

CITY OF LIBERTY HILL

Rio Oaks Planned Unit Development

ORDINANCE NO. 2022-O-06.22-004

AN ORDINANCE OF THE CITY OF LIBERTY HILL, TEXAS TO AMEND APPENDIX A OF THE LIBERTY HILL CODE OF ORDINANCES, THE UNIFIED DEVELOPMENT CODE, WHICH ADOPTS ZONING DISTRICTS, USE REGULATIONS AND LOT DESIGN STANDARDS WITHIN THE CITY'S LIMITS AS WELL AS AN OFFICIAL ZONING MAP IN ACCORDANCE WITH THE COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF CERTAIN PROPERTIES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of Liberty Hill (City) adopted Ordinance 05-O-13 on March 22, 2005, which established Appendix A of the Code of Ordinances for the City, also known as the Unified Development Code (UDC), thereby adopting an official zoning map for the City; and

WHEREAS the City of Liberty Hill ("City") Unified Development Code Section 4.08.01 [Planned Unit Development] provides standards and procedures for the legislative creation of specialized zoning districts crafted specifically for certain land endeavors (each, a "PUD District"); and

WHEREAS the City received a petition from the owner of a property consisting of approximately 56.004 acres out of the J.B. Robinson Survey, Abstract 521 and identified as Assessor's Parcel Number R022832, specifically, locally addressed as 600 County Road 263, Williamson County, Liberty Hill, TX, 78642, to amend the property's zoning on the official zoning map from Agricultural (A) to Planned Unit Development (PUD);

WHEREAS the Planning and Zoning Commission (Commission) met in regular session on the 21st day of June 2022 and conducted a public hearing on this matter, after which the Commission recommended approval of the zone map amendment to the City Council by a vote of 3 to 0; and

WHEREAS public notice of such hearing was done in accordance with state law and the City's UDC through both mailed written notices and notices posted at both a municipal public building and online; and

WHEREAS the City Council conducted a public hearing on 22nd day of June 2022 to consider the Commission's recommendation as well as public comment.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LIBERTY HILL, TEXAS

SECTION 1. The recitals contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as a part of this Ordinance.

SECTION 2. The official zoning map, as established under Chapter 4, Appendix A of the Code of Ordinances for the City of Liberty Hill, the Unified Development Code, is hereby amended to permanently rezone a portion of the property hereinafter described and as shown in Exhibit "A," as herein attached, from the Agricultural (A) zoning district to a Planned Unit Development (PUD):

Approximately 56.004 acres out of the J.B. Robinson Survey, Abstract 521 and identified as Assessor's Parcel Number R022832, specifically, locally addressed as 600 County Road 263, Williamson County, Liberty Hill, TX, 78642.

SECTION 3. The City Administrator, or designee, is hereby directed to correct the official zoning map to implement the changes adopted herein.

SECTION 4. In all other respects, the use of the property herein described shall be subject to all applicable regulations contained in the City's Code of Ordinances, including the Unified Development Code, as amended.

SECTION 5. It is hereby declared that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, because the same would have been enacted by the City Council without the incorporation of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 6. All ordinances and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict herewith.

SECTION 7. This Ordinance shall take effect immediately from and after its adoption and it is accordingly so ordained.

PASSED & APPROVED this 22nd day of June 2022 by the City Council on a vote of 4 AYES; 0 NAYS; 0 ABSTENTIONS.


MAYOR LIZ BRANIGAN

ATTEST:

APPROVED AS TO FORM:


CITY SECRETARY
ELAINE SIMPSON


CITY ATTORNEY

ARTICLE 1. DEVELOPMENT STANDARDS

1.01 Purpose and Intent

The Rio Oaks Planned Unit Development (PUD) is composed of 56.1 acres as described in Exhibit "A" – Survey/Field Notes (hereinafter referred to as the "Property"). The development of the Property is planned as a high-quality community comprised of a mix of commercial and light industrial/warehouse uses along the roadways with a unique residential product type set behind the commercial uses. The residential product within this PUD is composed of a mix of single family detached units and single family attached units with up to two (2) units in a single building.

Within the residential portion of the Project, all common areas, buildings, and amenities, will be privately owned and maintained by a management company, ensuring a consistent level of property care. The community will include a network of private open space areas that serve as yards for individual units as well as common amenity areas that will create park and recreation amenities for residents.

