



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. Z-14-02-27-J1 which approves Amendment No. 4 to the Planned Unit Development (PUD) No. 84. This ordinance was approved and adopted by the Round Rock City Council at a regular meeting held on 27th day of February 2014 and recorded in the City Council Minute Book 60.

CERTIFIED by my hand and seal of the City of Round Rock, Texas on this 10th day of March 2013.



SARA L. WHITE, City Clerk



ORDINANCE NO. Z-14-02-27-J1

AN ORDINANCE AMENDING ORDINANCE NO. Z-08-11-13-11C13, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON NOVEMBER 13, 2008, BY AMENDING SECTIONS II.5.2, II.6, II.6.1, II.8.1 AND EXHIBIT "C" OF THE DEVELOPMENT PLAN OF PUD NO. 84, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE, PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, on November 13, 2008, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-08-11-13-11C13, which established PUD No. 84, and

WHEREAS, on July 22, 2010, the City Council of the City of Round Rock, Texas adopted Ordinance No. Z-10-07-22-9A1 to amend Sections II.6.1(5)(a), II.8.1(1), II.8.1(2)(c)(ii), II.8.1(3)(c), II.8.1(4)(c), II.8.1(5)(c), II.8.1(6)(c), II.8.1(7)(c), and II.8.1(16)(c) of the Development Plan of PUD No. 84 (Amendment No. 1), and

WHEREAS, the City and Avery Centre DevCo, Inc. ("Owner") agreed to an Administrative Amendment (Amendment No. 2), as defined in Section 19.a. of PUD No. 84, such amendment filed as Document No. 2010059641 with the County Clerk of Williamson County, Texas, and

WHEREAS, on August 9, 2012 the City Council of the City of Round Rock, Texas adopted Ordinance No. Z-12-08-09-H1 to amend Sections II.6, II.6.2(2), II.8.1(1)(e), II.8.1(1)(f) and II.16 of the Development Plan of PUD No. 84, and

WHEREAS, an application has been made to the City Council of the City of Round Rock, Texas, to amend Sections II.5.2, II.6, II.6.1, II.8.1 and replace Exhibit "C" of the Development Plan of PUD No. 84, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. Z-08-11-13-11C13 on the 19th day of February, 2014, 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-08-11-13-11C13 be amended, and

WHEREAS, on the 27th day of February, 2014, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No. Z-08-11-13-11C13, and

WHEREAS, the City Council determined that the requested amendment to Ordinance No. Z-08-11-13-11C13 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 #84 meets the following goals and objectives:

- (1) The amendment to P.U.D. #84 is equal to or superior to development that would occur under the standard ordinance requirements.

- (2) The amendment to P.U.D. #84 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #84 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.5.2. of the Development Plan of PUD No. 84, as approved in Ordinance No. Z-08-11-13-11C13, is hereby amended to read as follows:

5.2. Use Districts

For the purpose of this Plan, the Avery Centre land uses have been divided into two use districts: MU (Mixed Use), containing approximately 540 acres, and RES (Residential), containing approximately 310 acres, as shown in **Exhibit "C"**. The MU use district has been further subdivided into seven sub-districts (No. 1, 2, 3, 5, 6& 6-A, 7 and 9) and the RES use district has been further subdivided into two sub-districts (No. 4 and 8). The remaining area is designated for floodplain/open space reserve/right-of-way. Specific uses and conditions are defined within this Plan for each sub-district.

The MU portion of the Plan allows retail, high density residential, entertainment, restaurant, educational and office components. The design requirements dictate that all of the uses be oriented to the street and linked together by pedestrian elements such as walking trails, pedestrian plazas and storefront sidewalks.

The RES component of the project allows for various types of single family detached structures and medium density attached residential structures. The Plan also includes a network of open spaces containing parks, civic greens, greenbelts and trail corridors.

III.

That Section II.6. of the Development Plan of PUD No. 84, as approved in Ordinance No. Z-08-11-13-11C13, is hereby amended to read as follows:

6. PERMITTED USES

The following table contains the uses allowed according to the use district boundaries described in **Exhibit "C"**. Unless otherwise indicated, 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.

