

ORDINANCE NO. O-2022-257

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 8.96 ACRES OF LAND OUT OF THE P.A. HOLDER SURVEY, ABSTRACT NO. 297, IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS, AS PLANNED UNIT DEVELOPMENT (PUD) NO. 140; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, the City of Round Rock, Texas has recently annexed 7.287 acres of land and previously annexed the adjacent 1.673 acres of land out of the P.A. Holder Survey, Abstract No. 297 in Round Rock, Williamson County, Texas, being more fully described in Exhibit "A" (collectively 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 June, 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 Property in Exhibit "A" be originally zoned as Planned Unit Development (PUD) No. 140, and

WHEREAS, on the 28th day of July, 2022, 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. 140 meets the following goals and objectives:

- (1) The development in PUD No. 140 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) P.U.D. No. 140 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) P.U.D. No. 140 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. 140 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. 140 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. 140, and that the Mayor is hereby authorized and directed to enter into the Development Plan for PUD No. 140 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.

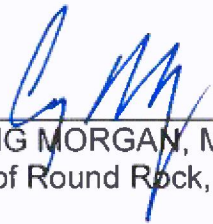
By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this 28 day of July, 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

STATE OF TEXAS§ WILLIAMSON COUNTY§

Being an 8.955 acre (390,072 square foot) tract of land out of the P.A. Holder Survey, Abstract No. 297, located in Williamson County, Texas, being out of a 15.99 acre tract (described as Tract 4) conveyed in a Warranty Deed from Marvin R. Cressman and wife, Kathryn A. Cressman, to Cressman Enterprises, L.P., filed July 8, 2003 as recorded in Document No. 2003063811 of the Official Public Records of Williamson County, Texas (ORWC), said 8.955 acre tract being more fully described by metes and bounds as follows;

BEGINNING at a 1/2 inch diameter iron rod found for the northwest corner of the herein described tract, said iron rod being the northwest corner of the said 15.99 acre tract, and an interior corner of Lot 2, Block A, Palm Valley Lutheran Church Subdivision, as recorded in Document No. 2019091671 of the Plat Records of Williamson County, Texas;

THENCE, North 87°14'25" East, with the South line of said Lot 2, Block A, the South line of Lot 1, Block B, Legends Village Subdivision Section Four, as recorded in Cabinet GG, Slide 22-23 of the Plat Records of Williamson County, Texas, and the North line of the said 15.99 acre tract, a distance of 520.57 feet, to a calculated point for the northeast corner of the herein described tract, said point being in the West right-of-way line of Kenney Fort Blvd (right-of-way varies), from which a 1/2 inch diameter iron rod found bears North 87°14'25" East, a distance of 0.69 feet; another 1/2 inch diameter iron rod found for the northeast corner of said 15.99 acre tract bears North 87°14'25" East, a distance of 578.63 feet;

THENCE, South 22°20'05" East, with the West right-of-way line of Kenney Fort Blvd, a distance of 499.23 feet, to a 5/8 inch diameter iron rod with a yellow plastic cap stamped "CIVILCORP" set for the southeast corner of the herein described tract, said iron rod being at the intersection of said West right-of-way line of Kenney Fort Blvd and the North right-of-way line of Palm Valley Blvd (US Highway 79) (right-of-way varies), from which a 1/2 inch diameter iron rod found in the intersection of the East right-of-way line of Kenney Fort Blvd and the North right-of-way line of Palm Valley Blvd bears North 63°40'07" East, a distance of 220.01 feet;

THENCE, with said North right-of-way line of Palm Valley Blvd the following 3 courses;

1. South 63°34'38" West, a distance of 27.84 feet, to a 5/8 inch diameter iron rod with a yellow plastic cap stamped "CIVILCORP" set for an angle point of the herein described tract;
2. South 63°56'29" West, a distance of 225.75 feet, to a 5/8 inch diameter iron rod with a yellow plastic cap stamped "CIVILCORP" set for an angle point of the herein described tract;

3. South 64°09'17" West, a distance of 506.90 feet, to a mag nail found for the southwest corner of the herein described tract, said iron rod being in the West line of said 15.99 acre tract and the southeast corner of said Lot 2, Block A;

THENCE, North 01°55'02" West, with the common line of said 15.99 acre tract and said Lot 2, Block A, a distance of 769.68 feet, to the **POINT OF BEGINNING**, containing within these metes and bounds 8.955 acres (390,072 square feet) of land, more or less.

A survey drawing of even date herewith accompanies this legal description. All bearings and distances shown herein are based on the Texas Coordinate System, Central Zone (4203) NAD83.

The foregoing Field Notes Description is based on an actual on the ground survey made under my supervision on June 3, 2021, and is true and correct to the best of my knowledge and belief.

Wm. Patrick Hohlt

Wm. Patrick Hohlt 7/14/21
Registered Professional Land Surveyor
Texas No. 5523
TXSURV Firm # 10194152



"B"

THE STATE OF TEXAS §
COUNTY OF WILLIAMSON §

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, hereinafter referred to as "the Code."

