

**ORDINANCE NO. O-2019-0362**

**AN ORDINANCE AMENDING ORDINANCE NO. Z-11-01-13-9B1, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON JANUARY 13, 2011, BY AMENDING AND RESTATING THE DEVELOPMENT PLAN OF PUD NO. 87, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.**

**WHEREAS**, on January 13, 2011, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-11-01-13-9B1, which established PUD No. 87, and

**WHEREAS**, an application has been made to the City Council of the City of Round Rock, Texas, to amend and restate the Development Plan of PUD No. 87, and

**WHEREAS**, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. Z-11-01-13-9B1 on the 17<sup>th</sup> day of July, 2019, 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 the Development Plan in Ordinance No. Z-11-01-13-9B1 be amended and restated, and

**WHEREAS**, on the 22nd day of August, 2019, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No. Z-11-01-13-9B1, and

**WHEREAS**, the City Council determined that the requested amendment to Ordinance No. Z-11-01-13-9B1 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 Zoning and Development Code, Chapter 10, Article I, Section 10-2 and Article IV, Section 10-22, Code of Ordinances (2018 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 #87 meets the following goals and objectives:

- (1) The amendment to P.U.D. #87 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) The amendment to P.U.D. #87 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #87 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 the Development Plan of PUD No. 87, as approved in Ordinance No. Z-11-01-13-9B1, is hereby deleted in its entirety and replaced with an Amended and Restated Development Plan, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

**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 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 22<sup>nd</sup> day of August, 2019.

Alternative 2.

**READ and APPROVED** on first reading this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**READ, APPROVED and ADOPTED** on second reading this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

  
\_\_\_\_\_  
CRAIG MORGAN, Mayor  
City of Round Rock, Texas

ATTEST:

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

**EXHIBIT**

**"A"**

**AMENDED AND RESTATED  
DEVELOPMENT PLAN  
ROCKING J BUSINESS PARK & EVENTS CENTER  
PLANNED UNIT DEVELOPMENT NO. 87**

**THE STATE OF TEXAS           §  
COUNTY OF WILLIAMSON   §**

**THIS AMENDED AND RESTATED DEVELOPMENT PLAN** (this "Plan") is adopted and approved by the CITY OF ROUND ROCK, TEXAS (hereinafter referred to as the "City"). For purposes of this Plan, the term Owner shall mean Rocking J Partners, LLC, their respective successors and assigns; provided, however, upon sale, transfer or conveyance of portions of the hereinafter described property, the duties and obligations of the Owner, as it relates to the respective property, shall be assumed by the new owner, and the Owner shall have no further liability relating to their respective property.

**WHEREAS**, the Owner is the owner of certain real property consisting of 6.22 acres, as more particularly described in **Exhibit "A"**, (herein after referred to as the "Property") attached hereto and made a part hereof; and

**WHEREAS**, PUD (Planned Unit Development) No. 87 (the "PUD") was approved by the City as Ordinance No. Z-11-01-13-9B1 on January 13, 2011; and

**WHEREAS**, the Owner has submitted a request to the City to amend the Development Plan within the PUD; and

**WHEREAS**, pursuant to Section 10-22 of the Zoning and Development Code of the City of Round Rock, the Owner has submitted Development Standards setting forth the development conditions and requirements within the PUD, which Development Standards are contained in Section II of this Plan; and

**WHEREAS**, the City has held two public hearings required by law to solicit input from all interested citizens and affected parties; and

**WHEREAS**, on July 17, 2019, the City's Planning and Zoning Commission recommended approval of the Owner's application to amend the Development Plan for the PUD; and

**WHEREAS**, the City Council has reviewed the proposed Plan and determined that it promotes the health, safety, and general welfare of the citizens of Round Rock and that it complies with the intent of the Planned Unit Development Ordinance of the City;

**NOW THEREFORE:**



## II.

### DEVELOPMENT STANDARDS

#### 1. DEFINITIONS

Words and terms used herein shall have their usual force and meaning, or as defined in the Zoning and Development Code of the City of Round Rock, as amended.

#### 2. PROPERTY

This Plan covers approximately 6.22 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 Development Code

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 **Light Industrial (LI)** or the **Business Park (BP)** zoning district, as applicable and other sections of the Development Code of the City of Round Rock, as amended and as applicable, hereinafter referred to as "the Code." 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 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.

## 6. PERMITTED USES

The following uses are permitted, as referenced on **Exhibit “B”**. Unless otherwise indicated, the definitions of all terms used to describe uses in this document shall be those found in the Code.

### 6.1. Parcel A (1.90 acres)

- (1) All uses allowed in the **LI (Light Industrial)** district.

### 6.2. Parcel B-1 (~1.06 acres)

- (1) *Entertainment-oriented services: private special events venue* with typical uses including, but not limited to: weddings, private parties, family reunions, school and church events, place of worship, farmers market); Prohibited uses: pool halls, dance halls and flea markets;
- (2) Offices;
- (3) Accessory uses.

### 6.3. Parcel B-2 (~3.26 acres)

- (1) All uses allowed in the **BP (Business Park)** district.

## 7. DEVELOPMENT STANDARDS

### 7.1. Parcel A (1.90 acres)

- (1) All structures and land uses constructed or commenced after the effective date of this Plan, and all enlargements of, additions to, changes in and relocations of existing structures and uses occurring after the effective date of this Plan shall be subject to the provisions of the **LI (Light Industrial)** district.

### 7.2. Parcel B-1 (~1.06 acres)

- (1) All structures and land uses constructed or commenced after the effective date of this Plan, and all enlargements of, additions to, changes in and relocations of existing structures and uses occurring after the effective date of this Plan shall be subject to the provisions of the **BP (Business Park)** district.
- (2) Maximum height of principal building: 2 stories.

### 7.3. Parcel B-2 (~3.26 acres)

- (1) All structures and land uses constructed or commenced after the effective date of this Plan shall be subject to the provisions of the **BP (Business Park)** district, except for the existing buildings located adjacent to the northern property boundary, as indicated on **Exhibit “B”**. Any enlargements of or additions to these buildings, shall not be subject to

the building setback requirements of the BP (Business Park) district.

(2) Maximum height of principal building: 2 stories.

8. **TRANSPORTATION**

8.1. The Transportation Department has waived the requirement for a Traffic Impact Assessment (TIA).

9. **GENERAL PLAN**

This Development Plan amends the Round Rock General Plan 2020.

