

ORDINANCE NO. O-2018-5162

AN ORDINANCE AMENDING ORDINANCE NO. Z-95-12-21-10A, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON DECEMBER 21, 1995, BY REPLACING EXHIBIT “D-5” OF THE DEVELOPMENT PLAN OF PUD NO. 23, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, on December 21, 1995, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-95-12-21-10A, which established PUD No. 23, and

WHEREAS, on July 25, 2000, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-00-07-25-12A1, which amended PUD No. 23, (Amendment No. 1), and

WHEREAS, on April 26, 2001, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-01-04-26-13A3, which further amended PUD No. 23, (Amendment No. 2), and

WHEREAS, on July 14, 2005, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-05-07-14-10C1, which further amended PUD No. 23, (Amendment No. 3), and

WHEREAS, on April 8, 2010, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-10-04-08-9A1, which further amended PUD No. 23, (Amendment No. 4), and

WHEREAS, an application has been made to the City Council of the City of Round Rock, Texas, to replace Exhibit “D-5” of the Development Plan of PUD No. 23, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. Z-95-12-21-10A on the 10th day of January, 2018, 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. Z-95-12-21-10A be amended, and

WHEREAS, on the 8th day of February, 2018, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No. Z-95-12-21-10A, and

WHEREAS, the City Council determined that the requested amendment to Ordinance No. Z-95-12-21-10A 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 Sections 46-92 and 46-106, Code of Ordinances, 2010 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 #23 meets the following goals and objectives:

- (1) The amendment to P.U.D. #23 is equal to or superior to development that would occur under the standard ordinance requirements.

- (2) The amendment to P.U.D. #23 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #23 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-5" regarding land uses and development standards for Parcel 4e for PUD No. 23 is hereby deleted in its entirety and replaced with the new Exhibit "D-5", attached hereto and incorporated herein.

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 _____, 2018.

Alternative 2.

READ and **APPROVED** on first reading this the _____ day of _____, 2018.

READ, APPROVED and ADOPTED on second reading this the _____ day of _____, 2018.

CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:

SARA L. WHITE, City Clerk