1.02 Applicability

- A. Unless otherwise specified, the provisions set forth in this PUD shall apply to the Property as further described by metes-and-bounds in Exhibit "A" - Survey/Field Notes.
- B. Development of the Property shall be in accordance with the plans and information submitted to the City with this PUD, the Unified Development Code and the Comprehensive Plan, as amended, unless otherwise stipulated or modified herein.
- C. Whenever the requirements of this PUD conflict with the requirements of any other lawfully adopted rules, regulations, or ordinances, the requirement that is most restrictive or that which imposes higher standards shall apply.

1.03 Severability

The provisions of this Ordinance are severable. Should, for any reason, any portion of this Ordinance be declared illegal or unconstitutional by a court decree or judgment, such ruling shall not affect the remainder of this Ordinance.

1.04 Land Uses

- A. The Project shall be comprised of 15.8 acres of commercial, 10.5 acres of light industrial/warehouse, 25.1 acres of residential and 4.6 acres of public right-of-way as depicted on Exhibit "B." Each land use within the Project shall have a base zoning as

follows:

Commercial
Light Industrial/Warehouse
Residential

General Commercial/Retail (C3)
Light Industrial/Warehouse (I1)
Multi-Family Residential (MF1)

B. Prohibited Uses

1. Game rooms as defined in the Unified Development Code, Section 8.01 Use Definitions shall be prohibited.
2. Adult oriented businesses as defined in the Unified Development Code, Section 8.02 Use Definitions shall be prohibited.

Unless otherwise indicated in the approved PUD development ordinance or Exhibit B - Conceptual Site Plan, the minimum requirements for each development shall be those stated in the Unified Development Code for subdivisions and the requirements of the applicable base zoning district as designated above.

1.05 Dimensional Standards for Residential Portion of Project

The residential portion of the Project shall adhere to the minimum development standards of the Multi-Family Residential (MF1) zoning classification, with the following exceptions:

- A. Maximum density of twelve (12) units per acre.
- B. All units shall be one (1) story.
- C. Maximum building height is thirty feet (30').
- D. Internal building separation (foundation to foundation) between habitable/conditioned buildings shall be designed in accordance with the currently adopted International Residential Code.
- E. Internal building separation (foundation to foundation) between garage parking buildings and habitable/conditioned buildings designed in accordance with the currently adopted International Residential Code.
- F. Drive isles shall be twenty-six feet (26') wide.
- G. Parking spaces shall be nine feet (9') wide and eighteen feet (18') deep.

1.06 Supplemental Standards

- A. **Fire Suppression and Standards.** If required, all residential units shall be fire sprinkled in accordance with NFPA 13D standards. No landscaping shall be within three feet (3') of any fire hydrant. The tree canopy of any trees, planted and existing, shall not be lower than 14 feet (14') above all fire lanes and at no point shall it be allowed to encroach a fire hydrant or fire lane clear space.
- B. **Off-street Parking.** Off-street parking and circulation including site access, pedestrian circulation, and loading/unloading, shall adhere to the City of Round Rock Transportation Criteria Manual, as generally referenced in Section 6.10 of the UDC, as amended. The following additional standards shall also apply to the residential portion of the Project:
1. Resident and visitor parking shall be provided at a minimum of two (2) parking spaces per unit.
 2. Uncovered surface parking, covered parking spaces and detached garages shall be allowed and count toward the minimum parking requirements established within the PUD.
- C. **Outdoor Audio and Lighting.** The following general outdoor audio and lighting standards shall apply:
1. All outdoor lighting on the Property shall be installed in a manner that results in zero-foot candles measured at the property line.
 2. All outdoor audio shall be in accordance with Article 8.04, Noise, of the City of Liberty Hill Code of Ordinance.
 3. All proposed lighting shall be "dark sky" compliant.
- D. **Walls and Fencing.** The following general wall and fence standards shall apply to the residential portions of the Project:
1. Perimeter walls and fences on all boundaries of the Property shall not exceed six feet (6') in height above finished grade and shall contain opaque or solid elements.
 2. Walls and fences shall be constructed to present the finished side outward towards and adjacent property or roadway.

