

**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 (REZ2105-01); 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 September 20<sup>th</sup>, 2021; and

**WHEREAS**, on October 4<sup>th</sup>, 2021 the Planning and Zoning Commission 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 to recommend denial of the Proposed Zoning with a vote of 5-2; 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 \_\_\_\_\_, 2021.

CITY OF PFLUGERVILLE,  
TEXAS

by:

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

ATTEST:

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KAREN THOMPSON, City Secretary

APPROVED AS TO FORM:

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



# EXHIBIT "A"



**2004 & 2016  
Rowe Loop  
(A to SF-R)**

**Case Number:  
REZ2105-01**

**5/3/2021**

### Legend

-  Rezoning
-  Notification Area
-  City Limits
-  ETJ

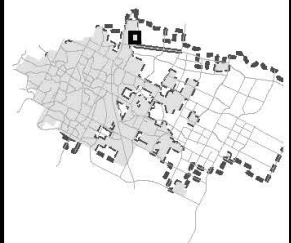
0 200 400 Feet




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.



### Locator Map





A.E. Pfluger

V. 750 P. 692

Patricia Fortman

V. 1122 P. 169

S 09°26'40"W 385.47'  
(S 09°2'10"W 385.47')

10' E  
Elec. Em't V. 6260 P. 759

15' P.U.E. V. 5652 P. 1561

Fence 1.5' off

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5.21 ACRES

Michael & Carol Stephens

V. 1218 P. 514

S 80°01'40"E 605.59'  
(S 80°01'E 605.55')

Metal Shed  
36.1' x 11.1'

Metal Barn  
40.1' x 51.1'

Fence area

One Story Frame & Stone Residence  
77.9' x 116.0'

Conc. Drive  
41.0'

Asphalt Surface

114.5'

116.0'

50' P.U.E. V. 5652 P. 1561

15' P.U.E. V. 5652 P. 1561

(N 10° E 230.97')  
N 10°00'40"E 290.91'

Rowe Loop

Bearing Basis  
N 80°00'00"W 588.74' (588.68')

Patricia Fortman  
V. 1122 P. 169

CH=N 02°22' W 96.43' R=225.00'  
CH=N 02°21'30"W 96.47'

P.O.B.

LEGEND

- 1/2" IRON PIPE FOUND
- 1/2" REBAR FOUND
- 1/2" REBAR SET
- BARR WIRE FENCE
- CHAIN LINK FENCE
- WOOD FENCE
- BUILDING LINE
- PUBLIC UTILITY EASEMENT
- ( ) RECORD INFORMATION
- POWER POLE
- O.H. OVERHEAD UTILITIES

Elec. Transmission Distribution Line Esmt.  
V. 551 P. 111, V. 92 P. 329  
Do not affect this lot.

Subject to Water! Esmt.  
V. 4822 P. 1689

5.21 Acres, more or less, out of Jacob Casner Survey No. 9, Abstract No. 2753, and Being more particularly described in Exhibit "A" attached hereto, and made a part hereof.

COUNTY: TRAVIS STATE OF TEXAS STREET ADDRESS: 2016 ROWE LOOP  
CITY: PFLUGERVILLE REFERENCE MARK: MARK DONNEL AND KIMBERLY DONNEL



Dewey M. Burris & Associates  
Land Surveying Services  
1404 West North Loop Blvd  
Austin, Texas 78757



THIS PROPERTY BEES-401  
LIE WITHIN THE 100 YEAR FLOODPLAIN  
AND HAS A ZONE  
SHOWN ON THE FLOOD INSURANCE RATE MAPS  
FIRM MAP NO. 481028  
DATE: 08/16/93  
This certification is for insurance  
purposes only and is not a guarantee  
CONTACT YOUR LOCAL FLOODPLAIN  
ADMINISTRATOR FOR THE CURRENT  
STATUS OF THIS TRACT.

DATE: 04/01/99  
TIME: 4:00 P.M.  
SCALE: 1" = 40'

FIELD WORK	CHECK	DATE
GRAFTING	JERRY	04/03/99
PLAN CHECK		
CORRECTIONS		
UP DATE		

*Handwritten signature*