

ORDINANCE NO. O-2018-5318

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 61.496 ACRES OF LAND (THE KELLER/JOHNSON TRACT), AND 156.769 ACRES OF LAND (THE KRIENKE TRACT) IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS, FROM AG (AGRICULTURAL) DISTRICT TO PLANNED UNIT DEVELOPMENT NO. 113; 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 of the City of Round Rock, Texas to rezone 61.496 acres of land, (the Keller/Johnson Tract), being more fully described in Exhibit “A-1”, and 156.769 acres of land, the (Krienke Tract), being more fully described in Exhibit “A-2” (the two tracts of land referred to herein as the “Property”), said Exhibits being attached hereto and incorporated herein for all purposes; and

WHEREAS, the aforesaid application is to rezone the Property from AG (Agricultural) District to Planned United Development No. 113; 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 Master Development Agreement provides that the Property will be developed as a master planned, mixed-use development that will be anchored by a Kalahari Resort and Convention Center, which will include a Hotel, Convention Center, and Water Park, as those terms are defined in the Master Development Agreement, herein after referred to as the “Kalahari Resort Hotel”; and

WHEREAS, the City, KR Acquisitions LLC, and KR CC, Inc. have jointly agreed to a Development Plan for the development of the Kalahari Resort Hotel, a copy of said Development Plan being attached hereto as Exhibit “B”; and

WHEREAS, KR Acquisitions, LLC, and KR CC, Inc. have presented the City with a Concept Plan, which shows a layout of the proposed subdivision, a copy of said Concept Plan being attached hereto as Exhibit “C”; and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the original zoning of the Property and the Development Plan 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 be originally zoned as Planned Unit Development (PUD) No. 113; and

WHEREAS, on the 12th day of April, 2018, after proper notification, the City Council held a public hearing on the proposed original zoning and the Development Plan; and

WHEREAS, the City Council determines 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, Sections 46-92, 46-104, 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 has hereby determined that the Planned Unit Development (PUD) No. 113, 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. 113, 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.

That the Concept Plan attached hereto as Exhibit “C” is hereby approved and accepted as the Concept Plan that is required by Sec. 36-39 of the Code of Ordinances (2010 Edition.)

IV.

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