

**ORDINANCE NO. O-2022-036**

**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 REZONE 2.45 ACRES OF LAND, OUT OF THE WILEY HARRIS SURVEY, ABSTRACT NO. 298, IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS, FROM C-1 (GENERAL COMMERCIAL) ZONING DISTRICT TO PUD (PLANNED UNIT DEVELOPMENT) NO. 136 ZONING DISTRICT; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**

**WHEREAS**, an application has been made to the City Council of the City of Round Rock, Texas to amend the Official Zoning Map to rezone 2.45 acres of land, out of the Wiley Harris Survey, Abstract No. 298, in Round Rock, Williamson County, Texas, being more fully described in Exhibit "A" attached hereto, from C-1 (General Commercial) zoning district to Planned Unit Development (PUD) No. 136 zoning district, and

**WHEREAS**, the City Council has submitted the requested change in the Official Zoning Map to the Planning and Zoning Commission for its recommendation and report, and

**WHEREAS**, the Planning and Zoning Commission held a public hearing concerning the requested change on the 15th day of December, 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 zoning classification of the property described in Exhibit "A" be changed to PUD No. 136, and

**WHEREAS**, on the 27th day of January, 2022, after proper notification, the City Council held a public hearing on the requested amendment, 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 2, Article I, Section 2-2 and Chapter 10, Article I, Section 10-2 and, 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. 136 meets the following goals and objectives:

- (1) The development in PUD No. 136 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) P.U.D. No. 136 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) P.U.D. No. 136 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. 136 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. 136 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. 136, and that the Mayor is hereby authorized and directed to enter into the Development Plan for PUD No. 136 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 Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution 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.

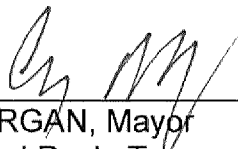
By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

**READ, PASSED, and ADOPTED** on first reading this 27<sup>th</sup> day of January, 2022.

Alternative 2.

**READ and APPROVED** on first reading this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**READ, APPROVED and ADOPTED** on second reading this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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

