

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 41.31 ACRES, OF UNPLATTED LAND OUT OF THE AUSTIN A. SURVEY 19, ABSTRACT NO. 38, AND THE ZAMBRANO J. SURVEY 38, ABSTRACT NO. 844, IN TRAVIS COUNTY, TEXAS, FROM AGRICULTURE/DEVELOPMENT RESERVE (A) DISTRICT TO SINGLE FAMILY RESIDENTIAL (SF-R) DISTRICT; TO BE KNOWN AS THE ENCLAVE AT CELE REZONING (REZ2006-01); 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 an approximate 41.31-acre tract of land out of the Austin A Survey 19, Abstract NO. 38 and the Zambrano J Survey 38, Abstract NO. 844, 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 July 06, 2020, 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 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.

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 an 41.31-acre tract 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 _____, 2020.

CITY OF PFLUGERVILLE,
TEXAS

by:

VICTOR GONZALES, Mayor

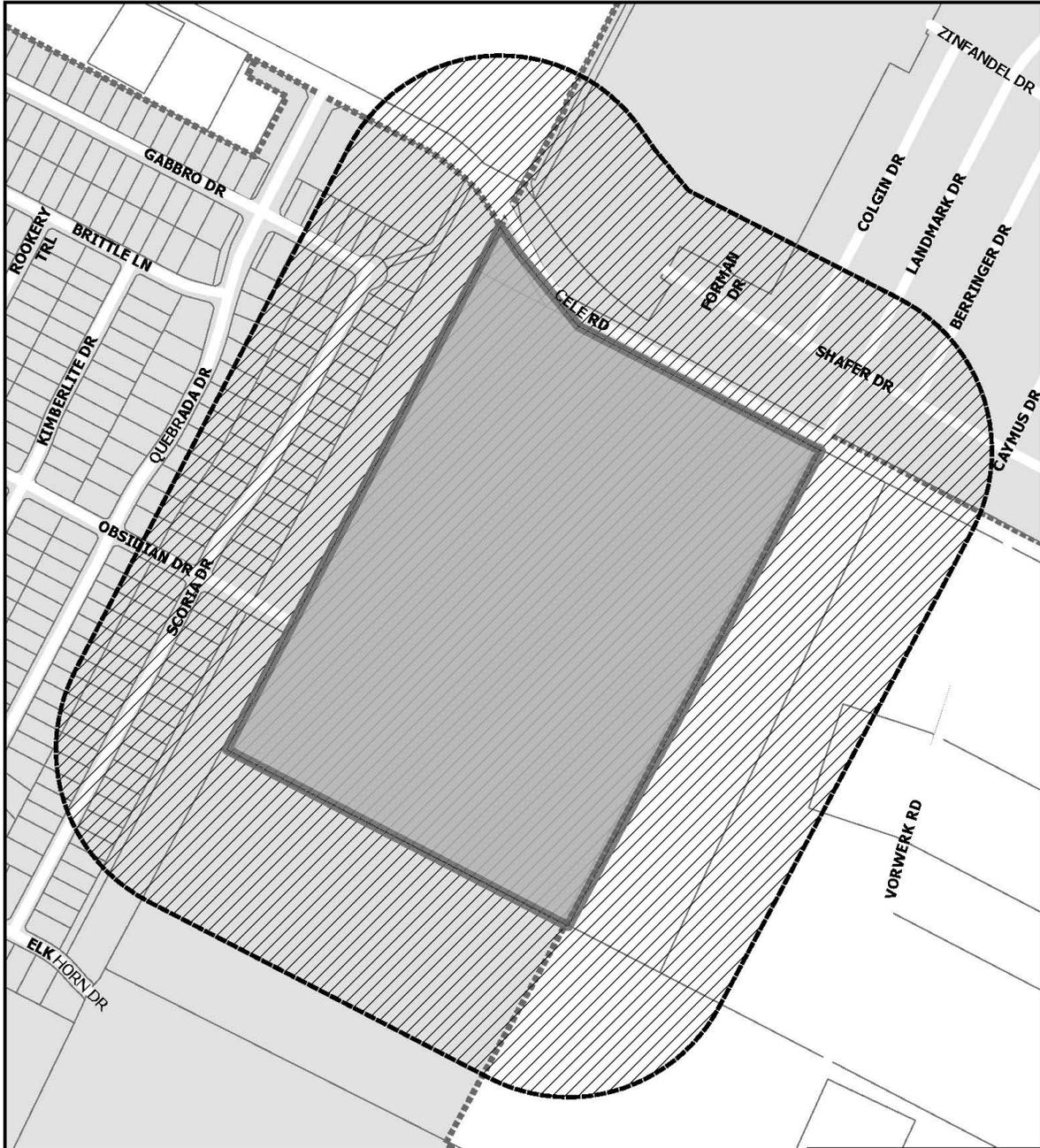
ATTEST:

