

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY CHANGING THE ZONING DESIGNATION OF APPROXIMATELY 13.08 ACRES OF UNPLATTED LAND, BEING 7.87 ACRES AND 5.21 ACRES OUT OF THE JACOB CASNER SURVEY NO. 9, ABSTRACT NO. 2753, IN TRAVIS COUNTY, TEXAS, FROM AGRICULTURE/DEVELOPMENT RESERVE (A) DISTRICT TO SINGLE-FAMILY RESIDENTIAL (SF-R) DISTRICT; TO BE KNOWN AS THE 2004 & 2016 ROWE LP REZONING (2022-2-REZ); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, under the authority of Chapter 211 of the Texas Local Government Code, the City of Pflugerville (City) adopts regulations and establishes zoning to control the use of land within the corporate limits of the City; and

WHEREAS, the City has been petitioned by the property owner in accordance with the procedures of the City of Pflugerville's Code of Ordinances, Chapter 157, Unified Development Code, to amend the zoning of approximately 13.08-acres of land, being 7.87 acres and 5.21 acres out of the Jacob Casner Survey No. 9, Abstract No. 2753, in Travis County, Texas, from Agriculture/Development Reserve (A) District to Single-Family Residential (SF-R) District as depicted and described in **Exhibit A**, which is attached hereto and fully incorporated herein for all purposes (Proposed Zoning); and

WHEREAS, the Planning and Zoning Commission held a public hearing on May 2nd, 2022 and conducted a vote, determined that the petition and associated application for the Proposed Zoning met the requirements of Chapter 157 of the City's Unified Development Code, and voted affirmatively in favor of approval and recommendation of the Proposed Zoning with a vote of 4-3; and

WHEREAS, the City has complied with all conditions precedent necessary to take this action, has properly noticed and conducted all public hearings and public meetings pursuant to the Texas Local Government Code and Texas Government Code, as applicable.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:

SECTION 1. 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.

SECTION 2. The City Council finds:

That the Proposed Zoning is in accordance with the City's Comprehensive Plan for the purpose of promoting the health, safety, morals and general welfare of the City, and is in accordance with the following purposes: 1) lessen congestion in City streets and thoroughfares; 2) secure safety from fire, panic and other dangers; 3) promote the general health and welfare; 4) provide adequate air and light; 5) prevent undue overcrowding of land; 6) avoid undue concentration of population; and 7) facilitate the adequate provision of transportation, water, sewer, schools, parks and other public requirements.

SECTION 3: The City Council amends the Official Zoning Map of the City of Pflugerville, Texas adopted in Ordinance No. 1203-15-02-24, as amended, to change the zoning district of the property described in **Exhibit A**, from Agriculture/Development Reserve (A) District to Single-Family Residential (SF-R) District for approximately 13.08-acres of land. The property described herein may be developed and used in accordance with regulations established for the base zoning district of Single-Family Residential (SF-R) District, as applicable, and all other applicable ordinances of the City.

SECTION 4. Cumulative and Repealer Clause. This ordinance shall be cumulative of all other ordinances of the City of Pflugerville, Texas, and shall not operate to repeal or affect any other ordinances of the City except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed to the extent of such conflict.

SECTION 5. Severability Clause. 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, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

SECTION 6. Effective Date. That this Ordinance will become effective on its adoption and passage by the City Council in accordance with Section 3.15(d) of the City Charter.

PASSED AND APPROVED this _____ day of _____, 2022.

CITY OF PFLUGERVILLE,
TEXAS

by:

VICTOR GONZALES, Mayor

ATTEST:

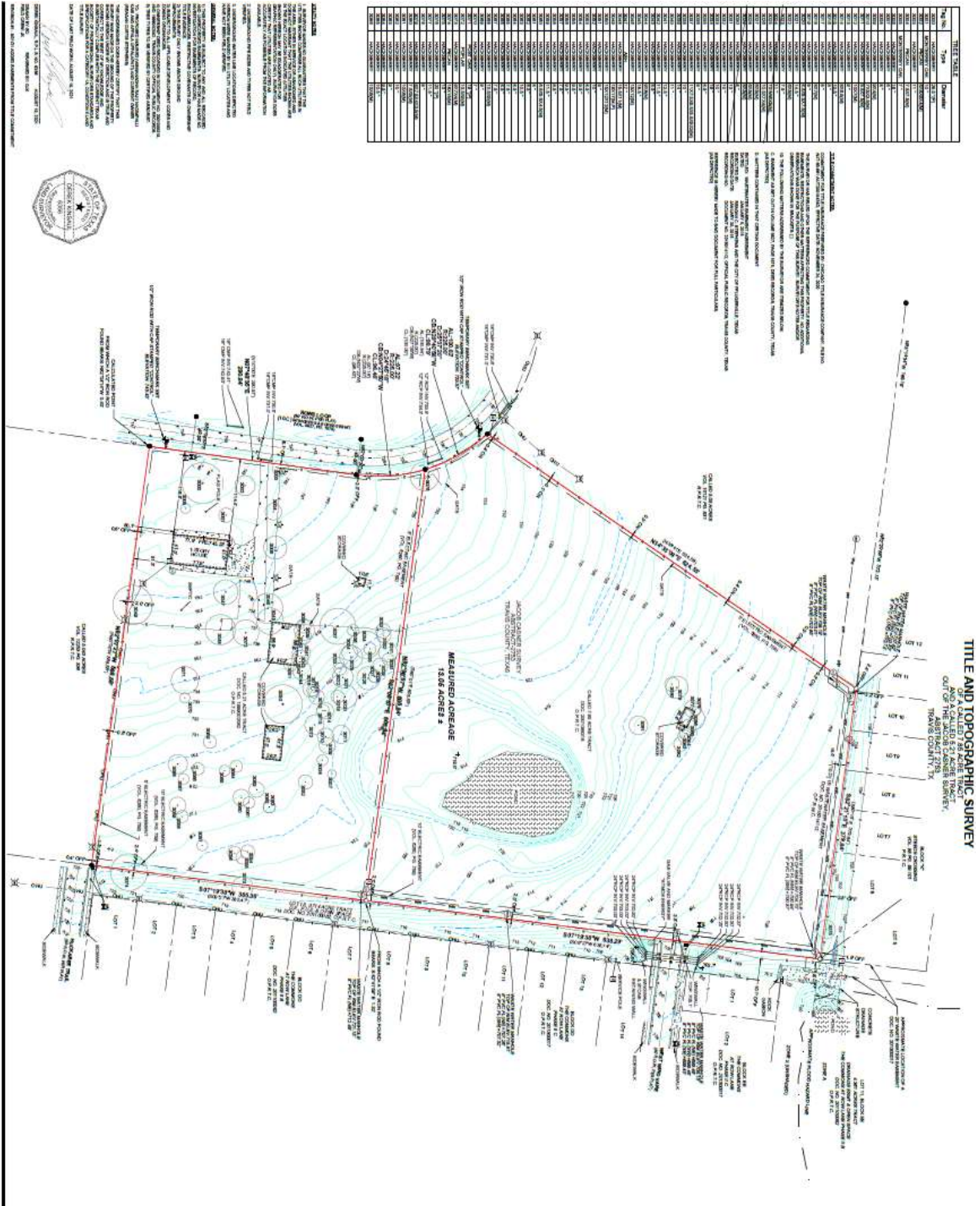
TRISTA EVANS, City Secretary

APPROVED AS TO FORM:

CHARLES E. ZECH, City Attorney
DENTON NAVARRO ROCHA BERNAL & ZECH, PC

EXHIBIT "A"



[illegible]

2004 Rowe Loop

OF A 7.88 (CALLED 7.85) ACRE TRACT LYING AND BEING SITUATED IN THE JACOB CASNER SURVEY, ABSTRACT NO. 2753, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 165.46 ACRE TRACT, DESCRIBED IN VOLUME 5528, PAGE 562, DEED RECORDS OF TRAVIS COUNTY, TEXAS, BEING THE SAME TRACT OF LAND AS DESCRIBED IN AN EXECUTOR'S DEED TO REAGAN CURTIS STEPHENS RECORDED IN DOCUMENT NO. 2001088318, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a 1/2" iron rod found in the easterly R.O.W. line of Rowe Loop (a 50' R.O.W.) for the southwest corner of the herein described tract, the northwest corner of a called 5.21-acre tract as described in a deed to Mark A. Donnell and Kimberley L. Donnell in Doc. No. 1999002082, Official Public Records of Travis County, Texas;

THENCE along said R.O.W. line, same being the west line of the herein described tract, along a curve to the left with the following parameters:

Radius: 225.00 feet

Arc Length: 100.54 feet (called 100.84 feet, per deed).

