

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 AN APPROXIMATE 16.759-ACRE TRACT OF LAND, ROUGHLY 11 TRACTS OF LAND, OUT OF THE PETER CONRAD SURVEY NO. 71, ABSTRACT NO. 200, IN PFLUGERVILLE, TX FROM GENERAL BUSINESS 2 (GB2) DISTRICT, GENERAL BUSINESS 1 (GB1) DISTRICT, AND LIGHT INDUSTRIAL (LI) DISTRICT TO SINGLE-FAMILY MIXED-USE (SF-MU) DISTRICT; TO BE KNOWN AS THE 18516 N HEATHERWILDE REZONING (REZ2106-04); 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 an approximate 16.759-acre tract of land, roughly 11 tracts of land, out of the Peter Conrad Survey No. 71, Abstract No. 200, in Pflugerville, TX from General Business 2 (GB2) District, General Business 1 (GB1) District, and Light Industrial (LI) District to Single-Family Mixed-Use (SF-MU) 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 August 2<sup>nd</sup>, 2021, 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 its approval of the Proposed Zoning with a vote of 7-0; 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 District to General Business 2 (GB2) District, General Business 1 (GB1) District, and Light Industrial (LI) District to Single-Family Mixed-Use (SF-MU) for a 16.759-acre tract of land. The property described herein may be developed and used in accordance with regulations established for the zoning district of Single-Family Mixed-Use (SF-MU) 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 \_\_\_\_\_, 2021.

CITY OF PFLUGERVILLE,  
TEXAS

by:

\_\_\_\_\_  
VICTOR GONZALES, Mayor

ATTEST:

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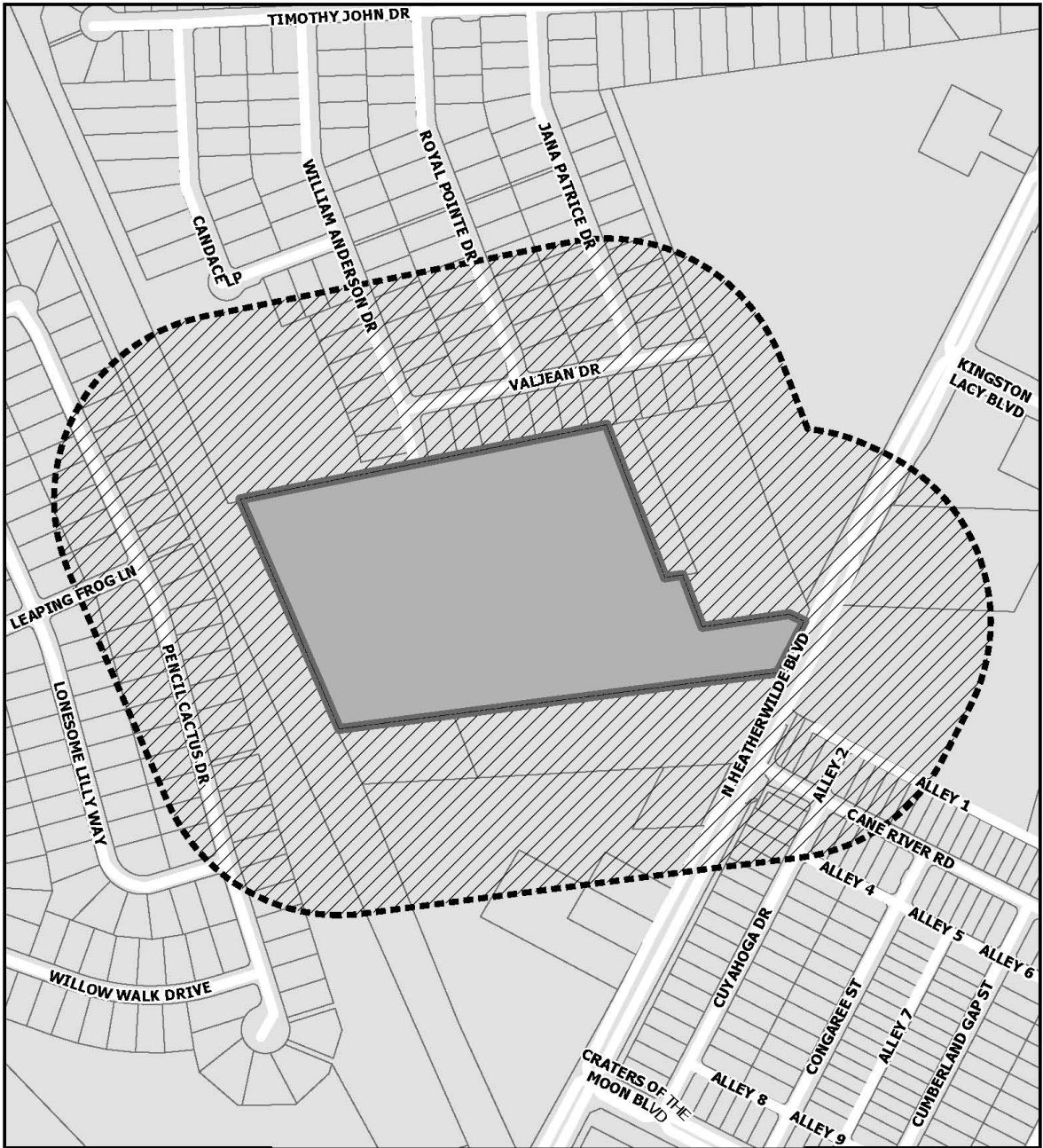
TRISTA EVANS, City Secretary