KAREN THOMPSON, City Secretary

APPROVED AS TO FORM:

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

EXHIBIT "A"



**Enclave at Cele
(A to SF-R)**

**Case Number:
REZ2006-01**

6/1/2020

Legend

-  Rezoning
-  Notification Area
-  City Limits
-  ETJ

0 250 500 Feet



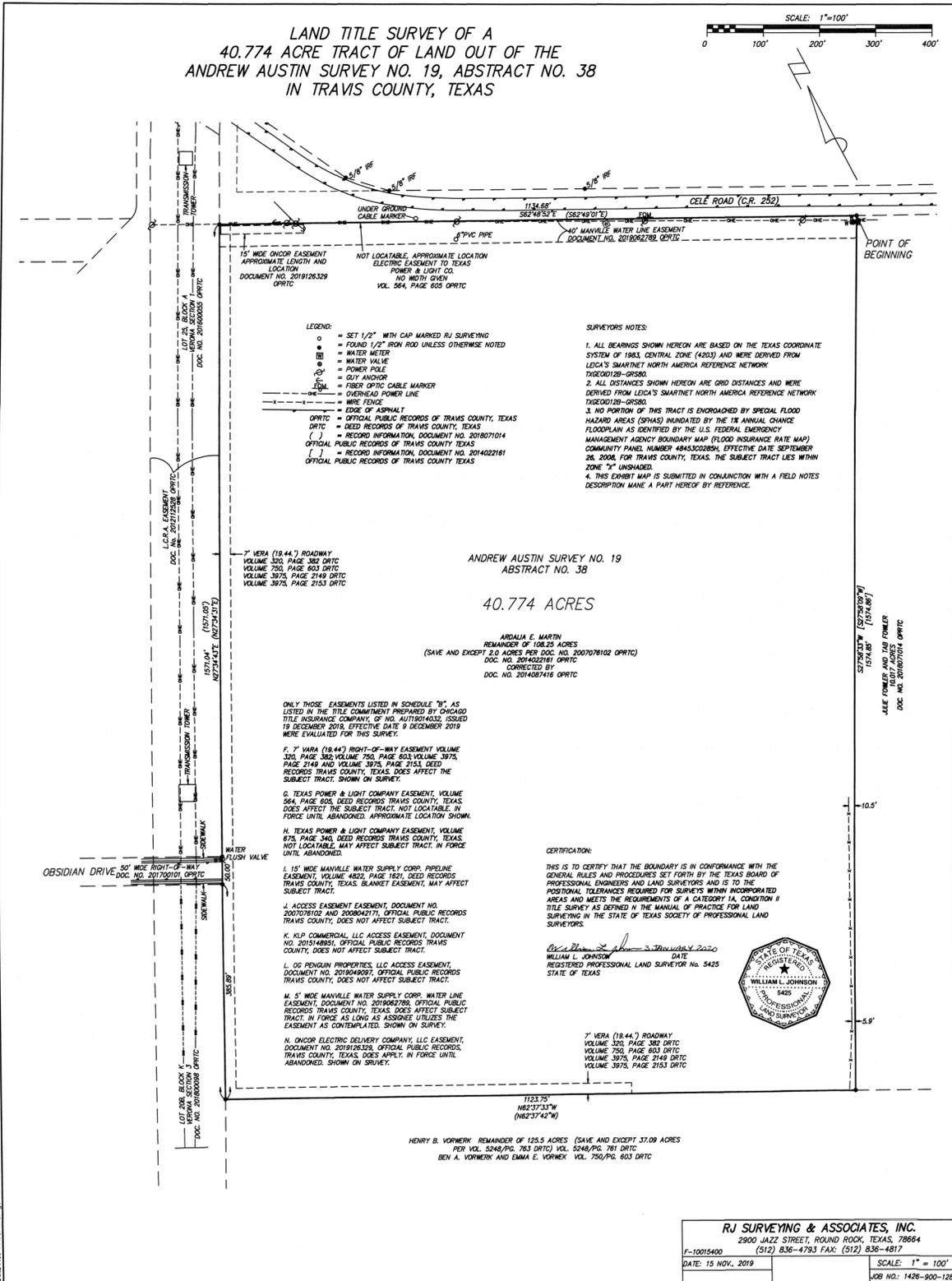
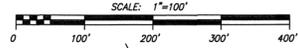
When required the City of Pflugerville complies with Texas Local Government Code for public notifications. All notification addresses are derived from tax role information that is certified annually.



