

ORDINANCE NO. O-2023-053

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 4.77 ACRES OF LAND, DESCRIBED AS LOT 1, BLOCK A, THE O'CONNOR SUBDIVISION, IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS, FROM C-2 (LOCAL COMMERCIAL) ZONING DISTRICT TO PUD (PLANNED UNIT DEVELOPMENT) NO. 145 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 4.77 acres of land, described as Lot 1, Block A, The O'Connor Subdivision, in Round Rock, Williamson County, Texas, being more fully described in Exhibit "A" attached hereto, from C-2 (Local Commercial) zoning district to PUD (Planned Unit Development) No.145 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 11th day of January, 2023, 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. 145, and

WHEREAS, on the 9th day of February, 2023, 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. 145 meets the following goals and objectives:

- (1) The development in PUD No. 145 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) P.U.D. No. 145 is in harmony with the general purposes, goals, objectives and standards of the Round Rock Comprehensive Plan.
- (3) P.U.D. No. 145 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. 145 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. 145 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. 145, and that the Mayor is hereby authorized and directed to enter into the Development Plan for PUD No. 145 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.

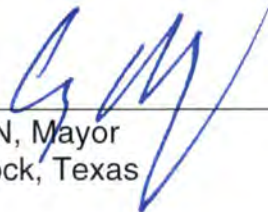
By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this 9th day of February, 2023.

Alternative 2.

READ and APPROVED on first reading this the _____ day of _____, 2023.

READ, APPROVED and ADOPTED on second reading this the _____ day of _____, 2023.



CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:



MEAGAN SPINKS, City Clerk

Exhibit A

Property Description

Lot 1, Block A, THE O'CONNOR SUBDIVISION, a subdivision of Williamson County, Texas, according to the map or plat thereof recorded in Document No. 2018024047, Official Public Records of Williamson County, Texas.

EXHIBIT
"B"

**2720 SOUTH A.W. GRIMES BOULEVARD
PLANNED UNIT DEVELOPMENT NO. 145**

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 Donald B. O’Connor and Lynne M. O’Connor; 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 4.77 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 Chapter 10, Article IV, 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 January 11, 2023, the City’s Planning and Zoning Commission recommend 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

Any changes or modifications to this plan must be made in accordance with the provisions of Section II.10 herein.

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, Article 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 4.77 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 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, 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 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 **Multifamily – Urban (MF-3)** 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 the 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**

Approval of this development plan amends the Future Land Use Map of the Round Rock 2030 Comprehensive Plan land use designation to Mixed Use.

7. **PERMITTED USES**

The following principal uses are permitted on the Property:

7.1 **Multifamily Uses**

- 1) Multifamily residential development, in accordance with the **MF-3 (Multifamily - Urban)** zoning district standards, as amended in this Plan.
- 2) The maximum number of units shall be 425.
- 3) At a minimum, five thousand gross square feet (5,000 sf) on the ground floor of the residential structure fronting along South A.W. Grimes Boulevard and/or Glenn Drive shall be reserved for third party commercial retail, excluding the leasing office.

7.2 **Commercial Uses**

- 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) Carwash
 - e) Drive-Through Services
 - f) Emergency Medical Services
 - g) Fuel Sales
 - h) Funeral Home
 - i) Hotel/Motel/Lodging
 - j) Outdoor Entertainment
 - k) Parking, Commercial
 - l) Shooting and Archery Ranges

m) All uses listed in Section 2-91 (ee)(2)(a) of the Code

8. SITE ACCESS

8.1 Existing and Planned Public Street Access

- 1) The site has frontage and proposed access points on South A.W. Grimes Boulevard and Glenn Drive, as depicted on **Exhibit "B"**. These may be adjusted during the site development permitting process based on City Transportation Department and City Fire Department review.

9. DEVELOPMENT STANDARDS

9.1 The applicable requirements of the **MF-3 (Multifamily – Urban)** zoning district shall apply, except for the following modifications:

1) Building Setbacks

- a) The following minimum building setbacks shall be required:
 - i. South A.W. Grimes Boulevard – 15 feet
 - ii. Glenn Drive – 15 feet
 - iii. Rear and side yard – 35 feet

2) Building Height

- a) The maximum building height, including the parking structure, shall be seven (7) stories.

3) Parking

- a) A minimum of ninety-five percent (95%) of all required parking shall be provided within a parking garage structure that is directly attached to the residential structure.
- b) Parking structures shall be integrated into the residential structures to screen views of elevated parking levels from South A.W. Grimes Boulevard and Glenn Drive, with the exception of the top half-story of the parking garage which is allowed to be exposed.
- c) The minimum off-street parking requirements shall be:
 - i. 1 space for each 1-bedroom unit
 - ii. 2 spaces for each 2-bedroom unit
 - iii. 2.5 spaces for each 3-bedroom unit
 - iv. Five percent (5%) of the total number of required spaces for guest parking

- v. 4 spaces per 1,000 square feet of commercial retail uses where commercial is integrated into residential structure. Stand-alone commercial development shall follow the parking standards of Section 8-46 of the Code.