3. Backyards of residential units shall be enclosed with side-by-side wood fencing at a height not to exceed six feet (6') in height.
 4. Dumpsters shall be set on a concrete pad that is enclosed by a minimum six feet (6') high opaque wall or fence constructed of either masonry or a suitable, durable material.
 5. Increased buffering shall be applied between the commercial and residential uses. A six foot (6') high solid wall or fence shall be installed.
- E. **Signage.** All signage on the Property (e.g., monument sign, wall sign, directional sign, etc.) shall adhere to the design, construction and number of signs outlined in an approved Master Sign Plan application, to be filed in conjunction with a site development and stormwater plan application. All signage shall also be in accordance with the following additional standards:
1. Monument signage located along Seward Junction Southwest and County Road 263 shall not exceed eight feet (8') in height, one hundred and fifty (150) square feet in copy area.
 2. Signage shall be set back at least ten feet (10') from the front property line and shall not encroach into the clear-sight triangle of the intersection of a driveway and a public roadway.
 3. On-premise signage shall not contain digital or electronic copy area.
 4. Freestanding pylon and pole signs shall be prohibited.
- F. **Parkland.** All parkland for this development will be private. Private parkland will be in the form of a community pedestrian system, community gathering areas, dog park and a pool area within the residential portion of the Project as illustrated on Exhibit "B" – Conceptual Site Plan. The developer shall pay a fee in lieu of land dedication for eight percent (8%) of the total acreage for the residential portion of the development. The residential portion of this PUD consists of twenty-five and one tenth (25.1) acres for multi-family use. Eight percent (8%) is equal to two (2) acres. The fees will be assessed at fair market value and payment will be made prior to final plat approval in accordance with Section 5.1(j), Parks and Recreation.
- G. **Tree Preservation.** Tree preservation shall be in compliance with Section 6.07 Tree Inventory, Protection, and Preservation.

- H. **Buffering**. As the community boundary shall have opaque fencing and all residential buildings shall be one (1) story, buffering requirements outlined in Section 6.08 of the UDC will be amended to allow a minimum of fifteen-foot (15') buffer areas around the entire project boundary and a twenty-foot (20') buffer on the commercial tract.
- I. **Architectural Standards**. The following building and design standards shall apply to residential portions of the Project:
 - 1. All facades must be architecturally finished or detailed. Exterior finishes may include brick veneer, stone veneer, stucco cladding or cementitious fiberboard material.

ARTICLE 2. ADMINISTRATION AND ENFORCEMENT

2.01 Amendments to the PUD

- A. A major amendment to this PUD shall be processed as a zoning map amendment in accordance with the UDC and will be subject to filing fees for a PUD amendment. The following shall be considered a major amendment to the approved plan:
 - 1. Any changes in a condition that was imposed by the City Council during the public hearing;
 - 2. Any changes in the approved development standards, land use schedules or the intensities of the land uses that were imposed by the City Council during the public hearing;
 - 3. A cumulative increase in overall building floor area that exceeds ten percent (10%) of what was originally approved;
 - 4. Any changes to the overall project boundary other than survey and title adjustments/corrections (expansions or contractions) that were originally approved for the PUD;
 - 5. Any changes that will create additional trip generations of ten percent (10%) or greater; and
 - 6. Changes in approved building siting and layout, off-street parking and circulation, landscaping and buffering, building design and architecture.

- B. A minor amendment to this PUD shall be processed administratively by the City Administrator or designee. The following shall be considered as non-substantial modifications subject to administrative approval:
1. Any number of increases in building floor area that do not exceed a cumulative total of ten percent (10%) above that which was originally approved.
 2. Any deviations in a development standard (e.g.; parking ratios, landscape requirements, buffer standards, building height, etc.) that does not exceed ten percent (10%).
 3. Addition of an ancillary land use that is deemed critical to be continued operation of the primary use, will not be in conflict with Section 2.3 of the UDC, does not overwhelm the primary use and does not change the original nature or intent of the PUD.
 4. Changes in the acreage allocation of Commercial or Light Industrial/Warehouse portions along the northern boundary of the Project to meet market demand, provided that such changes do not increase the total acreage of the Commercial and Light Industrial/Warehouse portions of the Project and provided that such changes do not reduce the size or change the location of the residential portion of the Project.
 5. The City Administrator or designee shall establish procedures necessary to file and process a request for a minor amendment to the PUD.
 6. Any approved minor amendments shall be annotated, cataloged and included with the original adopted ordinance. The City Administrator or designee shall advise the City Council of the administrative approval at the next available public meeting following said approval.