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 Planning and Development Services Director 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**

<b><u>EXHIBIT</u></b>	<b><u>DESCRIPTION</u></b>
Exhibit "A"	Legal Description of Property
Exhibit "B"	PUD Parcels

FINAL PLAT  
ROCKING J BUSINESS PARK

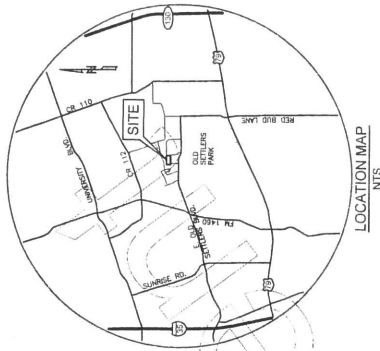


EXHIBIT 'A'  
Page 1 of 2

LEGEND

- 1/2" IRON PIN FOUND
- 1/2" IRON PIN SET
- RECORD INFORMATION

PRWCTX PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS

FINAL PLAT  
ROCKING J BUSINESS PARK

OWNERS:

TOM PITT FAMILY INVESTMENTS L.P.  
3580 ROCKIN J ROAD  
ROUND ROCK, TX 78665

ACREAGE: 6.215 AC.

PATENT SURVEY: WILLIS DONAHO SURVEY ABSTRACT NO. 173

NUMBER OF BLOCKS: 1

ACREAGE BY LOT TYPE:

LOT 1 (1.90 AC.) LIGHT INDUSTRIAL

LOT 2 (4.32 AC.) OUTDOOR ENTERTAINMENT (P.U.D. #87)

OUTDOOR ENTERTAINMENT (P.U.D. #87) - 1

NUMBER OF LOTS BY TYPE:

LOT 1 (1.90 AC.) LIGHT INDUSTRIAL

OUTDOOR ENTERTAINMENT (P.U.D. #87) - 1

SURVEYOR: CRICHTON AND ASSOCIATES, INC.

ENGINEER: WAELTZ & PRETE, INC. FIRM TX. REG. #F-10308

LINEAR FEET OF NEW STREETS: 0

SUBMITTAL DATE: MARCH 15, 2011

DATE OF PLANNING AND ZONING COMMISSION REVIEW: APRIL 13, 2011

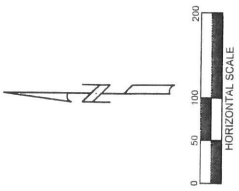
BENCHMARK: SQUARE CUT TOP OF CONCRETE HEADWALL APPROXIMATELY 67'

NORTHWEST OF NORTHEAST PROPERTY CORNER.

ELEV. = 704.37'



WAELTZ & PRETE, INC.  
CIVIL ENGINEERS  
3000 JOE DIMAGGIO BLVD. #72  
ROUND ROCK, TX. 78665  
PH (512) 505-8953  
FIRM TX. REG. #F-10308



15' PALLE & DRAIN EASE  
DOC. 2005013300  
LOT 1, BLOCK 1  
LOT 2, BLOCK 1  
LOT 3, BLOCK 1  
LOT 4, BLOCK 1  
LOT 5, BLOCK 1  
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LOT 100, BLOCK 1

STATE OF TEXAS  
COUNTY OF WILLIAMSON  
KNOW ALL MEN BY THESE PRESENTS:

That Tom Pitt Family Investments acting by and through Tom Pitt, being the owner of 6.2156 acres, the Willis Donaho Survey as recorded in Document No. 2001029443 of the Williamson County Official Public Records, do hereby dedicate to the public the use of the streets and easements shown hereon, subject to any easements or restrictions heretofore shown as shown hereon, as shown hereon, and do hereby dedicate to the public the use of the streets and easements as shown hereon.

Witness my hand this the 29 day of March, 2011, A.D.

Tom Pitt  
3580 Rockin J Road  
Round Rock, Texas 78665

STATE OF TEXAS  
COUNTY OF WILLIAMSON

Before me, the undersigned authority, on this day personally appeared Tom Pitt, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this the 29 day of March, 2011, A.D.

Notary Public in and for  
the State of Texas

Sheryl L. Rogers 2/28/12  
Printed Name of Notary / Expires



FINAL PLAT  
ROCKING J BUSINESS PARK

SURVEYOR'S CERTIFICATE:

STATE OF TEXAS  
COUNTY OF TRAVIS

THAT I, HERMAN CRICHTON, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE ON-THE-GROUND SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY FOUND OR PLACED UNDER MY SUPERVISION, IN ACCORDANCE WITH CHAPTER 8, SUBDIVISIONS, CITY OF ROUND ROCK CODE OF ORDINANCES (1995 EDITION), AS AMENDED, AND I FURTHER CERTIFY THAT THE PROPERTY BOUNDARY CLOSURES, WALLS, FENCES, ETC., SHOWN ON THIS PLAT WERE PROPERLY LOCATED IN ACCORDANCE WITH THE SURVEYING CODE, AS AMENDED, SPECIFICALLY SECTION 66.13 - 66.23 WHICH INCLUDE PROVISIONS REQUIRING 1:10,000+0.010 FEET PRECISION FOR MONUMENTATION FOUND OR SET WITHIN THE CORPORATE LIMITS OF ANY CITY IN TEXAS

*Herman Crichton* 3/30/11  
HERMAN CRICHTON, RPLS NO. 4046 DATE  
CRICHTON AND ASSOCIATES  
6445 E. HIGHWAY 290, SUITE B-105  
AUSTIN, TEXAS 78723  
(512) 244-3395



ENGINEER'S CERTIFICATE:

A WILLIAM WAELTZ, P.E., DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS PLAT COMPLIES WITH CHAPTER 8, SUBDIVISIONS, CITY OF ROUND ROCK CODE OF ORDINANCES (1995 EDITION), AS AMENDED AND THE DESIGN AND CONSTRUCTION STANDARDS ADOPTED BY THE CITY OF ROUND ROCK, TEXAS.

