

ORDINANCE NO. O-2023-167

AN ORDINANCE AMENDING ORDINANCE NO. O-2019-0362, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON AUGUST 22, 2019, BY AMENDING SECTION II.6. OF THE DEVELOPMENT PLAN OF PUD NO. 87, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, on January 13, 2011, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-11-01-13-9B1, which established PUD No. 87, and

WHEREAS, on August 22, 2019, the City Council of the City of Round Rock, Texas, adopted Ordinance No. O-2019-0362 to amend and restate the Development Plan of PUD No. 87, and

WHEREAS, on July 22, 2021, the City Council of the City of Round Rock, Texas, adopted Ordinance No. O-2021-204 to amend Sections II.6.3, II.7.3, and Exhibit B, and to add Sections II.6.4 and II.7.4 to the Development Plan of PUD No. 87, and

WHEREAS, an application has been made to the City Council of the City of Round Rock, Texas, to amend Section II.6. of the Development Plan of PUD No. 87, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. O-2019-0362 on the 19th day of April, 2023, 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-2019-0362 be amended, and

WHEREAS, on the 25th day of May, 2023, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No. O-2019-0362, and

WHEREAS, the City Council determined that the requested amendment to Ordinance No. O-2019-0362 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 #87 meets the following goals and objectives:

- (1) The amendment to P.U.D. #87 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) The amendment to P.U.D. #87 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #87 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.6. is hereby amended and the subsequent Sections are renumbered to read as follows:

65. PERMITTED USES

The following uses are permitted, as referenced on **Exhibit “B”**. Unless otherwise indicated, the definitions of all terms used to describe uses in this document shall be those found in the Code.

65.1. Parcel A (1.90 acres)

- (1) All uses allowed in the **LI (Light Industrial)** district;
- (2) Cosmetic services including tattoo and piercing shops.

65.2. Parcel B-1 (~1.06 acres)

- (1) *Entertainment-oriented services: private special events venue* with typical uses including, but not limited to: weddings, private parties, family reunions, school and church events, place of worship, farmers market); Prohibited uses: pool halls, dance halls and flea markets;
- (2) Offices;
- (3) Accessory uses;
- (4) Sport training facilities/specialty gyms;
- (5) Cosmetic services including tattoo and piercing shops.

65.3. Parcels B-2 (~2.40 acres)

- (1) All uses allowed in the **BP (Business Park)** district.
- (2) Sport training facilities/specialty gyms;
- (3) Cosmetic services including tattoo and piercing shops.

65.4. Parcel C (~0.86 acres)

- (1) All uses allowed in the **BP (Business Park)** district;
- (2) Indoor entertainment activities limited to axe/hatchet throwing and archery ranges.
- (3) Sport training facilities/specialty gyms;
- (4) Cosmetic services including tattoo and piercing shops.

76. DEVELOPMENT STANDARDS

76.1. Parcel A (1.90 acres)

- (1) All structures and land uses constructed or commenced after the effective date of this Plan, and all enlargements of, additions to, changes in and relocations of existing structures and uses occurring after the effective date of this Plan shall be subject to the provisions of the **LI (Light Industrial)** district.

76.2. Parcel B-1 (~1.06 acres)

- (1) All structures and land uses constructed or commenced after the effective date of this Plan, and all enlargements of, additions to, changes in and relocations of existing structures and uses occurring after the effective date of this Plan shall be subject to the provisions of the **BP (Business Park)** district.
- (2) Maximum height of principal building: 2 stories.

76.3. Parcels B-2 (~2.40 acres)

- (1) All structures and land uses constructed or commenced after the effective date of this Plan, and all enlargements of, additions to, changes in and relocations of existing structures and uses occurring after the effective date of this Plan shall be subject to the provisions of the **BP (Business Park)** district.
- (2) Maximum height of principal building: 2 stories.

76.4. Parcel C (~0.86 acres)

- (1) All structures and land uses constructed or commenced after the effective date of this Plan shall be subject to the provisions of the **BP (Business Park)** district, except for the existing building, as indicated on **Exhibit "B"**. Any enlargements of or additions to this building, shall not be subject to the building setback requirements of the BP (Business Park) district.
- (2) Maximum height of principal building: 2 stories.

87. TRANSPORTATION

87.1. The Transportation Department has waived the requirement for a Traffic Impact Assessment (TIA).

98. GENERAL PLAN

This Development Plan amends the Round Rock Comprehensive Plan 2030.

109. CHANGES TO DEVELOPMENT PLAN

109.1. Minor Changes

Minor changes to this Plan which do not substantially and adversely change this Plan may be approved administratively, if approved in writing by the Planning and Development Services Director and the City Attorney.

109.2. Major Changes

All changes not permitted under section 10.1 above shall be resubmitted following the same procedure required by the original PUD application.

LIST OF EXHIBITS

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
Exhibit "A"	Legal Description of Property
Exhibit "B"	PUD Parcels

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 _____, 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