4) Balconies

- a) Seventy-five percent (75%) of all dwelling units shall have a balcony.

5) Amenities

- a) A minimum of six (6) amenities shall be provided.
- b) Amenities shall be chosen from the list contained in 2-24 (d)(4) of the Code, except as provided below in subsection (c).
- c) The following are additional amenities that may be considered and count towards the required minimum amenities provided in this Section 9.1(5):
 - i. Gaming room including no fewer than three communal games (including, but not limited to, ping pong, shuffleboard, foosball, billiards, and darts); and
 - ii. Outdoor gaming areas to include no fewer than three communal games (including, but not limited to, corn hole, ping pong, horseshoes, darts, and bocci ball).

6) Special Streetscape and Landscape Features

- a) A minimum of five (5) special streetscape and landscape features shall be provided; and
- b) Special streetscape and landscape features shall be chosen from the list contained in 2-24(d)(6) of the Code.

7) Building Design

- a) At a minimum, the facades facing South A.W. Grimes Boulevard and Glenn Drive 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.
- b) All roof-mounted mechanical equipment shall be screened from public view by parapets so as to not be visible from an abutting street, public plaza, or public open space. The parapet shall utilize the same or similar materials as the principal structure.

8) Open Space

- a) A courtyard and swimming pool located adjacent to the residential building shall satisfy the requirement for landscaped open space.

10. CHANGES TO DEVELOPMENT PLAN

10.1 Minor Changes

All changes of use from those approved in the original PUD shall require city council approval. Minor additions and modifications to the approved development plans meeting the criteria below may be approved by the zoning administrator:

- 1) Minor additions to structures, with a floor area no larger than ten percent of the existing floor area of the main floor, not to exceed 5,000 square feet, provided that overall density of the project does not increase.
- 2) Minor new accessory structures if the location does not interfere with existing site layout (e.g., circulation, parking, loading, stormwater management facilities, open space, landscaping or buffering).
- 3) Minor additions to parking lots comprising no more than ten percent of the original number of parking spaces required, not to exceed 25 spaces.
- 4) Clearing or grading that does not exceed 5,000 square feet in area or ten percent of the site.

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

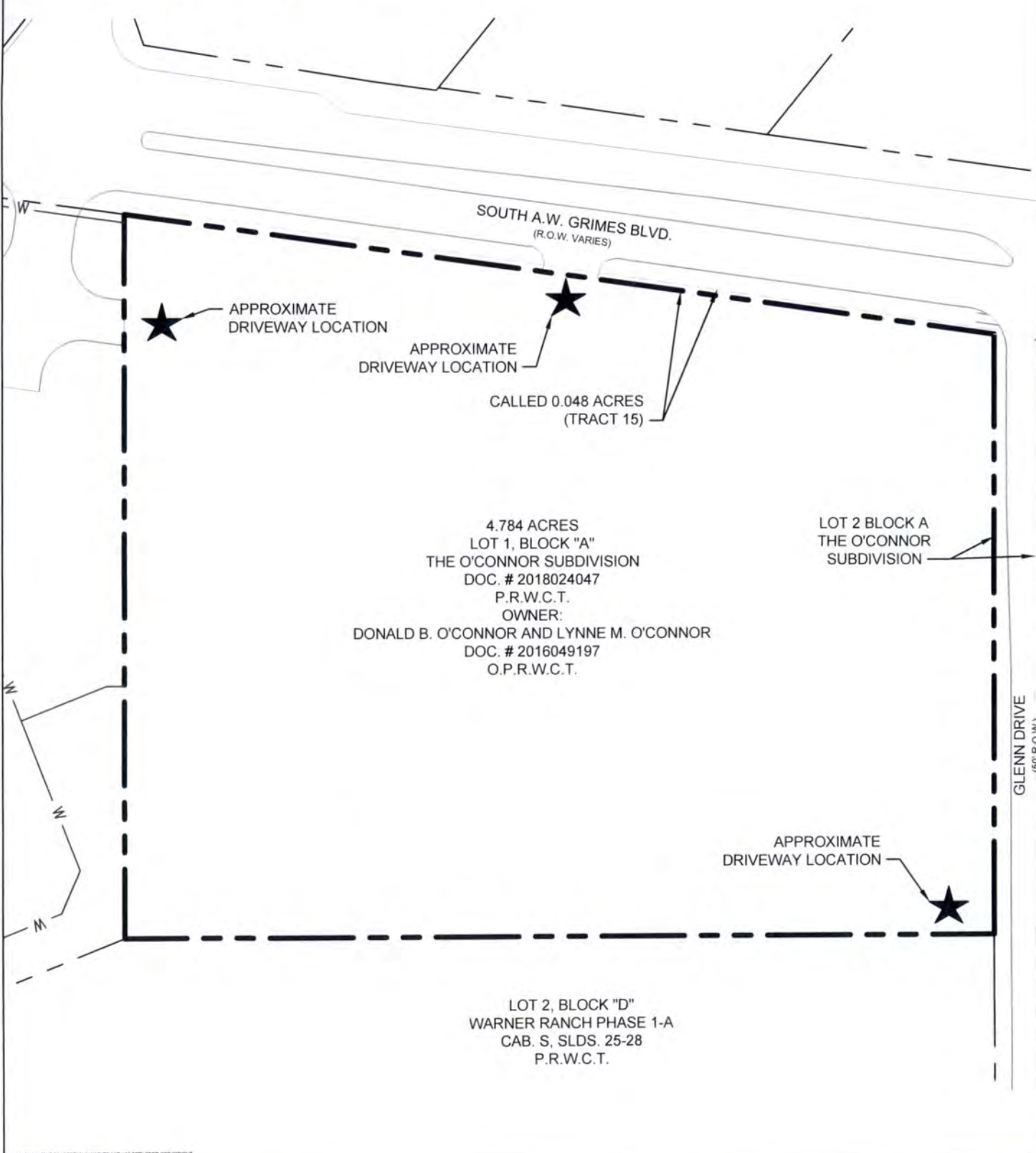
- Exhibit "A" Legal Description of the Property
- Exhibit "B" Concept Plan
- Exhibit "C" Building Elevations

