

ORDINANCE NO. O-2021-292

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROUND ROCK, TEXAS ADOPTED IN ZONING AND DEVELOPMENT CODE, CHAPTER 2, ARTICLE I, SECTION 2-2(b)(1), CODE OF ORDINANCES (2018 EDITION), CITY OF ROUND ROCK, TEXAS, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO ORIGINALLY ZONE 5.19 ACRES OF LAND OUT OF THE MEMUCAN HUNT SURVEY, ABSTRACT NO. 314 AND IN THE W. BARKER SURVEY, ABSTRACT NO. 107, IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS, AS PLANNED UNIT DEVELOPMENT (PUD) NO. 134; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, the City of Round Rock, Texas has recently annexed 5.19 acres of land out of the Memucan Hunt Survey, Abstract No. 314 and in the W. Barker Survey, Abstract No. 107, in Round Rock, Williamson County, Texas, being more fully described in Exhibit "A" (the "Property"), attached hereto and incorporated herein, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the original zoning of the Property on the 15th day of September, 2021, following lawful publication of the notice of said public hearing, and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that the Official Zoning Map be amended so that the Property in Exhibit "A" be originally zoned as Planned Unit Development (PUD) No. 134, and

WHEREAS, on the 28th day of October, 2021, after proper notification, the City Council held a public hearing on the proposed original zoning, and

WHEREAS, the City Council determines that the zoning provided for herein promotes the health, safety, morals and protects and preserves the general welfare of the community, and

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, and Zoning and Development Code, Chapter 10, Article I, Section 10-2 and Article IV, Sections 10-20 and 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 has hereby determined the Planned Unit Development (PUD) No. 134 meets the following goals and objectives:

- (1) The development in PUD No. 134 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) P.U.D. No. 134 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) P.U.D. No. 134 does not have an undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety and general welfare.
- (4) P.U.D. No. 134 will be adequately provisioned by essential public facilities and services including streets, parking, drainage, water, wastewater facilities, and other necessary utilities.
- (5) P.U.D. No. 134 will be constructed, arranged and maintained so as not to dominate, by scale and massing of structures, the immediate neighboring properties or interfere with their development or use in accordance with any existing zoning district.

II.

That the Official Zoning Map adopted in Zoning and Development Code, Chapter 2, Article I, Section 2-2(b)(1), Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended so that the zoning classification of the property described in Exhibit "A", attached hereto and incorporated herein shall be, and is hereafter

designated as, Planned Unit Development (PUD) No. 134, and that the Mayor is hereby authorized and directed to enter into the Development Plan for PUD No. 134 attached hereto as Exhibit "B", which agreement shall govern the development and use of said property.

III.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this 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 28th day of OCTOBER, 2021.

Alternative 2.

READ and APPROVED on first reading this the _____ day of _____, 2021.

READ, APPROVED and ADOPTED on second reading this the _____ day of _____, 2021.



CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:



SARA L. WHITE, City Clerk

EXHIBIT

“B”

CADE LAKE

PLANNED UNIT DEVELOPMENT NO. 134

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

THIS 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 RCG Cade Lake, LLC; as its respective interests may appear in the respective portions of the hereinafter described property; and its respective successors and designated assigns. Upon sale, transfer or conveyance of portions of the hereinafter described property by a respective Owner to a designated third party owner/developer, the duties and obligations of the respective Owner, as it relates to the respective property being sold, shall be assigned to and assumed by the new owner/developer, and upon such sale and assignments of the duties and obligations hereunder, the respective Owner shall have no further liability relating to the respective property so sold and conveyed.

WHEREAS, the Owner is the owner of certain real property consisting of 5.19 acres, as more particularly described in **Exhibit “A” (Legal Description)**, (herein after referred to as the “**Property**”) attached hereto and made a part hereof; and

WHEREAS, the Owner has submitted a request to the City to zone the Property as a Planned Unit Development (the “**PUD**”); and

WHEREAS, pursuant to Part III, Section 10-22 of the Code of Ordinances of the City of Round Rock, Texas, 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 September 15, 2021, the City’s Planning and Zoning Commission recommended approval of the Owner’s application for PUD zoning; 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:

I.

