **TH (Townhouse)** district regulations, as contained in Section 46-139 of the Code, as amended, except that (i) the density limit shall be 20 units per acre and (ii) such standards are amended as provided in Section 6 of this Plan. To the extent of conflict with the Code, this Plan controls.

6.3. The maximum number of multifamily residential units shall not exceed 600. If however, townhouses are constructed in the MF-2 District Areas at a density of greater than 12 units per acres, then those townhouses shall be counted against the 600 unit limit.

6.4. The maximum number of multifamily residential units per building shall not exceed twenty-eight (28).

6.5. Compatibility – Multifamily uses

Compatibility regulations in the Code between uses in the MF-2 District Area and the SR/TH District Area within the Property shall not be applicable.

6.6. Garage Parking – Multifamily uses

No less than 50% of the multifamily residential units shall be required to have parking within covered parking areas or garages. Detached garages shall be constructed of the same exterior materials and include a similar roof pitch to the primary residential structures.

6.7. Amenity Centers – Multifamily uses

An Amenity Center and a swimming pool shall be provided for each of the two (2) phases of the multifamily residential development.

6.8. Building Exterior Finish and Design Features – Multifamily uses

a) The required masonry exterior finish on the first floor of all multifamily residential buildings shall consist of seventy-five (75) percent brick or natural stone, not to include simulated stone.

- b) The following special design features shall be incorporated in the design of each multifamily residential building, as generally depicted on the attached **Exhibit "C"**:
 - i) Shutters;
 - ii) Arched entry, balcony or breezeway entrance;
 - iii) Stone or brick accent wall;
 - iv) Veranda, terrace, porch or balcony;
 - v) Projected wall or dormer, and
 - vi) Variation of roof lines on the building.

6.9. Setbacks and Balconies – Multifamily and Townhouse uses

- a) All multifamily and townhouse residential buildings shall be set back eighty (80) feet from the eastern boundary of the Property when adjacent to single family zoned property. No storage buildings, electrical/mechanical equipment rooms or garbage collection areas shall be allowed within the eighty (80) foot setback.
- b) On the east side of all multifamily and townhouse residential buildings located within one-hundred fifty (150) feet of the eastern boundary of the Property when adjacent to single family zoned property, balconies on the third story shall be prohibited.

6.10. Building Height – Multifamily and Townhouse uses

- a) Multifamily and townhouse residential buildings shall be a maximum of three stories in height, unless the first level includes a

walk out basement as generally depicted on **Exhibit "C"**, in which case the building height shall be a maximum of four stories.

- b) Multifamily and townhouse residential buildings which include a walk out basement as described above shall be set back a minimum of 225 feet from the eastern boundary of the Property. The walk out basement façade shall not face the eastern boundary of the Property.

6.11. Landscaping and Screening – Multifamily and Townhouse uses

- a) The landscape buffer ~~in the additional setback required in the MF (Multi-Family) zoning district, Section 46-140 (e)(2),~~ shall contain the following minimum quantity of landscaping, based on the linear footage that exists along the length of the southern and western property lines, except where the property line abuts a public street:
 - i) One large species tree per fifty (50) linear feet; and
 - ii) One medium species tree per thirty (30) linear feet; and
 - iii) One small species tree per fifteen (15) linear feet;
 - iv) Seventy-five percent (75%) of all tree species shall be of an evergreen species.
- b) Attached garage doors for multifamily and townhouse residential buildings may face Hidden Valley Drive however in no case shall more than six (6) garage doors be located adjacent to one another.
- c) Facing Hidden Valley Drive, there shall be no more than twenty (20) consecutive parking spaces in the street yard without an

interrupting island containing a large species tree. Tree islands shall have a minimum width of nine feet (9') from face of curb to face of curb.

6.12. Compatibility Buffer and Fencing – Multifamily and Townhouse uses

- a) The required compatibility buffer fence shall be an eight-foot (8') masonry wall installed along the eastern Property boundary along adjacent residentially zoned property. Required trees adjacent to residentially zoned property shall be a minimum of six (6) feet in height at time of planting. Provisions shall be made for "tie in" to existing perpendicular fencing of single family lots to maintain continuous fenced yard conditions.
- b) The required compatibility masonry wall shall not be installed along the boundary with Lot 10, Block E of the Laurel Ridge Section 6 Subdivision. The masonry wall shall turn westward into the Property before turning southward to terminate at the southern Property boundary line.
- c) All trees shall be planted in a pervious area no less than four feet (4') wide in any direction measured from the center of the tree, unless otherwise stated herein.
- d) The pervious area around all required trees in landscape buffers, tree islands, perimeter parking lot landscape areas and compatibility buffers shall not include sod or turf grass and shall consist of no more than fifty percent (50%) decorative ground cover

material, including decomposed granite, crushed granite gravel, river rock, pea gravel, tumbled glass, and bark mulch, unless approved by the Zoning Administrator. The remainder of the pervious area around the tree as described in Section 5.10(c) must consist of live plant material with a low and spreading growth habit that can easily be maintained at a height of 6" to 12" and is intended to completely cover the ground surface when fully grown.

- e) At least 80% of the required shrubs shall be native or adapted species, as approved by the Zoning Administrator. Up to 20% of the shrubs may be of a non-preferred variety as long as they are grouped together in a suitable area and can be irrigated.
- f) Drip irrigation for groundcovers, shrubs and trees shall be utilized in the irrigation plan, unless otherwise approved by the Zoning Administrator. Turf grass areas are not required to be irrigated with drip irrigation.
- g) In areas where turf is used, a drought tolerant species will be used, subject to the approval of the Zoning Administrator. No St. Augustine grass shall be allowed.

6.13. Existing Trees – Multifamily and Townhouse

- a) The existing trees indicated on **Exhibit "D"** shall be retained as a part of the site landscaping plan.
- b) Developer shall use commercially reasonable efforts to preserve any healthy existing trees along the eastern boundary line adjacent

to the single family zoned property unless construction of the masonry wall as described in Section 5.10(a) prevents preservation. Should any such healthy existing trees in this area not be preserved, an evergreen tree of a type considered to be fast growing to provide shade and screening that is at least ten (10) feet in height at time of planting shall be planted to replace the tree removed.

That Exhibits "B" and "D" of PUD No. 90, as approved in Ordinance No. Z-12-01-26-8B2 by the City Council of the City of Round Rock on January 26, 2012, are hereby amended as follows:

All occurrences of "MF" shall henceforth read "MF-2".