*William Waeltz* 3-29-11  
A WILLIAM WAELTZ, P.E.  
3000 JOE DIMAGGIO BLVD. #72  
ROUND ROCK, TEXAS 78665  
(512) 505-8953



EXHIBIT 'A'  
Page 2 of 2

CITY OF ROUND ROCK CERTIFICATE:

APPROVED THIS 13<sup>TH</sup> DAY OF APRIL, 2011, BY THE CITY PLANNING AND ZONING COMMISSION OF WILLIAMSON COUNTY, TEXAS, AND AUTHORIZED TO BE FILED FOR RECORD BY THE COUNTY CLERK OF WILLIAMSON COUNTY, TEXAS.  
*Sandy Arnold*  
SANDY ARNOLD, VICE CHAIR  
*Al Kosik*  
AL KOSIK, CHAIRMAN

APPROVED, ON THE 13<sup>TH</sup> DAY OF APRIL, 2011.

ATTEST:

*Sara L. White*  
SARA L. WHITE, CITY SECRETARY  
CITY OF ROUND ROCK, TEXAS

COUNTY OF WILLIAMSON (X)

THAT I, NANCY RISTER, CLERK OF THE COUNTY COURT OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT, IN WRITING, WITH ITS CERTIFICATE OF AUTHENTICATION, WAS FILED FOR RECORD IN MY OFFICE ON THE 23<sup>RD</sup> DAY OF OCTOBER, A.D. 2012, AT 10:04 O'CLOCK A.M. AND DULY RECORDED ON THE 23<sup>RD</sup> DAY OF OCTOBER, A.D. 2012, AT 12:05 O'CLOCK A.M. IN THE PLAT RECORDS OF SAID COUNTY, IN DOCUMENT NUMBER 2012087986.

WITNESS MY HAND AND SEAL OF THE COUNTY COURT OF SAID COUNTY, AT OFFICE IN GEORGETOWN, TEXAS, THE DATE LAST ABOVE WRITTEN

NANCY RISTER, CLERK, COUNTY COURT  
WILLIAMSON COUNTY, TEXAS

*William Waeltz*  
DEPUTY WILLIAM WAELTZ



WAELTZ & PRETE, INC.  
CIVIL ENGINEERS  
3000 JOE DIMAGGIO BLVD. #72  
ROUND ROCK, TX. 78665  
PH (512) 505-8953  
FIRM TX. REG. #F-10308

PLAT NOTES:

1. NO FENCES, STRUCTURES, STORAGE, OR FILL SHALL BE PLACED WITHIN THE LIMITS OF THE ULTIMATE 1% ANNUAL FLOODPLAIN, UNLESS APPROVED BY THE CITY ENGINEER. FILL MAY ONLY BE PERMITTED BY THE CITY ENGINEER AFTER APPROVAL OF THE PROPER ANALYSIS.
2. NO PORTION OF THIS TRACT IS ENCLOSED BY ANY SPECIAL FLOOD HAZARD AREAS INUNDATED BY THE 1% ANNUAL FLOOD AS IDENTIFIED BY THE U.S. FEDERAL EMERGENCY MANAGEMENT AGENCY BOUNDARY MAP FLOOD INSURANCE RATE MAP (COMMUNITY PANEL NUMBER 4849C0495E, EFFECTIVE DATE SEPTEMBER 26, 2008, FOR WILLIAMSON COUNTY, TEXAS).
3. BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH CHAPTER 46, ZONING CITY OF ROUND ROCK CODE OF ORDINANCES, 2010 EDITION, AS AMENDED OR AS MODIFIED IN P.U.D. #87.
4. SIDEWALKS SHALL BE CONSTRUCTED IN ACCORDANCE WITH CHAPTER 36, SUBDIVISIONS, CITY OF ROUND ROCK ORDINANCES, 2010 EDITION, AS AMENDED, AND WITH THE DESIGN AND CONSTRUCTION STANDARDS.
5. ACCESS TO THESE PROPERTIES WILL BE FROM ROCKIN J ROAD ONLY.
6. NO OBSTRUCTIONS, INCLUDING BUT NOT LIMITED TO FENCING OR STORAGE, SHALL BE PERMITTED IN ANY DRAINAGE EASEMENT SHOWN HEREON.
7. BUILDINGS SHALL HAVE A MINIMUM FINISH FLOOR ELEVATION OF 706.00'.
8. ACCESS FOR FIRE DEPARTMENT SHALL CONFORM TO 2006 I.F.C., SECTION D103.3.
9. THIS PLAT CONFORMS TO THE PRELIMINARY PLAT APPROVED BY THE PLANNING AND ZONING COMMISSION ON FEBRUARY 2, 2011.
10. SUBDIVISION IMPROVEMENTS FOR WATER, WASTEWATER, AND DRAINAGE ARE REQUIRED TO BE APPROVED PRIOR TO RECORDATION OF FINAL PLAT.
11. VERTICAL DATUM IS REFERENCED TO THE CITY OF ROUND ROCK'S GPS CONTROL NETWORK, MONUMENT NUMBER 01-014, ELEV. = 743.73, AND MONUMENT NUMBER 01-040, ELEV. = 766.75, NAVD 88.
12. CERTAIN BUILDINGS ARE CURRENTLY IN NON-COMPLIANCE AND MUST BE BROUGHT INTO COMPLIANCE EITHER THROUGH CITY ORDINANCE (ZONING SUBDIVISIONS, ETC.) OR AS DIRECTED BY THE PUD, WHICHEVER TAKES PRECEDENCE.

FIELD NOTES FOR A 6.2159 ACRES TRACT OUT OF THE WILLIS DONAHU SURVEY ABSTRACT NO. 173 IN WILLIAMSON COUNTY, TEXAS AND BEING THE SAME TRACT CONVEYED IN DOCUMENT NO. 2001029443, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY TEXAS. SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