Land Use Table

Use	District Allowed	Maximum Number within PUD	Conditional Use
Multi Family Residential (including apartments and condos)	1,2,3,4,6,6-A,7,8,9		X
Townhouse Residential	1,2,3,4,6,6-A,7,8,9		X
Single Family Detached	3,4,8,9		X
Accessory Dwelling			X
Single Family Zero Lot Line	3,4,8,9		X
Upper Story Residential	1,2,3,6,6-A,7,9		
Library	1,2,6,6-A,7,9		
Community Service	1,2,6,6-A,7,8,9		
Government Facilities	1,2,6,6-A,7,9		
Linear/Linkage Park	1,2,3,4,5,6,6-A,7,8,9		
Neighborhood Park	1,2,3,4,5,6,6-A,7,8,9		
Community Park	3,4,7,8,9		
Amenity/Recreation Center	1,2,3,4,6,6-A,7,8,9		X
Place of Worship (accessory uses not exceeding 2,500 square feet)	1,2,3,4,6,6-A,7,8,9		X
Place of Worship (accessory uses exceeding 2,500 sq. ft. but not greater than 10,000 sq. ft.)	3,4,6,6-A,7,8,9		X
Place of Worship (accessory uses not exceeding 20,000 square feet)	3,4,6,6-A,7,8,9		X
Utility (Minor and Intermediate)	1,2,3,4,5,6,6-A,7,8,9		
Commercial Parking	1,2,3,6,6-A,7		X
Eating Establishments	1,2,3,6,6-A,7,9		X
Bar or Tavern	1,2,6,6-A,7		
Indoor Entertainment	1,2,6,6-A,7		
Outdoor Entertainment	2,5,6,6-A,7	2	
Amphitheater			
Live/Work Units	1,2,3,6,6-A,7,9		X
Office	1,2,3,6,6-A,7		X
Office/Medical	1,2,3,6,6-A,7		X
Overnight Accommodations – Hotel / Motel	1,2,6,6-A,7	2	X
Retail Sales and Service (except the uses listed below)	1,2,3,6,6-A,7,9		X
Grocery	2,6,6-A,7		X
Bank	1,2,3,6,6-A,7,9		X
Veterinarian	1,6,6-A,7		X
Dog Day Care and Training Facilities	1,6,6-A,7	3	X
Fuel Sales	3,6,6-A,9	3	X

Cleaners/Alterations	1,2,6,6-A,7		X
Vehicle Sales/Rental/Leasing	1,6,6-A,7	2	X
Garden Center	2,6,6-A,7,9		X
Assisted Living	1,3,6,6-A,9	2	X
Nursing Home	1,3,6,6-A,9	2	X
Day Care	3,6,6-A,7,8,9		X
Schools (Elementary, Private)	3,8,9		X
School (High and related facilities)	6-A	1	X
Passenger Terminal	7	1	
Bed and Breakfast	6,6-A,7		
Carwash	6,6-A	1	
Self-Storage	6,6-A	1	X
Bus Stops	1,2,3,4,5,6,6-A, 7,8,9		
Research and Development	8	2	X
Hospital	1	1	

IV.

That Section II.6.1 of the Development Plan of PUD No. 84, as approved in Ordinance No. Z-08-11-13-11C13, is hereby amended by amending subsections (27), (28) and (29), which said subsections shall read as follows:

(27) High School and related facilities

(a) Development standards shall conform with the PF-3 (Public Facilities – High Intensity) zoning district.

(27)(28) Self Storage

(a) Only multi-story facilities with internal access to storage units are allowed.

(28)(29) Research and Development

- (a) The minimum standard for this use shall be the development standards of the BP (Business Park) zoning district, as amended and as determined by the City.
- (b) This use shall be allowed only within the portion of RES Use District No. 8 south of CR 112, as indicated on **Exhibit "C"**. A maximum of two (2) Research and Development sites shall be allowed and such sites must be contiguous.
- (c) The potential transportation impact shall be determined using the process outlined in Section 9 of this Plan.
- (d) The potential utility impact shall be determined using the process outlined in Sections 17 of this Plan.
- (e) Buildings shall not be located within 150 feet of the eastern and southern boundaries of MU Use District No. 8.

V.

That Section II.8.1 of the Development Plan of PUD No. 84, as approved in Ordinance No. Z-08-11-13-11C13, is hereby amended by amending subsections (6) through (22), which said subsections shall read as follows:

(6) MU Use District No. 6-A

- (a) High School and related facilities: Development standards shall conform with the PF-3 (Public Facilities – High Intensity) zoning district, or
- (b) Any other use allowed in use District 6.