XXIII.

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 _____ day of _____, 2012.

Alternative 2.

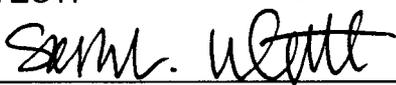
READ and APPROVED on first reading this the 11th day of October, 2012.

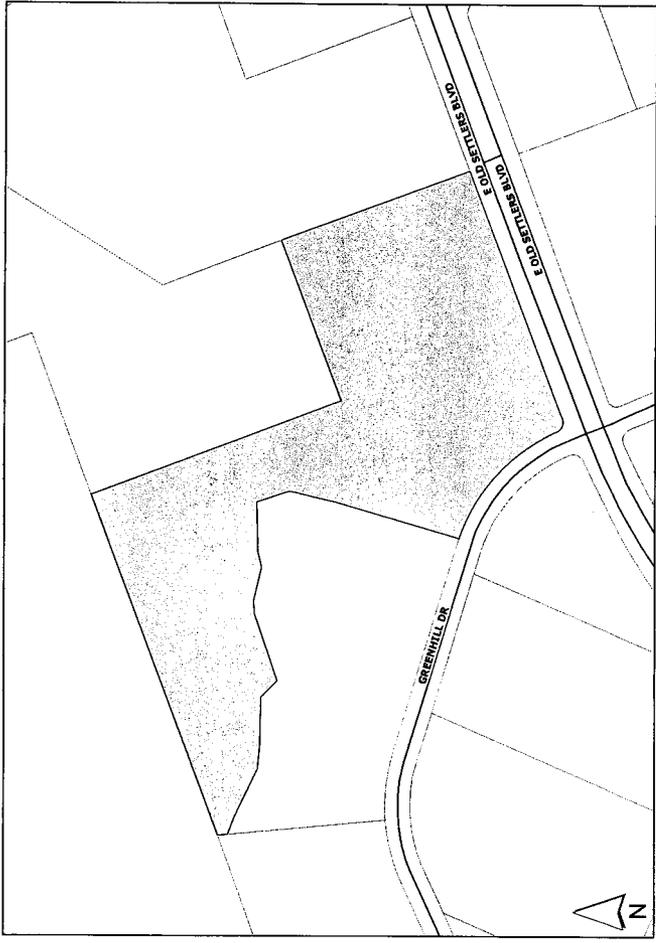
READ, APPROVED and ADOPTED on second reading this the 25th day of October, 2012.



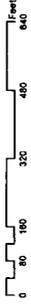
ALAN MCGRAW, Mayor
City of Round Rock, Texas

ATTEST:


SARA L. WHITE, City Clerk



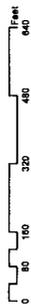
PUD #2
610 Greenhill Dr
Round Rock, TX 78665



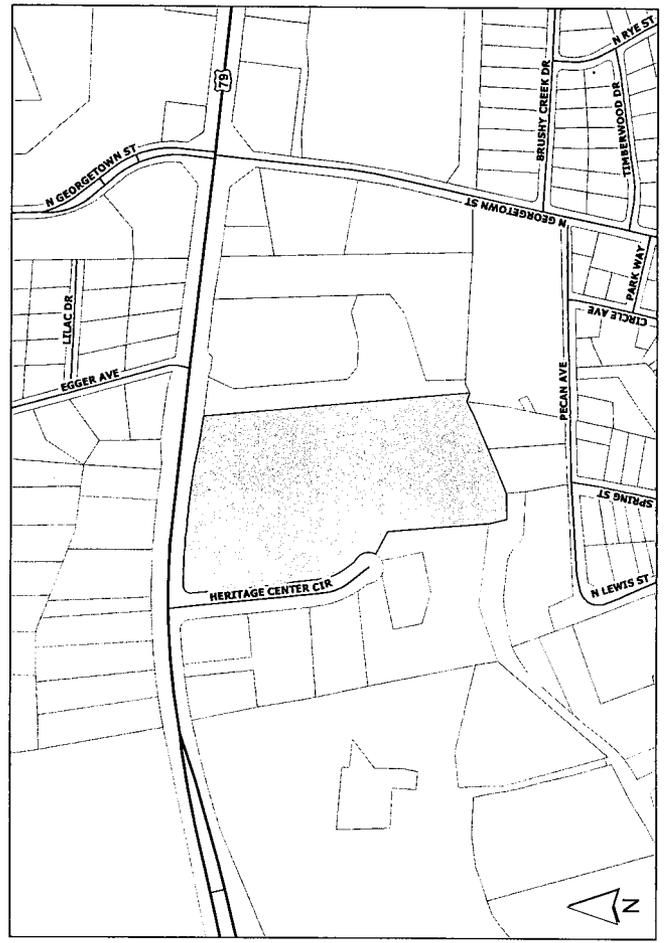
City of Round Rock, September 5, 2012



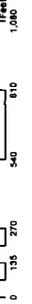
PUD #2
600 Greenhill Dr
Round Rock, TX 78664



