

ORDINANCE NO. O-2015-2399

AN ORDINANCE AMENDING ORDINANCE NO. Z-94-01-13-8M, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON JANUARY 13, 1994, BY REPLACING EXHIBITS "C" AND "D", BY ADDING EXHIBIT "D-1", AND BY AMENDING EXHIBIT "M" OF THE DEVELOPMENT PLAN OF PUD NO. 4, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, on January 13, 1994, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-94-01-13-8M, which established 398.16 acres described in Exhibit "A" of said Ordinance as Planned Unit Development (PUD) No. 4, and

WHEREAS, an application has been made to the City Council of the City of Round Rock, Texas, to replace Exhibits "C" and "D", to add Exhibit "D-1", and to amend Exhibit "M" of the Development Plan of PUD No. 4, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. Z-94-01-13-8M on the 1st day of April, 2015, 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 Z-94-01-13-8M be amended, and

WHEREAS, on the 14th day of May, 2015, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No. Z-94-01-13-8M, and

WHEREAS, the City Council determined that the requested amendment to Ordinance No. Z-94-01-13-8M 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 #4 meets the following goals and objectives:

- (1) The amendment to P.U.D. #4 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) The amendment to P.U.D. #4 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #4 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 Exhibit "C" as approved in Ordinance No. Z-94-01-13-8M and amended in Ordinance No. Z-00-01-13-9C9, is hereby deleted in its entirety and replaced with a new Exhibit "C", attached hereto and incorporated herein.

III.

That Exhibit "D" as approved in Ordinance No. Z-94-01-13-8M and amended in Ordinance No. Z-94-02-24-8C, is hereby deleted in its entirety and replaced with a new Exhibit "D", attached hereto and incorporated herein.

IV.

That Exhibit "D-1", as attached hereto and incorporated herein, is added to the Development Plan of PUD No. 4.

V.

That Exhibit "M" as approved in Ordinance No. Z-94-01-13-8M is hereby amended by deleting the "Special Conditions" section for Parcel P-8, attached hereto and incorporated herein.

VI.

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 14th day of May, 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.

George White
~~ALAN MCGRAW, Mayor~~
City of Round Rock, Texas
George White, Mayor Pro-tem

ATTEST:

Sara L. White
SARA L. WHITE, City Clerk

FOREST CREEK PUD NO. 4

EXHIBIT "C"