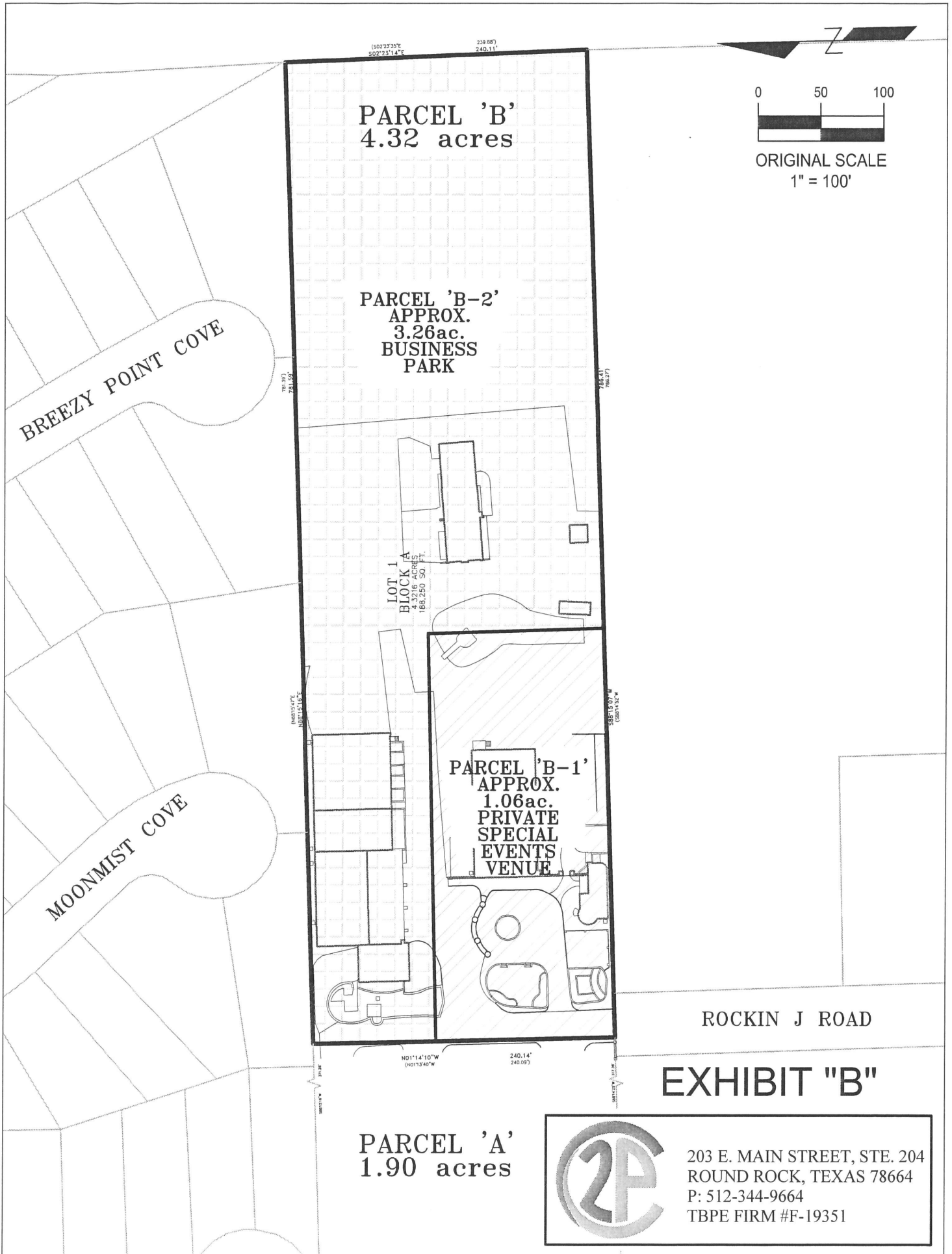
Beginning at a 1/2" pin found on the West line of Lot 1, Block L of the Amending Plat of Lots 1, 3, 4, & 7, Block L, Estates at Settlers Park, Section 3 Records of Williamson County, Texas, and containing or an 8.21 acre tract conveyed to Julie and Kerry B. Morris in Document No. 2000031344, Of the Official Public Records of Williamson County, Texas for the Southeast corner of this tract and the POINT OF BEGINNING.

THENCE S 88° 14' 52" W with the North line of said 8.21 acre tract also being the South line of this tract passing the Northern terminus of Rockin J Road, as dedicated in Vol. 1473, Pg. 114, Official Records of Williamson County, Texas, and continuing with the North line of a 5.26 acre tract conveyed to Guerrero Mavrick LLC, in Document No. 2006040124, Official Public Records, Williamson County, Texas, for a total distance of 1103.44 feet to a 1/2" pin found on the East line of Lot 1, Block E, of Settlers Overlook, Section 2, a subdivision of record in Cab. 1472, Official Records, Williamson County, Texas. Said non pin being the Northwest corner of the said Guerrero Mavrick LLC tract and the Southwest corner of this tract.

THENCE N 13° 56' 55" W with the East line of said Lot 1, Block E, also being the West line of this tract 245.72 feet to a 1/2" pin found for the Northwest corner of this tract.

THENCE N 88° 15' 47" E with the South line of said Settlers Overlook Section 2, also being the North line of this tract 1152.67 feet to a 1/2" pin found on the West line of said Lot 1, Block L, of the Amending Plat of Lots 1, 3, 4, & 7, Block L, Estates at Settlers Park Section 3, for the Northeast corner of this tract and the Southeast corner of Lot 36, Block E of said Settlers Overlook Section 2.

THENCE S 02° 23' 35" W with the West line of said Lot 1, Block L, also being the East line of this tract 239.88 feet to the POINT OF BEGINNING and containing 6.215 acres more or less.



PARCEL 'B'  
4.32 acres

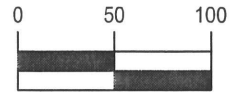
PARCEL 'B-2'  
APPROX.  
3.26ac.  
BUSINESS  
PARK

LOT 1  
BLOCK A  
2106 C STREET  
188,250 SQ FT

PARCEL 'B-1'  
APPROX.  
1.06ac.  
PRIVATE  
SPECIAL  
EVENTS  
VENUE

BREEZY POINT COVE

MOONMIST COVE

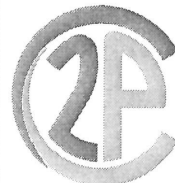


ORIGINAL SCALE  
1" = 100'

ROCKIN J ROAD

EXHIBIT "B"

PARCEL 'A'  
1.90 acres



203 E. MAIN STREET, STE. 204  
ROUND ROCK, TEXAS 78664  
P: 512-344-9664  
TBPE FIRM #F-19351

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-2019-0361 which approves an amended and restated development plan to the Planned Unit Development (PUD) No. 87 to allow for Business Park uses on 4.32 acres of land located at the north end of Rockin J Road. This ordinance was approved and adopted at a regular meeting held by the City Council on the 22<sup>nd</sup> day of August 2019 and recorded in the City Council minute book no. 62.

CERTIFIED by my hand and seal of the City of Round Rock, Texas on this 28<sup>th</sup> day of August 2019.



