

**ORDINANCE NO. O-2022-122**

**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 39.71 ACRES OF LAND, OUT OF THE ASA THOMAS SURVEY, ABSTRACT NO. 609, IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS, FROM C-1 (GENERAL COMMERCIAL) ZONING DISTRICT TO PUD (PLANNED UNIT DEVELOPMENT) NO. 137 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 39.71 acres of land, out of the Asa Thomas Survey, Abstract No. 609, in Round Rock, Williamson County, Texas, being more fully described in Exhibit "A" attached hereto, from C-1 (General Commercial) zoning district to PUD (Planned Unit Development) No. 137 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 2nd day of March, 2022, 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.137, and

**WHEREAS**, on the 14th day of April, 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 PUD (Planned Unit Development) No. 137 meets the following goals and objectives:

- (1) The development in PUD No. 137 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) P.U.D. No. 137 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) P.U.D. No. 137 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. 137 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. 137 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, PUD (Planned Unit Development) No. 137, and that the Mayor is hereby authorized and directed to enter into the Development Plan for PUD No. 137 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 14<sup>th</sup> day of April, 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

**Dupont Subdivision**  
**Total Acres = 39.71**

**Double Creek Dr**

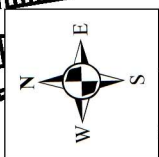
**Lot 1**  
**17.00 ac**

**Lot 3**  
**4.95 ac**

**Lot 2**  
**17.76 ac**

**S A W Grimes Blvd**

**Louis Henna Blvd**



**EXHIBIT**

**"B"**

**DEVELOPMENT PLAN  
SABEY DATA CENTER  
PLANNED UNIT DEVELOPMENT NO. 137**

**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 SDC Austin LLC, their successors and assigns, (hereinafter referred to as the "**Owner**").

**WHEREAS**, the Owner is the owner of certain real property consisting of 39.71 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 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 March 2, 2022, 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. 10.

#### **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 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 Other Ordinances**

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.

## 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, City of Round Rock, Texas, hereinafter referred to as “the Code.”

#### 2. PROPERTY

This Plan covers approximately 39.71 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 Subdivision Ordinances

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 **C-1a (General Commercial-Limited)** and the **LI (Light Industrial)** 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.

##### 4.2 Other Ordinances

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.



5. **COMPREHENSIVE PLAN**

Approval of this development plan amends the Future Land Use Map of the comprehensive plan for land uses.

6. **PERMITTED USES & SITE LAYOUT**

**6.1** Unless otherwise described below, the definitions of all terms used to describe uses in this document shall be those found in the Code of the City of Round Rock, as amended. **Exhibit “B”** contains the land use plan with the generalized locations of the uses and features of the development. The following uses are permitted:

- 1) All uses in the **C-1a (General Commercial-Limited)** zoning district.
- 2) **Data Center(s)**, subject to the following:
  - a. Data Center shall be defined as an establishment primarily involved in the compiling, storage, and maintenance of digital documents, records, and other types of information in digital form utilizing a mainframe computer, switches, routers, and other infrastructure critical for technology providers.
  - b. The data center(s) shall be entirely contained within a perimeter wall or fence.
  - c. The primary buildings shall not exceed 110 feet in height.

3) **Major Utility – Primary Electric Substation**

7. **ACCESSORY STRUCTURES**

Accessory structures may be permitted in the street yard and shall be limited to a maximum height of twenty-five (25) feet.

8. **BUILDING DESIGN FOR DATA CENTERS**

**8.1** Phase 1: Building materials, articulation, and design for the data center on this portion of the site shall be substantially consistent with **“Exhibit C”**.

**8.2** Phase 3: The building design for the data center on this portion of the site shall meet the design standards of the **LI (Light Industrial)** zoning district.

9. **SIGNS FOR DATA CENTERS**

**9.1** All signs shall comply with Chapter 8, Article IX of the Zoning and Development Code, with the following exception:

- 1) No building signs shall be located on any north-facing facade.

## 10. PARKING FOR DATA CENTERS

Parking shall be provided at a ratio of 1:2500, or a minimum of 60 stalls for each data center building.