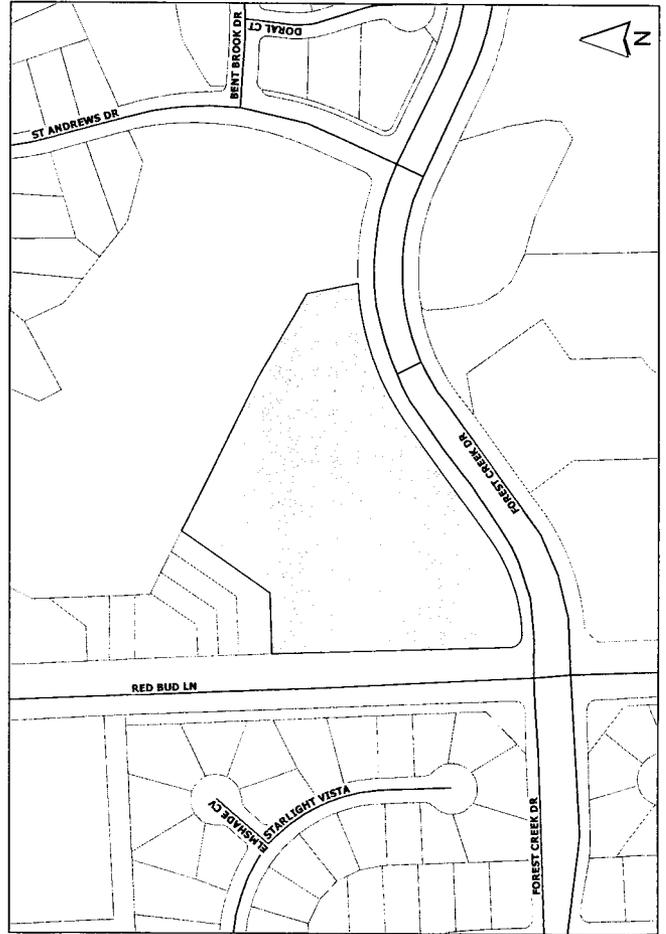
City of Round Rock, September 5, 2012



PUD #10
515 E Palm Valley Blvd
Round Rock, TX 78664



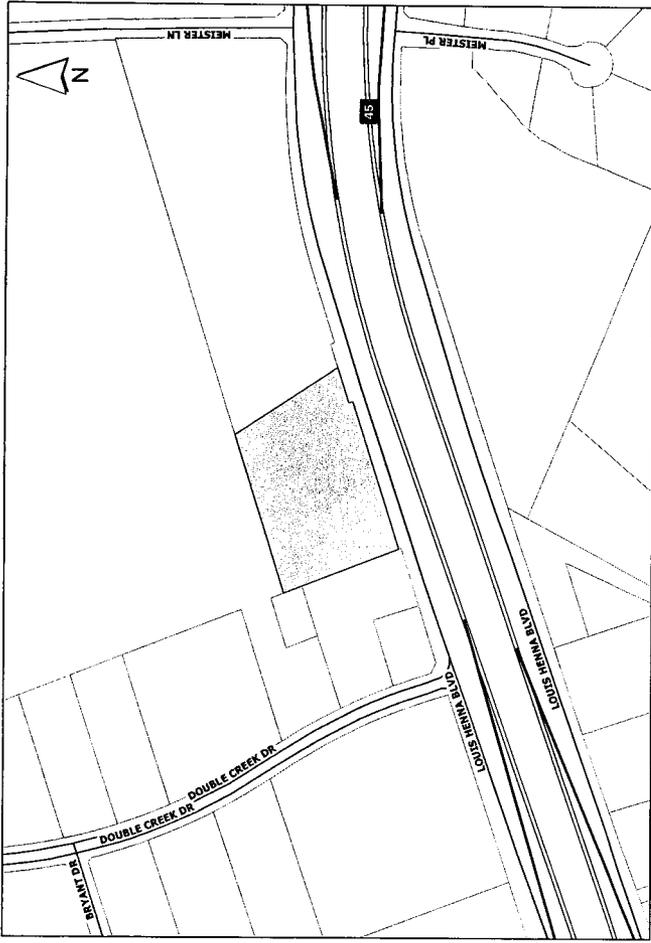
City of Round Rock, September 5, 2012



PUD #4
3300 Forest Creek Dr
Round Rock, TX 78664

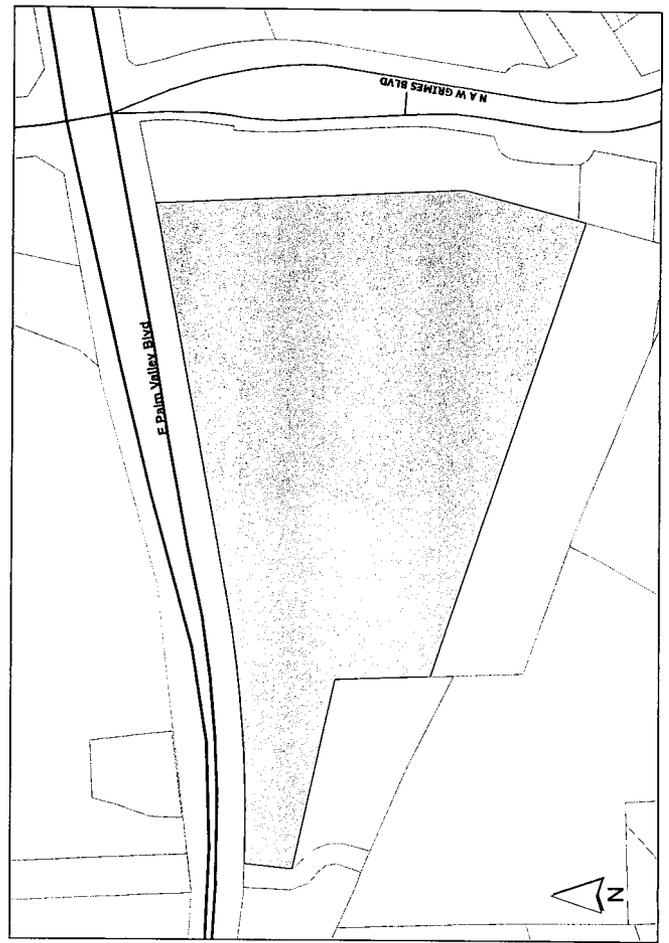


City of Round Rock, September 5, 2012



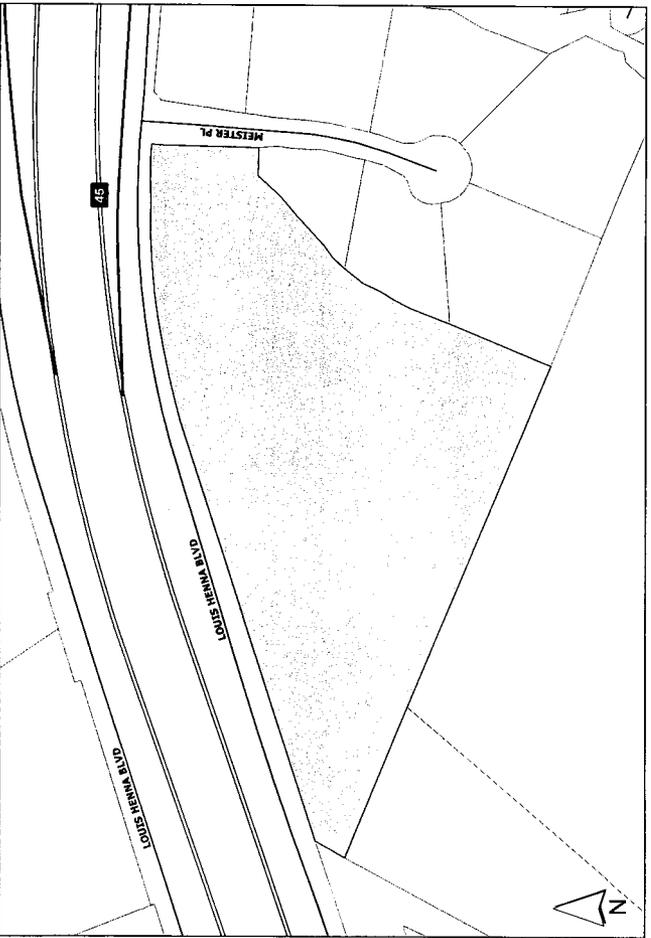
PUD #20
2400 E Louis Henna Blvd
Round Rock, TX 78664

