

ORDINANCE NO. O-2015-2997

AN ORDINANCE AMENDING ORDINANCE NO. Z-95-09-28-9I, ADOPTED BY THE CITY COUNCIL OF ROUND ROCK, TEXAS, ON SEPTEMBER 28, 1995, BY AMENDING SECTIONS II.5.1, II.7, II.8, II.12.2, AND II.12.3, AND BY ADDING EXHIBIT "G" OF THE DEVELOPMENT PLAN OF PUD NO. 20, APPROVED BY THE CITY COUNCIL IN SAID ORDINANCE; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, on September 28, 1995, the City Council of the City of Round Rock, Texas, adopted Ordinance No. Z-95-09-28-9I, which established PUD No. 20, 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. 20, 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 request a major amendment to PUD No. 20 by amending Sections II.5.1, II.7, II.8, II.12.2, and II.12.3, and by adding Exhibit "G", and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested amendment to Ordinance No. Z-95-09-28-9I on the 6th day of October, 2015, 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-95-09-28-9I be amended, and

WHEREAS, on the 12th day of November, 2015, after proper notification, the City Council held a public hearing on the requested amendment to Ordinance No. Z-95-09-28-9I, and

WHEREAS, the City Council determined that the requested amendment to Ordinance No. Z-95-09-28-9I 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 #20 meets the following goals and objectives:

- (1) The amendment to P.U.D. #20 is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) The amendment to P.U.D. #20 is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) The amendment to P.U.D. #20 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.5.1 of the Development Plan of PUD No. 20, as approved in Ordinance No. Z-95-09-28-9I, is hereby deleted in its entirety, and replaced with a new Section II.5.1 which shall read as follows:

5.1. Parcel One

The permitted use of Parcel One, more particularly described in Exhibit “C”, attached hereto and incorporated herein, shall be one of the following:

- (1) MF-2 (Multifamily – medium density), except as modified in Exhibit “D”, attached hereto and incorporated herein; or
- (2) BP (Business Park), except as modified in Exhibit “E”, attached hereto and incorporated herein; or
- (3) SR (Senior), except as modified in Exhibit “G”, attached hereto and incorporated herein.

III.

That Section II.7 of the Development Plan of PUD No. 20, as approved in Ordinance No. Z-95-09-28-9I, is hereby deleted in its entirety, and replaced with a new Section II.7, which shall read as follows:

7. BUILDINGS

7.1 Parcel One

Building size, dimension, height and setbacks shall be in accordance with the MF-2 zoning district, except as modified in Exhibit “D”; or the BP zoning district, except as modified in Exhibit “E”; or the SR zoning district, as applicable, except that:

- (1) the maximum principal building height for SR zoning district uses shall be four (4) stories; and
- (2) SR zoning district buildings shall be in accordance with the design standards contained in Exhibit “G”.

7.2 Parcels Two and Three

Building size, dimension, height and setbacks shall be as modified in Exhibit “D” and Exhibit “E”, as applicable to each parcel and its designated use.

IV.

That Section II.8 of the Development Plan of PUD No. 20, as approved in Ordinance No. Z-95-09-28-9I, is hereby deleted in its entirety, and replaced with a new Section II.8, which shall read as follows:

8. LANDSCAPING AND BUFFERING

8.1 Parcel One

Landscaping and buffering shall be in accordance with the MF-2 zoning district, except as modified in Exhibit “D”; or the BP zoning district, except as modified in Exhibit “E”; or the SR zoning district, as applicable.

8.2 Parcels Two and Three

Landscaping and buffering shall in as modified in Exhibit “D” and Exhibit “E”, as applicable to each parcel and its designated use.

V.

That Section II.12.2 of the Development Plan of PUD No. 20, as approved in Ordinance No. Z-95-09-28-9I, is hereby deleted in its entirety, and replaced with a new Section II.12.2, which shall read as follows:

12.2 Access

- (1) Driveway access to Parcel One from Louis Henna Boulevard shall be as determined by the approved site development plan for the development, in accordance with City standards.
- (2) Driveway access to Parcel Two from Louis Henna Boulevard shall be as designated on the ‘Henna Townhomes’ site development plan, approved by the City on July 2, 1998.

VI.

That Section II.12.3 of the Development Plan of PUD No. 20, as approved in Ordinance No. Z-95-09-28-9I, is hereby deleted in its entirety, and replaced with a new Section II.12.3, which shall read as follows:

12.3 Sidewalks

Sidewalks shall be located and constructed according to the Code.

VII.

That Exhibit “G”, as attached hereto and incorporated herein, is added to the Development Plan of PUD No. 20.

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 _____, 2015.

Alternative 2.

READ and APPROVED on first reading this the ____ day of _____, 2015.

READ, APPROVED and ADOPTED on second reading this the ____ day of _____, 2015.

ALAN MCGRAW, Mayor
City of Round Rock, Texas

ATTEST:

SARA L. WHITE, City Clerk