

ORDINANCE NO. O-2018-5117

AN ORDINANCE AMENDING ORDINANCE NO. Z-12-01-26-8B2, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON JANUARY 26, 2012, BY AMENDING SECTIONS II.4.1, II.6.5, AND II.7, AND ADDING EXHIBITS E AND F, OF THE DEVELOPMENT PLAN OF PUD NO. 90, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, on January 26, 2012, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-12-01-26-8B2, which established PUD No. 90, and

WHEREAS, on October 25, 2012, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-12-10-25-I3 which amended various PUDs, including PUD No. 90, to reflect the recently amended multifamily regulations, and

WHEREAS, an application has been made to the City Council of the City of Round Rock, Texas, to amend Sections II.4.1, II.6.5, II.7, and add Exhibits E and F of the Development Plan of PUD No. 90, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. Z-12-01-26-8B2 on the 20th day of December, 2017, 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-12-01-26-8B2 be amended, and

WHEREAS, on the 25th day of January, 2018, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No. Z-12-01-26-8B2, and

WHEREAS, the City Council determined that the requested amendment to Ordinance No. Z-12-01-26-8B2 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 #90 meets the following goals and objectives:

- (1) The amendment to P.U.D. #90 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) The amendment to P.U.D. #90 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #90 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 Section II.4.1 of the Development Plan of PUD No. 90, as approved in Ordinance No. Z-12-01-26-8B2, is hereby amended to read as follows:

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 **MF (Multifamily), TH (Townhouse), SR (Senior), and the C-1 (General Commercial)** 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.

III.

That Section II.6.5 of the Development Plan of PUD No. 90, as approved in Ordinance No. Z-12-01-26-8B2, is hereby amended to read as follows:

6.5 Compatibility - Multifamily uses

Compatibility regulations in the Code between uses in the MF District Area and the SR/TH/self-service storage District Area within the Property shall not be applicable.

IV.

That Section II.7 of the Development Plan of PUD No. 90, as approved in Ordinance No. Z-12-01-26-8B2, is hereby amended to read as follows:

7. DEVELOPMENT STANDARDS FOR SENIOR HOUSING (SR) / TOWNHOUSE (TH) / SELF-SERVICE STORAGE DISTRICT AREA - PHASE 3

7.1. A Senior Housing (SR)/Townhouse (TH)/ Self-service storage District Area is created and indicated on **Exhibit "B"**. Within the SR/TH/ Self-service storage District Area, the SR, TH or C-1 (General commercial) zoning district regulations will govern unless as otherwise provided in this Plan. The parcel map for Phase Three is contained on Exhibit "E".

7.2. Permitted Uses.

- a) All uses contained in the **SR (Senior Housing)** zoning district, as described in Section 46-152 of the Code, as amended, shall be permitted.
- b) A Group Living (Senior) use shall be permitted as follows:
 - i) A residential facility providing 24-hour care in a protective living arrangement for residents 62 years of age or older and supervisory personnel. Typical uses include assisted living facilities, congregate living facilities, independent living and nursing homes.
 - ii) The facility must comply with the State of Texas licensing requirements and are limited to facilities that function as senior housing.
- c) All uses contained in the **TH (Townhouse) zoning district**, as described in Section 46-139 of the Code, as amended, shall be permitted.
- d) A TH (Townhouse) use shall be governed by the TH (Townhouse) district regulations, as described in Section 46-139 of the Code, as amended, except that the maximum height shall be three (3) stories
- e) A Group Living (Senior) use shall be governed by the PF-3 (Public facilities-high intensity) district regulations, as described in Section 46-151 of the Code, as amended.
- f) Apartments (Senior) uses, as described in Section 46-152 of the Code, as amended, are allowed three (3) stories in height. If the first level consists of garage parking, the apartment (Senior) buildings may be a maximum of four (4) stories in height. A maximum of two (2) apartments (Senior) buildings are allowed, with a maximum of 26 units per building.
- g) A multi-story self-service storage facility with internal access to storage units, and no exterior roll-up doors providing access to individual units is a permitted use. The facility shall have a maximum height of three-stories. This use shall be regulated by the C-1 (General Commercial) zoning district, as applicable and as amended, unless otherwise specified by this Plan.

7.3. Compatibility.

Compatibility regulations in the Code between uses in the MF District Area and the SR/TH/self-service storage District Area within the Property shall not be applicable.

7.4. Landscaping and Screening.

- a) All trees shall be planted in a pervious area no less than four feet (4') wide in any direction measured from the center of the tree, unless otherwise stated herein.
- b) The pervious area around all required trees in landscape buffers, tree islands, perimeter parking lot landscape areas and compatibility buffers shall not include sod or turf grass and shall consist of no more than fifty percent (50%) decorative ground cover material, including decomposed granite, crushed granite gravel, river rock, pea gravel, tumbled glass, and bark mulch, unless approved by the Zoning Administrator. The remainder of the pervious area around the tree as described in Section 6.6(a) must consist of live plant material with a low and spreading growth habit that can easily be maintained at a height of 6" to 12" and is intended to completely cover the ground surface when fully grown.
- c) At least 80% of the required shrubs shall be native or adapted species, as approved by the Zoning Administrator. Up to 20% of the shrubs may be of a non-preferred variety as long as they are grouped together in a suitable area and can be irrigated.
- d) Drip irrigation for groundcovers, shrubs and trees shall be utilized in the irrigation plan, unless otherwise approved by the Zoning Administrator. Turf grass areas are not required to be irrigated with drip irrigation.
- e) In areas where turf is used, a drought tolerant species will be used, subject to the approval of the Zoning Administrator. No St. Augustine grass shall be allowed.