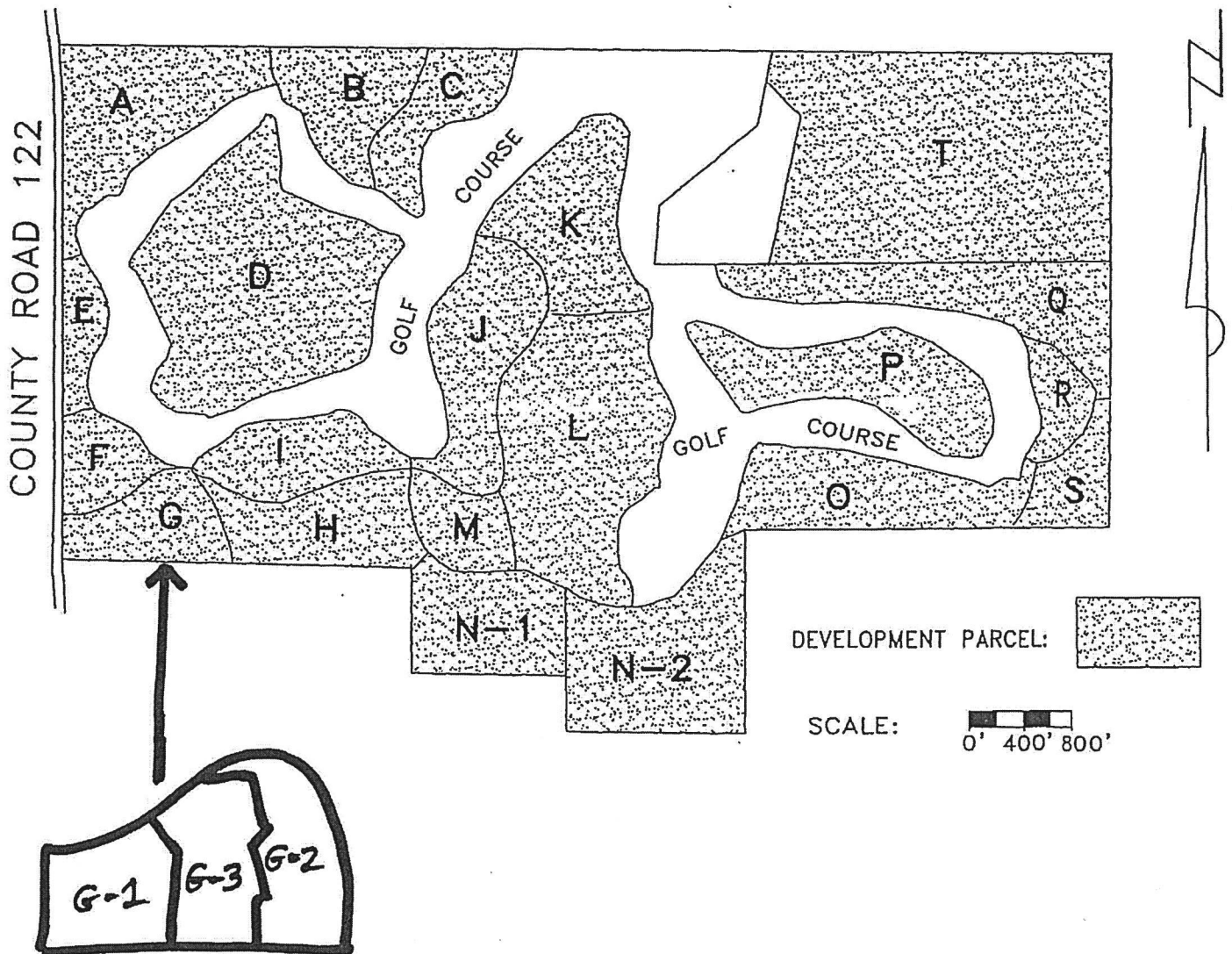


EXHIBIT D – LAND USES AND DEVELOPMENT CONDITIONS Page 1 of 2

[illegible]

EXHIBIT D – LAND USES AND DEVELOPMENT CONDITIONS Page 2 of 2

1. Lots adjacent to the northern property lines shall have a minimum size of 10,000 square feet.
2. Lots adjacent to County Road 22 shall have a minimum lot size of 10,000 square feet.
3. A maximum of two access points from this parcel to County Road 122 may be permitted.
4. A maximum of four access points to County Road 122 may be permitted.
5. All buildings, other than single family detached homes, shall maintain a 100 foot setback from the southern boundary of the parcel.
6. Commercial uses shall be located adjacent to County Road 122.
7. A buffer along the southern property line shall be provided by the use of landscaping, berming or fencing.
8. Lots adjacent to the southern property line shall have a minimum lot size of 10,000 square feet.
9. Total impervious cover shall not exceed 80 percent of each lot.
10. One direct access shall be allowed to County Road 122.
11. Minimum lot size is 10,000 square feet.
12. Must meet use restrictions and development standards listed on Exhibit D-1.

EXHIBIT D-1

USE RESTRICTIONS AND DEVELOPMENT STANDARDS FOR PARCEL G-3

Use Restrictions

1. The following C-2 (Local Commercial) uses shall be prohibited:
 - a. Drive through services
 - b. Convenience store
 - c. Fuel sales
 - d. Auto service and repairs
 - e. Sale of used goods
 - f. Pawn shops
 - g. Sexually oriented businesses
 - h. Tattoo parlors
2. The following OF (Office) uses shall be prohibited:
 - a. Consultation, diagnosis, therapeutic, preventative, or corrective personal treatment services involving post-incarceration, addictive behaviors or treatment for persons who pose a danger to themselves or others
 - b. Social services facilities providing direct services to clients

Development Standards

1. Landscape Easement: A 50-foot landscape easement shall be required along the parcel's Forest Creek Drive frontage.
2. Masonry Fence: A masonry fence shall be required along the southern property line. The fence shall meet the following standards:
 - a. Constructed of brick or natural stone. Shall not include cement-based siding such as HardiPlank, Fencecrete, or similar construction materials.
 - b. Masonry materials, construction standards, and miscellaneous requirements shall be as follows:
 - i. Brick or natural stone;
 - ii. A cast-in-place structural footing;
 - iii. Top capped;
 - iv. Both sides of the fence shall have a finished face;
 - v. The fence shall have a height of a minimum of six feet; and
 - vi. Construction details or shop drawings must be sealed by a structural engineer and provided within the Site Development permit plans.
3. Landscape Buffer: A landscape buffer shall be required along the southern property line. The buffer shall meet the following standards:
 - a. A minimum of eight feet (8') in width

