

ORDINANCE NO. O-2018-5320

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROUND ROCK, TEXAS ADOPTED IN SECTION 46-132(b)(1), CODE OF ORDINANCES (2010 EDITION), CITY OF ROUND ROCK, TEXAS, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE 9.796 ACRES OF LAND (THE BISON TRACT NO. 4), IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS, FROM PLANNED UNIT DEVELOPMENT NO. 91 TO PLANNED UNIT DEVELOPMENT NO. 114; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, an application has been made to the City of Round Rock, Texas (the "City") to amend the Official Zoning Map to rezone 9.796 acres of land, (the Bison Tract No. 4), being more fully described in Exhibit "A", referred to herein as the "Property", said Exhibit being attached hereto and incorporated herein for all purposes; and

WHEREAS, the aforesaid application is to rezone the Property from Planned Unit Development No. 91 to Planned Unit Development No. 114; and

WHEREAS, the Property is a large area of substantially vacant land which requires a flexible approach to development which is intended to encourage mixed uses, encourage innovative subdivision or site plan design and to promote superior development which is compatible with adjacent uses; and

WHEREAS, the Property is a portion of approximately 351.7 acres of land that is the subject of a Master Development Agreement, dated December 15, 2016, by and among the City, the Round Rock Transportation and Economic Development Corporation, KR Acquisitions LLC, and KR CC, Inc.; and

WHEREAS, the Property is also subject to a Ground Lease from the City (as Landlord) to KR CC, Inc. (as Tenant); and

WHEREAS, the application for the requested change to the Official Zoning Map has been referred to the Planning and Zoning Commission for its recommendation and report; and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested change on the 7th day of March, 2018, following lawful publication of the notice of said public hearing; and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that the Official Zoning Map be amended so that the Property described in Exhibit "A" be zoned Planned Unit Development (PUD) No. 114; and,

WHEREAS, on the 12th day of April, 2018, after proper notification, the City Council held a public hearing on the application for the requested amendment; and

WHEREAS, the City Council has determined that the zoning provided for herein promotes the health, safety, morals and protects and preserves the general welfare of the community; and

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, and Section 46-92, 46-106, and Section 46-156, Code of Ordinances (2010 Edition), City of Round Rock, Texas concerning public notices, hearings, consideration, findings, 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 has hereby determined that this Ordinance for Planned Unit Development (PUD) No. 114, including the Development Plan, meets the following goals and objectives:

- (1) The proposed development will constitute an environment of sustained stability and will be in harmony with the character of the surrounding area;
- (2) The proposed development is in conformity with the policies, goals and objectives of the general plan including all its elements and is consistent with the intent and purpose of Chapter 46 of the Code of Ordinances;
- (3) The proposed development ensures the provision of adequate public improvements, including but not limited to, transportation, drainage, parks, and other public facilities; and
- (4) The proposed development ensures minimal development-related off-site impacts.

II.

That the Official Zoning Map adopted in Section 46-132(b)(1), Code of Ordinances (2010 Edition), City of Round Rock, Texas, is hereby amended so that the zoning classification of the Property shall be, and is hereafter designated as, Planned Unit Development No. 114, and that the Development Plan attached hereto as Exhibit "B", is hereby approved and adopted and that this Ordinance and the Development Plan shall govern the development and use of the Property.

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 _____, 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