## 11. LANDSCAPING FOR DATA CENTERS

**11.1** All applicable requirements for landscaping found in Section 8-10 of the Code shall apply, with the following exceptions:

- 1) The interior parking lot landscaping contained in Section 8-10 (f) shall not be required.
- 2) The parking lot landscape buffers contained in Section 8-10 (g) shall not be required.
- 3) The foundation treatment contained in Section 8-10 (h) shall not be required.
- 4) The following landscape buffers shall be required along the Bryant Drive and Louis Henna Blvd. frontages, as indicated on **Exhibit "B"**:
  - a. Landscaping shall be provided in an eight-foot (8') wide linear planting bed.
  - b. One large tree per 50 linear feet with a minimum caliper of four (4) inches, selected from the list of approved evergreen tree species in Appendix B of the Tree Technical Manual.
  - c. One medium tree per 50 linear feet with a minimum caliper of two (2) inches, selected from the list of approved evergreen tree species in Appendix B of the Tree Technical Manual.
  - d. One small tree per 60 linear feet.
  - e. One large shrub shall be provided every eight (8) feet.
- 5) The Major Utility – Primary Electric Substation shall provide the following landscape buffer on three sides, as indicated on **Exhibit "B"**.
  - a. An eight-foot (8') wide planting bed with one small evergreen tree per 12 linear feet; provided that said trees shall be planted no closer than eight (8) feet and no more than 16 feet apart.

## **12. WALLS/ FENCES FOR DATA CENTERS**

**12.1** The following requirements apply to walls and fences proposed for perimeter or screening purposes, as indicated on **Exhibit "B"**:

- 1) Walls shall be constructed of brick, natural stone, simulated stone, split-faced or architectural concrete masonry unit (CMU), decorative reinforced concrete, or other equivalent materials approved by the PDS director.
- 2) Fences shall be constructed of decorative metal, including cast iron, wrought iron or similar materials which mimic the appearance of cast iron or wrought iron.
- 3) Fences constructed of black vinyl coated chain link shall be permitted as follows:
  - a. Along the boundary between Phase 1 and Phase 3 until such a time as Phase 3 is constructed and;
  - b. Within Phase 3 where the fence is not visible from the surrounding area due to vegetation.
- 4) A minimum height of six (6) feet and a maximum height of eight (8) feet.
- 5) A finished face shall be provided to abutting public rights-of-way and all adjacent properties.
- 6) Shall not conflict with sight visibility triangles at street intersections or obstruct views from adjacent driveways.
- 7) Fence posts for all new fences shall be constructed of rust-resistant metal parts, concrete based masonry, or concrete pillars of sound structural integrity.
- 8) Fence posts and fence panels shall be capped.

## **13. SITE LIGHTING FOR DATA CENTERS**

**13.1** The following requirements apply to site lighting:

- 1) Free standing light fixtures shall not exceed thirty (30) feet in height. If a light fixture is within twenty-five (25) feet of a residential lot line, it shall not exceed twenty (20) feet in height.
- 2) No free-standing light fixture shall be located between the perimeter wall/fence and a residential property line.

- 3) No lighting shall be mounted on an exterior wall/fence facing a residential property line, nor shall any ground lighting be directed towards a residential property line.

**14. CHANGES TO DEVELOPMENT PLAN**

**14.1 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 Zoning Administrator and the City Attorney.

**14.2 Major Changes**

All changes not permitted under section 13.1 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"	Land Use Plan
Exhibit "C"	Site Elevation – Phase 1

