

ORDINANCE NO. 18-08-16-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, AMENDING THE OFFICIAL ZONING MAP BY REZONING APPROXIMATELY 7.743 ACRES KNOWN AS LOT 2, BLOCK 'D' OF THE HOLLOWES PHASE II-D SUBDIVISION FROM THE CURRENT PLANNED DEVELOPMENT DISTRICT ("PDD") TO A PLANNED DEVELOPMENT DISTRICT ("PDD") THAT MODIFIES THE DEVELOPMENT REGULATIONS APPLICABLE TO THIS SPECIFIC LOT TO BE KNOWN AS THE DISCOVERY CENTER SITE WITHIN THE HOLLOWES PDD; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, The Hollowes at Lake Travis, LLC, acting by and through Cass Brewer, Managing Member, the owner of approximately 7.743 acres of property known as the Hollowes Phase II-D, Block 'D', Lot 2 as more particularly described in the attached Exhibit "A" (described hereinafter as the "Property"), have requested that the Property be rezoned from its current Planned Development District ("PDD") as established in Ordinance No. 11-01-20-01 which amended or restated the specific development regulations established or amended in Ordinance No. 05-01-06-01, Ordinance No. 06-12-07-02, Ordinance No. 07-01-04-01 and Ordinance No. 07-12-06-02, to a PDD that amends the development regulations pertaining only to the Property and leaves all other PDD development regulations applicable to other property within the Hollowes PDD intact; and

WHEREAS, as the Property currently resides within the corporate limits of the City of Lago Vista; and

WHEREAS, the conceptual plan for the Property is set forth in this Discovery Center Site within the Hollowes PDD Zoning Ordinance (the "Ordinance") and in Exhibit "B" attached hereto (the "Land Use Plans"); and

WHEREAS, after giving ten (10) days written notice to the owners of land within 200 feet of the Property, the Planning and Zoning Commission and the City Council held a public hearing on the proposed rezoning on the Property included in this Ordinance; and

WHEREAS, after publishing notice to the public at least fifteen (15) days prior to the date of such hearing, the Planning and Zoning Commission and the City Council at a public hearing has reviewed the request and the circumstances of the Property, and find that a substantial change in the circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired; and

WHEREAS, the City, by and through its legislative discretion has adopted and may amend a comprehensive plan for the City of Lago Vista, and having considered and reviewed such comprehensive plan, the City Council finds the rezoning approved herein is consistent with the comprehensive plan as well as surrounding uses; and

WHEREAS, the City desires that development within its corporate limits occur in an orderly manner in order to protect the health, safety, and welfare of its present and future citizens, protect property values and provide for the growth of the City's tax base; and,

WHEREAS, the City desires to control the development standards for the Property and

protect third party property owners in the City, and to ensure the benefits of planned development and enhanced tax based that are achieved through rezoning the Property.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact. The Commission, City Manager and City Council find that the PDD in this Ordinance satisfies the requirements of Section 10 and Section 13 of the City of Lago Vista Zoning Ordinance.

Section 2. Amendment of Zoning Ordinance and Zoning Map. The Zoning Ordinance, the Official Zoning Map and other applicable ordinances are hereby modified and amended by rezoning the Property as set forth in Section 3 below.

Section 3. Rezoned Property. The Zoning Ordinance is hereby amended by changing the zoning district for the Property being the 7.743 acre Lot 2, Block 'D' of the Hollows Phase II-D Subdivision, referred to as Parcel 'Q2' in Ordinance No. 11-01-20-01 and as more particularly described in Exhibit "A" attached to this Ordinance, from the current PDD zoning district to a PDD zoning district described herein.

Section 4. Amendment of Applicable Zoning Ordinances. The zoning requirements established in this Ordinance shall apply to the Property. The comprehensive zoning requirements of the Zoning Code and all other applicable ordinances, as they may be amended by this Ordinance, shall apply to the Property. Should any conflict appear between the requirements of the zoning and development ordinances of the City of Lago Vista as compared with the requirements for the Property set forth in this Ordinance, the requirements set forth in this Ordinance shall control.

Section 5. Zoning Requirements. The following use and site development requirements established herein shall apply to the Property (with the existing requirement established in Ordinance No. 11-01-20-01 for the balance of the Hollows PDD to remain intact:

1. **Zoning for the Property (Lot 2, Block 'D' of the Hollows Phase II-D Subdivision referred to as Parcel Q2 in Ordinance No. 11-01-20-01)**

- A. A mixture of residential and commercial uses are permitted jointly and concurrently within the Property.
- B. The use restrictions and requirements for residential development shall comply with Section 5 of Ordinance No. 11-01-20-01.
- C. Except as specifically modified in Sections 2 and 3 below, the use restrictions and requirements for commercial development shall comply with Section 6 of Ordinance No. 11-01-20-01.