2.02 Variances

No application for relief by variance to a development standard outlined in this PUD shall be accepted or processed by City staff. Request for deviations to a standard outlined in this PUD shall adhere to the amendment's procedures outlined in Section 2.01 of this article.

EXHIBIT "A" SURVEY/FIELDS NOTES



FIELD NOTE DESCRIPTION

DESCRIPTION OF A 56.114 ACRES TRACT OF LAND LOCATED IN THE JOHN B. ROBINSON SURVEY, ABSTRACT NO. 521, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A 117.15 ACRE TRACT OF LAND CONVEYED TO PHILIP HOGAN AND WIFE, GINA RAE HOGAN IN A DEED RECORDED IN DOCUMENT NO. 2000007280 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 56.114 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod with cap stamped "CUNNINGHAM-ALLEN INC" found in the north right of way line of County Road 263 (right of way varies) (no dedication found to date) and in the south line of said 117.15 acre tract for the southwest corner of that tract 9.802 acre tract of land conveyed to Williamson County, Texas in a Donation Special Warranty Deed recorded in Document No. 2016120724, of the Official Public Records of said County;

THENCE, with the south line of said 117.15 acre tract and the north right of way line of said County Road 263, the following two (2) courses and distances:

1. South 68°39'14" West, a distance of 1006.53 feet to 1/2 inch iron rod found;
2. South 69°05'36" West, a distance of 813.43 feet to 1/2 inch iron rod found in the approximate east line of 100 foot wide right of way conveyed to the City of Austin in a Quit Claim Deed recorded in Volume 1417, Page 282 of the Official Records of said County for the southwest corner of said 117.15 acre tract;

THENCE, North 31°37'05" West, with the west line of said 117.15 acre tract and the approximate east line of said City of Austin Rail Road 100 foot right-of-way, a distance of 1496.17 feet to a 1/2 inch iron rod with plastic cap stamped "CUNNINGHAM ALLEN INC" set, for the northwest corner of said 117.15 acre tract and the southwest corner of Lot 2, Block A, Capitol Aggregates Ltd Subdivision, of record in Document No. 2008080708, of said Official Public Records;

THENCE, with the north line of said 117.15 acre tract and the south line of said Lot 2 the following three (3) courses and distances:

1. North 68°53'06" East, passing at a distance of 487.20 feet, a 1/2 inch iron rod found 1.89 feet south of and perpendicular to said north line, and continuing for a total distance of 1338.73 feet to an angle corner of said 117.15 acre tract, from which a 1/2 inch iron rod found, bears South 20°58' East 0.17 feet;
2. North 20°55'00" West, a distance of 13.65 feet to a 1/2 inch iron rod found;
3. North 69°16'28" East, a distance of 21.47 feet to the northwest corner of said 9.802 acre tract, from which a 1/2 inch iron rod with cap stamped "WILLIAMSON COUNTY" found for the northwest corner of said 9.802 acre tract, bears North 69°16'28" East, a distance of 151.79 feet;

THENCE, departing said north line with the westerly line of said 9.802 acre tract the following thirteen (13) courses and distances:

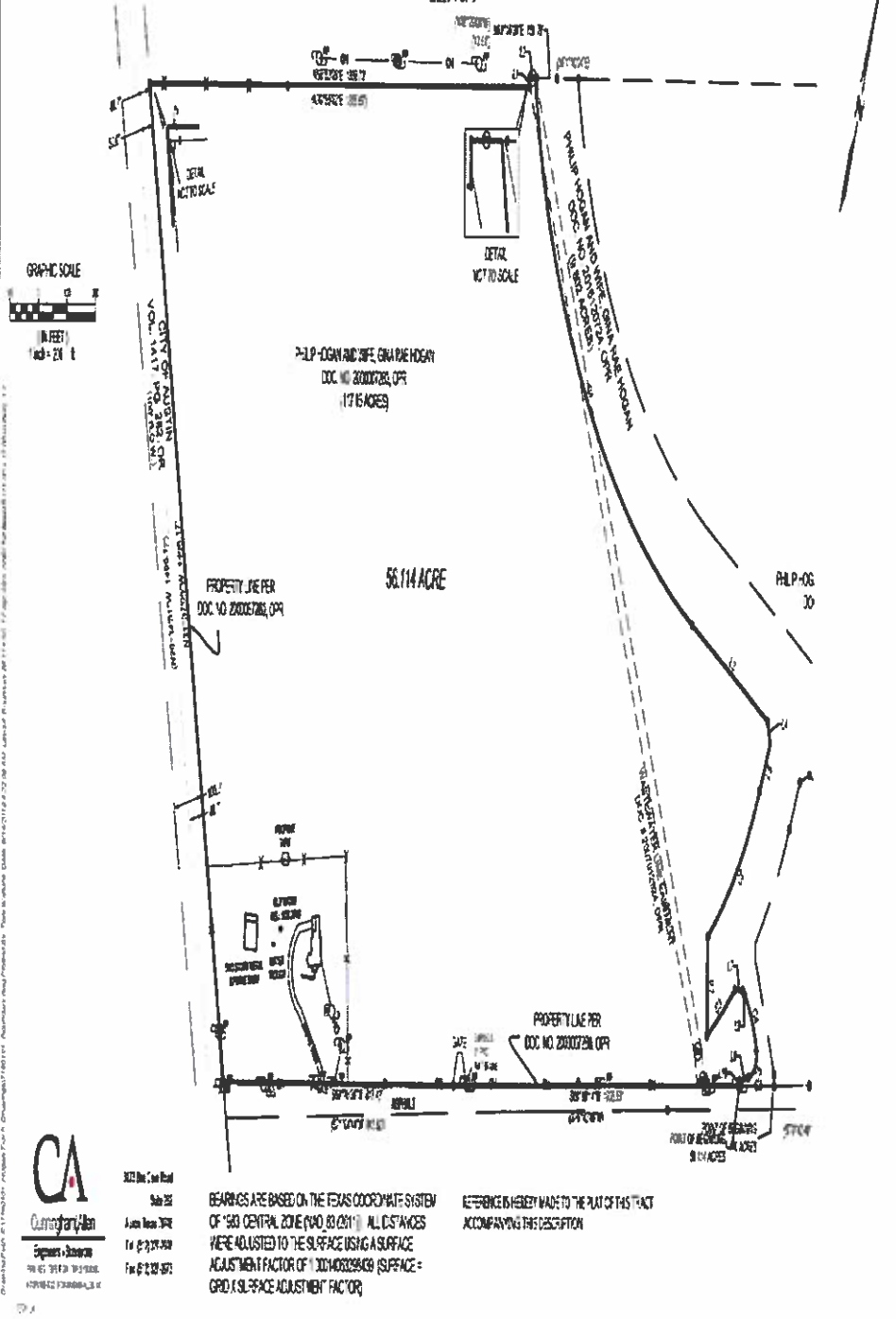
1. With a non-tangent curve to the left, having a radius of 1075.00 feet, an arc length of 1020.05 feet, a delta angle of 54°22'02", and a chord which bears South 56°03'55" East, a distance of 982.21 feet to a 1/2 inch iron rod with cap stamped "WILLIAMSON COUNTY" found at the end of said curve;
2. South 83°14'56" East, a distance of 299.63 feet to 1/2 inch iron rod with cap stamped "WILLIAMSON COUNTY" found;
3. South 38°14'56" East, a distance of 35.11 feet;
4. South 06°45'13" West, a distance of 79.29 feet to 5/8 inch iron rod found at the beginning of curve to the right;
5. With said curve to the right, having a radius of 665.00 feet, an arc length of 282.93 feet, a delta angle of 24°22'37", and a chord which bears South 18°56'32" West, a distance of 280.80 feet to a 1/2 inch iron rod with cap stamped "WILLIAMSON COUNTY" found at the end of said curve;
6. South 20°03'58" East, a distance of 147.05 feet to 1/2 inch iron rod with cap stamped "WILLIAMSON COUNTY" found at the beginning of non-tangent curve to the left;
7. With said non-tangent curve to the left, having a radius of 785.00 feet, an arc length of 119.59 feet, a delta angle of 08°43'43", and a chord which bears North 33°28'46" East, a distance of 119.47 feet to a 1/2 inch iron rod with cap stamped "WILLIAMSON COUNTY" found at the end of said curve;
8. North 72°17'10" East, a distance of 28.87 feet to 1/2 inch iron rod with cap stamped "WILLIAMSON COUNTY" found;
9. South 63°04'13" East, a distance of 7.38 feet to 1/2 inch iron rod with cap stamped "WILLIAMSON COUNTY" found at the beginning of non-tangent curve to the right;
10. With said non-tangent curve to the right, having a radius of 175.00 feet, an arc length of 94.56 feet, a delta angle of 30°57'38", and a chord which bears South 48°58'19" East, a distance of 93.42 feet to a 1/2 inch iron rod with cap stamped "WILLIAMSON COUNTY" found at the beginning of non-tangent curve to the right;
11. With said non-tangent curve to the right, having a radius of 33.00 feet, an arc length of 54.06 feet, a delta angle of 93°51'10", and a chord which bears South 13°25'50" West, a distance of 48.21 feet to a 1/2 inch iron rod with cap stamped "WILLIAMSON COUNTY" found at the end of said curve;
12. South 60°03'35" West, a distance of 32.78 feet to 1/2 inch iron rod with cap stamped "WILLIAMSON COUNTY" found;
13. South 20°41'32" East, a distance of 7.47 feet to the **POINT OF BEGINNING** containing 56.114 acres of land within these metes and bounds.