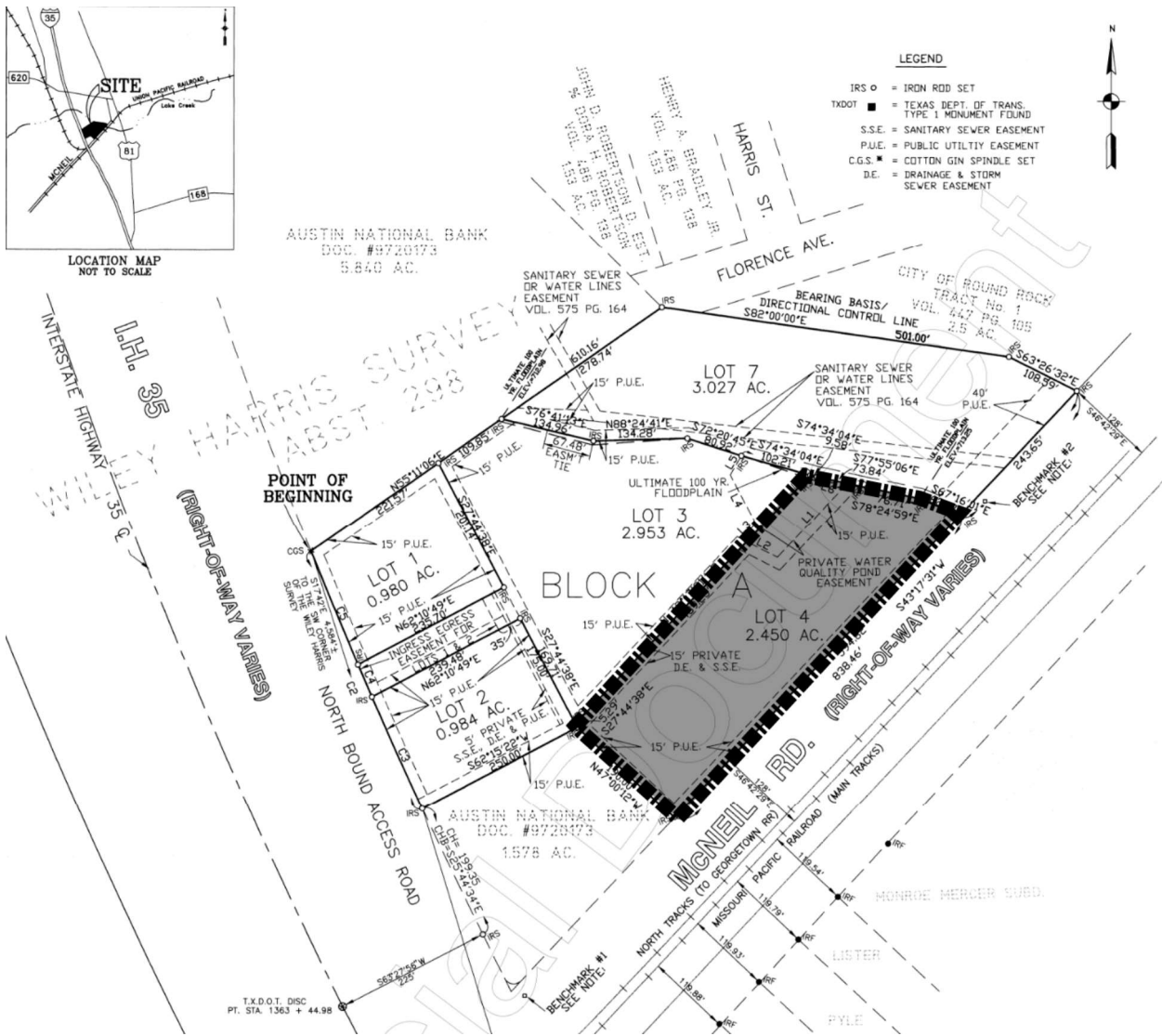
ATTEST:

  
\_\_\_\_\_  
MEAGAN SPINKS, City Clerk

# EXHIBIT A

## LEGAL DESCRIPTION

Lot 4, Block "A", of City Centre Business Park, a subdivision in Williamson County, Texas, according to the map or plat of record in Cabinet P, Slides 303-304, Plat Record Williamson County, Texas.



**EXHIBIT**  
**"B"**

**DEVELOPMENT PLAN**

**CITY CENTRE**  
**PLANNED UNIT DEVELOPMENT NO. 136**

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

**THIS DEVELOPMENT PLAN** (this "**Plan**") is made and entered by and between the CITY OF ROUND ROCK, TEXAS, a Texas municipal corporation, 221 East Main Street, Round Rock, Texas 78664 (hereinafter referred to as the "City", and City Centre Lot 4 McNeil LLC, their successors and assigns, 10311 Talleyran Drive, Austin, TX 78750 (hereinafter referred to as the "Owner").

**WHEREAS**, the Owner is the owner of certain real property consisting of 2.45 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 Section 46-106 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 December 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 are approved as stated in Section II.7.

### 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 Section 1-32, Code of Ordinances, City of Round Rock, Texas, as amended.

### 4. MISCELLANEOUS PROVISIONS

#### 4.1. Severability

In case one or more provisions contained in 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, Texas.

#### 4.2. Effective Date

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

## II.

### **DEVELOPMENT STANDARDS**

#### **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 Plan covers approximately 2.45 acres of land, located within the City 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 Ordinance**

All aspects not specifically covered by this Plan shall be regulated by the **MF-3 (Multi-Family Urban)** 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, as applicable and 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.

##### **4.3. Comprehensive Plan**

This Plan amends the Future Land Use Map of the Round Rock 2030 Comprehensive Plan.

#### **5. PERMITTED USES**

5.1. Multifamily residential use as permitted by the **MF-3 (Multifamily-Urban)** zoning district; the multifamily development shall conform with the requirements of the district, unless otherwise specified by this Plan.