City of Round Rock, September 5, 2012



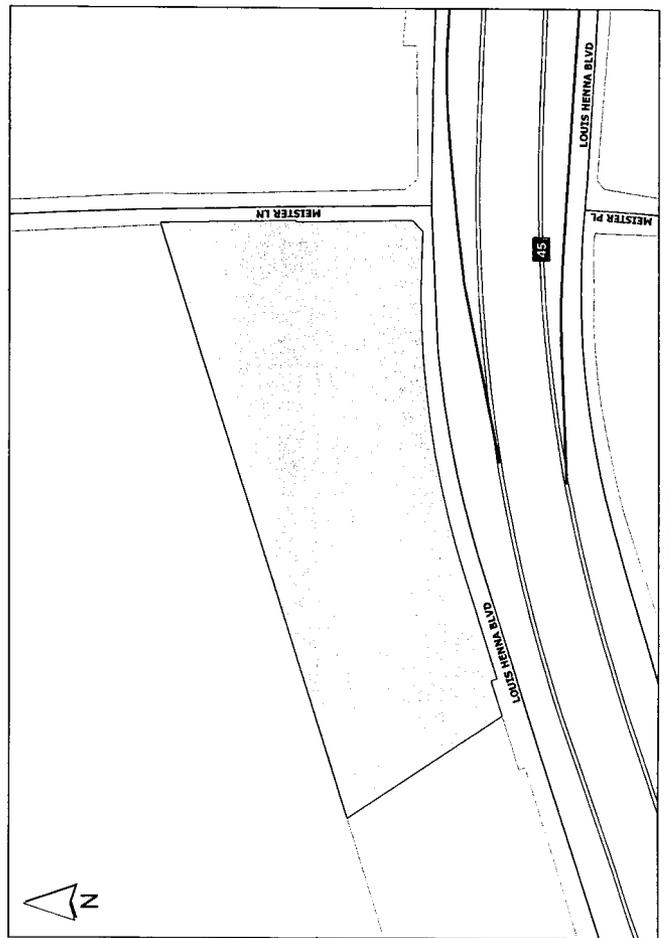
PUD #26
1801 E Palm Valley Blvd
Round Rock, TX 78664

City of Round Rock, September 5, 2012



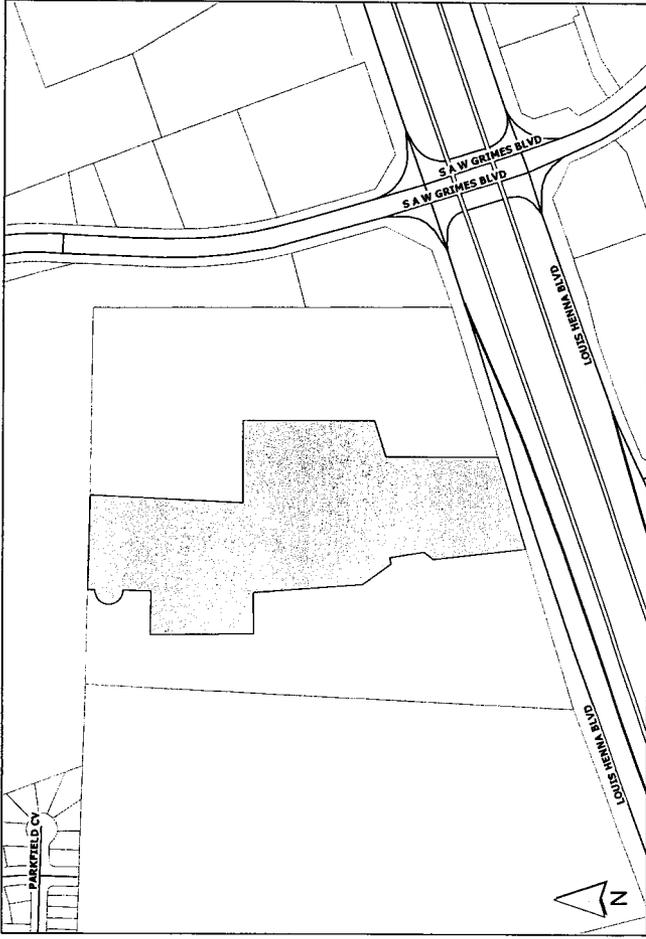
PUD #15
2501 E Louis Henna Blvd
Round Rock, TX 78664

City of Round Rock, September 5, 2012



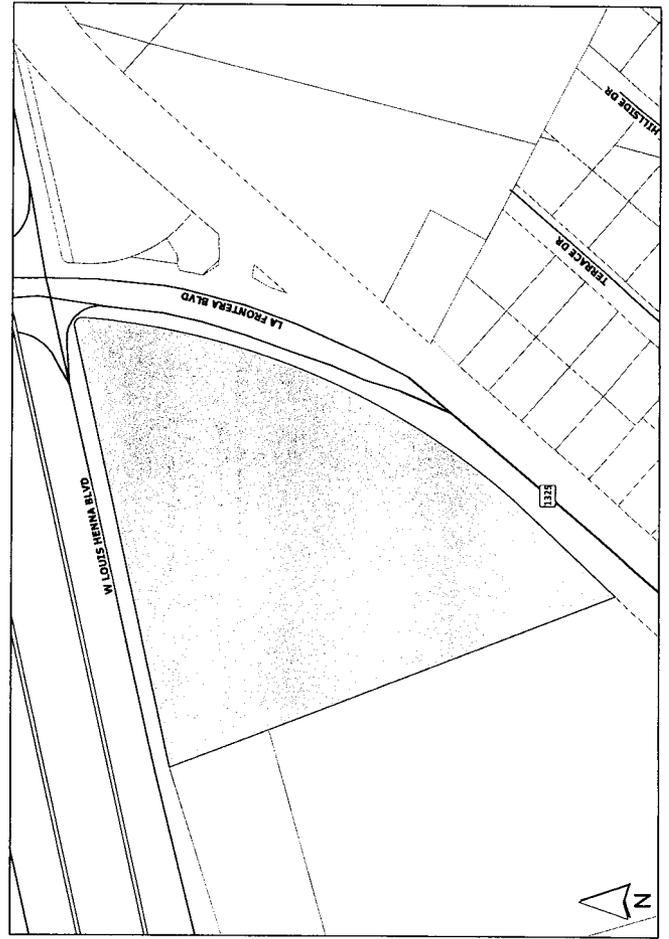
PUD #20
2500 E Louis Henna Blvd
Round Rock, TX 78664

