

ORDINANCE NO. O-2022-332

AN ORDINANCE AMENDING ORDINANCE NO. O-2021-292, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON OCTOBER 28, 2021, BY AMENDING SECTIONS II.2, II.5, II.6, LIST OF EXHIBITS, EXHIBIT "A", AND EXHIBIT "B" OF THE DEVELOPMENT PLAN OF PUD NO. 134, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, on October 28, 2021, the City Council of the City of Round Rock, Texas, adopted Ordinance No. O-2021-292, which established PUD No. 134, and

WHEREAS, an application has been made to the City Council of the City of Round Rock, Texas, to amend Sections II.2, II.5, II.6, List of Exhibits, Exhibit "A" and Exhibit "B" of the Development Plan of PUD No. 134, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. O-2021-292 on the 21st day of September, 2022, 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. O-2021-292 be amended, and

WHEREAS, on the 27th day of October, 2022, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No. O-2021-292, and

WHEREAS, the City Council determined that the requested amendment to Ordinance No. O-2021-292 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 #134 meets the following goals and objectives:

- (1) The amendment to P.U.D. #134 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) The amendment to P.U.D. #134 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #134 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.2 of the Development Plan of PUD No. 134, as approved in Ordinance No. O-2021-292, is hereby amended to read as follows:

2. PROPERTY

This Development Plan covers approximately 5.198.31 acres of land, located within the Extraterritorial Jurisdiction-city limits of Round Rock, Texas, and more particularly described in **Exhibit "A."**

III.

That Section 11.5 of Development Plan of PUD No. 134, as approved in Ordinance No. O-2021-292, is hereby amended to read as follows:

5. CONCEPT PLAN

Exhibit “B” shall serve as the Concept Plan for the project, according to Section ~~36-39~~10-26 of the Code.

IV.

That Section II.6 of the Development Plan of PUD No. 134, as approved in Ordinance No. O-2021-292, is hereby amended to read as follows:

6. PERMITTED USES

6.1. Single Family Detached, Common Lot: one or more single family detached residential dwellings located on a single ownership lot, with each dwelling unit having a private external entrance, private parking, and a private yard area.

- 1) Access shall be provided via private drive aisles.
- 2) All dwelling units shall be established as condominium units, pursuant to the Texas Uniform Condominium Act, Section 82.001 et. seq., Texas Property Code.
- 3) A Maximum of ~~4065~~ units shall be permitted.

V.

That the List of Exhibits of Development Plan of PUD No. 134, as approved in Ordinance No. O-2021-292, is hereby amended to read as follows:

LIST OF EXHIBITS

Exhibit A: Survey/Field Notes of ~~5.198~~31-acre tract

Exhibit B: Concept Plan

Exhibit C: Typical Building Setbacks

VI.

That **Exhibit “A”** of Development Plan of PUD No. 134, as approved in Ordinance No. O-2021-292, is hereby amended and replaced in its entirety with the new **Exhibit “A”**, attached hereto and incorporated herein.

VII.

That **Exhibit “B”** of Development Plan of PUD No. 134, as approved in Ordinance No. O-2021-292, is hereby amended and replaced in its entirety with the new **Exhibit “B”**, attached hereto and incorporated herein.

VIII.

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 _____, 2022.

Alternative 2.

READ and **APPROVED** on first reading this the ____ day of _____, 2022.

READ, APPROVED and ADOPTED on second reading this the ____ day of _____, 2022.

CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:

MEAGAN SPINKS, City Clerk