## 6. DEVELOPMENT STANDARDS

- 6.1. Structures and Density
- (a) There will be a maximum of 266 dwelling units.
  - (b) The maximum building height shall be 8-stories. The directly attached structured parking facility shall not exceed the height of the building it serves.
- 6.2. Building Design
- (a) The design elements of the buildings shall substantially comply with the depictions contained in **Exhibit "B"**, including, but not limited to elevation variation, roof pitch, orientation.
- 6.3. A minimum of four of the following amenities shall be provided:
- (a) Private fitness facility
  - (b) Picnic areas with outdoor grilling
  - (c) Swimming pool
  - (d) Business center
  - (e) Dog park
  - (f) Dog wash station
- 6.4. Private driveways and surface parking shall include a minimum of four of the following streetscape and landscape features:
- (a) Benches
  - (b) Bike racks
  - (c) Public art
  - (d) Courtyards or plazas
  - (e) Decorative paving
  - (f) Water features such as fountains
  - (g) Street trees
- 6.5. Setbacks
- (a) The building setback from the McNeil Road right-of-way shall be a minimum of 15 feet.
  - (b) The building setback from the remaining boundaries shall be a minimum of 10 feet.
- 6.6. Residential Parking
- (a) Residential Parking shall be provided at a minimum ratio of one (1) parking space per bedroom. An additional 5% of the total number of spaces provided is required for guest parking.
  - (b) At least 85% of the required parking in (a) shall be provided within the structured parking garage. The remaining 15% may be surface parking.
  - (c) The leasing office and amenities do not have a separate parking requirement.

- 6.7. Shared Parking
- (a) Section 8-47 (b) of the Code provides for shared parking. The parking provided for the residential uses in this Plan must also satisfy the existing unmet parking requirements for the adjacent office uses depicted on **Exhibit “C”**.
  - (b) Prior to the approval of a site development permit for the Plan, a City approved shared parking analysis for the residential and office uses shall be documented in accordance with Section 8-47 (b) of the Code.
- 6.8. Pedestrian Connectivity
- (a) To facilitate the shared parking described in Section 6.7 above, the Plan shall include a pedestrian connection from the structured parking garage to the adjacent office uses depicted on **Exhibit “C”**.
- 6.9. Visual Screening
- (a) Screening standards for detention/water quality ponds; dumpsters, trash receptacles, outdoor storage; ground-mounted equipment; and other similar structures shall comply with the requirements located in Chapter 8, Article I of the Code. Wall or window mounted mechanical equipment shall not be permitted.
- 6.10. Landscaping and Irrigation:
- (a) Landscaping and irrigation shall comply with the requirements located in Chapter 8 Article II Landscaping of the Code.
  - (b) A minimum of five (5) large species trees, located in end islands or interrupting islands, shall be provided in the parking area facing McNeil Road.

