

**ORDINANCE NO. O-2018-5326**

**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 EXHIBIT “C-1”, LIST OF EXHIBITS, AND ADDING SECTION II.17, EXHIBIT “C-5” AND EXHIBIT “F”, 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**, on January 25, 2018, the City Council of the City of Round Rock, Texas, adopted Ordinance No. O-2018-5090 to amend Sections II.5, II.6, II.11, List of Exhibits, and to add Exhibit “C-4”, of PUD No. 61, (Amendment No. 3), and

**WHEREAS**, an application has been made to the City Council of the City of Round Rock, Texas, to amend Exhibit “C-1”, List of Exhibits, and to add Section II.17, Exhibit “C-5”, and Exhibit “F” 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 7<sup>th</sup> day of March, 2018, 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 12<sup>th</sup> day of April, 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 Exhibit “C-1” of the Development Plan of PUD No. 61, as approved in Ordinance No. AZ-05-05-26-11D2, is hereby deleted in its entirety and replaced with the attached Exhibit “C-1”.

## **III.**

That the “List of PUD No. 61 Exhibits” as approved in Ordinance No. AZ-05-05-26-11D2 and Ordinance No. O-2018-5090, is hereby deleted in its entirety and replaced with a new “List of PUD No. 61 Exhibits”, attached hereto and incorporated herein.

## **IV.**

That the Development Plan of PUD No. 61, as approved in Ordinance No. AZ-05-05-26-11D2, is hereby amended to add a new section II.17 which shall read as follows:

### **17. PARCEL 4**

#### **17.1 Parcel Description**

Parcel 4 is indicated on **Exhibit “C-1”** and further described by metes and bounds on **Exhibit “C-5”**. Parcel 4 is further described by **Exhibit “F”**, which describes three subareas for development.

#### **17.2 MF-3 (Multifamily – urban) zoning district**

The development shall conform with requirements of the MF-3 district, unless otherwise specified by this Plan, and shall be developed in accordance with Exhibit “F” and Section 17.4 below.

#### **17.3 Permitted Uses on Parcel 4**

- 1) All uses permitted in the MF-3 (Multifamily – urban) zoning district.
- 2) 2-story multifamily development, with tuck-under garage parking.
- 3) Mobile Food Establishments, subject to the regulations specified in Section 17.12.

#### 17.4 Development Subareas

- 1) Subarea A: 4 or 5-story multifamily development, with a structured parking garage; and leasing office (if not located in Subarea B).
- 2) Subarea B: Landscaped open space, leasing office (if not located in Subarea A) and a minimum of four of the following amenities:
  - (i) Private fitness facility
  - (ii) Picnic areas with outdoor grilling
  - (iii) Swimming pool
  - (iv) Business center
  - (v) Dog park
  - (vi) Dog wash station
- 3) Subarea C: 2-story multifamily development, with tuck-under garage parking.
- 4) Primary driveways: Surface parking and a minimum of four of the following streetscape and landscape features:
  - (i) Benches
  - (ii) Bike racks
  - (iii) Public art
  - (iv) Courtyards or plazas
  - (v) Decorative paving
  - (vi) Water features such as fountains
  - (vii) Decorative trash receptacles

#### 17.5 Density, Units and Building Height

- 1) Minimum density for the Plan area shall be 35 dwelling units per net acre, as indicated on **Exhibit "F"**;
- 2) Subarea A: 5-story maximum building height; structured parking facility shall not exceed the height of the building it serves.
- 3) Subarea B: 2-story maximum building height.
- 4) Subarea C: 2-story maximum building height.

#### 17.6 Setbacks

- 1) The building setback from N. Mays Street right-of-way shall be a minimum of 45'.
- 2) The building setback from the remaining Parcel 4 boundaries shall be a minimum of 10'.

### **17.7 Trees along N. Mays Street**

- 1) Trees, selected from the tree technical manual, as referenced in Section 46-195 of the Code, shall be provided along N. Mays Street, located outside of the right-of-way, in the minimum quantity of one per 30 linear feet of frontage.
  - a) Driveway and sight visibility triangle areas are excluded from the linear footage calculations.
  - b) Street trees may be clustered if approved by the Director of Planning as part of the site plan approval process to facilitate creative design or a similar valid reason.

### **17.8 Parking**

- 1) Subarea A:
  - a) Parking shall be provided at a minimum ratio of one (1) parking space per bedroom. At least 75% of this required parking shall be provided within the structured parking garage. The remaining 25% may be surface parking.
  - b) The parking structure will be directly attached to the residential structure.
  - c) Additional parking for guests shall be provided in the amount of five percent (5%) of the total required by Section (a). This additional parking may be provided within the structured parking garage or may be surface parking located on any Subarea or driveway.
- 2) Subarea B: Landscaped open space and amenities
  - a) No parking requirement.
- 3) Subarea C: 2-story multifamily
  - a) Tuck-under garage parking shall be provided at a minimum of (2) parking spaces per unit.
  - b) Additional parking for guests shall be provided in the amount of five percent (5%) of the total required by Section (a). This additional parking may be provided within the

structured parking garage or may be surface parking located on any Subarea or driveway.