~~(6)~~(7) MU Use District No. 7

- (a) Density
- (d) Multi Family Residential 40 dwelling units per net acre. A parking structure to accommodate all required parking is required for individual residential projects exceeding 24 dwelling units per acre.
- (b) Building Form and Orientation
 - (i) Minimum height 1 story.
 - (ii) Maximum height 5 stories.
 - (iii) One (1) building within either MU Use District No. 6 or MU Use District No. 7 may be a maximum of 10 stories.
- (c) Development Standards
 - (i) Parking

Parking is not allowed in street yard, except for the following conditions;

- a. Drop off areas shall be allowed within the street yard for the following uses: Office Medical, and Places of Worship.
- b. Parking is allowed in the front street yard if it is located behind the plane of the building which is closest to the right of way; a total number of parking spaces not to exceed 10% of the number of required parking spaces shall be allowed in this area.
- c. On lots with frontage on more than one street, one street yard shall be identified as the front street yard and the remaining street(s) identified as the side street yard(s). Parking shall be allowed in the side street yard(s); however, a total number of parking spaces not to exceed 25% of the number of required parking spaces shall be allowed in

these side street yard(s), between the plane of the building closest to the street and the street right of way.

- d. The combined number of parking spaces within the front street yard, as described in section "b" above and within the side street yard(s), as described in section "c" above, shall not exceed 25% of the number of required parking spaces.

~~(7)~~(8) MU Use District No. 9

(a) Density

- (i) Multi Family Residential 30 dwelling units per net acre. A parking structure to accommodate all required parking is required for individual residential projects exceeding 24 dwelling units
- (ii) .per acre.
- (iii) Townhome Residential 15 dwelling units per net acre.

(b) Building Form and Orientation

- (i) Minimum height 1 story.
- (ii) Maximum height 5 stories.

(c) Development Standards

(i) Parking

Parking is not allowed in street yard, except for the following conditions;

- a. Drop off areas shall be allowed within the streetyard for the following uses: Nursing Home, Assisted Living, and Places of Worship.
- b. Parking is allowed in the front street yard if it is located behind the plane of the building which is closest to the right of way; a total number of parking spaces not to exceed 10% of the number of required parking spaces shall be allowed in this area.
- c. On lots with frontage on more than one street, one street yard shall be identified as the front street yard and the remaining street(s) identified as the side street yard(s). Parking shall be allowed in the side street yard(s); however, a total number of parking spaces not to exceed 25% of the number of required parking spaces shall be allowed in these side street yard(s), between the plane

of the building closest to the street and the street right of way.

- d. The combined number of parking spaces within the front street yard, as described in section "b" above and within the side street yard(s), as described in section "c" above, shall not exceed 25% of the number of required parking spaces.

(ii) Townhome Residential parking shall be rear access

~~(8)~~(9) Setback Requirements

- (a) All required front setbacks shall be free from any encroachments excluding: eaves, overhangs, covered walkways, awnings, box windows, fireplaces, and movable furniture, including café tables, so long as a minimum of six feet (6') remains unobstructed. Side setbacks between structures shall be free from any encroachments. Air conditioning units and ground mounted equipment are exempt from this requirement.
- (b) Signs may be permitted in the front setback, so long as they do not obstruct sight triangles.

~~(9)~~(10) Off Street Parking and Loading

Refer to Section 13 of this PUD for the off-street parking and loading standards for the MU District.

~~(10)~~(11) Fencing/Walls Design Standards

- (a) Fencing shall be constructed of the following materials: brick, stone, reinforced concrete, wrought iron, other decorative masonry materials, redwood, cedar, preservative treated wood or other equivalent materials approved by the Zoning Administrator. Any fencing facing a public street shall be constructed of brick, stone, reinforced concrete, wrought iron, other decorative masonry materials. Other fences may be redwood, cedar, preservative treated wood. Railroad ties are not permitted. Fence panel top and bottom caps are not required for internal lot fencing. Fence posts shall be constructed of rust resistant metal parts, concrete based masonry or concrete pillars of sound structural integrity.
- (b) Fences abutting open space or amenities such as floodplain, greenbelts, parks, town greens, detention/retention areas, or private parkland shall be constructed of wrought iron or tubular steel or other equivalent materials as approved by the Zoning Administrator.
- (c) All fences shall provide a finished face abutting a single-family or townhouse use.

(d) Fencing shall not restrict visibility at intersections.