Locator Map



LAND TITLE SURVEY OF A
40.774 ACRE TRACT OF LAND OUT OF THE
ANDREW AUSTIN SURVEY NO. 19, ABSTRACT NO. 38
IN TRAVIS COUNTY, TEXAS



- 15' WIDE ONCOR EASEMENT
APPROXIMATE LENGTH AND
LOCATION
DOCUMENT NO. 2019126329
OPRTC
- NOT LOCATABLE, APPROXIMATE LOCATION
ELECTRIC EASEMENT TO TEXAS
POWER & LIGHT CO.
NO WIDTH GIVEN
VOL. 564, PAGE 603 OPRTC
- LEGEND:
- = SET 1/2" WITH CAP MARKED RJ SURVEYING
 - = FOUND 1/2" IRON ROD UNLESS OTHERWISE NOTED
 - ⊕ = WATER METER
 - ⊙ = WATER VALVE
 - ⊖ = POWER POLE
 - ⊙ = GUY W/ANCHOR
 - ⊖ = FIBER OPTIC CABLE MARKER
 - ⊖ = OVERHEAD POWER LINE
 - = WIRE FENCE
 - = EDGE OF ASPHALT
 - OPRTC = OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
 - DRTC = DEED RECORDS OF TRAVIS COUNTY, TEXAS
 - [] = RECORD INFORMATION, DOCUMENT NO. 2018071014
 - [] = OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS
 - [] = RECORD INFORMATION, DOCUMENT NO. 2014022161
 - [] = OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS

- SURVEYORS NOTES:
1. ALL BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE (4003) AND WERE DERIVED FROM LEICA'S SMARTNET NORTH AMERICA REFERENCE NETWORK TXG000128-GRS80.
 2. ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES AND WERE DERIVED FROM LEICA'S SMARTNET NORTH AMERICA REFERENCE NETWORK TXG000128-GRS80.
 3. NO PORTION OF THIS TRACT IS ENDOCHANCED BY SPECIAL FLOOD HAZARD AREAS (SFHAs) INDICATED BY THE 1% ANNUAL CHANCE FLOODPLAIN AS IDENTIFIED BY THE U.S. FEDERAL EMERGENCY MANAGEMENT AGENCY BOUNDARY MAP (FLOOD INSURANCE RATE MAP) COMMUNITY PANEL NUMBER 484530028SH, EFFECTIVE DATE SEPTEMBER 26, 2008 FOR TRAVIS COUNTY, TEXAS. THE SUBJECT TRACT LIES WITHIN ZONE "X" UNSHADED.
 4. THIS EXHIBIT MAP IS SUBMITTED IN CONJUNCTION WITH A FIELD NOTES DESCRIPTION MADE A PART HEREOF BY REFERENCE.

ANDREW AUSTIN SURVEY NO. 19
ABSTRACT NO. 38

40.774 ACRES

ARDALJA E. MARTIN
REMAINDER OF 108.25 ACRES
(SAVE AND EXCEPT 2.0 ACRES PER DOC. NO. 2007076102 OPRTC)
DOC. NO. 2014022161 OPRTC
CORRECTED BY
DOC. NO. 2014087416 OPRTC

ONLY THOSE EASEMENTS LISTED IN SCHEDULE "B", AS LISTED IN THE TITLE COMMITMENT PREPARED BY CHICAGO TITLE INSURANCE COMPANY, OF NO. 447876432, ISSUED 19 DECEMBER 2016, EFFECTIVE DATE 9 DECEMBER 2019 WERE EVALUATED FOR THIS SURVEY.