  
SARA L. WHITE, TRMC, City Clerk

**ORDINANCE NO. O-2019-0362**

**AN ORDINANCE AMENDING ORDINANCE NO. Z-11-01-13-9B1, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON JANUARY 13, 2011, BY AMENDING AND RESTATING THE DEVELOPMENT PLAN OF PUD NO. 87, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.**

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**WHEREAS**, an application has been made to the City Council of the City of Round Rock, Texas, to amend and restate the Development Plan of PUD No. 87, and

**WHEREAS**, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. Z-11-01-13-9B1 on the 17<sup>th</sup> day of July, 2019, 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 the Development Plan in Ordinance No. Z-11-01-13-9B1 be amended and restated, and

**WHEREAS**, on the 22nd day of August, 2019, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No. Z-11-01-13-9B1, and

**WHEREAS**, the City Council determined that the requested amendment to Ordinance No. Z-11-01-13-9B1 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 Zoning and Development Code, Chapter 10, Article I, Section 10-2 and Article IV, Section 10-22, Code of Ordinances (2018 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 #87 meets the following goals and objectives:

- (1) The amendment to P.U.D. #87 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) The amendment to P.U.D. #87 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #87 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 the Development Plan of PUD No. 87, as approved in Ordinance No. Z-11-01-13-9B1, is hereby deleted in its entirety and replaced with an Amended and Restated Development Plan, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

**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 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 22<sup>nd</sup> day of August, 2019.

Alternative 2.

**READ and APPROVED** on first reading this the \_\_\_\_ day of \_\_\_\_\_, 2019.

**READ, APPROVED and ADOPTED** on second reading this the \_\_\_\_ day of \_\_\_\_\_, 2019.

  
CRAIG MORGAN, Mayor  
City of Round Rock, Texas

ATTEST:

  
SARA L. WHITE, City Clerk

**EXHIBIT****"A"**

**AMENDED AND RESTATED  
DEVELOPMENT PLAN  
ROCKING J BUSINESS PARK & EVENTS CENTER  
PLANNED UNIT DEVELOPMENT NO. 87**

**THE STATE OF TEXAS           §**  
**COUNTY OF WILLIAMSON       §**

**THIS AMENDED AND RESTATED DEVELOPMENT PLAN** (this "Plan") is adopted and approved by the CITY OF ROUND ROCK, TEXAS (hereinafter referred to as the "City"). For purposes of this Plan, the term Owner shall mean Rocking J Partners, LLC, their respective successors and assigns; provided, however, upon sale, transfer or conveyance of portions of the hereinafter described property, the duties and obligations of the Owner, as it relates to the respective property, shall be assumed by the new owner, and the Owner shall have no further liability relating to their respective property.

**WHEREAS**, the Owner is the owner of certain real property consisting of 6.22 acres, as more particularly described in **Exhibit "A"**, (herein after referred to as the "Property") attached hereto and made a part hereof; and

**WHEREAS**, PUD (Planned Unit Development) No. 87 (the "PUD") was approved by the City as Ordinance No. Z-11-01-13-9B1 on January 13, 2011; and

**WHEREAS**, the Owner has submitted a request to the City to amend the Development Plan within the PUD; and

**WHEREAS**, pursuant to Section 10-22 of the Zoning and Development Code of the City of Round Rock, the Owner has submitted Development Standards setting forth the development conditions and requirements within the PUD, which Development Standards are contained in Section II of this Plan; and

**WHEREAS**, the City has held two public hearings required by law to solicit input from all interested citizens and affected parties; and

**WHEREAS**, on July 17, 2019, the City's Planning and Zoning Commission recommended approval of the Owner's application to amend the Development Plan for the PUD; and

**WHEREAS**, the City Council has reviewed the proposed Plan and determined that it promotes the health, safety, and general welfare of the citizens of Round Rock and that it complies with the intent of the Planned Unit Development Ordinance of the City;

**NOW THEREFORE:**

## II.

### DEVELOPMENT STANDARDS

#### 1. DEFINITIONS

Words and terms used herein shall have their usual force and meaning, or as defined in the Zoning and Development Code of the City of Round Rock, as amended.

#### 2. PROPERTY

This Plan covers approximately 6.22 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 Development Code

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 **Light Industrial (LI)** or the **Business Park (BP)** zoning district, as applicable and other sections of the Development Code of the City of Round Rock, as amended and as applicable, hereinafter referred to as "the Code." 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 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.

## 6. PERMITTED USES

The following uses are permitted, as referenced on **Exhibit “B”**. Unless otherwise indicated, the definitions of all terms used to describe uses in this document shall be those found in the Code.

### 6.1. Parcel A (1.90 acres)

- (1) All uses allowed in the **LI (Light Industrial)** district.

### 6.2. Parcel B-1 (~1.06 acres)

- (1) *Entertainment-oriented services*: private special events venue with typical uses including, but not limited to: weddings, private parties, family reunions, school and church events, place of worship, farmers market); Prohibited uses: pool halls, dance halls and flea markets;
- (2) Offices;
- (3) Accessory uses.

### 6.3. Parcel B-2 (~3.26 acres)

- (1) All uses allowed in the **BP (Business Park)** district.

## 7. DEVELOPMENT STANDARDS

### 7.1. Parcel A (1.90 acres)

- (1) All structures and land uses constructed or commenced after the effective date of this Plan, and all enlargements of, additions to, changes in and relocations of existing structures and uses occurring after the effective date of this Plan shall be subject to the provisions of the **LI (Light Industrial)** district.

### 7.2. Parcel B-1 (~1.06 acres)

- (1) All structures and land uses constructed or commenced after the effective date of this Plan, and all enlargements of, additions to, changes in and relocations of existing structures and uses occurring after the effective date of this Plan shall be subject to the provisions of the **BP (Business Park)** district.
- (2) Maximum height of principal building: 2 stories.

### 7.3. Parcel B-2 (~3.26 acres)

- (1) All structures and land uses constructed or commenced after the effective date of this Plan shall be subject to the provisions of the **BP (Business Park)** district, except for the existing buildings located adjacent to the northern property boundary, as indicated on **Exhibit “B”**. Any enlargements of or additions to these buildings, shall not be subject to

the building setback requirements of the BP (Business Park) district.

(2) Maximum height of principal building: 2 stories.

**8. TRANSPORTATION**

**8.1.** The Transportation Department has waived the requirement for a Traffic Impact Assessment (TIA).

**9. GENERAL PLAN**

This Development Plan amends the Round Rock General Plan 2020.

**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 Planning and Development Services Director and the City Attorney.