7.5. Existing Trees

- a) The existing trees indicated on **Exhibit "D"** shall be retained as a part of the site landscaping plan.
- b) Developer shall use commercially reasonable efforts to preserve any healthy existing trees along the eastern boundary line adjacent to the single family zoned property unless construction of the masonry wall as described in Section 5.10(a) prevents preservation. Should any such healthy existing trees in this area not be preserved, an evergreen tree of a type considered to be fast growing to provide shade and screening that is at least ten (10) feet in height at time of planting shall be planted to replace the tree removed.

7.6. Off-street parking - Townhouses

The following off-street parking shall be provided:

- a) One (1) garage-enclosed space for each living unit; and
- b) One (1) driveway parking space, a minimum length of 18 feet, located immediately outside of the garage-enclosed space, for each living unit; and
- c) One (1) covered surface parking space per unit.

7.7. Off-street parking - Senior Apartments

The following off-street parking shall be provided:

- a) Each building shall provide a minimum of 1.25 garage-enclosed spaces per unit, plus an additional number of spaces equal to five percent (5%) of the total number of required spaces.

7.8. Building Exterior Finish and Design Features - Senior Apartments

The following design standards apply to all buildings:

- a) *Building elevation variation.* Any wall in excess of 60 feet in length shall include offsets of at least two feet, to preclude a box design. There shall be no less than one offset for every 40 feet of horizontal length.
- b) *Exterior wall color finishes.* Day-Glo, luminescent, iridescent, neon or similar types of color finishes are not permitted.
- c) *Exterior wall finish.* The exterior finish of all buildings shall be masonry, except for door, windows and trim. Masonry shall mean stone, simulated stone, brick, stucco, or horizontally installed cement-based siding. Horizontally installed cement-based siding or stucco shall not comprise more than 50 percent of the exterior finish (breezeways and patio or balcony insets are not included in this calculation), except that 100 percent stucco may be permitted in conjunction with tile roofs.
- d) *Glass.* Mirrored glass with a reflectivity of 20 percent or more is not permitted on the exterior walls and roofs of all buildings and structures.
- e) *Orientation requirements.* Building elevations that face a public street shall have at least 15 percent of the wall facing the street consist of windows and/or entrance areas.

- f) Windows. Windows shall be provided with trim. Windows shall not be flush with exterior wall treatment. Windows shall be provided with an architectural surround at the jamb, header and sill.
- g) Roofing materials. Roofing materials shall consist of 25-year architectural dimensional shingles, tile (clay, cement, natural or manufactured stone), nonreflective prefinished metal, or reflective metal such as copper or other similar metals as approved by the zoning administrator. Portions of the roof screened by pitched roof sections shall be permitted to be flat to provide for mechanical equipment wells or roof decks provided all pitched sections of the roof meet the roofing material requirements.
- h) Special design features. All buildings, other than garages, shall be designed to include varied relief to provide interest and variety and to avoid monotony. This shall include details that create shade and cast shadows to provide visual relief to the buildings. The following list contains a partial list of features that may be used as part of an integrated, comprehensive design:
- i) Bow window.
 - ii) Bay window.
 - iii) Arched window.
 - iv) Gable window.
 - v) Oval or round windows.
 - vi) Shutters.
 - vii) Arched entry, balcony or breezeway entrance.
 - viii) Stone or brick accent wall.
 - ix) Decorative stone or brick band.
 - x) Decorative tile.
 - xi) Veranda, terrace, porch or balcony.
 - xii) Projected wall or dormer.
 - xiii) Variation of roof lines on the building.
 - xiv) Decorative caps on chimneys.

7.9. Building Exterior Finish and Design Features – Self-Service Storage

The exterior wall finish requirements shall be those contained in the C-1 (General Commercial) zoning district, with the following exceptions:

- a) At least 80 percent of the total exterior wall finish, except for doors, windows, and trim, shall be natural stone, simulated stone, or brick.
- b) Building elevations that face University Boulevard shall have at least 25 percent of the wall facing the street consist of windows and/or pedestrian entrance areas.
- c) All buildings shall be designed to include varied relief to provide interest and variety and to avoid monotony. This shall include details that create shade and cast shadows to provide visual relief to the buildings. Horizontal and vertical elements of exterior walls should vary in height, design and projection to provide substantial architectural interest and style. The following special design features shall be incorporated in the design of the self-service storage building:
 - i) Decorative cornices;
 - ii) Variation of roof lines;
 - iii) Recessed entryway;
 - iv) Stone or brick accent wall;
 - v) Decorative stone or brick band, and
 - vi) Awning.

7.10 Landscape Buffering – Self-Service Storage use

- a) The following landscape buffer shall be required between the self-service storage use and the Senior/Townhome use:
 - i) An 8-foot wide landscape buffer per Section 46-200(e), and;
 - ii) A 6-foot tall decorative metal fence
- b) Any other fencing placed around the self-service storage site shall be decorative metal or similar materials. Chain link fencing shall not be allowed.

V.

That the List of Exhibits as approved in Ordinance No. Z-12-01-26-8B2 is hereby amended to read as follows:

LIST OF EXHIBITS

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
Exhibit "A"	Legal Description of Property
Exhibit "B"	Land Use District Areas
Exhibit "C"	Building Height and Design Features
Exhibit "D"	Existing Trees
<u>Exhibit "E"</u>	<u>Phase 3 Land Use</u>
<u>Exhibit "F"</u>	<u>Phase 3 Buffering</u>

VI.

That **Exhibits "E"** and **Exhibit "F"**, as attached hereto and incorporated herein, are added to the Development Plan of PUD No. 90.

VII.

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