# Exhibit A

Dupont Subdivision  
Total Acres = 39.71

Double Creek Dr

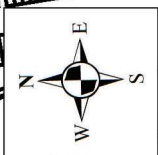
Lot 1  
17.00 ac

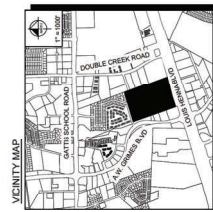
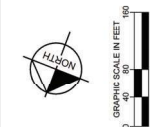
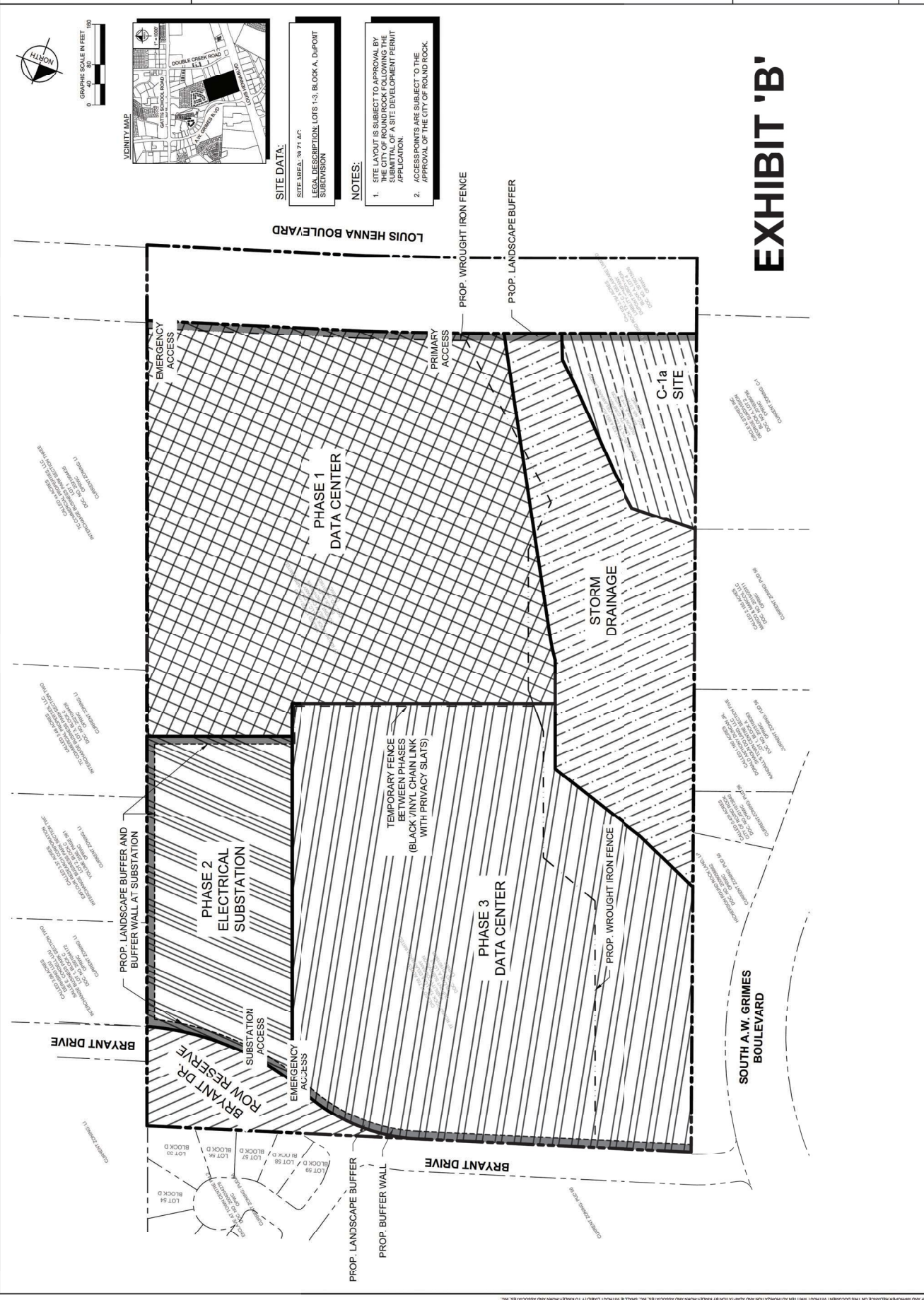
Lot 3  
4.95 ac

