

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 4.724 ACRES, OF UNPLATTED LAND SITUATED IN THE JOSEPH WIEHL SURVEY, ABSTRACT NO. 802, IN TRAVIS COUNTY, TEXAS, FROM AGRICULTURE/DEVELOPMENT RESERVE (A) DISTRICT TO RETAIL (R) DISTRICT; TO BE KNOWN AS THE WEISS LANE COMMERCIAL REZONING (REZ2104-01); 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 4.724-acre tract of land out of the Joseph Wiehl Survey, Abstract No. 802, in Travis County, Texas, from Agriculture/Development Reserve (A) District to Retail (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 03, 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 4-0; 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 Retail (R) District for a 4.724-acre tract of land. The property described herein may be developed and used in accordance with regulations established for the base zoning district of Retail (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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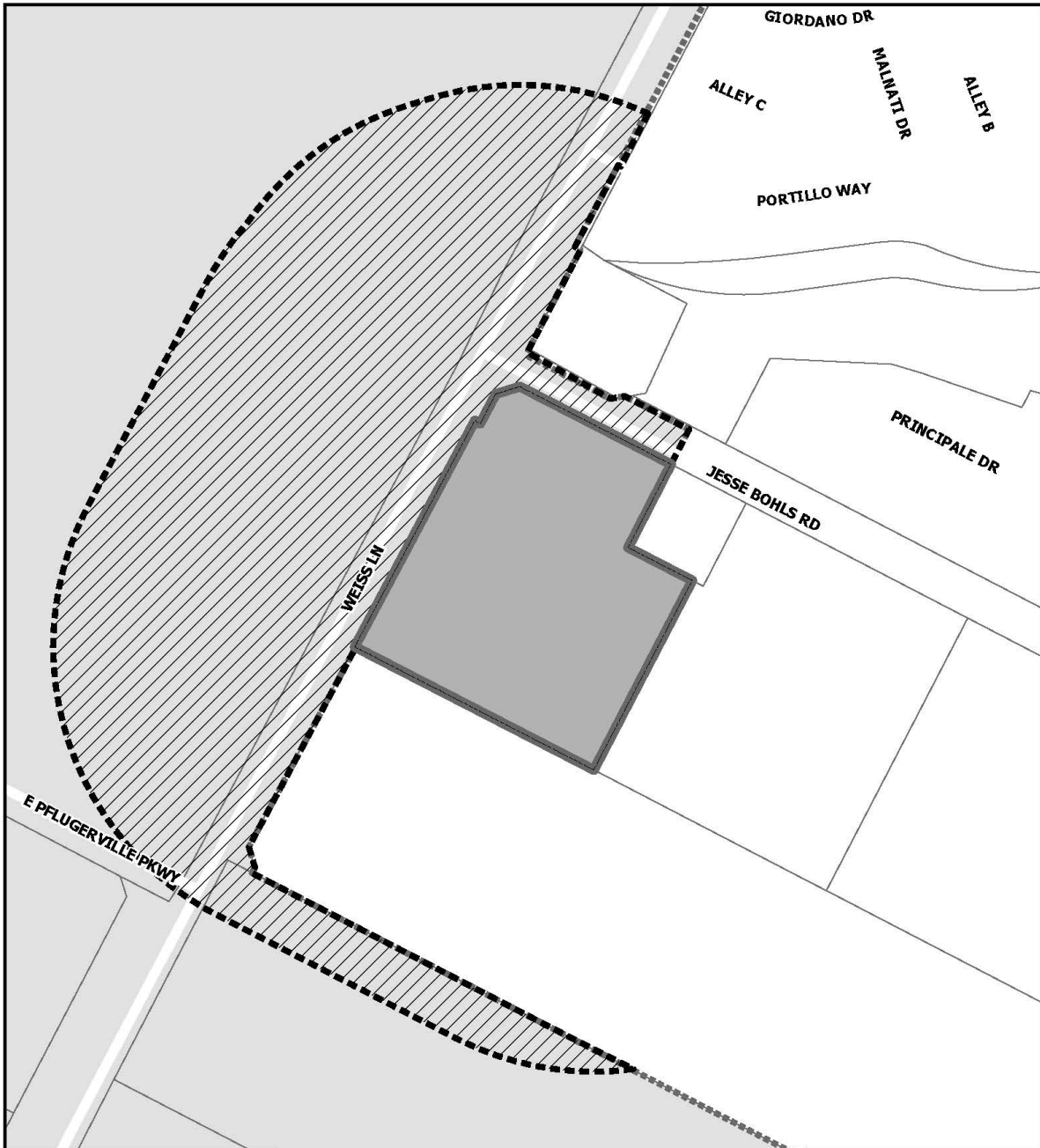
KAREN THOMPSON, City Secretary

APPROVED AS TO FORM:

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

# EXHIBIT "A"



**Weiss Lane  
Commercial**

**(A to R)**

**Case Number:  
REZ2104-01**

**4/5/2021**

**Legend**

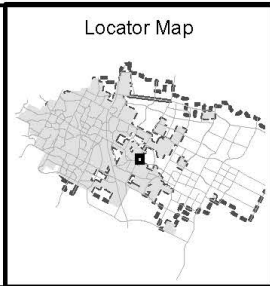
- Rezoning
- Notification Area
- City Limits
- ETJ

0 150 300 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.