EXHIBIT D-1
USE RESTRICTIONS AND DEVELOPMENT STANDARDS FOR PARCEL G-3

- b. Landscape plantings shall be required, based on the linear footage that extends along the length of the property line. The minimum quantity of landscaping shall be determined by the following requirements:
 - i. One large tree per 50 linear feet with a minimum caliper of three inches, selected from the list of approved evergreen tree species in Appendix B of the Tree Technical Manual; or
 - ii. One medium tree per 25 linear feet with a minimum caliper of two inches, selected from the list of approved evergreen tree species in Appendix B of the Tree Technical Manual; and
 - iii. One hundred percent of trees utilized shall be of an evergreen species.
 - iv. Other than the required landscaping, nothing shall be placed within the landscape buffer, including without limitation, accessory buildings, parking lots, storage of materials and refuse containers. The landscape buffer may not be used as a utility easement.
- 4. Building Setback for Light Commercial and Office use: The building setback along the southern property line shall be 40 ft. for buildings with one story or 80 ft. for buildings with two stories.
- 5. Building Setback for Senior use: The building setback along the southern property line shall be 20 feet for buildings with one story or 40 feet for buildings with two stories.
- 6. All aspects not specifically covered by this Plan shall be regulated by the C-2 (Local Commercial), OF (Office) or the 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.
- 7. 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.

PARCEL: P-8

USE: Neighborhood Commercial & Office
Single Family Detached
Single Family Attached

DENSITY: Commercial: .45 F.A.R.
Residential: 4.0 du/ac

ACREAGE: 9.9

MAXIMUM L.U.E.: 39

~~SPECIAL CONDITIONS:~~

- ~~1. Neighborhood commercial and office buildings shall maintain a 100' setback from the existing residential lots to the south.~~
- ~~2. Residential lots within 150' of the southern property line will be Single Family Detached lots.~~
- ~~3. One direct access may be allowed onto County Road #122.~~
- ~~4. Only 5.0 acres of this parcel may be developed as Neighborhood Commercial and Office uses.~~
- ~~5. Commercial uses shall be located adjacent to County Road and the Golf Course Road.~~
- ~~6. A buffer along the southern P.U.D. perimeter will consist of landscaping, berming or fencing.~~

PARCEL: P-9

USE: Single Family Detached

DENSITY: 4.0

ACREAGE: 15.1

MAXIMUM L.U.E.: 60

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-2014-2339, which approves an amendment to Planned Unit Development (PUD) No. 4 by replacing exhibits "C" and "D", by adding exhibit "D-1", and by amending exhibit "M" of the development plan. This ordinance was approved and adopted by the City Council of the City of Round Rock at a regular meeting held on the 14th day of May 2015, and is recorded in the City Council Minute No Book 60.

CERTIFIED by my hand and seal of the City of Round Rock, Texas on this 20th day of May 2015.


SARA L. WHITE, TRMC, City Clerk



ORDINANCE NO. O-2015-2399

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WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. Z-94-01-13-8M on the 1st day of April, 2015, 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 Z-94-01-13-8M be amended, and

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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

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III.

That Exhibit "D" as approved in Ordinance No. Z-94-01-13-8M and amended in Ordinance No. Z-94-02-24-8C, is hereby deleted in its entirety and replaced with a new Exhibit "D", attached hereto and incorporated herein.

IV.

That Exhibit "D-1", as attached hereto and incorporated herein, is added to the Development Plan of PUD No. 4.

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VI.

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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.