Exhibit A

Property Description

Lot 1, Block A, THE O'CONNOR SUBDIVISION, a subdivision of Williamson County, Texas, according to the map or plat thereof recorded in Document No. 2018024047, Official Public Records of Williamson County, Texas.

NOTE: DRIVEWAY LOCATIONS ARE CONCEPTUAL AND WILL BE FINALIZED AT THE TIME OF THE SITE DEVELOPMENT PERMIT (SDP) IN ACCORDANCE WITH CITY STANDARDS.



NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND HAS BEEN PRODUCED WITHOUT THE BENEFIT OF A SURVEY, TOPOGRAPHY, UTILITIES, CONTACT WITH THE CITY, ETC.

OSTERMAN, CHRIS 1/20/2023 5:12 PM
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 1/2/2023 4:01 PM

PLOTTED BY
 DWG NAME
 LAST SAVED

Kimley»Horn
 5301 Southwest Parkway
 Building 3, Suite 100
 Austin, Tx 78735
 State of Texas Registration No. F-928

Fairfield Round Rock
 Concept Plan Exhibit "B"
 Round Rock, Williamson County, Texas
 January 2023

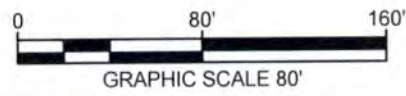


Exhibit C

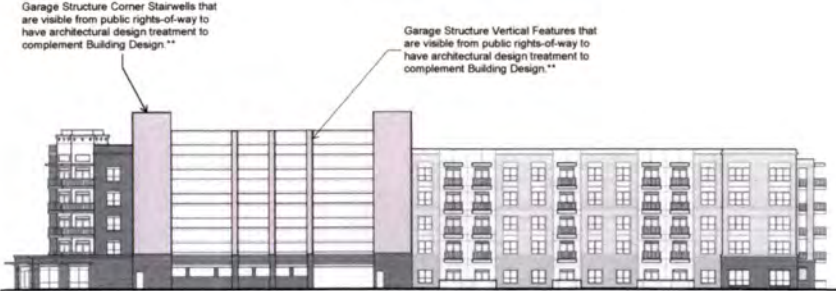


GLENN DRIVE ELEVATION



Garage Structure Corner Stairwells that are visible from public rights-of-way to have architectural design treatment to complement Building Design.**

SOUTH A.W. GRIMES BLVD. ELEVATION



Garage Structure Corner Stairwells that are visible from public rights-of-way to have architectural design treatment to complement Building Design.**

Garage Structure Vertical Features that are visible from public rights-of-way to have architectural design treatment to complement Building Design.**

WEST ELEVATION



Garage Structure Corner Stairwells that are visible from public rights-of-way to have architectural design treatment to complement Building Design.**

SOUTH ELEVATION

**Such architectural design treatment will exclude the following materials: Concrete, Stucco, or non-decorative CMU. Provided, however, the following materials will be acceptable: Stone Faced or Split Faced CMU, Brick Facade, Stone, Metal, or other materials approved by the City.



Louis Henna Blvd

Roundville Ln

Warner Ranch Dr

Subject Tract
4.77 ac.

S AW Grimes Blvd





Louis Henna Blvd

Roundville Ln

Warner Ranch Dr

Subject Tract
4.77 ac.

S AW Grimes Blvd