Lot 2  
17.76 ac

S A W Grimes Blvd

Louis Henna Blvd





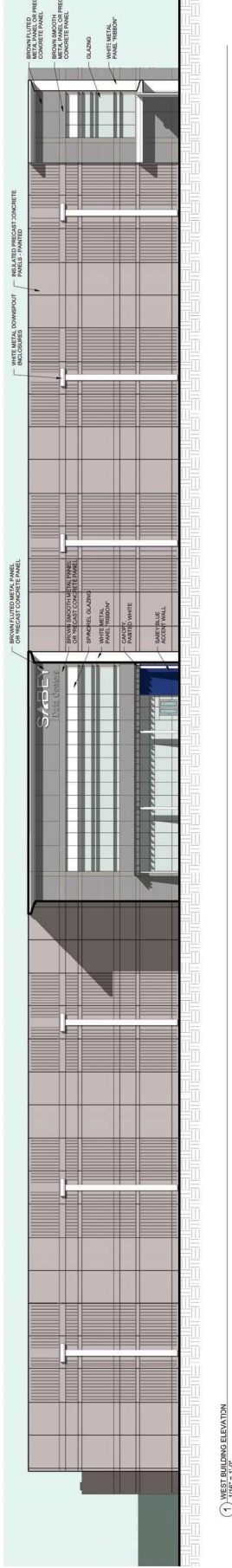
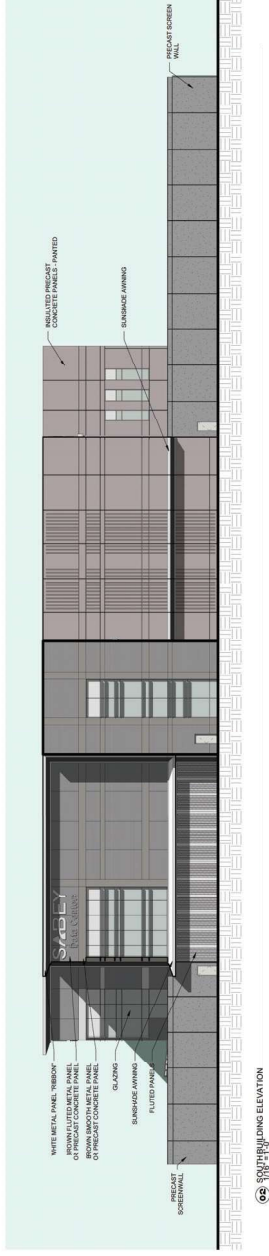
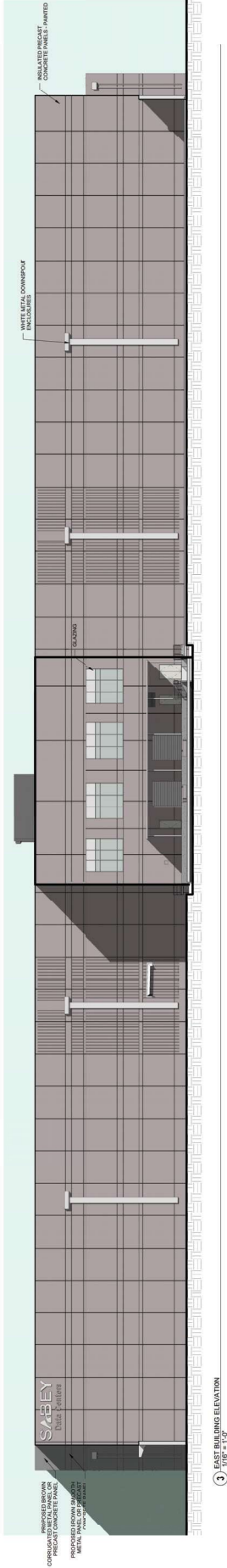
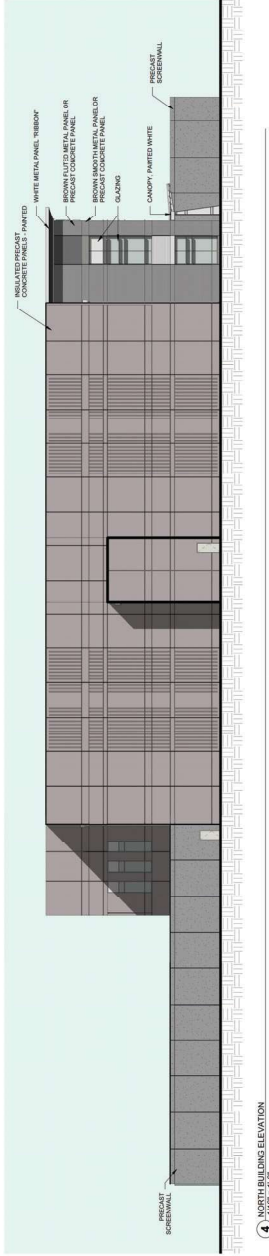
- SITE DATA:**
- SITE AREA: 71 AC
  - LEGAL DESCRIPTION: LOTS 1-3, BLOCK A, DUPONT SUBDIVISION
- NOTES:**
- SITE LAYOUT IS SUBJECT TO APPROVAL BY THE CITY OF ROUND ROCK. SUBMITTAL OF A SITE DEVELOPMENT PERMIT APPLICATION.
  - ACCESS POINTS ARE SUBJECT TO THE APPROVAL OF THE CITY OF ROUND ROCK.