APPROVED AS TO FORM:

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

# EXHIBIT "A"



**18516 Heatherwilde  
(GB-1 to SF-MU)**

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**Case Number:  
REZ2106-05**

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**6/28/2021**

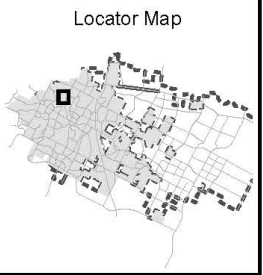
**Legend**

- Rezoning
- Notification Area
- City Limits
- ETJ

0 250 500 Feet

N

When required the City of Pflugerville complies with Texas Local Government Code for public notifications. All notification addresses are derived from tax role information that is certified annually.



# ALTA/NSPS LAND TITLE SURVEY

NOTES: THROUGH THESE ARE NUMEROUS FULL STORY PLATES, AT THE TIME OF SURVEY FIELDWORK THERE WAS NO EVIDENCE OF PRESENT EARTHWORK. 2) AT THE TIME OF SURVEY, THERE WAS NO EVIDENCE OF CHANGES TO 3) BEARING BASIS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83. 4) BEARING AND DISTANCE ADJUSTMENT SCALE FACTOR IS 0.99998949 AND CONVERSION VALUE 0.723342.

- ### MAP SYMBOLS
- 1/2" IRON PIPE FOUND (UNLESS NOTED)
  - 5/8" IRON ROD FOUND (UNLESS NOTED)
  - ◆ CORROGATED METAL PIPE
  - DOWN GUY
  - FENCE - WIRE
  - FENCE - RUSTED PIPE
  - FENCE - GALVANIZED CONCRETE PIPE
  - ENHANCED CONCRETE PIPE
  - TELEPHONE JUNCTION BOX
  - UTILITY POLE
  - WATER METER
  - R.O.W. AS SHOWN
  - AS SHOWN
  - PLAT RECORDS, TRAVIS COUNTY, TEXAS
  - O.P.R.T.C.
  - OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
  - R.P.R.T.C.
  - REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS
  - RECORD INFORMATION

OF A 16.759 ACRE TRACT OUT OF THE PETER CONRAD SURVEY NO. 71, ABS TRACT NO. 200, SITUATED IN TRAVIS COUNTY, TEXAS, BEING THE TRACTS DESCRIBED IN THE DEEDS TO KBS, L.L.C., RECORDED UNDER DOCUMENT NOS. 2004048157, 2004084240, 2004181118, 2004180969, 2005032200, 2016121924, CORRECTED IN DOCUMENT NO. 2017140773, AND DOC. NOS. 2018056349 AND 2018056350 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING THE TRACTS DESCRIBED UNDER DOCUMENT NOS. 2001827294, 2002057364, 2000161690 AND 2003016120 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

**SECTION TWO**  
DOC. NO. 200600078  
O.P.R.T.C.

VALUERO O.P.R.W.C. 7  
JACKSON O.P.R.W.C. 6  
TRINX O.P.R.W.C. 5  
WALDOCH O.P.R.W.C. 4  
WALAND O.P.R.W.C. 3  
WHITE O.P.R.W.C. 2  
MERRICK O.P.R.W.C. 1

ROYAL POINTE SECTION ONE DOC. NO. 2008044 O.P.R.T.C.

