

ORDINANCE NO. O-2018-5319

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 ORIGINALLY ZONE LOT 1, BERTIL TELANDER SUBDIVISION, CABINET H, SLIDE 126, WILLIAMSON COUNTY PLAT RECORDS, (KNOWN AS THE BOYLES TRACT) AS PLANNED UNIT DEVELOPMENT NO. 113; AND 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 originally zone Lot 1, Bertil Telander Subdivision, Cabinet H, Slide 126, of the Williamson County Plat Records, (the Boyles Tract), as shown on Exhibit “A”, referred to herein as the “Property”; and

WHEREAS, the aforesaid application is to originally zone the Property as Planned Unit Development No. 113; and

WHEREAS, the Property is part of 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 collectively 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 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 be zoned 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 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. 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).

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