## 7. **CHANGES TO DEVELOPMENT PLAN**

### 7.1. **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.

### 7.2. **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"** – Legal Description

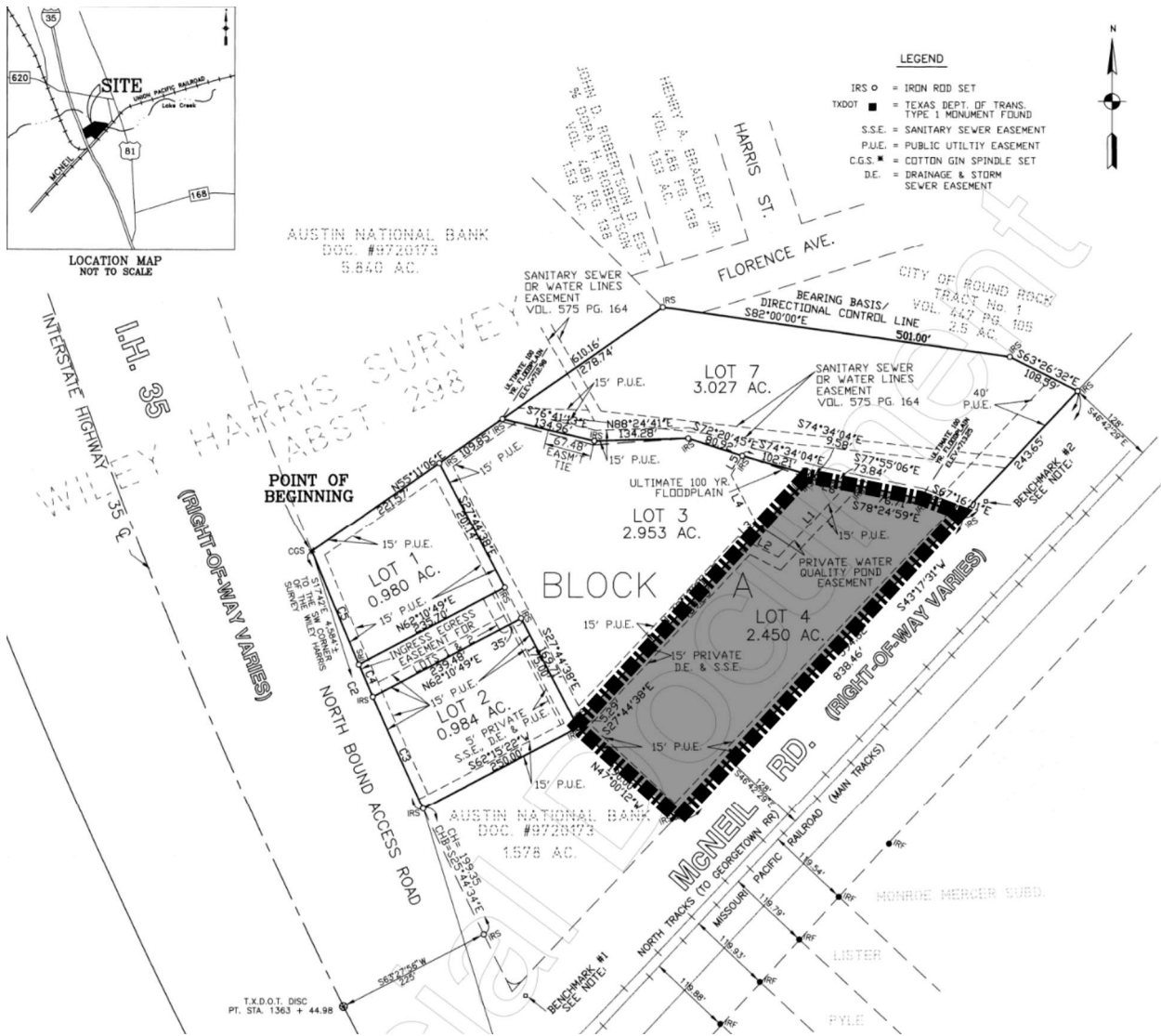
**Exhibit "B"** – Site plan and Building Pictures

**Exhibit "C"** – Adjacent Properties Included in Shared Parking Agreement

**EXHIBIT A**

**LEGAL DESCRIPTION**

*Lot 4, Block "A", of City Centre Business Park, a subdivision in Williamson County, Texas, according to the map or plat of record in Cabinet P, Slides 303-304, Plat Record Williamson County, Texas.*



## EXHIBIT 'B'



SOUTH WEST VIEW FROM MCNEIL RD.



SOUTH EAST VIEW FROM MCNEIL RD.