2. PROPERTY

This Plan covers approximately 8.995 acres of land, located within the City of Round Rock ETJ, Texas, and more particularly described in Exhibit "A". The property is divided into Parcel 1 and Parcel 2, more particularly described in Exhibit "B".

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)** and the **C-1a (General Commercial -Limited)**, 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.

5. CONCEPT PLAN

Exhibit "B" shall serve as the Concept Plan for the project, in accordance with Section 10-26 of the Code.

6. COMPREHENSIVE PLAN

This development plan amends the Future Land Use Map of the Round Rock 2030 Comprehensive Plan for land use.

7. PERMITTED & PROHIBITED USES

7.1. Parcel 1

- 1) All uses permitted in the **C-1a (General Commercial -Limited)** zoning district, except for the following uses, which are prohibited:
 - a) Auto Sales, Rental, or Leasing Facilities
 - b) Auto Service Facilities
 - c) Call Center
 - d) Fuel Sales
 - e) Funeral Home

7.2. Parcel 2

All uses permitted in the **MF-3 (Multifamily -Urban)** zoning district.

8. DEVELOPMENT STANDARDS

8.1. Parcel 1

As stated in **Section 4.1** above, all development shall meet the applicable standards of the **C-1a (General Commercial -Limited)** zoning district.

8.2. Parcel 2

As stated in **Section 4.1** above, all development shall meet the applicable standards of the **MF-3 (Multifamily - Urban)** zoning district, except for the following modifications:

- 1) *Amenities*: A minimum of five (5) amenities from the following list shall be provided.
 - a) Playground equipment.
 - b) Fenced dog park, to measure no smaller than 1,000 square feet, with minimum depth 25 feet.
 - c) Private fitness facility*.
 - d) Picnic area, to contain no fewer than two tables and cooking grills.
 - e) Swimming pool.
 - f) Business center, to contain no less than one computer, printer, fax machine, copier, and scanner (printer, fax machine, copier, and scanner may be integrated into a single device), available for resident use*.
 - g) Tennis court.
 - h) Basketball court.
 - i) Volleyball court.
 - j) Kitchen available for resident use*.
 - k) Social room available for resident use*.
 - l) Business office for residents.
 - m) Club house.
 - n) Lounge area*.
 - o) Conference room*.
 - p) Yoga room*.
 - q) Movie theater for residents.
 - r) Outdoor fitness facility.

* These amenities may be in the amenity center and each one qualifies toward the amenity requirement.
- 2) *Structures and Density*
 - a) Maximum building height, including the parking structure shall be 8-stories
 - b) The parking structure shall be adjacent to and directly attached to the residential structure.
 - c) The maximum number of residential units shall be 530.
- 3) *Setbacks*
 - a) The front yard setback shall be a minimum of 10 feet.
 - b) The rear and side yard setbacks shall be a minimum of 10 feet.

4) *Parking*

- a) A minimum of 90% of the required parking shall be provided within the parking garage structure. Required residential parking shall be in accordance with:
- i. Studio: 1 parking space
 - ii. 1-Bedroom: 1 parking space
 - iii. 2-Bedroom: 2 parking spaces
 - iv. 3-Bedroom: 2.5 parking spaces
 - v. Guests: 5% of the total number of required parking spaces

5) *Building Design*

Buildings shall contain design elements which substantially comply with the depictions contained in **Exhibit "C"**, including, but not limited to elevation variation, roof pitch and orientation.

9. EXTENSION OF JOE DIMAGGIO ROAD

In accordance with the City's adopted thoroughfare plan, Joe DiMaggio Road is to be extended within a 65-ft. right-of-way along the eastern boundary of the Property, as depicted on **Exhibit "B"**. The Owner may be required to provide access to the Property within the right-of-way during the site plan approval process.

10. CHANGES TO DEVELOPMENT PLAN

10.1. Minor Changes

Minor changes to this Plan change this Plan may be approved administratively, if approved in writing by the Director of Planning and Development Services.

10.2. 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 Layout
Exhibit "C" – Multifamily Building Elevation