Reference is hereby made to the plat of this tract accompanying this description.

Bearing Basis: Texas Coordinate System of 1983, Central Zone (NAD_83 (2011)). All distances were adjusted to the surface using a surface adjustment factor of 1.00014063298439.

STANDARD LAND SURVEY OF 56.114 ACRES OF LAND OUT OF THE
JOHN B. ROBINSON SURVEY, ABSTRACT NO. 521

SHEET 4 OF 5



GRAPHIC SCALE
IN FEET
1 inch = 20 feet

CA
Cunningham
Engineers & Surveyors
19005 19th Street, Suite 100
Houston, Texas 77058
Tel: 281-232-3371
Fax: 281-232-3372

BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM
OF '83 (CENTRAL ZONE (NAD 83 (8311))). ALL DISTANCES
WERE ADJUSTED TO THE SURFACE USING A SURFACE
ADJUSTMENT FACTOR OF 1.000405283638 (SURFACE =
GRID X SURFACE ADJUSTMENT FACTOR)

REFERENCE IS HEREBY MADE TO THE PLAT OF THIS TRACT
ACCOMPANYING THIS DESCRIPTION

EXHIBIT "B" CONCEPTUAL SITE PLAN



LAND USE SUMMARY

| | |
|------------------------------|-------------------|
| Commercial | 15.8 acres |
| Light Industrial/Warehouse | 10.5 acres |
| MF1 Multi-Family Residential | 25.1 acres |
| Right-of-Way | 4.6 acres |
| Total: | 56.1 acres |

RESIDENTIAL PRODUCT MIX

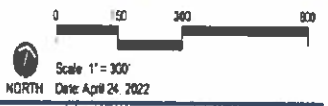
| | | |
|--------------------|------------------|---------|
| 1 Bedroom Unit | 78 units | 30.00 % |
| 2 Bedroom Unit | 104 units | 40.00 % |
| 3 Bedroom Unit | 78 units | 30.00 % |
| Unit Total: | 260 units | |