2. **Phasing of the Development of the Property (Lot 2, Block 'D' of the Hollows Phase II-D Subdivision referred to as Parcel Q2 in Ordinance No. 11-01-20-01)**

- A. The initial phase (“Phase I”) will consist of an office and required parking, driveways and hardscape/landscaping improvements, as depicted in Exhibit “C.”
- B. Subsequent phases may include both single family attached and detached residential development mixed with commercial office uses only as depicted conceptually in Exhibit “B.”. Commercial uses included in Section 6 of Ordinance No. 11-01-20-01 that are not offices uses are not allowed in subsequent phases.

3. Development Standards Applicable to the Property (Lot 2, Block ‘D’ of the Hollows Phase II-D Subdivision referred to as Parcel Q2 in Ordinance No. 11-01-20-01)

- A. The building included in Phase I and described as the “Discovery Center” will be a modular office, retail and real estate sales office on a permanent concrete foundation.
- B. Exterior finish materials, construction and details of the building included in Phase I and described as the “Discovery Center” shall comply with Exhibit “D.”

Section 6. Amendment of Ordinances. The Zoning Ordinance is hereby amended to add the above-described PDD. Any portion of the Zoning Ordinance, Comprehensive Master Plan or any applicable ordinance in conflict herewith is hereby repealed to the extent of such conflict only.

Section 7. Severability. Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 8. Conflicting Ordinances. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the city, the terms and provisions of this ordinance shall govern.

Section 9. Penalty. Any person, firm or corporation violating any of the provisions or terms of this ordinance or of the Code of Ordinances as amended hereby, shall be subject to the same penalty as provided for in the Code of Ordinances, Section 1.109 General Penalty for Violations of Code; Continuing Violations of the City of Lago Vista, and upon conviction shall be punished by a fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense.

Section 10. Publication Clause. The City Secretary of the City of Lago Vista is hereby directed to publish in the Official Newspaper of the City of Lago Vista the Caption, and Effective Date Clause of this Ordinance as required by Section 52.013 of the *Texas Local Government Code*.

Section 11. Effective Date. This Ordinance shall be in force and effect from and after its passage on the date shown below in accordance with the provisions of the *Texas Local Government Code* and the City’s Charter.

Section 12. Open Meetings. It is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, *Chapter 551, Texas Local Government Code.*

AND, IT IS SO ORDERED.

PASSED AND APPROVED this 16th day of August, 2018.



ATTEST:

Sandra Barton

Sandra Barton, City Secretary

Ed Tidwell
Ed Tidwell, Mayor

On a motion by Councilman Davila, seconded by Councilman Sullivan, the above and foregoing ordinance was passed and approved.

EXHIBIT "A"

PROPERTY

Approximately 7.743 acres known as Lot 2, Block 'D' of the Hollows Phase II-D, a subdivision according to the plat recorded under Document No. 2080019, official public records of Travis County, Texas.