City of Round Rock, September 5, 2012



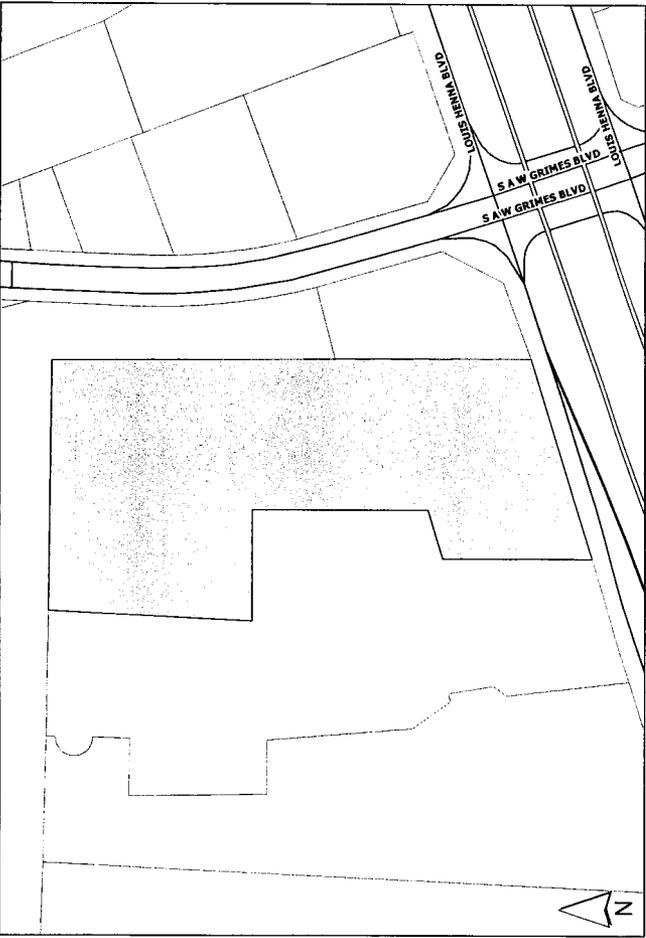
PUD #31
670 E Louis Henna Blvd
Round Rock, TX 78664

City of Round Rock, September 5, 2012



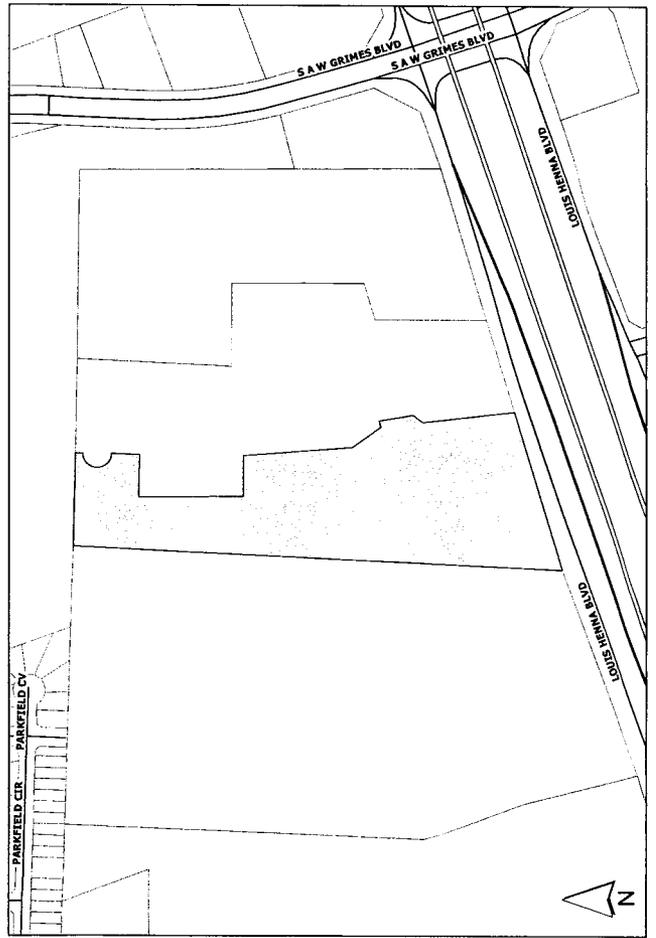
PUD #39
2800 La Frontera Blvd
Round Rock, TX 78661

