

ORDINANCE NO. O-2018-5090

AN ORDINANCE AMENDING ORDINANCE NO. AZ-05-05-26-11D2, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON MAY 26, 2005, BY AMENDING SECTIONS II.5, II.6, AND II.11, LIST OF EXHIBITS, AND ADDING EXHIBIT “C-4”, TO THE DEVELOPMENT PLAN OF PUD NO. 61, 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. 61, and

WHEREAS, on November 14, 2013, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-13-11-14-G2 to amend Sections II.5 and II.6 of PUD No. 61, (Amendment No. 1), and

WHEREAS, the City and Stonemill Hospitality, LLC (“Owner”) agreed to an Administrative Amendment (Amendment No. 2), as defined in Section 14.1 of PUD No. 61, such amendment filed as Document No. 2016029242 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 amend Sections II.5, II.6, II.11, List of Exhibits, and to add Exhibit “C-4”, of the Development Plan of PUD No. 61, 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 6th 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. AZ-05-05-26-11D2 be amended, and

WHEREAS, on the 11th day of January, 2018, 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 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 #61 meets the following goals and objectives:

- (1) The amendment to P.U.D. #61 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) The amendment to P.U.D. #61 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #61 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.5 of the Development Plan of PUD No. 61, as approved in Ordinance No. AZ-05-05-26-11D2 and Ordinance No. Z-13-11-14-G2, is hereby amended to read as follows:

5. PERMITTED USES ON PARCEL 1 AND PARCEL 1-A

The following principal uses are permitted on the portion of the Property identified as Parcel 1 and Parcel 1-A on **PUD No. 61 Exhibit "C"** and further described by metes and bounds in **PUD No. 61 Exhibit "C-1" and Exhibit "C-4"**:

- Retail Sales, including the following uses as secondary uses:
 - Boat Sales and Service
 - Camper Sales and Service
 - All-Terrain Vehicle (ATV) Sales and Service
 - An all-terrain vehicle (ATV), also known as a quad, quad bike, three-wheeler, or four-wheeler, is a motorized vehicle designed to handle a wide variety of terrain. It travels on low-pressure tires, with a seat that is straddled by the operator, along with handlebars for steering control.
 - Indoor Shooting Ranges
- Retail Services, which shall be limited to the following:
 - Florist
 - Cleaners (drop-off and pick-up only)
 - Hair Salon
 - Alteration Shop (Tailor)
 - Copy Business Center
 - Athletic or health club
- Theater/ Cinema
- 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
- Hotel
- Conference Center
- 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.
- Office

- Office, Medical
- Day Care, as an accessory use
- Fire or Police Station
- 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

III.

That Section II.6 of the Development Plan of PUD No. 61, as approved in Ordinance No. AZ-05-05-26-11D2 and Ordinance No. Z-13-11-14-G2, is hereby amended to read as follows:

6. PROHIBITED USES ON PARCEL 1 AND PARCEL 1-A

The following uses are prohibited:

- Gasoline & fuel sales
- Outdoor Entertainment
- 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
- Flea markets

- Portable building sales
- Manufactured home sales
- Boat sales (as a primary use)
- Camper sales (as a primary use)
- Industrial building sales
- Amusement parks or carnivals
- Campgrounds
- Outdoor 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, rental & leasing
- Wireless Transmission Facility, Self-Standing

IV.

That Section II.11 of the Development Plan of PUD No. 61, as approved in Ordinance No. AZ-05-05-26-11D2, is hereby amended to read as follows:

11. DESIGN STANDARDS AND SITE LAYOUT

11.1 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)

11.2 Design Standards

Except as modified by this ordinance, the project shall comply with the Design Standards specified in Section 11.409(4) of the Round Rock Zoning

Ordinance. The Design Standards for a theater/cinema use shall generally be in accordance with the attached **Exhibit "E."**

11.3 Exception to Design Standards

Retail buildings with a minimum of 250,000 square feet containing a single business may be exempt from the provisions of Section 11.2 and the Round Rock Code of Ordinances as they relate to site development requirements, including, but not limited to height, signage, lighting and building materials, through a Council-approved amendment to this PUD ordinance.

11.4 Building Height

All buildings shall comply with the maximum building height established by the C-1 (General Commercial) zoning district, except that a hotel located on Parcel 1-A shall have a maximum building height of six (6) stories.

11.5 Off-Street Parking

All uses shall comply with Section 46-196 of the Zoning Code regarding off-street parking requirements, except that a hotel located on Parcel 1-A shall, at a minimum, provide parking spaces at a ratio of 1.7 parking spaces for each hotel room.

V.

That the "List of PUD No. 61 Exhibits" as approved in Ordinance No. AZ-05-05-26-11D2, is hereby deleted in its entirety and replaced with a new "List of PUD No. 61 Exhibits", attached hereto and incorporated herein.

VI.

That Exhibit "C-4", as attached hereto and incorporated herein, is added to the Development Plan of PUD No. 61.

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