Chord Length: 99.71 feet (100.00 feet)

Chord Bearing: N 29°47'41" W (N 27°35'00" W)

Delta Angle: 25°36'13" (25°40'45")

to a 1/2" iron rod found for the northwest corner of the herein described tract, the southwest corner of a called 5.05-acre tract as described in a deed to Lawrence M. Koch and Beverly Ann Darilek in Vol. 10121, Pg. 831, Deed Records of Travis County, Texas;

THENCE along the east line of said 5.05 Acre Tract, same being the west line of the herein described tract, N 34°24'00" E, 627.15 feet (N 36°41'00" E, 624.59 feet) to a capped 1/2" iron rod set for the northwest corner of the herein described tract, a point in the south line of Lot 11, Block K, Steeds Crossing, as shown on plat thereof recorded in Vol. 88, Pg. 99, Plat Records of Travis County, Texas;

THENCE along and with the south line of said Lot 11, same being the north line of the herein described tract, S 82°08'51" E, 379.84 feet (S 80°15'00" E, 379.84 feet) to a 1/2" iron rod found for the northeast corner of the herein described tract, a point in the west line of Lot 11, Block EE, Drainage Easement and Open Space, as shown on plat of The Commons at Rowe Lane, Phase II C, recorded in Plat No. 201300017, Official Public Records of Travis County, Texas;

THENCE along and with the west line of said Lot 11, same being the east line of the herein described tract, S 07°09'29" W, 639.72 feet (S 09°27'00" W, 638.74 feet) to a 1/2" iron rod found for the southeast corner of the herein described tract, the northeast corner of said Donnell Tract;

THENCE along and with the north line of said Donnell Tract, same being the south line of the herein described tract, N 82°10'33" W, 606.99 feet (N 80°01'00" W, 605.55 feet) to the **POINT OF BEGINNING** and containing 7.88 acres, more or less.

Basis of Bearing: Texas Central Zone, NAD 83

All set 1/2" iron rods capped with "Amerisurveyors" cap.

2016 Rowe Loop

FIELD NOTES DESCRIBING 5.21 ACRES OF LAND, MORE OR LESS, A PART OF THE JACOB CASNER LEAGUE, IN TRAVIS COUNTY, TEXAS, BEING THAT SAME TRACT OF LAND DESCRIBED IN A DEED TO ALTON WATSON AND WIFE, SHIRLEY WATSON OF RECORD IN VOLUME 7033, PAGE 2324, DEED RECORDS TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBE BY METES AND BOUNDS AS FOLLOWS

BEGINNING at a ½ inch rebar found in the east line of Rowe Loop being the common west corner of herein described tract and the R. L. Montgomery TRACT of record in Volume 12253, Page 336, Real Property Records Travis County, Texas for the southwest corner hereof,

THENCE with the east line of said Rowe Loop, North 10°00'40" East 290.91 feet to a ½ inch rebar found at the point-of-curvature of a curve to the left,

THENCE with said curve to the left whose radius is 225.00 feet and whose chord bears North 02°21'30" West 96.47 feet to a ½ inch rebar found for the northwest corner hereof,

THENCE with the common line of herein described tract and the Michael and Carol Stephens Tract of record in Volume 12187, Page 54, Real Property Records Travis County, Texas, South 80°01'40" East 605.59 feet to a ½ inch rebar found for the northeast corner hereof,

THENCE with the common line of herein described tract and the A. E. Pfluger Tract of record in Volume 750, Page 692, Deed Record Travis County, Texas and the Patricia P. Poffman Tract of record in Volume 11220, Page 169, Real Property Records Travis County, Texas, South 09°26'40" West 385.47 feet to a ½ inch rebar found for the southeast corner hereof,

THENCE with the common line of herein described tract and said Montgomery tract North 80°00'00" West 588.74 feet to the PLACE OF BEGINNING and containing 5.21 acres of land, more or less