City of Round Rock, September 5, 2012



PUD #31
700 E Louis Henna Blvd
Round Rock, TX 78664

City of Round Rock, September 5, 2012



PUD #31
650 E Louis Henna Blvd
Round Rock, TX 78664

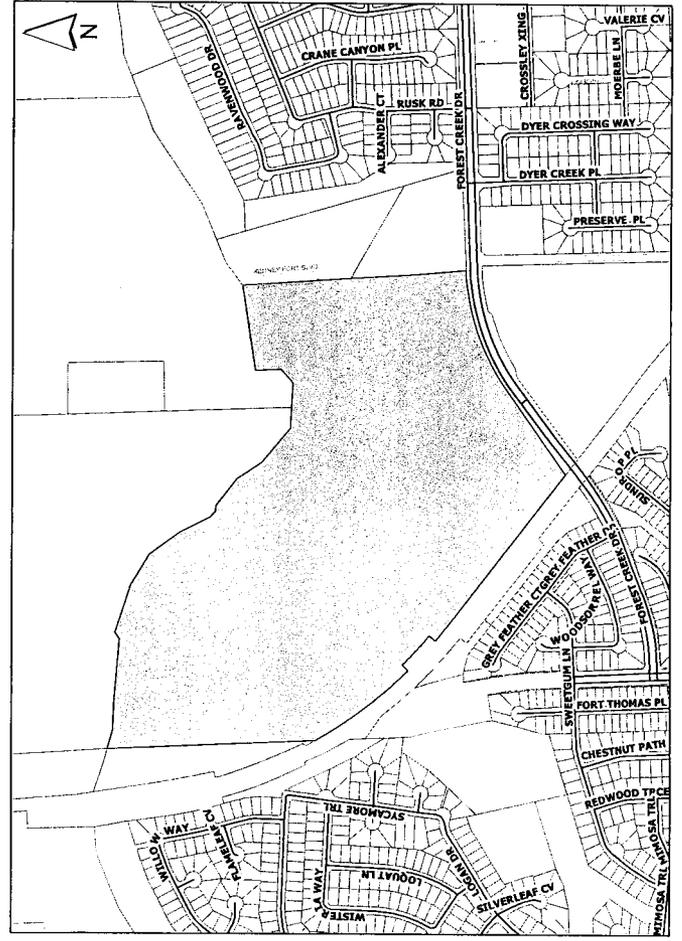
City of Round Rock, September 5, 2012



PUD #39
2700 La Frontera Blvd
Round Rock, TX 78681



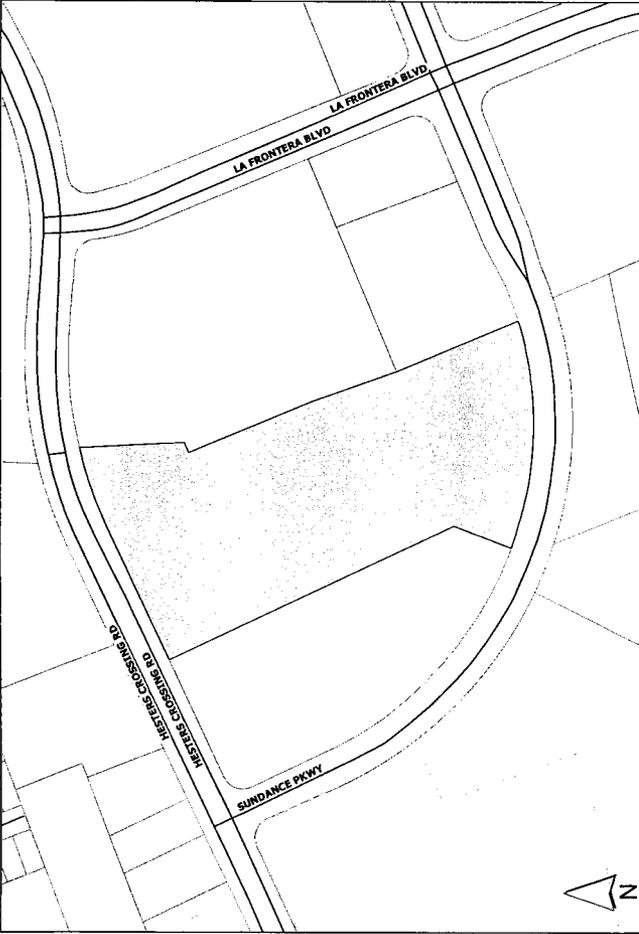
City of Round Rock, September 5, 2012



PUD #40
Kenney Fort



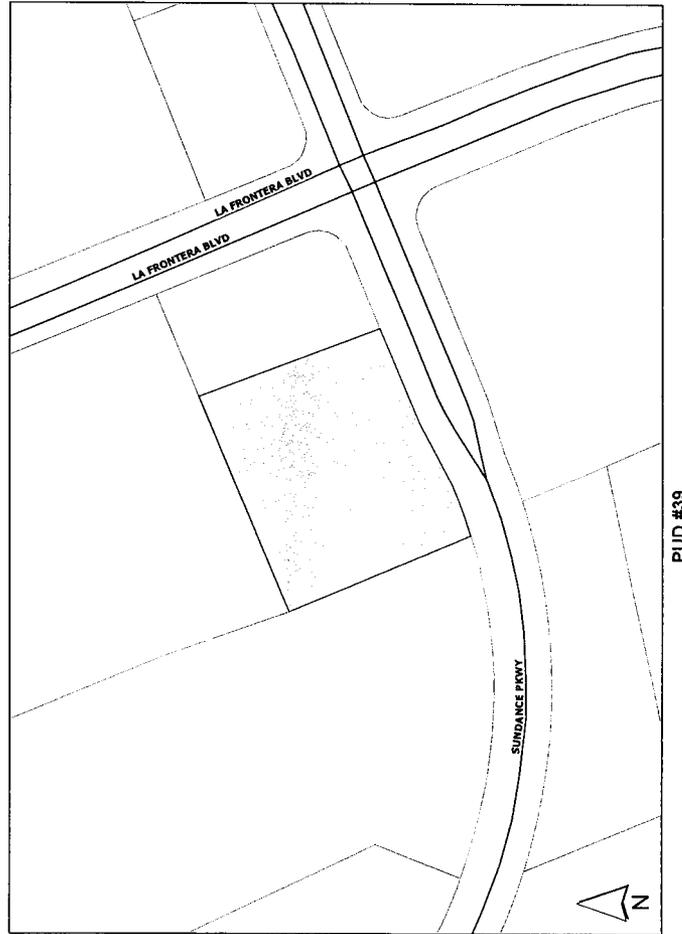
City of Round Rock, September 5, 2012



PUD #39
941 Hester's Crossing Rd
Round Rock, TX 78681



City of Round Rock, September 5, 2012



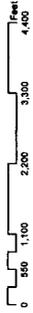
PUD #39
420 Sundance Pkwy
Round Rock, TX 78681