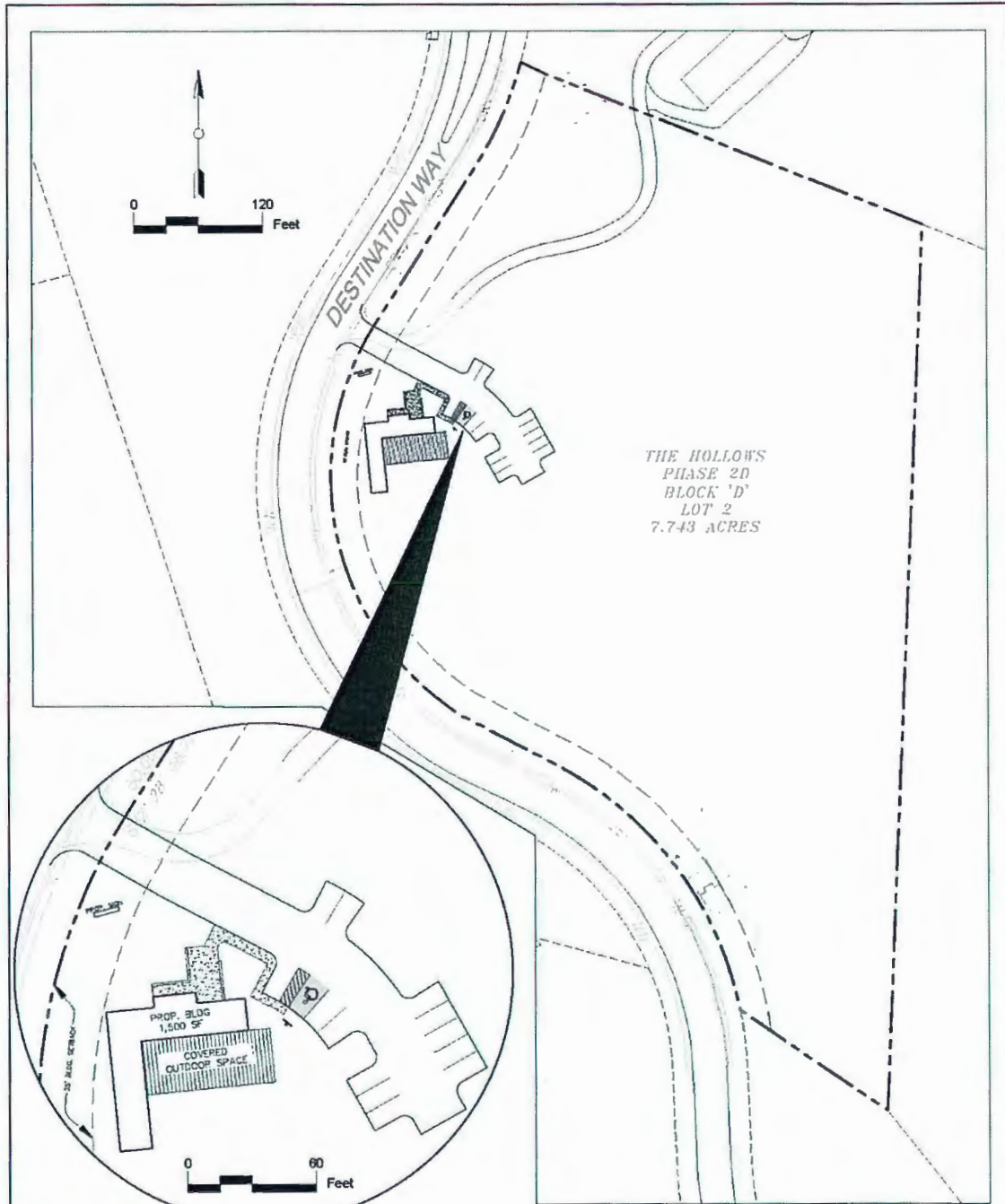
EXHIBIT "B"

LAND USE PLAN



EXHIBIT "C"

PHASE I



MOODY ENGINEERING, INC.

9225 BEE CAVE ROAD
BLDG A, SUITE 200
AUSTIN, TEXAS 78733
(512) 502-8333

TBFE FIRM REG NO. F-18320

EXHIBIT "C"

THE HOLLOWS DISCOVERY CENTER
LAGO VISTA, TEXAS

JUNE 2018

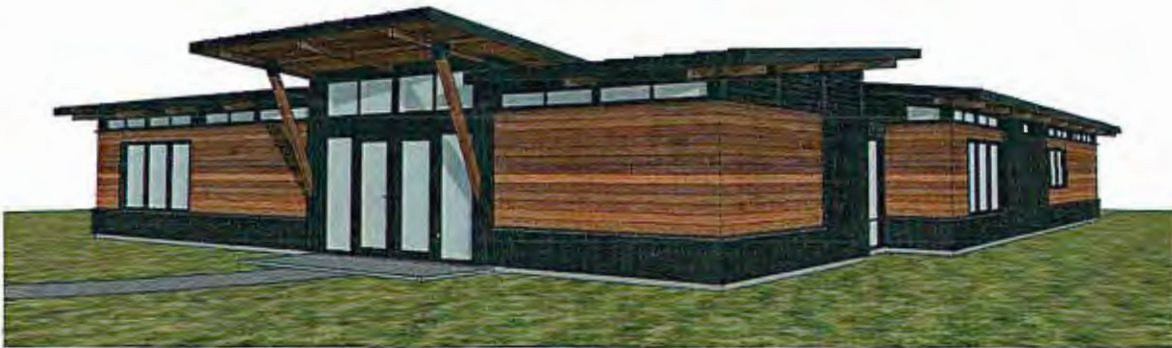
PROJECT# 2018-209

EXHIBIT "D"

DISCOVERY CENTER



Rear Perspective



Front Perspective

CONCEPTUAL RENDERINGS



Left Elevation



Front Elevation



Right Elevation



Rear Elevation

CONCEPTUAL BUILDING ELEVATIONS



CONCEPTUAL FLOOR PLAN



Black Corrugated Metal and general color palette reference imagery



REFERENCE IMAGERY