**10.2. Major Changes**

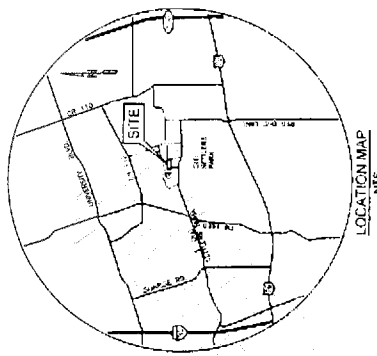
All changes not permitted under section 10.1 above shall be resubmitted following the same procedure required by the original PUD application.

**LIST OF EXHIBITS**

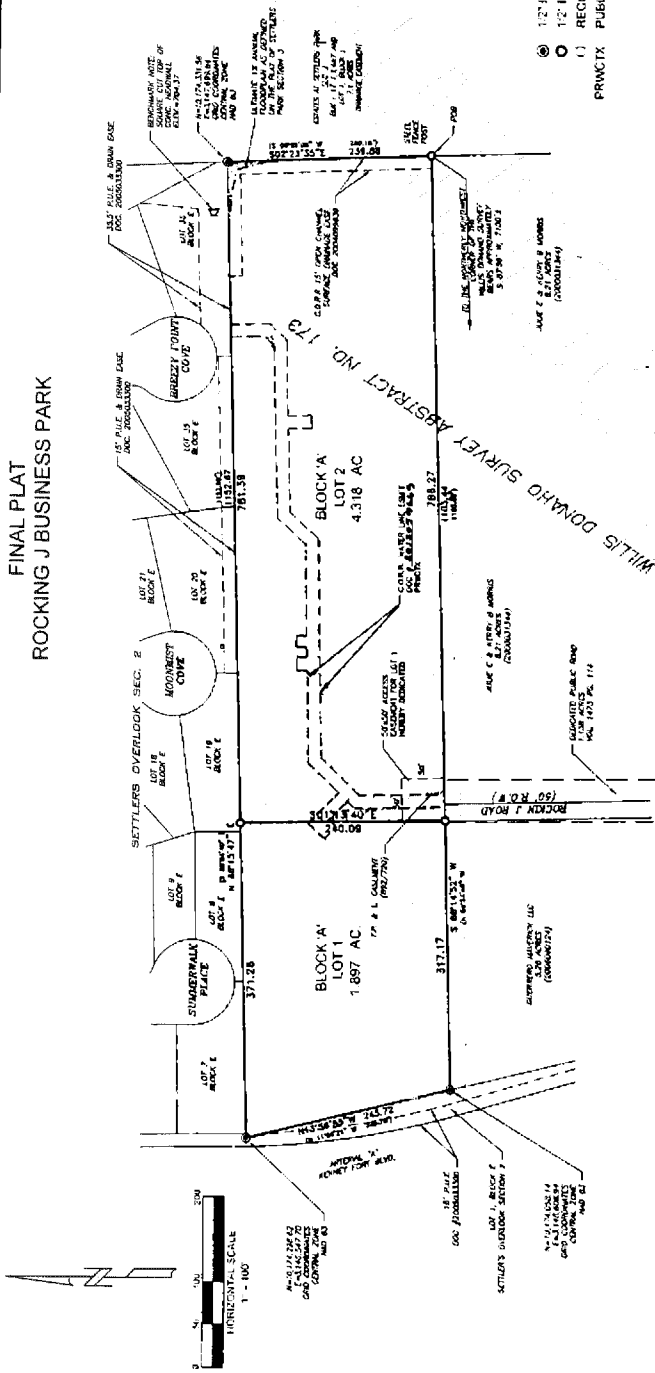
<b><u>EXHIBIT</u></b>	<b><u>DESCRIPTION</u></b>
Exhibit "A"	Legal Description of Property
Exhibit "B"	PUD Parcels

Doc # 2012087986

# FINAL PLAT ROCKING J BUSINESS PARK



## EXHIBIT 'A' Page 1 of 2



### LEGEND

- 1/2" IRON PIN FOUND
- 1/2" IRON PIN SET
- ( ) RECORD INFORMATION
- PRMCTX PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS

## FINAL PLAT ROCKING J BUSINESS PARK

OWNERS  
TOM PITT FAMILY INVESTMENTS, L.P.  
3540 ROCKING J ROAD  
ROUND ROCK, TX, 78665

ACREAGE: 6.215 AC

PATENT SURVEY: WILLIS DONAHUE SURVEY ABSTRACT NO. 173

NUMBER OF BLOCKS: 1

ACREAGE BY LOT TYPE:

LOT 1 (1.90 AC) LIGHT INDUSTRIAL

LOT 2 (4.32 AC) OUTDOOR ENTERTAINMENT (P.U.G. #87) 1

OUTDOOR ENTERTAINMENT (P.U.G. #87) 1

SURVEYOR: CRICHTON AND ASSOCIATES, INC.

ENGINEER: WELTZ & PRETE, INC. FIRM TX REG #F-10008

LINEAR FEET OF NEW STREETS: 0

SUBMITTAL DATE: MARCH 15, 2011

DATE OF PLANNING AND ZONING COMMISSION REVIEW: APRIL 13, 2011

BENCHMARK: SQUARE CUT TOP OF CONCRETE HEADWALL APPROXIMATELY 87'

NORTHWEST OF NORTHEAST PROPERTY CORNER

ELEV. = 704.37



WELTZ & PRETE, INC.  
CIVIL ENGINEERS

3000 JUNE UNLAKED BLVD. #72  
ROUND ROCK, TX, 78664  
PH (512) 248-8965  
FIRM TX REG #F-10008

STATE OF TEXAS  
COUNTY OF WILLIAMSON KNOW ALL MEN BY THESE PRESENTS  
That Tom Pitt Family Investments, L.P., being the owner of 6.215 acres in the Willis Donahue Survey as recorded in Document No. 200103943 of the Williamson County Official do hereby Subdivide said land in accordance with the plat shown hereon, and do hereby declare to the Public the use of the Streets and Easements as shown hereon.  
Witness my hand this 21 day of March, 2011 A.D.

Tom Pitt  
3540 Rocking J Road  
Round Rock, Texas 78665

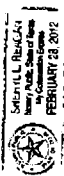
STATE OF TEXAS  
COUNTY OF WILLIAMSON

Before me, the undersigned authority on this day personally appeared Tom Pitt, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 21 day of March, 2011 A.D.