EXHIBIT 'B'



# EXHIBIT 'C'

02/15/22 • 22071.0000



**SABEY**  
Data Centers

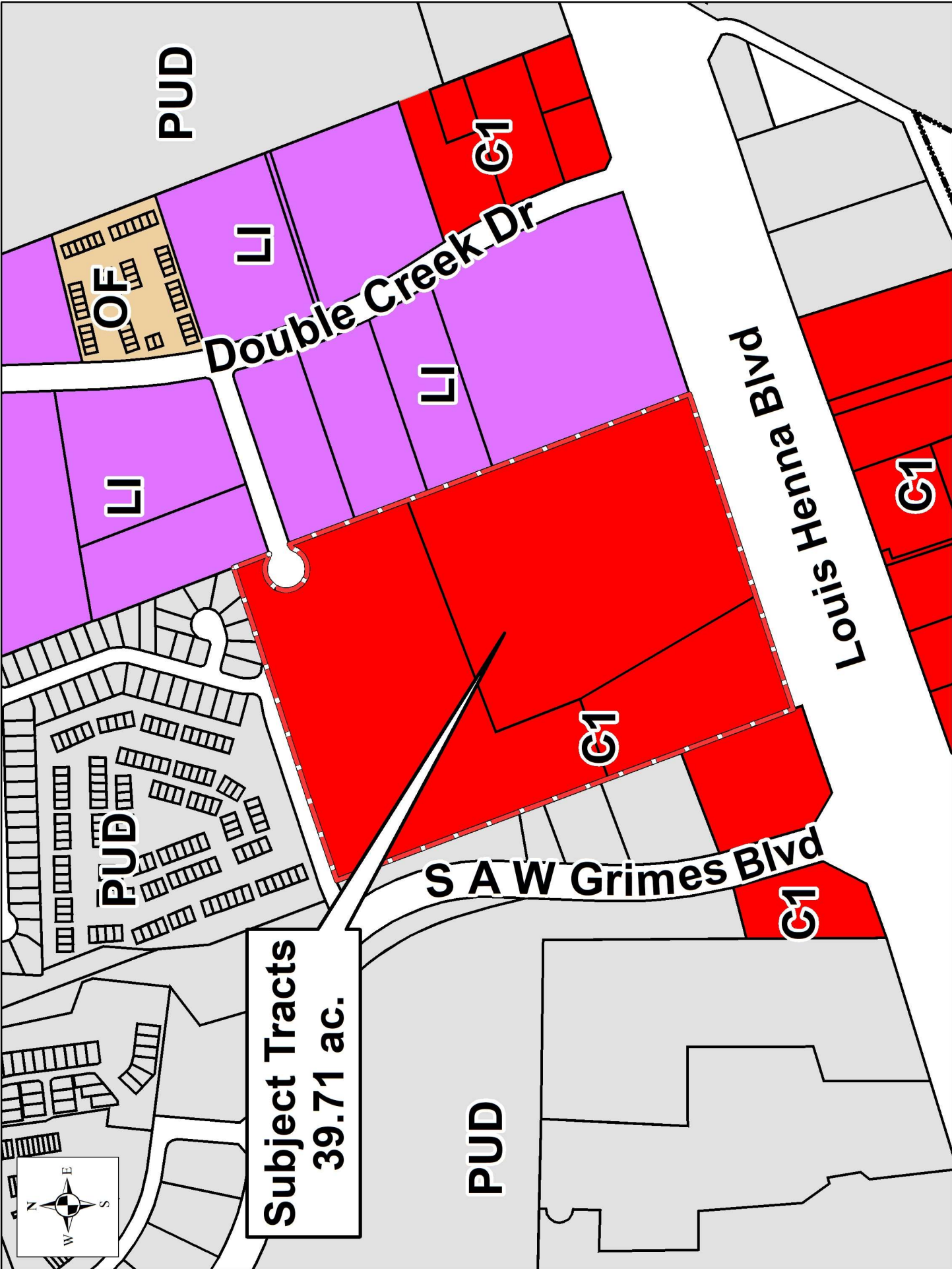
## PROPOSED ELEVATIONS

1/16" = 1'-0"

**CORGAN**

This document is prepared for the use of the client and is not to be used for any other purpose without the written consent of the architect.