- F. 7' VERA (18.44') RIGHT-OF-WAY EASEMENT VOLUME 393, PAGE 362 VOLUME 750, PAGE 803 DRTC VOLUME 3975, PAGE 2149 AND VOLUME 3975, PAGE 2153 DEED RECORDS TRAVIS COUNTY, TEXAS. DOES AFFECT THE SUBJECT TRACT, SHOWN ON SURVEY.
- G. TEXAS POWER & LIGHT COMPANY EASEMENT, VOLUME 564, PAGE 603, DEED RECORDS TRAVIS COUNTY, TEXAS. DOES AFFECT THE SUBJECT TRACT, NOT LOCATABLE, IN FORCE UNTIL ABANDONED. APPROXIMATE LOCATION SHOWN.
- H. TEXAS POWER & LIGHT COMPANY EASEMENT, VOLUME 678, PAGE 340, DEED RECORDS TRAVIS COUNTY, TEXAS. NOT LOCATABLE, MAY AFFECT SUBJECT TRACT, IN FORCE UNTIL ABANDONED.
- I. 15' WIDE MANVILLE WATER SUPPLY CORP. PIPELINE EASEMENT, VOLUME 4822, PAGE 1621, DEED RECORDS TRAVIS COUNTY, TEXAS. BLANKET EASEMENT, MAY AFFECT SUBJECT TRACT.
- J. ACCESS EASEMENT, DOCUMENT NO. 2007076102 AND 2008042171, OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS. DOES NOT AFFECT SUBJECT TRACT.
- K. KLP COMMERCIAL, LLC ACCESS EASEMENT, DOCUMENT NO. 201548951, OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS. DOES NOT AFFECT SUBJECT TRACT.
- L. DG PENGUIN PROPERTIES, LLC ACCESS EASEMENT, DOCUMENT NO. 201804907, OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS. DOES AFFECT SUBJECT TRACT, IN FORCE AS LONG AS ASSIGNEE UTILIZES THE EASEMENT AS CONTEMPLATED. SHOWN ON SURVEY.
- M. 5' WIDE MANVILLE WATER SUPPLY CORP. WATER LINE EASEMENT, DOCUMENT NO. 2018062780, OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS. DOES AFFECT SUBJECT TRACT, IN FORCE AS LONG AS ASSIGNEE UTILIZES THE EASEMENT AS CONTEMPLATED. SHOWN ON SURVEY.
- N. ONCOR ELECTRIC DELIVERY COMPANY, LLC EASEMENT, DOCUMENT NO. 2019126329, OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS. DOES APPLY, IN FORCE UNTIL ABANDONED. SHOWN ON SURVEY.

CERTIFICATION:

THIS IS TO CERTIFY THAT THE BOUNDARY IS IN CONFORMANCE WITH THE GENERAL RULES AND PROCEDURES SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND IS TO THE POSITIVE, TOLERANCES REQUIRED FOR SURVEYS WITHIN INCORPORATED AREAS AND MEETS THE REQUIREMENTS OF A CATEGORY 1A, CONDITION II TITLE SURVEY AS DEFINED IN THE MANUAL OF PRACTICE FOR LAND SURVEYING IN THE STATE OF TEXAS SOCIETY OF PROFESSIONAL LAND SURVEYORS.



William L. Johnson
DATE: 31 JULY 2019
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5425
STATE OF TEXAS

HENRY B. VORNEK: REMAINDER OF 125.5 ACRES (SAVE AND EXCEPT 37.09 ACRES PER VOL. 5248/PG. 763 DRTC) VOL. 5248/PG. 761 DRTC
BEN A. VORNEK AND EMMA E. VORNEK VOL. 750/PG. 803 DRTC

RJ SURVEYING & ASSOCIATES, INC.
2900 JAZZ STREET, ROUND ROCK, TEXAS, 78664
F-10015400 (512) 836-4793 FAX: (512) 836-4817
DATE: 15 NOV. 2019 SCALE: 1" = 100'
JOB NO: 1428-900-128