

ORDINANCE NO. O-2021-131

AN ORDINANCE AMENDING ORDINANCE NO. AZ-05-05-26-11D2, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON MAY 26, 2005, BY REPLACING EXHIBIT "D-1" TO THE DEVELOPMENT PLAN OF PUD NO. 60, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, on May 26, 2005, the City Council of the City of Round Rock, Texas, adopted Ordinance No. AZ-05-05-26-11D2, which established PUD No. 60, and

WHEREAS, the City and SPG Round Rock, NS, L.P. ("Owner") agreed to an Administrative Amendment (Amendment No. 1), as defined in Section 15 of PUD No. 60, such amendment filed as Document No. 2006005772 with the County Clerk of Williamson County, Texas, and

WHEREAS, the City and CPG Round Rock, L.P. ("Owner") agreed to an Administrative Amendment (Amendment No. 2), as defined in Section 15 of PUD No. 60, such amendment filed as Document No. 2006052802 with the County Clerk of Williamson County, Texas, and

WHEREAS, an application has been made to the City Council of the City of Round Rock, Texas, to replace Exhibit "D-1" to the Development Plan of PUD No. 60, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. AZ-05-05-26-11D2 on the 7th day of April, 2021, 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 Ordinance No. AZ-05-05-26-11D2 be amended, and

WHEREAS, on the 13th day of May, 2021, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No. AZ-05-05-26-11D2, and

WHEREAS, the City Council determined that the requested amendment to Ordinance No. AZ-05-05-26-11D2 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 #60 meets the following goals and objectives:

- (1) The amendment to P.U.D. #60 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) The amendment to P.U.D. #60 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #60 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 Exhibit "D-1" to the Development Plan of PUD No. 60, as approved in Ordinance No. AZ-05-05-26-11D2, is hereby deleted in its entirety and replaced with the attached Exhibit "D-1".

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.

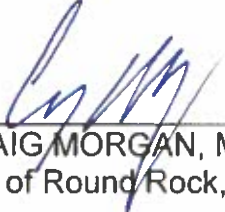
By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this _____ day of _____, 2021.

Alternative 2.


READ and APPROVED on first reading this the 13th day of May, 2021.

READ, APPROVED and ADOPTED on second reading this the 27th day of May, 2021.



CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:



SARA L. WHITE, City Clerk

PUD No. 60 EXHIBIT D-1

USES AND DEVELOPMENT STANDARDS FOR PARCEL 1

In accordance with Section 11.314 of the Round Rock Zoning Ordinance, the following use regulations, design standards and development standards shall apply to all development on the portion of the Property identified as Parcel 1 on the Parcel Map, attached to this ordinance as PUD No. 60 Exhibit "C", and further described by metes and bounds in PUD No. 60 Exhibit "C-1". Unless otherwise defined, all terms used shall correspond to the definitions in the City of Round Rock Code of Ordinances.

1. PERMITTED USES

Parcel 1 shall be developed as a shopping mall with a minimum area of 400,000 square feet as generally shown on PUD No. 60 Exhibit "C". The mall shall consist of any of the following uses:

- Retail Sales and Services
- Indoor Entertainment Activities
- Eating Establishments
- Bars/Pubs/Taverns, which is the use of a site for the retail sale of alcoholic beverages for consumption on premises.
- Bank or Financial Services, which is the use of a site for the provision of financial and banking services. This includes banks, stocks and bonds brokers, loan and lending activities, off-site cash machines, and other similar services.
- Day Care
- Outdoor Entertainment, which shall include the use of children's amusement rides.
- Pack and Ship Service, which is the use of a site for the packaging and shipping of goods, and related packaging, shipping and postal uses.
- Visitor Center, which is the use of a site for the provision of information to the public regarding a development, project, or the surrounding community, as well as related activities, events, programs and tourist locations.
- Wireless Transmission Facility, Stealth
- Wireless Transmission Facility, Attached
- Park, Private
- Park, Linear/Linkage
- Park, Community
- Park, Neighborhood
- Park, Regional/Metropolitan

- Seasonal and holiday-focused events, to be located outdoors in the onsite parking areas on the west side of the development adjacent to the IH-35 service road, including but not limited to farmers markets, outdoor concerts, Christmas tree sales, and pumpkin patches, along with food trucks and sales of seasonal goods directly associated with such events. Such uses shall be limited to 120 total days within a calendar year and shall begin no earlier than 7:00 AM and end no later than 10:00 PM. Any single event is limited in duration to a maximum of 45 consecutive days with exception of farmers markets which may occur each weekend and do not count against the 120 day total. Prior to any event, excluding farmers markets, notification shall be provided to the City of Round Rock Planning and Development Services Department detailing the scope and duration of the event. Events which are subject to a special event permit shall follow the regulations of the City of Round Rock Code of Ordinances Part II, Section 34, Article II. Vendors and temporary structures hosted on-site shall comply with the requirements of the Williamson County and/or City of Round Rock Health District and City of Round Rock Fire Department permitting and inspections.