# EXHIBIT C

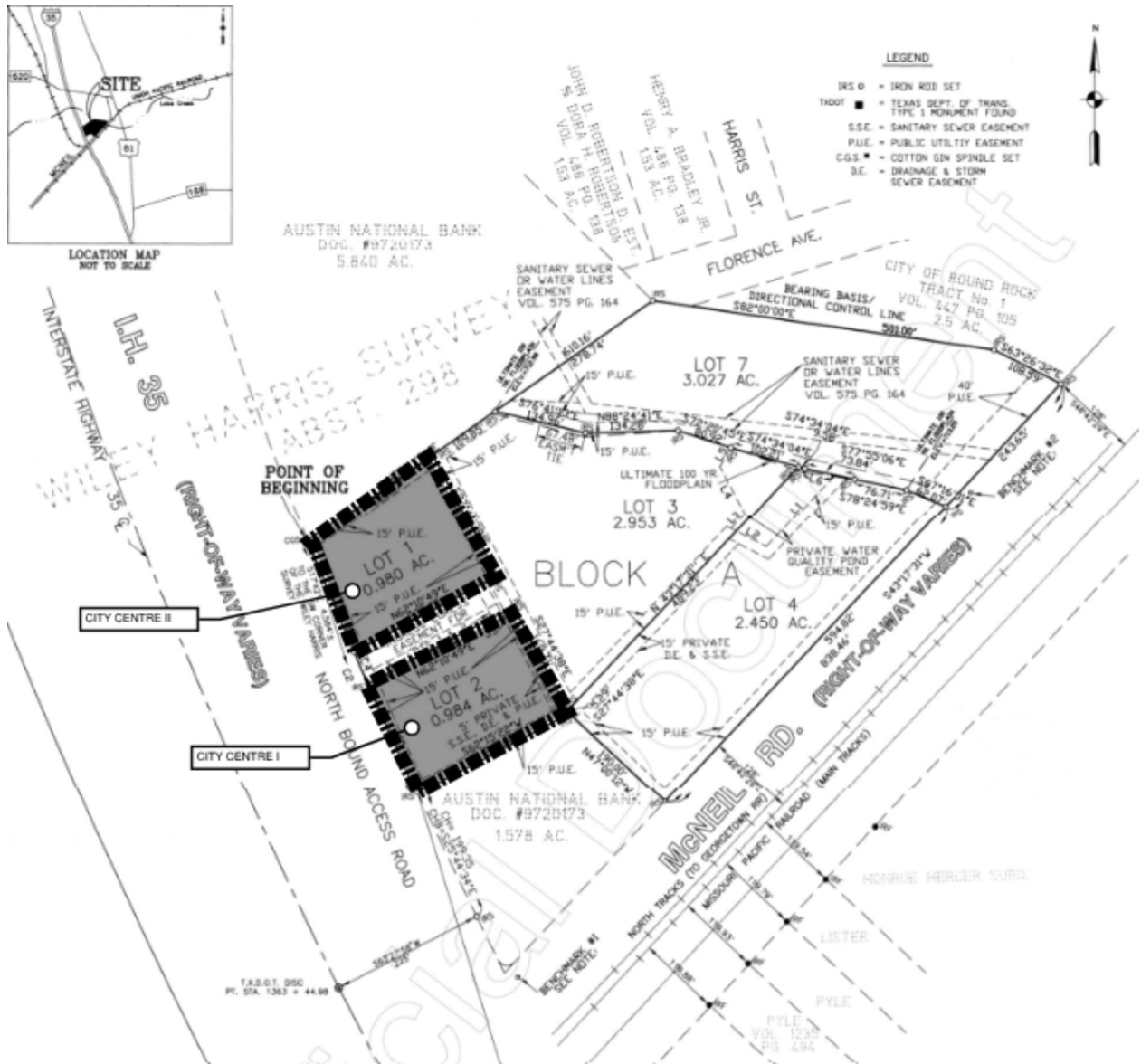
## ADJACENT PROPERTIES INCLUDED IN SHARED PARKING ANALYSIS