(11)(12) Screening

- (a) Service entrances, loading docks, waste disposal areas and other similar uses shall be oriented toward the rear of the site, away from streets and primary building entrances.
- (b) Drives accessing service areas between adjacent users or developments shall be shared by the adjacent users or developments.
- (c) Trash enclosures must be located a minimum of thirty feet (30) from single family residential property lines.
- (d) Landscape screening for dumpster and trash receptacles, ground mounted equipment, outdoor storage, loading docks and loading spaces shall comply with the requirements of Section 11.501 of the City's Zoning Code.

(12)(13) Special Design Standards

These standards shall apply to all development in the MU (Mixed Use) Districts, excluding single family detached dwellings.

(a) Access and Circulation

- (i) Building fronts shall be easily accessible by pedestrians from the street or sidewalk.
- (ii) Public spaces shall be provided in front of buildings and protected from the street through the use of planting strips or other amenities (e.g. trees, lighting standards) and on-street parking.
- (iii) Parking and vehicular circulation shall be subordinate to pedestrian access to buildings.
- (iv) Developments shall promote walk ability within the surrounding area.
- (v) View corridors and vistas shall be created through the alignment of streets and access drives.

(b) Primary Site Entrances

- (i) Entrances to individual building sites shall be designated with defining landscape and/or architectural features, including but not limited to medians and/or special paving.
- (ii) No parking is permitted in the required front setback.

(c) Building Orientation

- (i) View corridors and vistas shall be protected.
- (ii) Building massing shall be addressed by breaking large structures into a series of smaller units and places.

- (iii) Building facades shall be broken into small components to bring them into the human scale.
- (iv) Building fronts shall encourage pedestrian activity on the street, by utilizing porches, awnings, arcades, colonnades, entries and windows.
- (v) All building elevations that front onto a street, any parking areas, or public open space shall have prominent windows.

(13)(14) Exterior Wall Finish and Exterior Color

- (a) The exterior finish of all buildings shall be masonry, except for doors, windows, trim and accent features.
- (b) Masonry shall be defined as stone, simulated stone, brick, stucco, or horizontally installed cement based siding. No more than 25% of the building façade may be horizontally installed cement based siding. No more than 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.
- (c) Day-glo, luminescent, neon or similar types of color finishes are not permitted

(14)(15) Building Articulation

All buildings shall meet a minimum of five of the following design treatments:

- (a) Canopies or porticos, integrated with the building's massing styles.
- (b) Overhangs proportional in size to the mass of the building.
- (c) Arcades, with a minimum of eight-foot width.
- (d) Pitched roof forms over substantial portions of the building's perimeter including gable and hip roofs.
- (e) Ornamental and structural architectural details.
- (f) Decorative tower features.
- (g) Appreciable vertical and horizontal breaks of the plane of the building.
- (h) Exterior arched treatment on at least two sides of the building.
- (i) Use natural stone and masonry materials on the lower portions of buildings to help visually anchor them to the ground and provide interest and texture at the pedestrian level.

(15)(16) Awnings and Canopies

- (a) Awnings and canopies shall be placed so as to avoid obscuring details of the building façade.
- (b) Fabric awnings for windows shall be a drop-front style, except at arched window openings, and shall relate to each window or bay.
- (c) Awnings and canopies shall be placed so that there is a minimum clearance of eight (8) feet at its lowest point when over a sidewalk or other pedestrian walkway.
- (d) Colors of awnings must be compatible with the buildings.
- (e) Incorporate awnings along with any signage to provide a uniformly designed building façade.
- (f) Signs on awnings are permitted on the drop front portion of the awning.
- (g) Internally illuminated awnings are prohibited

| ~~(16)~~(17)Windows

- (a) Windows shall be provided in relief. Examples include architectural surround, trim, changes in color, changes in texture or soldier coursing.
- (b) Ground-floor street or courtyard facing facades shall have a minimum of forty (40) percent glazing.
- (c) For unique security or display purposes, including but not limited to art galleries, jewelry stores, nursing homes, assisting living facilities, and places of worship ground floor glazing requirements may be reduced by the Zoning Administrator.

| ~~(17)~~(18)Glass

Except for photovoltaic surfaces, mirrored glass with a reflectivity of twenty (20) percent or more is not permitted on the exterior walls and roofs of buildings and structures.

| ~~(18)~~(19)Roofing Materials – Pitched Roof

- (a) Pitched roofs shall be required for all one (1) story detached structures and shall have a pitch equal to or greater than a 4:12 pitch. Pitch may be 3:12 if the span is greater than sixty (60) feet. Pitched roofs shall not be required for one (1) story structures that share a common wall with another structure.
- (b) Roofing materials for pitched roofs shall not consist of composition shingles. Tile (clay, cement, natural or manufactured stone), non-reflective pre-finished metal, copper or other similar materials are required.