Notary Public in and for  
the State of Texas

Sheryl L. Rogers 2/26/12  
Printed Name of Notary, Expires



### RECORDERS MEMORANDUM

All or parts of the text on this page was not clearly legible for satisfactory recordation

**SURVEYOR'S CERTIFICATE.**

STATE OF TEXAS  
COUNTY OF TRAVIS

THAT I, HERMAN CRICHTON, DO HEREBY CERTIFY THAT I PREPARED THIS PLAN FROM AN ACTUAL AND ACCURATE SURVEY OF THE GROUND SURVEY OF THE LAND WITHIN THE CORNER MONUMENTAL PLAT, AND THAT I HAVE FOUND AND PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH CHAPTER 253 SUBDIVISIONS, AND THE ROCK CODE OF ORDINANCES, 1995 EDITION, AS AMENDED, AND I FURTHER CERTIFY THAT THE PROPERTY BOUNDARY CLOSES AS PER MINIMUM STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, CLOSES AS PER MINIMUM STANDARDS SPECIFICALLY SECTION 663.3 - 663.23 WHICH INCLUDE PROVISIONS REQUIRING 1 TO 10,000+00 FEET PRECISION FOR MONUMENTATION FOUND OR SET WITHIN THE CORPORATE LIMITS OF ANY CITY IN TEXAS.



3/30/11  
HERMAN CRICHTON, RPLS NO. 4046 DATE  
CRICHTON AND ASSOCIATES  
6445 E. HIGHWAY 280, SUITE B-105  
AUSTIN, TEXAS 78723  
(512) 244-3395

ENGINEER'S CERTIFICATE:

A WILLIAM WAELEZ P. E. DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS PLAT COMPLIES WITH CHAPTER 8, SUBDIVISIONS, CITY OF ROUND ROCK CODE OF ORDINANCES (1995 EDITION), AS AMENDED AND THE DESIGN AND CONSTRUCTION STANDARDS ADOPTED BY THE CITY OF ROUND ROCK, TEXAS.



**EXHIBIT 'A'**  
**Page 2 of 2**

CITY OF ROUND ROCK CERTIFICATE:

APPROVED THIS 13<sup>th</sup> DAY OF April, 2011, BY THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF ROUND ROCK, TEXAS, AND AUTHORIZED TO BE FILED FOR RECORD BY THE COUNTY CLERK OF WILLAMSON COUNTY, TEXAS.

*Sandy Arnold*  
SANDY ARNOLD, VICE CHAIR for

APPROVED, ON THE 13<sup>TH</sup> DAY OF APRIL, 2011

**ATTEST:**

ALAN MCGRAW, MAYOR  
CITY OF ROUND ROCK, TEXAS

SARA L. WHITE, CITY SECRETARY  
CITY OF ROUND ROCK, TEXAS

COUNTY OF WILLIAMSON X

THAT I, NANCY RISTER, CLERK OF THE COUNTY COURT OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT, IN WRITING, WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD ON MY OFFICE ON THE 73<sup>RD</sup> DAY OF OCTOBER, A. 2012 AT 11:44 O'CLOCK, A. M. AND DULY RECORDED ON THE 23<sup>RD</sup> DAY OF OCTOBER, A. 2012 AT 1:08 O'CLOCK, A. M. IN THE PLAT RECORDS OF SAID COUNTY, IN DOCUMENT NUMBER 2012087984.

WITNESS MY HAND AND SEAL OF THE COUNTY COURT OF SAID COUNTY, AT OFFICE IN GEORGETOWN, TEXAS, THE DATE LAST ABOVE WRITTEN.



NANCY RISTER, CLERK, COUNTY COURT  
WILLIAMSON COUNTY, TEXAS



**WAEITZ & PRETE, INC.**  
**CIVIL ENGINEERS**  
3000 JOE DIMAGGIO BLVD. #72  
ROUND ROCK, TX. 78665  
PH (512) 505-6953  
FIRM TX. REG. #F-10308

**PLAY NOTES:**

1. NO FENCES, STRUCTURES, STORAGE OR FILL SHALL BE PLACED WITHIN THE LIMITS OF THE ULTIMATE 1% ANNUAL FLOODPLAIN, UNLESS APPROVED BY THE CITY ENGINEER. FILL MAY ONLY BE PERMITTED BY THE CITY ENGINEER AFTER APPROVAL OF THE PROPER ANALYSIS.
2. NO PORTION OF THIS TRACT IS ENCLOSED BY ANY SPECIAL FLOOD HAZARD AREAS INUNDATED BY THE 1% ANNUAL FLOOD AS IDENTIFIED BY THE U.S. FEDERAL EMERGENCY MANAGEMENT AGENCY. HAZARDOUS WASTE MAP (INSURANCE RATE MAP), COMMUNITY PANEL NUMBER 44940499E, EFFECTIVE DATE SEPTEMBER 28, 2001, FOR WILLIAMSON COUNTY, TEXAS.
3. BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH CHAPTER 46, ZONING, CITY OF ROUND ROCK CODE OF ORDINANCES, 2010 EDITION, AS AMENDED OR AS MODIFIED IN P.U.D. #497.
4. SIDEWALKS SHALL BE CONSTRUCTED IN ACCORDANCE WITH CHAPTER 38, SUBDIVISIONS, CITY OF ROUND ROCK ORDINANCES, 2010 EDITION, AS AMENDED, AND WITH THE DESIGN AND CONSTRUCTION STANDARDS.
5. ACCESS TO THESE PROPERTIES WILL BE FROM ROCKIN' J ROAD ONLY.
6. NO OBSTRUCTIONS, INCLUDING BUT NOT LIMITED TO FENCING OR STORAGE, SHALL BE PERMITTED IN ANY DRAINAGE EASEMENT SHOWN HEREON.
7. BUILDINGS SHALL HAVE A MINIMUM FINISH FLOOR ELEVATION OF 706.00'.
8. ACCESS FOR FIRE DEPARTMENT SHALL CONFORM TO 2006 I.F.C., SECTION 10103.3.
9. THIS PLAT CONFORMS TO THE PRELIMINARY PLAT APPROVED BY THE PLANNING AND ZONING COMMISSION ON FEBRUARY 2, 2011.
10. SUBDIVISION IMPROVEMENTS FOR WATER, WASTEWATER, AND DRAINAGE ARE REQUIRED TO BE APPROVED PRIOR TO RECORDATION OF FINAL PLAT.
11. VERTICAL DATUM IS REFERENCED TO THE CITY OF ROUND ROCK'S GPS MONUMENT NUMBER 01-040, ELEV = 109.75, NAVD 88.
12. CERTAIN BUILDINGS ARE CURRENTLY IN NON-COMPLIANCE AND MUST BE BROUGHT INTO COMPLIANCE EITHER THROUGH CITY ORDINANCE (ZONING, PRECEDENCE, ETC.) AS DIRECTED BY THE PUD, OR WHATEVER TAKES PRECEDENCE.