### City Centre I

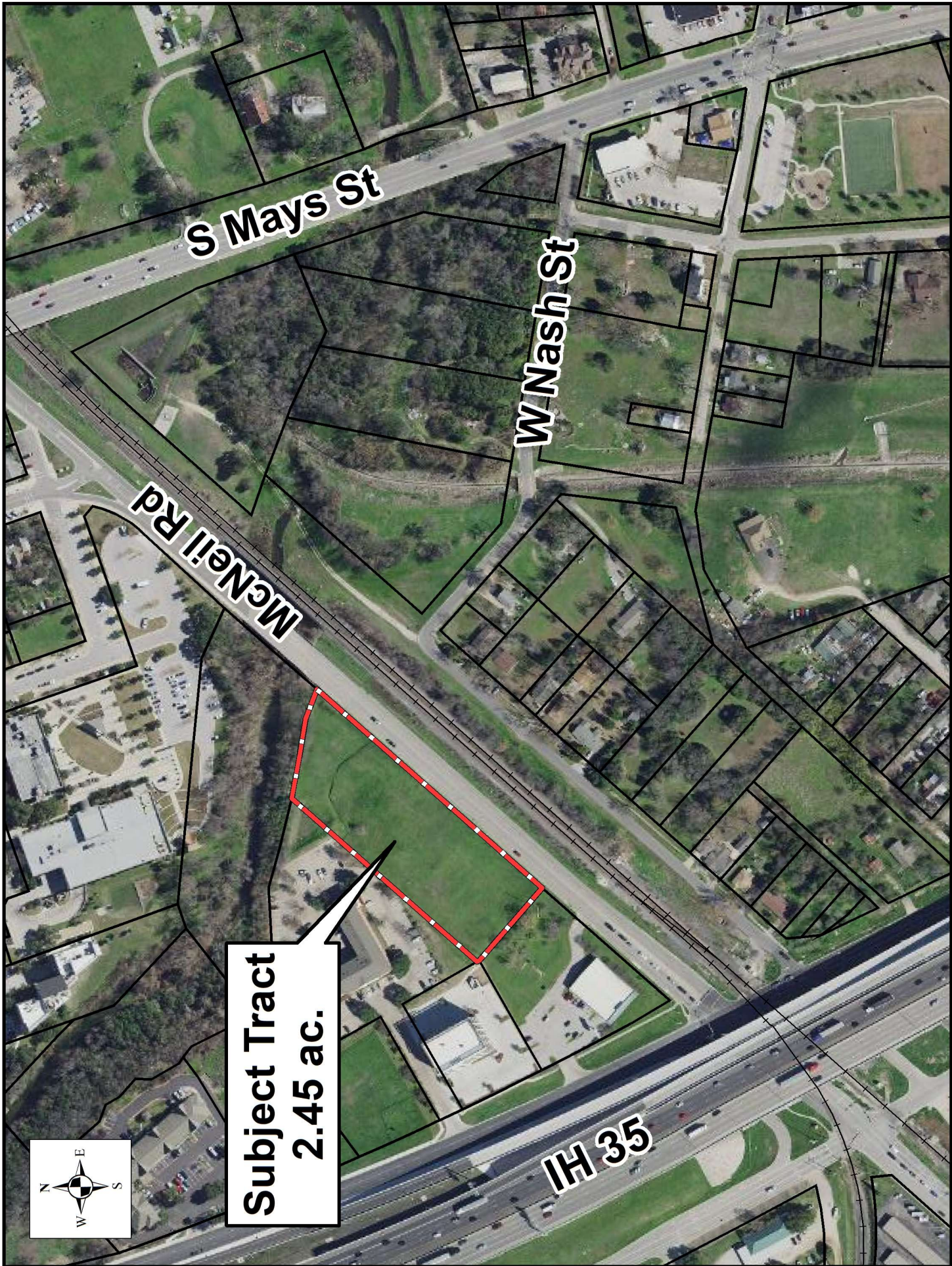
Lot 2, Block "A", of City Centre Business Park