EXHIBIT A

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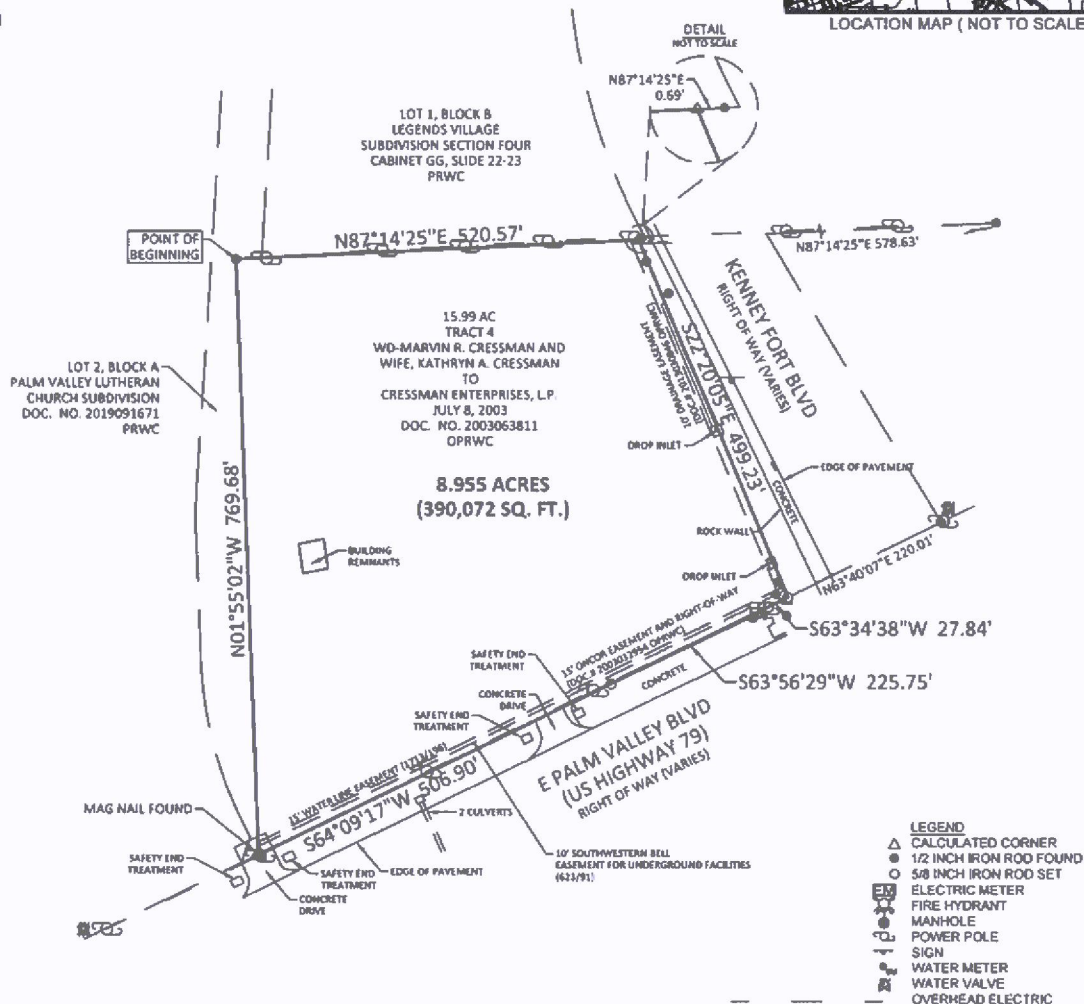
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The foregoing Field Notes Description is based on an actual on the ground survey made under my supervision on June 3, 2021, and is true and correct to the best of my knowledge and belief.


Wm. Patrick Hohlt 7/14/21
Registered Professional Land Surveyor
Texas No. 5523
TXSURV Firm # 10194152



LOCATION MAP (NOT TO SCALE)



SCALE: 1"=150'

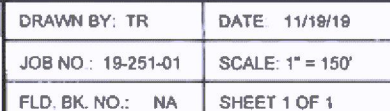




EXHIBIT B

SCALE: 1" = 130'-0"

SR PROJECT NO: 21194
ISSUE DATE: 6.08.22
DRAWN BY: JAR



EAST PALM VALLEY

EAST PALM VALLEY
ROUND ROCK ETJ, TX

sixthriver

1601 S. MOPAC EXPRESSWAY, BARTON SKYWAY TWO, SUITE 100-D
AUSTIN, TEXAS 78746
512.306.9928

statements in this report are based on the information provided by the client and are not intended to constitute a warranty or representation of any kind. The client is responsible for the accuracy and completeness of the information provided. This report is for informational purposes only and should not be used for any other purpose without the written consent of the engineer.



EAST PALM VALLEY
 EAST PALM VALLEY
 ROUND ROCK ETJ, TX

sixthriver
 1601 s mopac expressway barton skyway two, suite 100-d
 austin, texas 78746 512.306.9928

EXHIBIT C

SCALE

SR PROJECT No:
 ISSUE DATE
 DRAWN BY

21194
 06/09/22
 JAR

Prepared by the requestor for the Texas Board of Architectural
 Examiners, upon and subject to the provisions of the Texas
 Professional Act, Chapter 901, Texas Government Code, and the
 regulatory approval of permit, or as otherwise
 stated on the drawing.

James Brunsdon

06/09/22

06/09/22



SIXTH RIVER



Joe Dimaggio Blvd

N Kenney Fort Blvd

S Kenney Fort Blvd

ETRJ
City Limit

E Palm Valley Blvd

Subject Tracts
8.96 ac.