GENERAL PROVISIONS

1. CONFORMITY WITH DEVELOPMENT STANDARDS

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

2. CHANGES AND MODIFICATIONS

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

3. ZONING VIOLATION

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

4. MISCELLANEOUS PROVISIONS

4.1. Severability

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

4.2. Venue

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

4.3. Effective Date

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

II.
DEVELOPMENT PLAN

1. DEFINITIONS

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

2. PROPERTY

This Development Plan covers approximately 5.19 acres of land, located within the Extraterritorial Jurisdiction of Round Rock, Texas, and more particularly described in **Exhibit "A"**.

3. PURPOSE

The purpose of this Plan is to insure a Planned Unit Development ("PUD") that: (1) is equal to or superior to development that would occur under the standard ordinance requirements, (2) is in harmony with the General Plan of the City of Round Rock, Texas, (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 to not 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 Ordinance

All aspects not specifically covered by this Plan shall be regulated by the **TH (Townhouse)** zoning district, as amended. If there is a conflict between this Plan and the Code, this Plan shall supersede the specific conflicting provisions of the Code.

4.2. Other Ordinances

All other Ordinances within the Code shall apply to the Property, except as clearly modified by this Plan. In the event of a conflict, the terms of the Plan shall control.

5. CONCEPT PLAN

Exhibit "B" shall serve as the Concept Plan for the project, according to Section 36-39 of the Code.

6. PERMITTED USES

6.1. Single Family Detached, Common Lot: one or more single family detached residential dwellings located on a single ownership lot, with each dwelling unit having a private external entrance, private parking, and a private yard area.

1) Access shall be provided via private drive aisles.

2) All dwelling units shall be established as condominium units, pursuant to the Texas Uniform Condominium Act, Section 82.001 et. seq., Texas Property Code.

3) A maximum of 40 units shall be permitted.

7. DEVELOPMENT STANDARDS

7.1. Design Features

- 1) On two story homes with a rear side facing any property boundary, the following shall be required on the second-floor elevation:
 - a) Each window to have one window enhancement from the following list:
 - i. Shutters
 - ii. Awnings or shed roofs
 - iii. Arch windows
 - b) One design feature from the following list:
 - i. Board and batten siding
 - ii. Balcony
 - iii. Building offset
 - iv. Box window
- 2) An upgraded garage door, defined as a metal door with the addition of window panels, a faux wood garage door with decorative hardware, or a wood clad garage door, shall be required. Upgraded garage doors shall not be required for swing in, side entry garages.

7.2. Yard Fencing

- 1) Single family unit fencing shall be constructed of the following materials: brick, stone, reinforced concrete, decorative masonry, wrought iron, tubular steel, redwood or cedar with a picket size of 1" x 6" with metal posts and treated rails, or other equivalent materials approved by the Zoning Administrator.
- 2) No fences permitted between the front of the house and the drive aisle.
- 3) All fences shall provide a finished face to abutting drive aisles.
- 4) Fences shall not conflict with sight visibility triangles at drive aisle intersections or obstruct views from adjacent driveways.
- 5) Fence posts for all new fences shall be constructed of rust-resistant metal parts, concrete based masonry, or concrete pillars of sound structural integrity.
- 6) Fence posts and fence panels for non-wood fences shall be capped.
- 7) Maximum fence height: six (6) feet.

7.3. Building Setbacks & Separation

- 1) The setbacks for individual units shall be determined using the typical setbacks in **Exhibit "C"**. The building setback for the lot on which multiple residential units are located shall be twenty feet (20') from the property boundary.
- 2) Building separation shall be a minimum of 10 feet, measured from roof eave to roof eave, or a minimum of 5 feet, measured from the assumed lot line to the roof eave, unless the eaves are one hour fire-rated and the decking is fire retardant for the length of the roof, or as otherwise approved by the building official.

retardant for the length of the roof, or as otherwise approved by the building official.

7.4. Private Drive Aisles

- 1) Each private drive aisle shall be a minimum of 26-feet in width from ‘face of curb’ to ‘face of curb’, with a four foot (4’) wide sidewalk on one side of the drive.
- 2) Private drive aisles may be gated, subject to the access requirements established by the Fire Marshal and the Code.
- 3) Private drive aisles shall be designed and constructed according to the currently adopted City of Round Rock Transportation Criteria Manual for the purposes of pavement design including but not limited to, geotechnical reports, asphalt thickness, flexible base type and thickness, and subgrade preparation and thickness.