PARKING SUMMARY

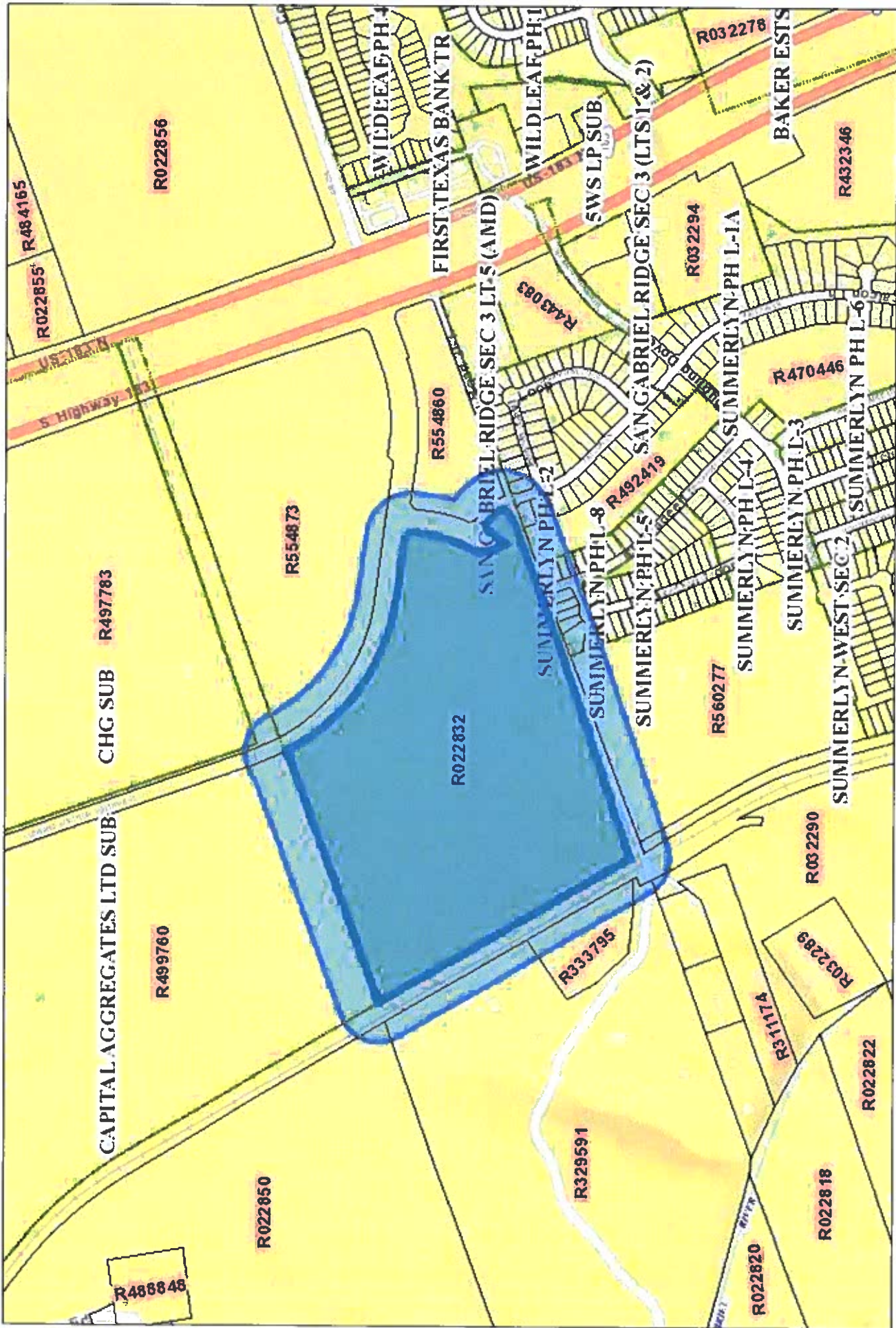
| | |
|-----------------------|-------------------------|
| Uncovered Parking | 322 spaces |
| Covered Parking | 158 spaces |
| Storage Parking | 72 spaces |
| Unit Total: | 552 spaces |
| Parking Ratio: | 2.24 spaces/unit |

Drive Into Width: 26 ft.
Parking Space Size: 9 ft. x 18 ft.

EXHIBIT B
CONCEPTUAL SITE PLAN



SEC PLANNING, LLC 08/14/2022 Conceptual Site Plan for Rio Oaks PUD. This drawing is preliminary in nature and is not to be used for construction purposes. All map data shown is approximate and preliminary in nature and is not to be used for construction purposes. All boundaries are approximate and subject to change. All boundaries are approximate and subject to change. All boundaries are approximate and subject to change. All boundaries are approximate and subject to change.