- (c) Portions of the roof screened by pitched roof sections shall be permitted to be flat to provide for mechanical equipment wells or roof decks provided all pitched sections of the roof meet the roofing material requirements.
- (d) All rooftop equipment, including satellite dishes and antennae, shall be located completely within penthouses or screened areas.
- (e) All rooftop equipment, including satellite dishes and antenna, must be fully screened from view and located below the highest vertical element of the building.
- (f) Construct screens of the same materials as building skins or of materials similar in color and texture.

(19)(20) Lighting

Exterior lighting shall be used to provide illumination for security and safety of entry drives, parking areas, service and loading areas and pathways and courtyards. All exterior light fixtures should be designed and coordinated as compatible fixtures which relate to the architectural character of the buildings on a site.

- (a) External lighting shall be arranged and controlled so as to deflect light away from any residential areas.

(b) Building Illumination

- (i) The design and materials of lighting fixtures shall be consistent with the character of the area. Fully recessed downlights, gooseneck lights or other fixtures appropriate to the style of a building shall be used.
- (ii) Illumination of a façade to highlight architectural details is permitted. Fixtures shall be small, shielded and directed toward the building rather than toward the street, so as to minimize glare for pedestrians and drivers.

(c) Site Lighting Design Requirements

- (i) Fixture (luminaire)
The light source shall be completely concealed (recessed) within an opaque housing and shall not be visible from any street or residential development.
- (ii) Light Source (lamp)
Incandescent, fluorescent metal halide or color-corrected high-pressure sodium may be used. Other lamp types may be used, subject to the approval of the City. The same type of lamp shall be used for the same or similar types of lighting on any one site throughout a development.

(iii) Mounting

Fixtures shall be mounted in such a manner that the cone of light does not cross any property line of the site.

(iv) Height of Fixture

The height of a fixture shall not exceed twenty (20) feet.

(d) Excessive Illumination

(i) Lighting within any lot that unnecessarily illuminates and substantially interferes with the use or enjoyment of any other lot is not permitted. Lighting unnecessarily illuminates another lot if it clearly exceeds the requirements of this Section, or if the standard could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.

(ii) Lighting shall not be oriented so as to direct glare or excessive illumination onto the street in a manner that may distract or interfere with the vision of drivers on such streets.

(iii) Foot candle reading on any exterior portion of the site shall not exceed twenty-five (25) foot candles.

~~(20)~~(21) Fire Safety

(a) Mandatory fire sprinklers will be provided on all buildings within Avery Centre, with the exception of single family detached housing.

(b) Alternative fire lane striping will be allowed upon approval by the Fire Marshall. Alternative striping may be desirable in certain areas to minimize the aesthetic impact of red painted curbs throughout the development.

(c) Alternative semi-pervious fire lane paving sections may be allowed, upon the approval of the City.

~~(21)~~(22) Architectural Review Committee

In order to maintain a comprehensive and complementary architectural style throughout the Plan area, the Owner shall establish an Architectural Review Committee ("ARC") composed of an Architect, Landscape Architect and the Owner.

The ARC shall establish design guidelines to specify the architectural style, materials and colors to be used, in addition to building orientation. For each project, items such as architectural elevations, material sample boards and color samples shall be submitted to the ARC for their review and approval. An approval letter from the ARC shall be submitted with the corresponding

applications to the City for site development and building permits. The approval of the ARC shall not take the place of any and all required submittals to the City, County or other governmental agency as necessary to receive regulatory approvals.

VI.

That Exhibit "C" of the Development Plan of PUD No. 84, as approved in Ordinance No. Z-08-11-13-11C13, is hereby replaced with the attached Exhibit "C".

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 27th day of February, 2014.

Alternative 2.

READ and **APPROVED** on first reading this the _____ day of _____, 2014.

READ, APPROVED and **ADOPTED** on second reading this the _____ day of _____, 2014.