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George White
~~ALAN MCGRAW, Mayor~~
City of Round Rock, Texas
George White, Mayor Pro-tem

ATTEST:

Sara L. White
SARA L. WHITE, City Clerk

FOREST CREEK PUD NO. 4

EXHIBIT "C"

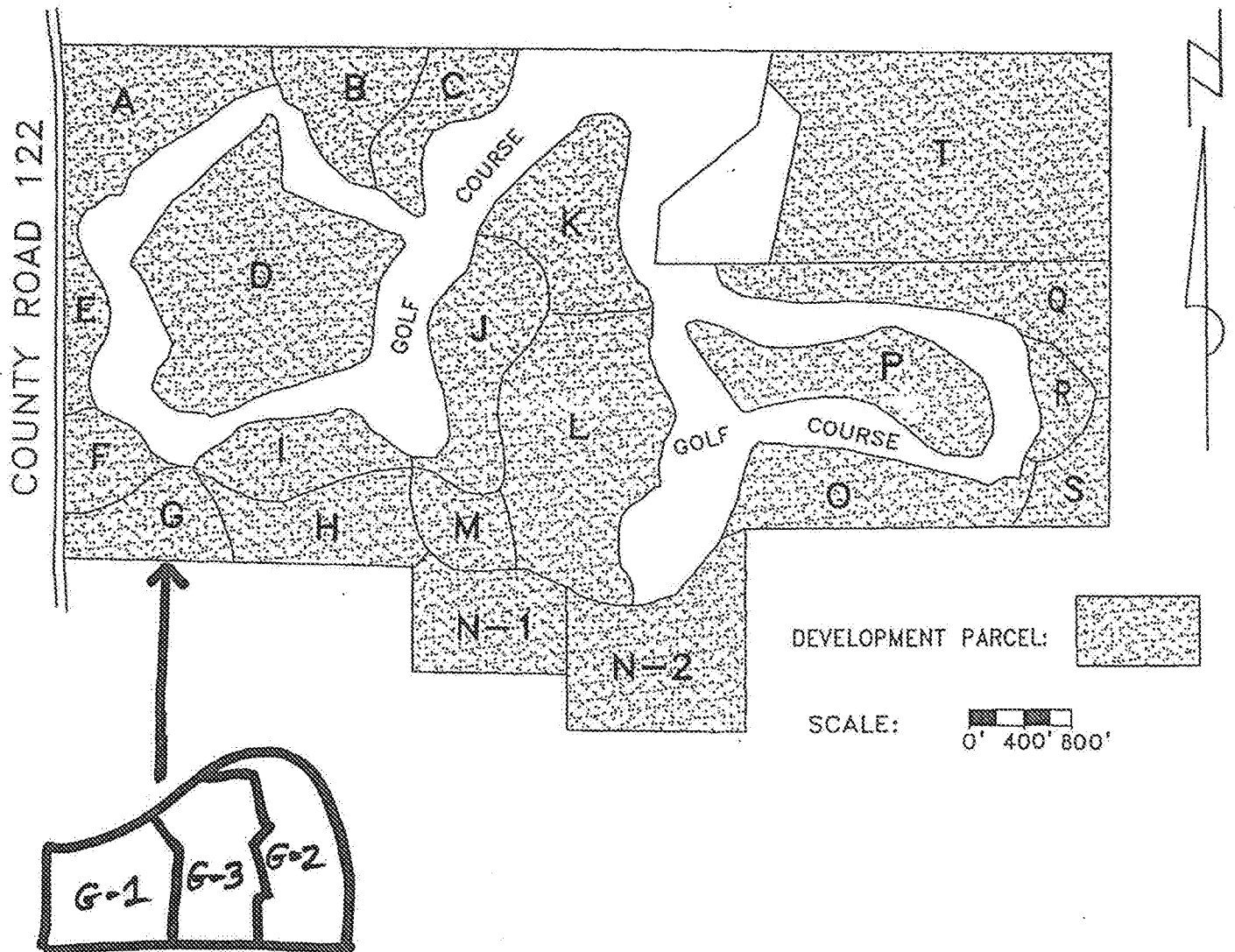


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 - ii. One medium tree per 25 linear feet with a minimum caliper of two inches, selected from the list of approved evergreen tree species in Appendix B of the Tree Technical Manual; and
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Single Family Detached
Single Family Attached

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PARCEL: P-9

USE: Single Family Detached

DENSITY: 4.0

ACREAGE: 15.1

MAXIMUM L.U.E.: 60

2015042511
Electronically Recorded
OFFICIAL PUBLIC RECORDS

Nancy E. Rister

Nancy E. Rister, County Clerk
5/22/2015 3:54 PM

Pages: 11 Fee: \$61.00
Williamson County Texas