Rio Oaks Notification Map

Web Print: 06/14/2022



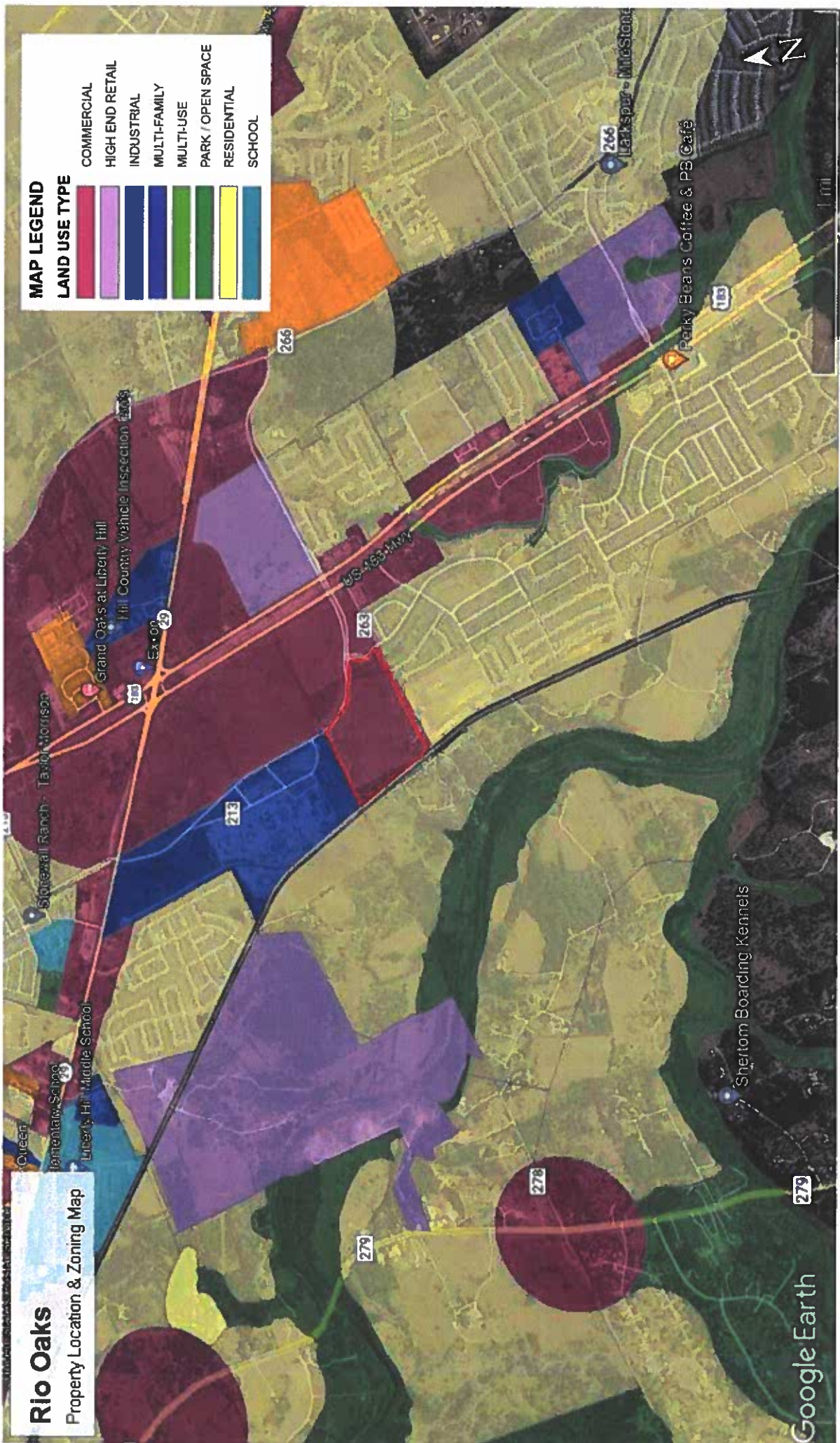
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable



Rio Oaks

Property Location & Zoning Map

| MAP LEGEND | |
|-------------|-------------------|
| Color | LAND USE TYPE |
| Red | COMMERCIAL |
| Purple | HIGH END RETAIL |
| Blue | INDUSTRIAL |
| Dark Blue | MULTI-FAMILY |
| Light Green | MULTI-USE |
| Dark Green | PARK / OPEN SPACE |
| Yellow | RESIDENTIAL |
| Light Blue | SCHOOL |



Google Earth

Rio Oaks

Property Location & Zoning Map

| Legend | AG | C2 | C3 | MF-2 | P | PARK | PUD | SF3 |
|--------|----|----|----|------|---|------|-----|-----|
| | | | | | | | | |