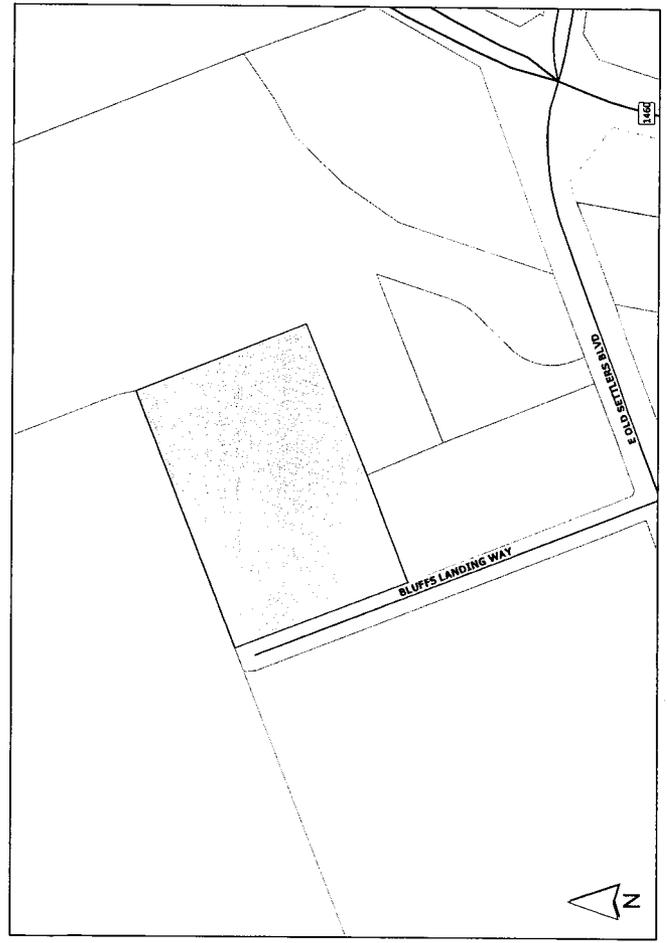
City of Round Rock, September 5, 2012



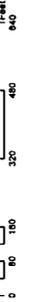
PUD #71 - Georgetown Railroad
 1501 FM 1431
 Round Rock, TX 78665



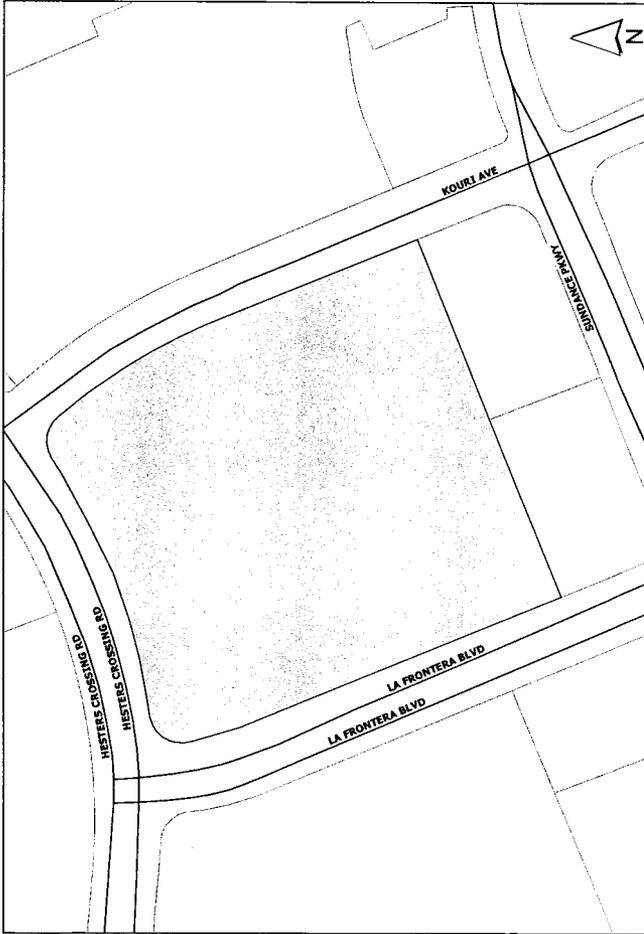
City of Round Rock, September 5, 2012



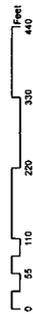
PUD #73
 3201 Bluffs Landing Way
 Round Rock, TX 78665



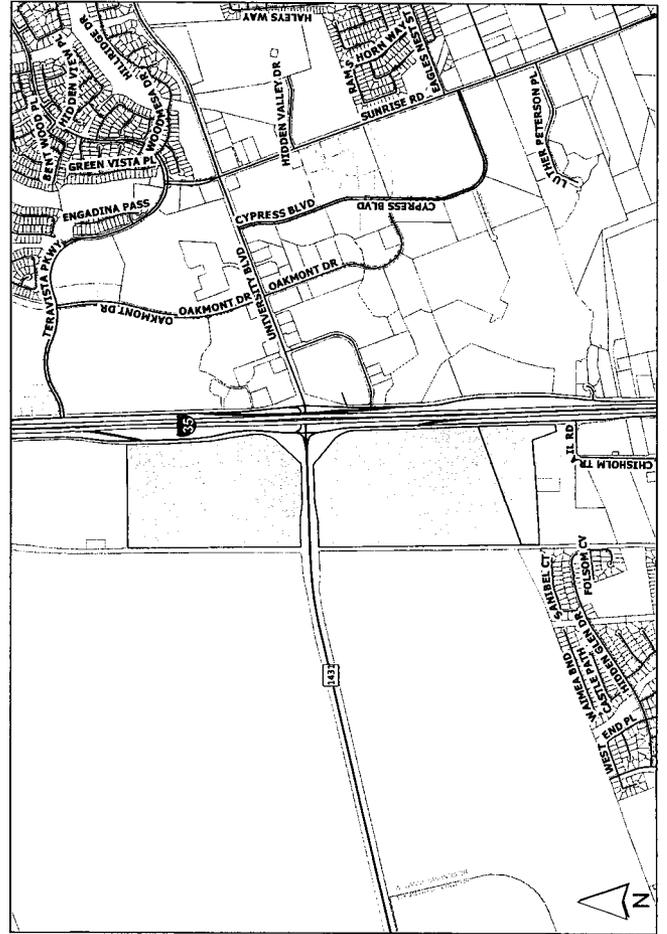
City of Round Rock, September 5, 2012



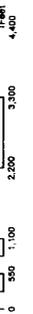
PUD #70
 2601 La Frontera Blvd
 Round Rock, TX 78681



City of Round Rock, September 5, 2012



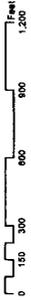
PUD #71 - Georgetown Railroad
 4300 and 3700 IH-35 N
 Round Rock, TX 78665