ALAN MCGRAW, Mayor
City of Round Rock, Texas

ATTEST:



SARA L. WHITE, City Clerk

PUD LEGEND

LAND USE	AREA
 Residential	308.6 AC.
 Mixed Use	541.2 AC.
 Floodplain*/Open Space Reserve/R.O.W.	57.9 AC.
TOTAL	907.7 AC.
 Potential Location of Proposed Research and Development	
 Roadway per City Transportation Plan	
 MOKAN Railroad Corridor	
*Includes area of existing lakes	

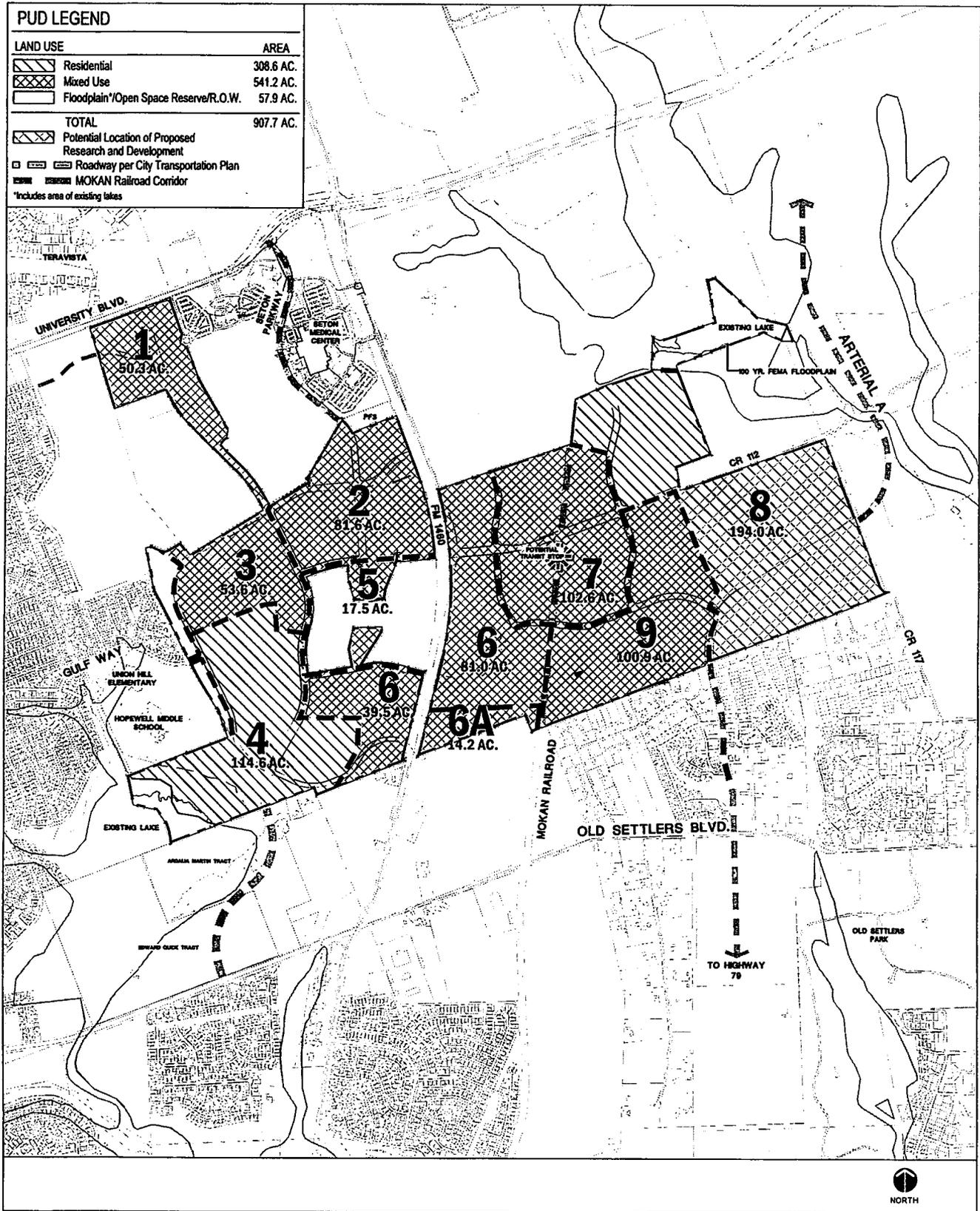


EXHIBIT "C-1"

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS 2014016951

Nancy E. Rister

03/13/2014 08:30 AM

DPEREZ \$85.00

NANCY E. RISTER, COUNTY CLERK
WILLIAMSON COUNTY, TEXAS

CITY OF ROUND ROCK
221 EAST MAIN STREET
ROUND ROCK, TX 78664

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