### City Centre II

Lot 1, Block "A", of City Centre Business Park







S Mays St

W Nash St

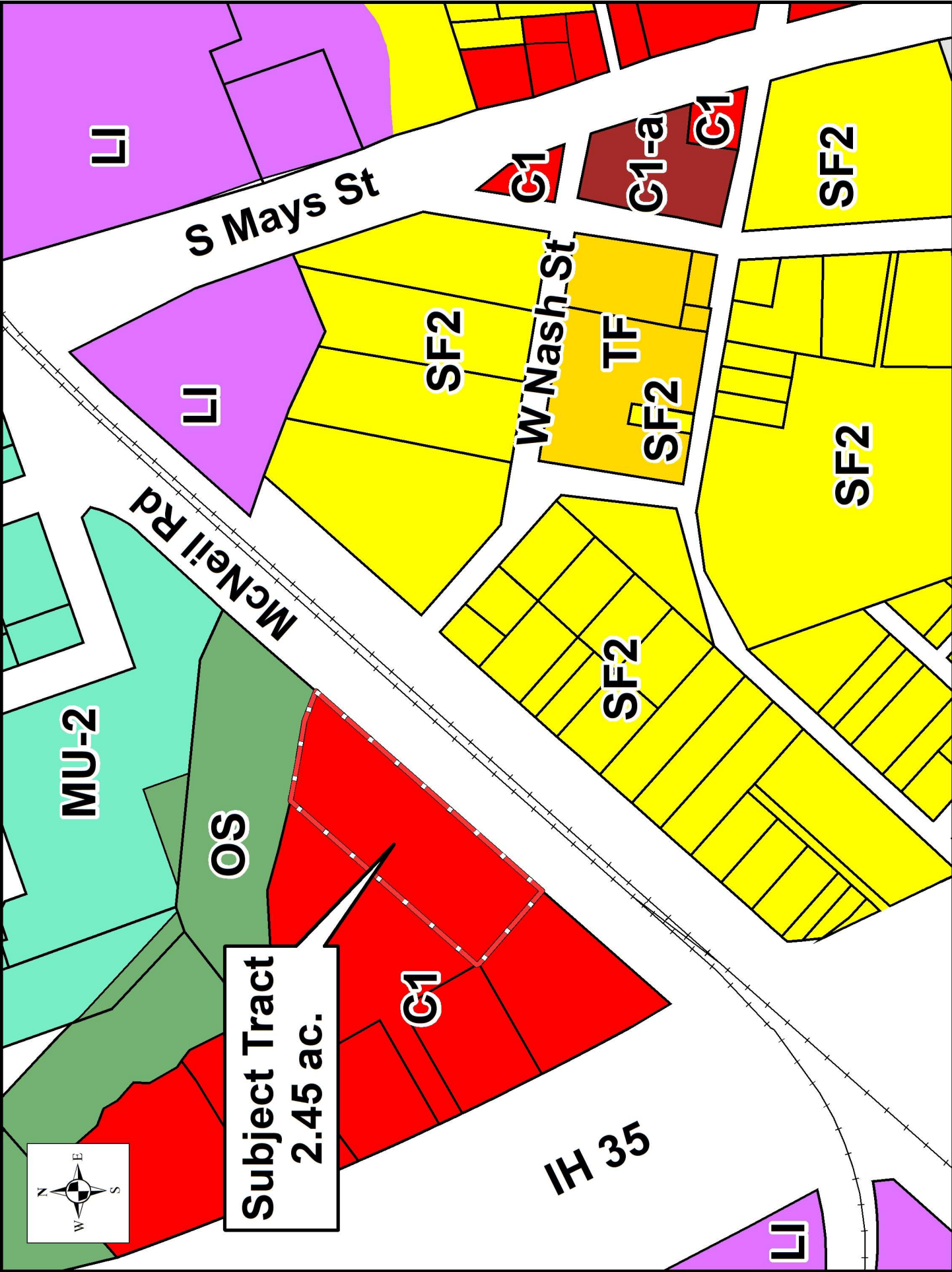
McNeill Rd

IH 35

Subject Tract  
2.45 ac.







LI

S Mays St

C1

C1-a

C1

SF2

LI

SF2

W Nash St

TF

SF2

SF2

McNeil Rd

MU-2

OS

SF2

C1

Subject Tract  
2.45 ac.

IH 35

LI