## **17.9 Exterior Materials and Design**

### **1) Building elevations facing N. Mays Street or a Primary Driveway**

- a) The exterior finish materials, except for doors, windows, accents and trim shall consist of:
  - (i) Masonry: stone, simulated stone, or brick
  - (ii) 3-step hard coat stucco
  - (iii) Fiber cement panels
  - (iv) Fiber cement siding
  - (v) Glass
  - (vi) Architectural steel or metal with a minimum 30-year warranty
- b) Fifty percent (50%) or more of the elevation shall be masonry, as defined in Section (a).
- c) A minimum of two different materials listed in Section (a) shall be used. Architectural steel or metal shall be limited to thirty three percent (33%) of the elevation and fiber cement panels/siding shall be limited to fifty percent (50%) of the elevation.
- d) One hundred percent (100%) masonry, as defined in Section (a), except for doors, windows, accents and trim, is allowed on buildings located in Subareas B and C.
- e) Alternative designs may be approved in writing by the zoning administrator in order to implement a specific, recognized architectural style not accommodated by the design standards, excluding corporate architecture.
- f) Horizontal building facades longer than 150 feet shall be segmented into smaller sections by a structural or ornamental minor façade offset or inset of a minimum two feet deep.
- g) Day-Glo, luminescent, iridescent, neon or similar types of color finishes are not permitted.
- h) Mirrored glass with a reflectivity of 20 percent or more is not permitted on the exterior walls and roofs.

- i) No less than twenty five percent (25%) of all dwelling units shall have a balcony. At-grade patios or private yards shall be included in the requirement.
- j) Exterior stairwells shall comply with the following standards:
  - (i) They shall be concealed within a fully enclosed structure, except for appropriately sized cutouts to allow for ventilation and pedestrian access;
  - (ii) The landing shall be recessed a minimum of five feet into said structure; and
  - (iii) The stairwell structure shall not protrude more than eight feet beyond the facade of the residential structure.

2) Building elevations facing a Service Driveway

- a) The exterior finish materials, except for doors, windows, accents and trim shall consist of:
  - (i) Masonry: stone, simulated stone, or brick
  - (ii) 3-step hard coat stucco
  - (iii) Fiber cement panels
  - (iv) Fiber cement siding
  - (v) Glass
  - (vi) Architectural steel or metal with a minimum 30-year warranty
- b) Horizontal building facades longer than 150 feet shall be segmented into smaller sections by a structural or ornamental minor façade offset or inset of a minimum two feet deep.
- c) Day-Glo, luminescent, iridescent, neon or similar types of color finishes are not permitted.
- d) Mirrored glass with a reflectivity of 20 percent or more is not permitted on the exterior walls and roofs.
- a) No less than twenty five percent (25%) of all dwelling units shall have a balcony. At-grade patios or private yards shall be included in the requirement.

#### **17.10 Visual screening**

Screening standards for detention/water quality ponds; dumpsters, trash receptacles, outdoor storage; ground-mounted equipment; and other similar structures shall comply with the requirements located in subsection 46-195(i). All roof-mounted mechanical equipment shall be screened from public view. Screening shall utilize the same or similar materials as the principal structure. Wall- or window-mounted mechanical equipment shall not be permitted.

#### **17.11 Site Lighting**

- 1) Fixture (luminaire). The light source shall be completely concealed (recessed) within an opaque housing and shall not be visible from any street right-of-way or residential district.
- 2) Light source (lamp). Only incandescent, fluorescent, compact fluorescent (CFL), light-emitting diodes (LED), metal halide, or color corrected high-pressure sodium may be used. The same type shall be used for the same or similar types of lighting on any one site throughout any master planned development.
- 3) Mounting. Fixtures shall be mounted in such a manner that the cone of light does not exceed one (1) foot candle at any property line shared with a non-residential use and two (2) foot-candles at any property line abutting a public street (right-of-way). Fixtures shall be mounted in such a manner that the cone of light does not cross any property line of the site.
- 4) All site and building lighting shall be accomplished with light that does not flash, blink, or pulse.
- 5) Height of fixture. The height of a fixture shall not exceed 20 feet in parking areas and 12 feet in pedestrian areas.
  - a) Excessive illumination:
    - (i) Lighting within any lot that unnecessarily illuminates and substantially interferes with the use or enjoyment of any other lot is not permitted. Lighting unnecessarily illuminates another lot if it clearly exceeds the requirements of this section, or if the standard could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.
    - (ii) Lighting shall not be oriented so as to direct glare or excessive illumination onto streets in a manner



that may distract or interfere with the vision of drivers on such streets.

- (iii) Exterior shielding of light fixtures or other light mitigation measures shall be required if deemed necessary by city staff during the site plan review process.

**17.12 Mobile Food Establishments:**

- 1) Mobile food establishments shall be a permitted use within the Plan area. Section 46-161 (c) of the Code, which applies to mobile food establishments as accessory uses, shall not apply to mobile food establishments within the Plan area.
- 2) Each mobile food establishment shall have valid current mobile food establishment approvals for fire safety and food handling/health safety.

**V.**

That Exhibit "C-5" and Exhibit "F", as attached hereto and incorporated herein, are added to the Development Plan of PUD No. 61.

**VI.**

**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