

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 BASE ZONING DESIGNATION OF A 27.066 ACRE TRACT OF LAND SITUATED IN THE THOMAS G. STEWART SURVEY NO. 6, PFLUGERVILLE, TRAVIS COUNTY, TEXAS, GENERALLY LOCATED ALONG THE SOUTHEAST CORNER OF THE INTERSECTION OF SH 45 AND NORTH HEATHERWILDE BOULEVARD FROM CORRIDOR URBAN LEVEL 4 (CL4) TO CAMPUS INDUSTRIAL (CI), AND REPEALING THE HIGHLAND PARK INDUSTRIAL SPECIAL DISTRICT APPROVED BY CITY ORDINANCE NO. 957-08-07-22; TO BE KNOWN AS THE HEATHERWILDE BUSINESS PARK REZONING (REZ1511-01); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the property owner desires to void the existing approved Highland Park Industrial Special District, City ordinance number 957-08-07-22, by rezoning the property to Campus Industrial (CI); and

WHEREAS, the Planning and Zoning Commission held a public hearing on December 7, 2015 and voted for its approval with a vote of 6-0; 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.

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

The City Council finds:

THAT, the zoning amendment 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 the street; 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 1: That the Official Zoning Map of the City of Pflugerville, Texas adopted in Ordinance No. 1203-15-02-24, as amended, is amended to change the base zoning districts of the property described by Field Notes in Exhibit A and reflected in the Map in Exhibit B, from the Corridor Urban Level 4 (CL4) District to Campus Industrial (CI) District.

The property described above may be developed and used in accordance with regulations established for the Campus Industrial (CI) District, as applicable, and other applicable ordinances of the City of Pflugerville, Texas.

Section 2. This ordinance shall be cumulative of all other ordinances of the City of Pflugerville, and this ordinance shall not operate to repeal or affect any other ordinances of the City of Pflugerville 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.

Section 3. 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 4. That this Ordinance will become effective on its adoption and passage by the City Council.

PASSED AND APPROVED this _____ day of _____, 2016.

CITY OF PFLUGERVILLE, TEXAS

by: _____
JEFF COLEMAN, Mayor

ATTEST:

KAREN THOMPSON, City Secretary

APPROVED AS TO FORM:

GEORGE E. HYDE, City Attorney
DENTON, NAVARRO, ROCHA, BERNAL, HYDE & ZECH P.C.

EXHIBIT "A"
27.066 acres to Campus Industrial (CI) Zoning



EXHIBIT "A"

**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-443-1724
Fax: 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

**27.067 ACRES
THOMAS G. STEWART SURVEY NO. 6**

A DESCRIPTION OF 27.067 ACRES OF LAND (APPROX. 1179047 S.F.) IN THE THOMAS G. STEWART SURVEY NO. 6, TRAVIS COUNTY, TEXAS, BEING A PORTION OF AN 80.2770 ACRE TRACT OF LAND DESCRIBED AS TRACT 1, A PORTION OF A 104.99 ACRE TRACT OF LAND DESCRIBED AS TRACT 3, AND A PORTION OF A 15.0016 ACRE TRACT DESCRIBED AS TRACT 5, ALL IN A SPECIAL WARRANTY DEED TO HPN DEVELOPMENT, INC., DATED AUGUST 15, 2001, OF RECORD IN DOCUMENT NO. 2001136994 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND ALSO BEING A PORTION OF A 0.33 ACRE TRACT OF LAND DESCRIBED IN A DEED WITHOUT WARRANTY TO HPN DEVELOPMENT, INC., DATED JULY 12, 2002, OF RECORD IN DOCUMENT NO. 2002128762 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 27.067 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a TxDOT type II monument found in the east right-of-way line of North Heatherville Boulevard (right-of-way width varies), the southernmost corner of TxDOT Parcel 223 (State Highway 45, CSJ 0683-06-013), as described in Document No. 2003196136 and 2004015727, both of the Official Public Records of Travis County, Texas and also being in the east line of a 2.171 acre tract of land described in Document No. 2002240243 of the Official Public Records of Travis County, Texas

THENCE over and across said 80.2770 acre tract with the south line of said Parcel 223 and the north line of herein described tract, the following six (6) courses:

1. North 39°23'17" East, a distance of 143.52 feet to a ½" rebar with cap set;
2. North 28°42'46" East, a distance of 260.32 feet to a TxDOT type II monument found;
3. North 36°07'32" East, a distance of 112.03 feet to a TxDOT type II monument found;
4. North 55°33'01" East, a distance of 74.21 feet to a TxDOT type II monument found 39.00 feet right of and at right angles to survey baseline station 756+42.96 of said State Highway 45;
5. South 64°44'20" East, a distance of 358.99 feet to a TxDOT type II monument found;

6. South 64°43'33" East, a distance of 294.70 feet to a ½" rebar with cap set in the west line of Lot 39, Highland Park North Phase A Section One, a subdivision of record in Document no. 200200341 of the Official Public Records of Travis County, Texas;

THENCE continuing over and across the 80.2770 acre tract, said 0.33 acre tract and said 104.99 acre tract, with the west line of said Lot 39, the following three (3) courses:


1. South 09°49'53" East, a distance of 514.46 feet to a ½" rebar with cap set for a point of curvature;
2. Along a curve to the right having a radius of 505.00 feet, an arc length of 309.69 feet and chord which bears South 07°44'14" West, a distance of 304.86 feet to a ½" rebar with cap set;
3. South 25°18'20" West, a distance of 440.43 feet to a ½" rebar with cap set;

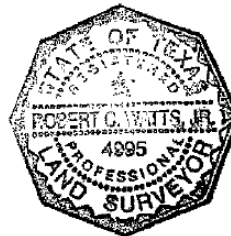
THENCE North 63°16'07" West, over and across the 104.99 acre tract and said 15.0016 acre tract, a distance of 1169.62 feet to a ½" rebar with cap set in the east right-of-way line of said North Heatherwilde Boulevard;

THENCE with the east right-of-way line of North Heatherwilde Boulevard, over and across the 15.0016 acre tract, the 0.33 acre tract and the 80.2770 acre tract, the following four (4) courses:

1. North 26°59'04" East, a distance of 14.46 feet to a ½" rebar with cap set;
2. North 26°43'53" East, a distance of 357.47 feet to a ½" rebar with cap set;
3. North 28°42'19" East, a distance of 18.98 feet to a ½" rebar with cap set;
4. North 28°16'20" East, a distance of 158.48 feet to the **POINT OF BEGINNING**, containing 27.067 acres of land, more or less.

Surveyed on the ground July 1998, updated June 11, 2002 and April 27, 2005.
Attachments: Drawing 143-006-COM1. Bearing Basis: Grid Azimuth for Texas
Central Zone, 1983/93 HARN Values from LCRA Control Network.


Robert C. Watts, Jr.
Registered Professional Land Surveyor
State of Texas No. 4995



4-28-05

EXHIBIT "B"
27.066 acres to Campus Industrial (CI) Zoning