7.5. Parking

- 1) A total of four (4) resident parking spaces per unit are required:
 - a) 2 garage enclosed parking spaces
 - b) 2 parking spaces located in front of the garage and outside of the private access drive and sidewalk.
- 2) Guest parking shall be provided as required:
 - a) A minimum of one (1) guest parking space must be provided for every four (4) residential units.
 - b) The maximum distance from the required guest parking to the unit(s) is four hundred feet (400’), measured along the drive lanes.
 - c) Parking spaces shall be adjacent to the drive aisles and aligned 90-degrees and shall be designed in accordance with City Transportation Design and Construction Standards.

7.6. Landscaping

The landscape development standards outlined in Chapter 8, Article II, Landscaping, shall apply with the following modifications:

- 1) Drought Tolerant Turf Grasses
All development areas, including residential, which include turf shall utilize Drought Tolerant Turf Grasses, as defined by the Code.
- 2) Native Adapted Plants
Plant material shall be of a native and/or adapted species, including those selected from *Native and Adapted Landscape Plants, an Earth-Wish Guide for Central Texas*, created by the Texas Cooperative Extension, Grow Green and the Lady Bird Johnson Wildflower Center.
- 3) Residential Trees
Large species trees totaling six caliper inches shall be provided for each single-family dwelling unit. This may be achieved through the preservation

of existing protected trees within the Property or the planting of two (2) three-inch (3") caliper container-grown trees.

7.7. Amenities

At least one amenity from the list in Section 2-20 (f) shall be provided.

7.8. Protected Tree Size

Trees having a diameter of 20 inches, or more are protected trees for the purpose of applying Chapter 8, Article III – Tree Protection and Preservation.

7.9. Parkland Requirement

The TH (Townhouse) zoning district shall be used for the purpose of applying Chapter 4, Article V of the Code to determine the parkland requirement.

7.10. Maintenance

A private homeowners association shall be established for the maintenance of landscaping, irrigation, private drive lanes, community signage, walls, medians, common open spaces, and private utilities such as storm lines, wastewater service lines, and stormwater inlets.

8. CHANGES TO DEVELOPMENT PLAN

8.1. 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 Director of Planning and Development Services and the City Attorney.