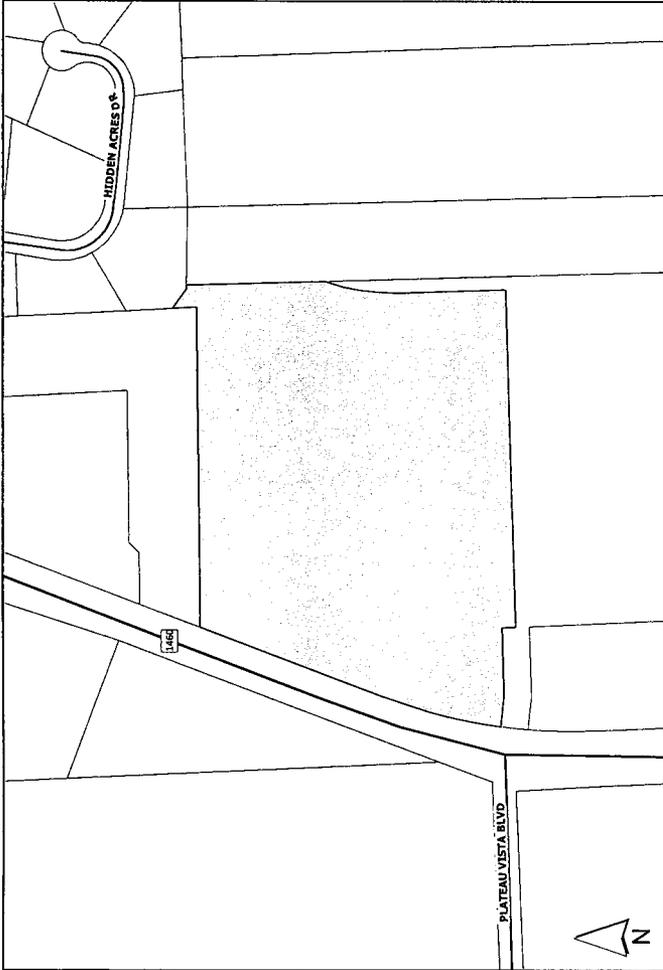
City of Round Rock, September 5, 2012



PUD #78 - Chandler Crossing
 1280 E Old Settler's Blvd
 Round Rock, TX 78665



City of Round Rock, September 5, 2012



PUD #74
 1301 N A.W. Grimes Blvd.
 Round Rock TX 78664



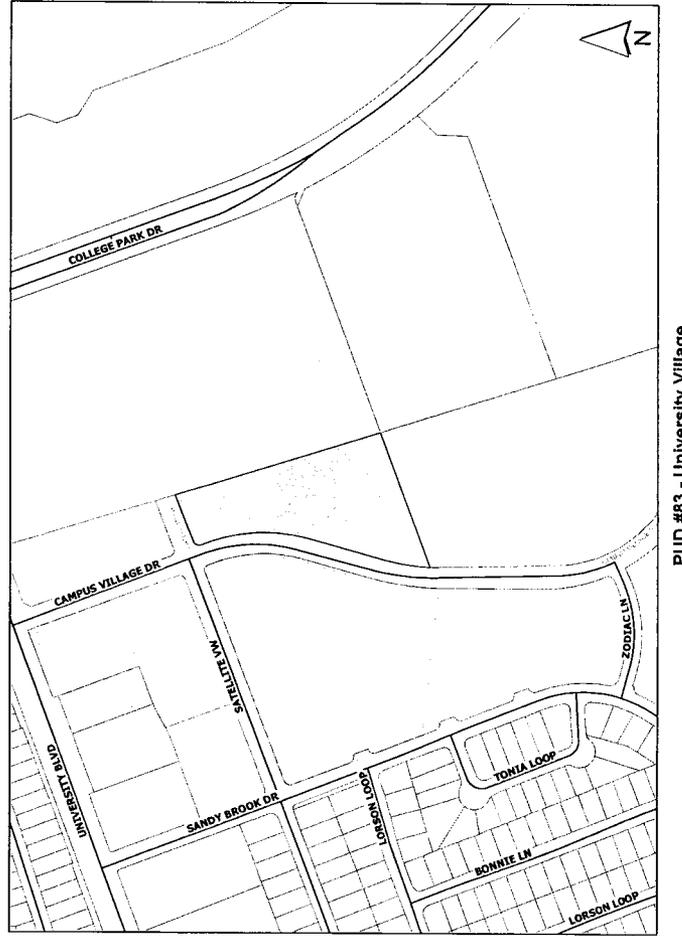
City of Round Rock, September 5, 2012



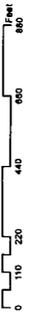
PUD #84
 Avery Centre
 Parcels owned by Avery Ranch Company Ltd & LSA Trust



City of Round Rock, September 5, 2012



PUD #83 - University Village
 4601 Campus Village Dr.
 Round Rock, TX 78665



City of Round Rock, September 5, 2012



City Council Agenda Summary Sheet

Agenda Item No.	I3.
Agenda Caption:	Consider an ordinance amending certain tracts of land currently zoned MF (Multifamily) to MF-2 (Multifamily – Medium Density) zoning district. (Second Reading)
Meeting Date:	October 25, 2012
Department:	Planning and Development Services
Staff Person making presentation:	Peter Wysocki
	Planning and Development Services Director

Item Summary:

This is the third and final item in the sequence of proposed actions regarding multi-family zoning. This ordinance will change the multi-family reference of each PUD that permits multi-family as a use to reflect the new, MF-1, MF-2 or MF-3 regulations, depending on applicability.

Most PUDs with multi-family use will see those references change to MF-2 (Multifamily – Medium Density). However, a few PUDs will reference the MF-1 (Multifamily – Low Density) or MF-3 (Multifamily – Urban) zoning districts to be consistent with how those PUDs are written and/or currently developed. All PUDs that specifically address a certain aspect of design or development will not see those regulations change. It is only where a PUD defaults to the MF (Multi-family) district that the new regulations will be in effect. In other words, in cases of conflict between the PUD language and the Code language, the PUD regulations will prevail.

It is important to note there has been some discussion between PUD property owners and the City regarding this ordinance. When many PUDs were created there were various issues negotiated with the City. There is a sense among some PUD property owners that the PUDs should not be subject to the proposed standards, given that they were previously negotiated with the City. Staff recognizes these potential conflicts and has attempted to resolve them by specifying in the proposed ordinances that standards specifically addressed in PUDs shall prevail. Furthermore, PUD zoning is not a contract. And, as long as the City follows proper procedures, PUDs can be modified. It is also worth noting that the vast majority of entitled multi-family units in the City (over 9,000 units out of a total of over 11,000 units) are in PUDs.

Attached to the ordinance are maps depicting the affected parcels of each PUD.

Recommended Action: Approval