FIELD NOTES FOR A 0.2159 ACRES TRACT OUT OF THE WILLIS DONAHOE SURVEY ABSTRACT NO 173 IN WILLIAMSON COUNTY TEXAS AND BEING THE SAME TRACT CONVEYED IN DOCUMENT NO 2001023413, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY TEXAS. SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Beginning at a 1/2" pin found on the West line of Lot 1, Block L of the Amending Plat of Lots 1, 2, 3, 4, & 7, Block L, Estates at Sellers Park Section 3 Records of Williamson County, Texas. Also being the Northeast corner of an 8.21 acre tract conveyed to Julie and Kerry B. Morris in Official Public Records of Williamson County, Texas for the No. 2000031344. The POINT OF BEGINNING.

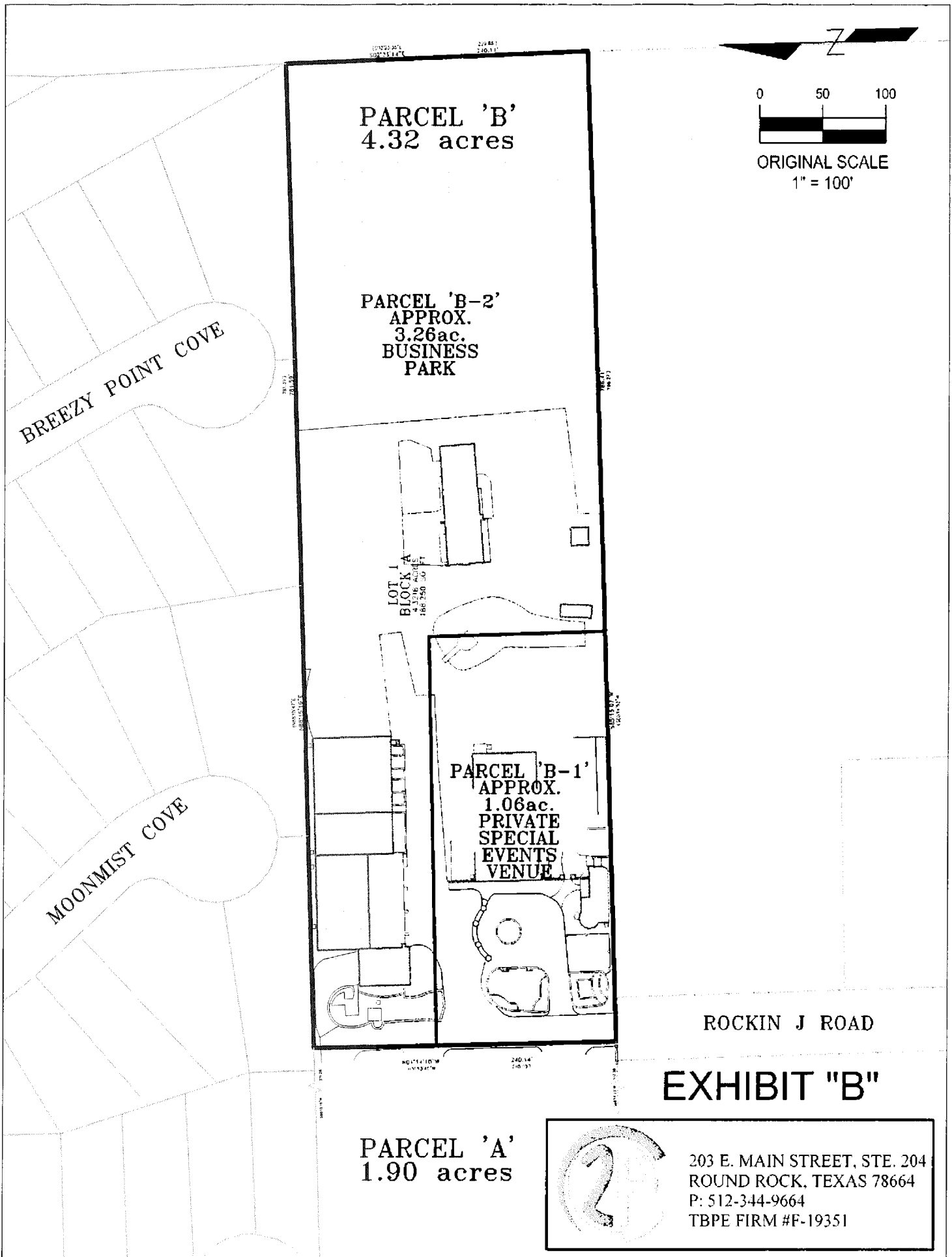
[illegible]

THENCE N 13° 56' 55" W with the East line of said Lot 1, Block E, also being the West line of this tract 245.72 feet to a 1/2" pin found for the Northwest corner of this tract.

THENCE N 88° 15' 47" E with the South line of said Settlers Overlook Section 2, also being the North line of this tract 1152.67 feet to a 1/2" pin found on the West line of said Lot 1, Block 3, of the Annexing Plat of Lots 1, 3, 4, & 7, Block L, Estates at Settlers Park Section 3, for the Northeast corner of this tract and the Southeast corner of Lot 35, Block E of said Settlers Overlook Section 2.

THENCE S 02° 23' 35" W with the West line of said Lot 1, Block L, also being the East line of this tract 239.88 feet to the POINT OF BEGINNING and containing 6.215 acres more or less.





RECORDERS MEMORANDUM

All or parts of the text on this page was not  
clearly legible for satisfactory recording.

**ELECTRONICALLY RECORDED  
OFFICIAL PUBLIC RECORDS**

**2019080529**

Pages: 12 Fee: \$69.00

08/28/2019 01:23 PM



*Nancy E. Rister*

Nancy E. Rister, County Clerk  
Williamson County, Texas