8.2. Major Changes.

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

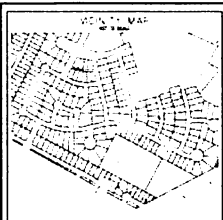
LIST OF EXHIBITS

Exhibit A: Survey/Field Notes of 5.19-acre tract

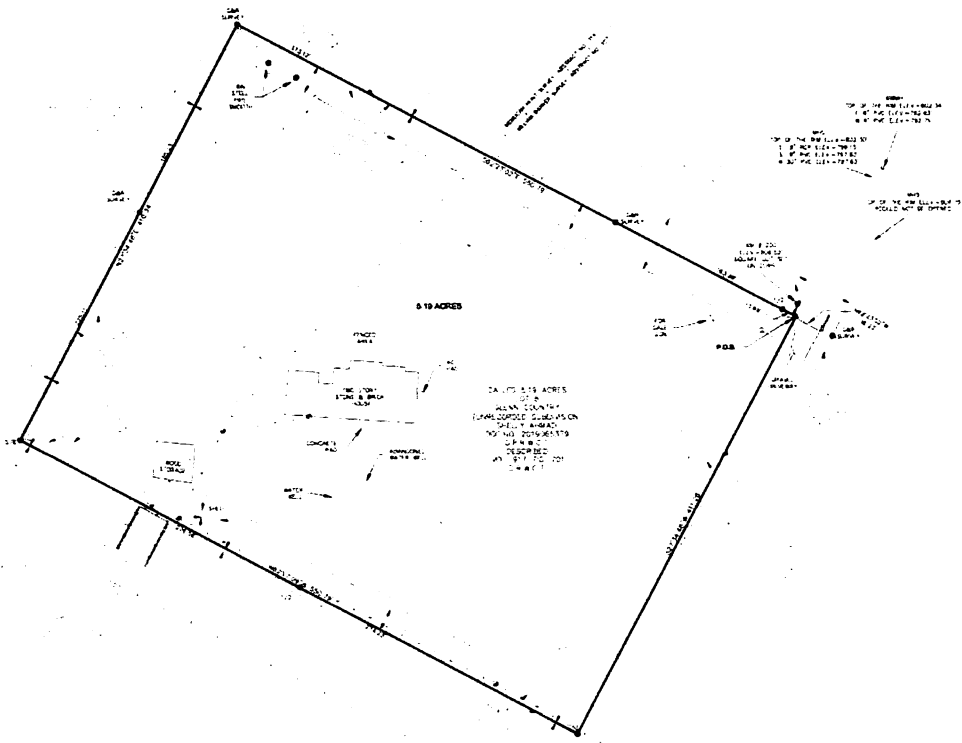
Exhibit B: Concept Plan

Exhibit C: Typical Building Setbacks

EXHIBIT "A"
SURVEY/FIELD NOTES



MEMPHIS COUNTY SURVEY ABSTRACT NO. 214
W. L. AM BARNES SURVEY ABSTRACT NO. 102



PRELIMINARY.
THIS DOCUMENT SHALL NOT BE
RECORDED FOR ANY PURPOSE AND SHALL
NOT BE USED OR VIEWED OR RELIED UPON
AS A FINAL SURVEY DOCUMENT.

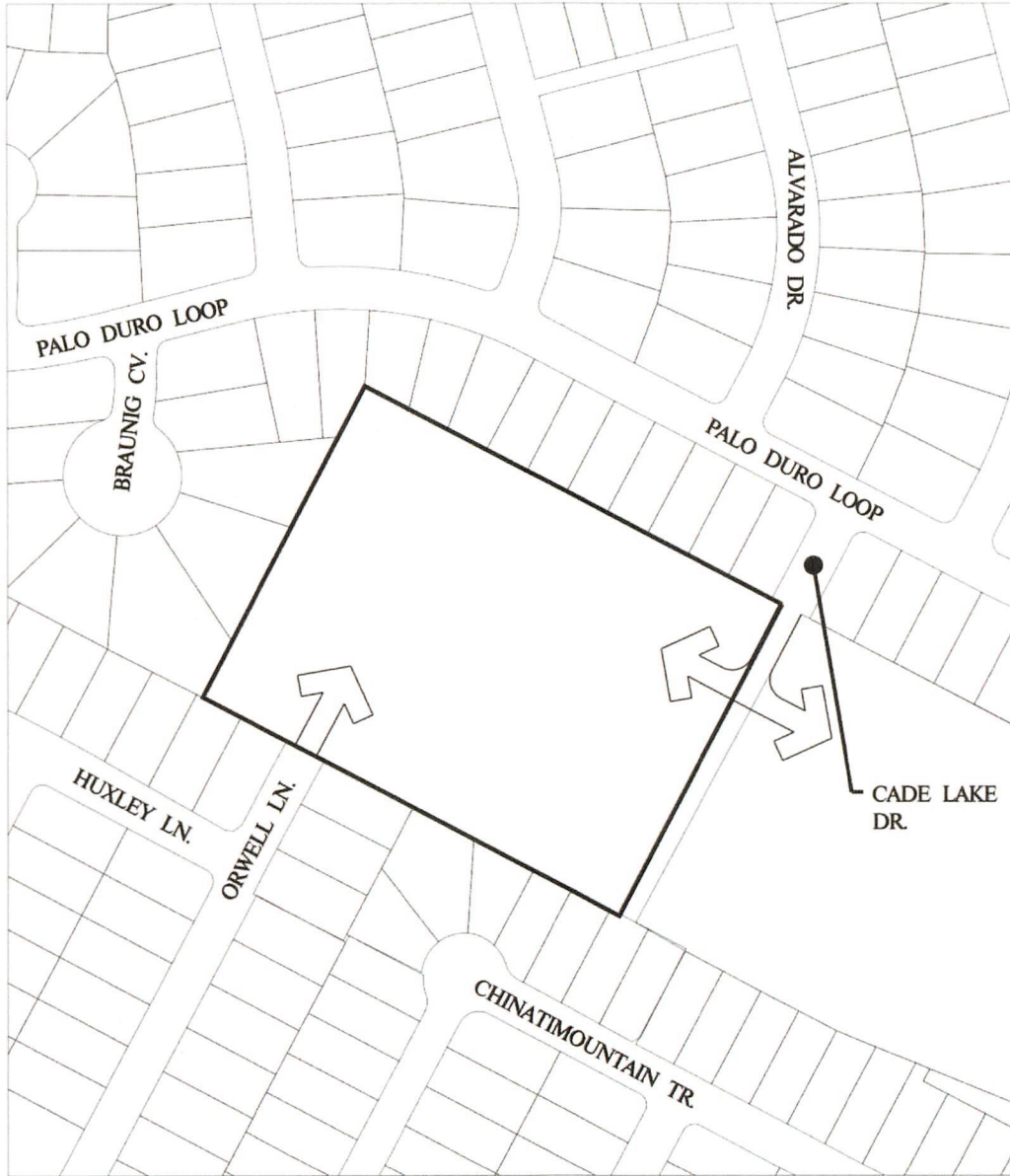
LEGEND

•	Survey Station
○	Well Location
—	Survey Line
—	Property Line
—	Water Course
—	Other