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PUD

OF

LI

C1

LI

LI

PUD

Double Creek Dr

Louis Henna Blvd

C1

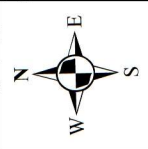
C1

S A W Grimes Blvd

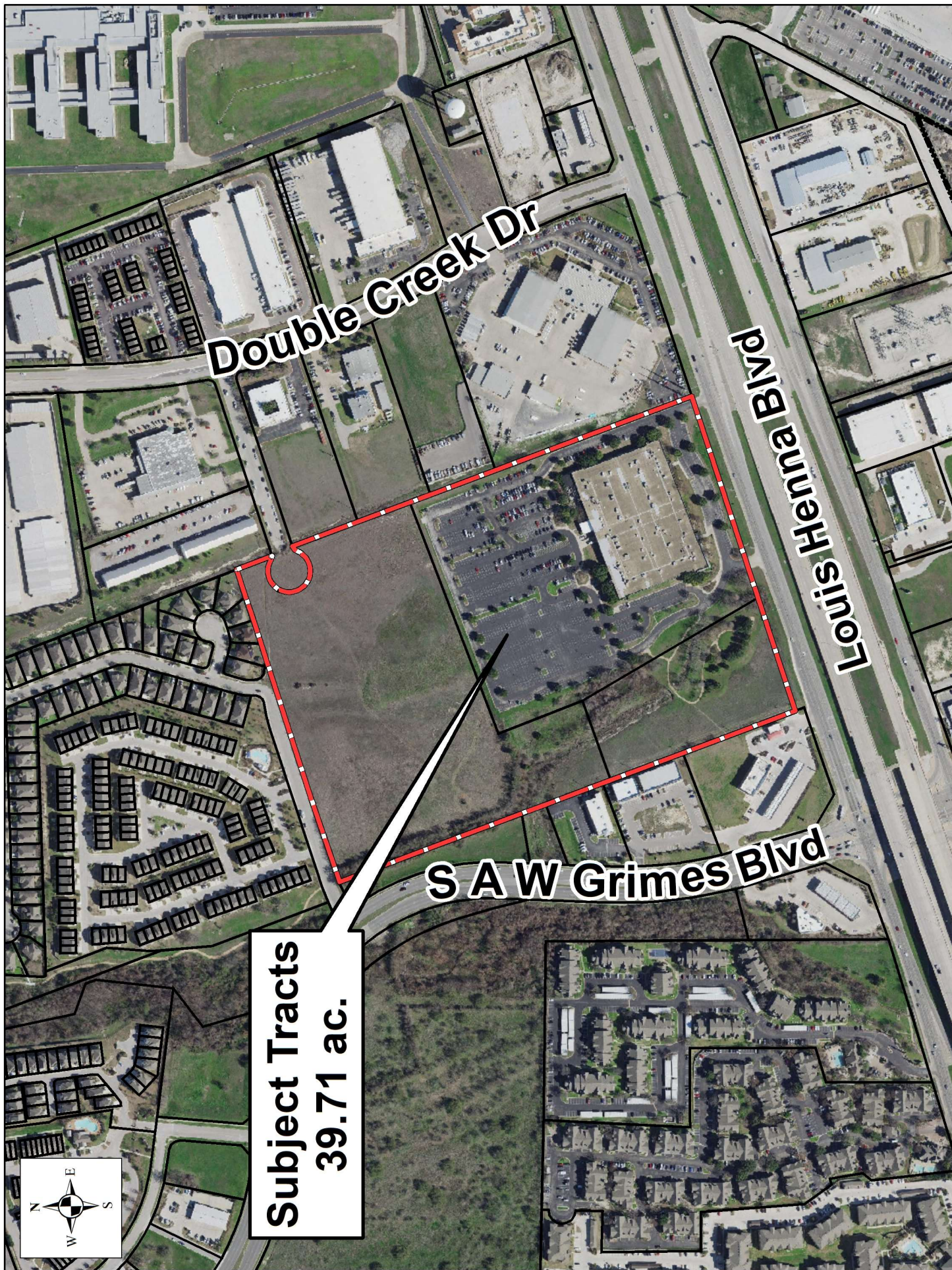
C1

PUD

Subject Tracts  
39.71 ac.







Double Creek Dr

Louis Henna Blvd

S A W Grimes Blvd

Subject Tracts  
39.71 ac.