2. PROHIBITED USES

The following uses are prohibited:

- Grocery stores
- Gasoline & fuel sales
- Automotive & machinery repair
- Automotive & machinery services
- Automotive parts
- Automotive sales
- Automotive rental
- Automotive & machinery washes
- Wrecking yards
- Sale of used goods
- Sexually oriented businesses
- Trucking terminals
- Truck service or repair
- Truck stops
- Bulk distribution centers
- Mini warehouses
- Flea markets
- Portable building sales
- Manufactured home sales
- Boat sales
- Camper sales

- Industrial building sales
- Amusement parks or carnivals
- Campgrounds
- Shooting ranges
- Kennels
- Video arcades (as a primary use)
- Billiard parlors & pool halls (as a primary use)
- Tattoo parlors
- Donation centers
- Recycling centers
- Wholesale nurseries
- Recreational vehicle parks
- Pawn shops
- Heavy equipment sales
- Wireless Transmission Facility, Self-Standing

3. **REMAINING USES**

All other uses that are not specifically addressed in this ordinance will require an amendment in accordance with Section 15 of this Agreement.

4. **DESIGN STANDARDS**

4.1 **Permitted and Prohibited Materials**

The following materials are prohibited on the exterior walls and roofs of all buildings and structures.

- Asbestos
- Mirrored Glass (reflectivity of 20% or more)
- Corrugated metal (except for trim or minor decorative features approved by the Director of Planning)
- Unfinished sheet metal (except for trim or minor decorative features approved by the Director of Planning)

Texture or finish-painted tilt-up concrete wall panels are permitted.

4.2 **Requirements**

Exterior wall finish, exterior color, orientation, building articulation and architectural offsets shall be generally in accordance with PUD No. 60 Exhibit "J".

5. **ROOF MOUNTED MECHANICAL EQUIPMENT**

Roof mounted mechanical equipment shall be of consistent color and shall be similar to or match the roof color and shall be located in a uniform alignment. Screening is not required.

6. **OFF-STREET PARKING**

Except as noted below, parking shall be in accordance with the City of Round Rock Code of Ordinances.

No parking is required for any Community Park on Parcel 1.

One (1) parking space is required per two hundred fifty (250) feet of Gross Floor Area for any Eating Establishment or Bar/Pub/Tavern use on Parcel 1.

No parking is required for seasonal and holiday-focused events uses on Parcel 1.

7. **ACCESS DRIVES**

7.1 **Emergency Access Drives**

Emergency access drives shall be at least twenty (20) feet in width from face of curb to face of curb.

7.2 **Width of Access**

Not including the landscaped center median, individual driveway width shall be no greater than forty-eight (48) feet from back of curb to back of curb.

8. **DRIVEWAY THROAT LENGTH**

Throat length shall be measured from the property line immediately adjacent to the street right-of-way. No parking spaces or internal access drives shall intersect with access driveways within this throat length.

Driveways from Oakmont Drive shall provide a minimum throat length of one hundred fifty (150) feet.

Driveways from Teravista Parkway shall provide a minimum throat length of one hundred (100) feet.

Right-turn-only driveways from the frontage road of IH-35 shall provide a minimum throat length of one hundred (100) feet. All other driveways from the frontage of IH-35 shall provide a minimum throat length of two hundred fifty (250) feet.

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-2021-131 which approved Amendment No. 3 to the Planned Unit Development (PUD) No. 60 zoning district. This ordinance was approved at a regular meeting held by the City Council on the 13th day of May 2021, adopted on final reading on the 27th day of May 2021, and recorded in the City Council minute book no. 63.

CERTIFIED by my hand and seal of the City of Round Rock, Texas on this 2nd day of June 2021.


SARA L. WHITE, TRMC, City Clerk