5 TO 100
TOPOGRAPHIC, TREE AND
LAND TITLE SURVEY
CITY OF ROUND ROCK,
WILLIAMSON COUNTY, TEXAS

DA DOUCET & ASSOCIATES
Civil Engineering, Planning, Geomatics
1401 E. Highway 71 W. Suite 110
Austin, Texas 78758 Phone: (512) 883-2100
www.doucetandassociates.com

EXHIBIT "B" CONCEPT PLAN



SEC Planning, LLC
Land Planning • Landscape Architecture • Community Branding
 AUSTIN, TEXAS
 512.476.7600
 www.secplanning.com • info@secplanning.com

EXHIBIT B
 CONCEPT PLAN
REAL HOLDINGS, LLC
 ROUND ROCK, TEXAS

SHEET FILE: C:\2021\10001\MKND\Castroville\AWND\Submittal\Concept Plan Exhibit B.dwg
 Base mapping compiled from best available information. All map data should be considered as preliminary, in need of verification, and subject to change. This land plan is conceptual in nature and does not represent any regulatory approval. Plan is subject to change.

EXHIBIT "C"

Typical Building Setbacks

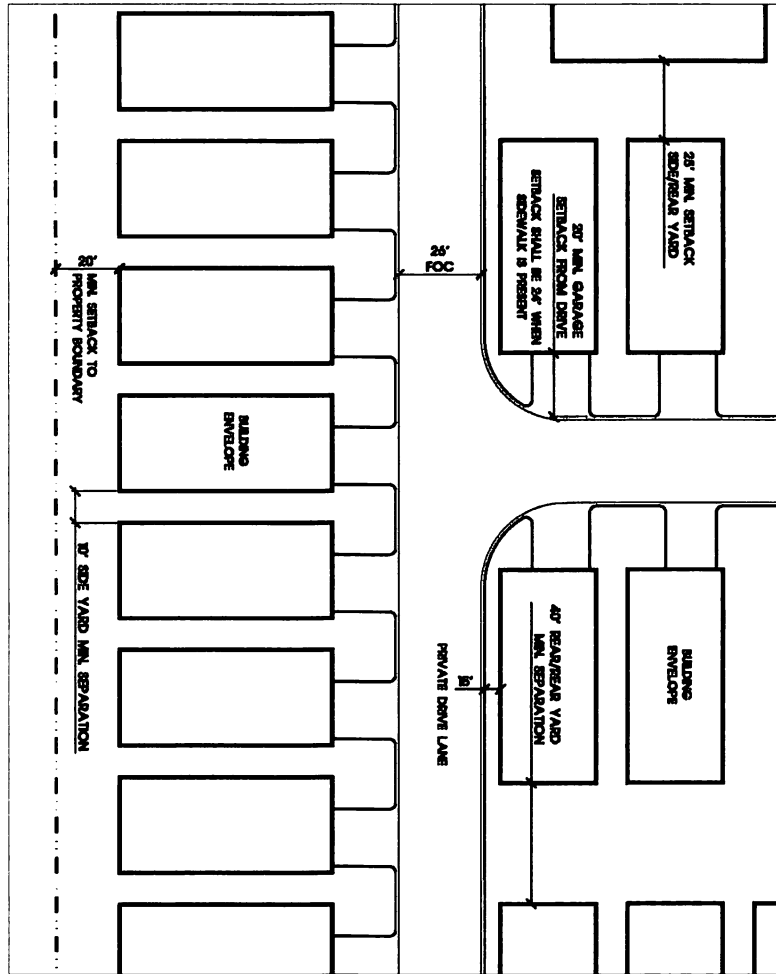


FIGURE "A"
TYPICAL BUILDING SETBACKS
2010 CADE LAKE DRIVE PROPERTY
 ROUND ROCK, TEXAS

Date: July 18, 2011
 This depicts a conceptual site plan and is not intended to be used for any regulatory approval. It is subject to change without notice and is not intended to be used for any regulatory approval. It is subject to change without notice and is not intended to be used for any regulatory approval.

The building setback for the lot on which multiple residential units are located shall be twenty feet (20') from the property boundary.