VALJEAN DRIVE (50' RIGHT-OF-WAY)  
WILLIAM ANDERSON DRIVE (50' RIGHT-OF-WAY)

JACK ROBINSON VOL. 589 PG. 2106 O.P.R.T.C.  
W.H. ROBINSON VOL. 589 PG. 276 O.P.R.T.C.  
W.H. ROBINSON VOL. 588 PG. 1195 D.R.T.C.  
W.H. ROBINSON VOL. 588 PG. 1195 D.R.T.C.  
W.H. ROBINSON TRACT 1155 D.R.T.C.  
W.H. ROBINSON TRACT 1155 D.R.T.C.  
W.H. ROBINSON TRACT 1155 D.R.T.C.

ARLENE ROBINSON VOL. 5871, PG. 1901 D.R.T.C.  
CHARLES L. MIDDLETON VOL. 5275, PG. 1394 D.R.T.C.

JAMES NICHOLSON AND WIFE, LINDA NICHOLSON R.P.R.T.C. VOL. 13262, PG. 1313

16.759 ACRES  
KBS, L.L.C. 2004084240  
KBS, L.L.C. 2004181118  
KBS, L.L.C. 2004180969  
KBS, L.L.C. 2005032200  
KBS, L.L.C. 2016121924  
KBS, L.L.C. 2017140773  
KBS, L.L.C. 2018056349  
KBS, L.L.C. 2018056350  
ROYAL POINTE SECTION ONE DOC. NO. 2008044 O.P.R.T.C.  
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HEATHERWILDE BLVD. (RIGHT-OF-WAY VARIANCE)  
30' ACCESS EASEM. 8/16/2007  
20' ACCESS EASEM. 8/16/2007  
DRYWAGE EASEM. 10/2/2011  
DISCARDED WIRE

STATE OF TEXAS VOL. 11339, PG. 2005 R.P.R.T.C.  
30' PUBLIC ROADWAY, PGS. 485-487 ROAD MINUTES NO. 2, TRAVIS COUNTY, TEXAS

LINE BEARING DISTANCE  
1 S 87°05'48" E 17.55'  
2 S 87°05'48" E 44.34'  
3 N 87°05'48" E 17.55'

**TITLE SURVEYING & MAPPING CO., INC.**  
10306 RAINBOW BLVD., SUITE 103  
DALLAS, TEXAS 75243  
TEL: 972.987.2345  
WWW.TITLESURVING.COM

**SURVEYOR'S CERTIFICATE:**  
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standards Detail Requirements for the ALTA/NSPS Land Survey of this State of Texas.  
I, the undersigned, being a registered surveyor of the State of Texas, continue, to comply with the provisions of Article 1553, Texas Constitution, and the provisions of the Surveying and Mapping Act of 1991, Chapter 864, Texas Government Code, and the provisions of the Surveying and Mapping Act of 1991, Chapter 864, Texas Government Code, in the performance of the duties of my office.  
The field work was completed on August 20, 2021.  
Date of Map Survey: February 11, 2021  
Date of Title Survey: February 11, 2021  
Surveyed and Mapped by: *[Signature]*  
Title Surveying & Mapping Co., Inc.  
Surveying and Mapping Company  
License No. 6392  
Effective Date: 10/14/2020

**FLOODPLAIN NOTE:**  
A PORTION OF THIS TRACT LIES WITHIN THE LIMITS OF SPECIAL FLOOD HAZARD ZONE "A" AS DEPICTED ON THE FLOOD INSURANCE RATE MAP FOR TRAVIS COUNTY, TEXAS ZONE "A" DATED 08/26/2014 FOR TRAVIS COUNTY, TEXAS. THIS TRACT IS SUBJECT TO INUNDATION FROM THE 1% ANNUAL CHANCE EVENT COMMONLY REFERRED TO AS THE 100-YEAR FLOOD.

DATE: 02/23/2021  
FRED L. DODD, JR., R.E.S., L.S., L.S. 6392  
JOS. MO. 101101

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VALUERO O.P.R.W.C. 7  
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TRINX O.P.R.W.C. 5  
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# SURVEY

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