**where quality meets life**  
**PFLUGERVILLE**  
TEXAS



## SURVEY

### PROPERTY DESCRIPTION:

BEING A 4.724 ACRE TRACT OF LAND SITUATED IN THE JOSEPH WIEHL SURVEY, ABSTRACT NO. 802, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO KEITH WEISS, AS RECORDED IN VOLUME 13105, PAGE 302, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD FOUND AT THE MOST NORTHERLY EAST CORNER OF SAID WEISS TRACT AND THE NORTH CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO JANET LYN STUHMER, AS RECORDED IN INSTRUMENT NO. 2003154725, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID IRON ROD BEING ON THE SOUTHWEST LINE OF JESSE BOHLS ROAD;

THENCE SOUTH 30° 00' 20" WEST (DEED = SOUTH 29° 44' 35" WEST), A DISTANCE OF 155.17 FEET ALONG THE COMMON LINE OF SAID WEISS AND STUHMER TRACTS TO A 1/2-INCH IRON ROD FOUND AT THE WEST CORNER OF SAID STUHMER TRACT;

THENCE SOUTH 59° 37' 37" EAST (DEED = SOUTH 60° 05' 24" EAST), A DISTANCE OF 119.29 FEET ALONG SAID COMMON LINE TO A 1/2-INCH IRON ROD FOUND AT THE MOST SOUTHERLY EAST CORNER OF SAID WEISS TRACT AND THE MOST WESTERLY NORTH CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED AS EXHIBIT B TO NORMAN WEISS AND SPOUSE, VIRGINIA WEISS, AS RECORDED IN VOLUME 12732, PAGE 44, AFORESAID REAL PROPERTY RECORDS;

THENCE SOUTH 30° 00' 00" WEST, A DISTANCE OF 353.90 FEET ALONG THE COMMON LINE OF SAID WEISS (13105/302) AND WEISS (12732/44) TRACTS TO A 1/2-INCH IRON ROD FOUND AT THE SOUTH CORNER OF SAID WEISS TRACT (13105/302) AND THE WEST CORNER OF SAID WEISS TRACT (12732/44), SAID IRON ROD BEING ON THE NORTHEAST LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO NORMAN WEISS AND SPOUSE, VIRGINIA WEISS, AS RECORDED IN INSTRUMENT NO. 2001019556, AFORESAID OFFICIAL PUBLIC RECORDS;

THENCE NORTH 60° 00' 00" WEST, A DISTANCE OF 445.54 FEET ALONG THE COMMON LINE OF SAID WEISS (13105/302) AND WEISS (2001019556) TRACTS TO A 1/2-INCH IRON ROD FOUND ON THE SOUTHEAST LINE OF WEISS LANE;

THENCE NORTH 30° 35' 29" EAST, A DISTANCE OF 424.59 FEET ALONG SAID SOUTHEAST LINE TO A 1/2-INCH IRON ROD FOUND;

THENCE SOUTH 59° 26' 18" EAST, A DISTANCE OF 10.00 FEET TO A 1/2-INCH IRON ROD FOUND;

THENCE NORTH 30° 34' 08" EAST, A DISTANCE OF 55.25 FEET ALONG THE AFORESAID SOUTHEAST LINE OF WEISS LANE TO A 1/2-INCH IRON ROD FOUND;

THENCE NORTH 75° 44' 32" EAST, A DISTANCE OF 41.52 FEET TO A 1/2-INCH IRON ROD FOUND ON THE AFORESAID SOUTHWEST LINE OF JESSE BOHLS ROAD;

THENCE SOUTH 60° 14' 04" EAST, A DISTANCE OF 281.60 FEET ALONG SAID SOUTHWEST LINE TO THE POINT OF BEGINNING AND CONTAINING 205,784 SQUARE FEET OR 4.724 ACRES OF LAND.

**THIS PROPERTY MAY BE SUBJECT TO THE FOLLOWING:**  
**(10f)-EASEMENT, VOL. 823, PG. 503, D.R.T.C.T.**  
**(10g)-EASEMENT, VOL. 906, PG. 110, D.R.T.C.T.**  
**(10h)-EASEMENT, VOL. 4794, PG. 2328, D.R.T.C.T.**

**PROPERTY DESCRIPTION:**

BEING A 424 ACRES TRACT OF LAND SITUATED IN THE JOSEPH WIEHL SURVEY, ABSTRACT NO. 802, COUNTY OF TARRANT, TEXAS, THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO KEITH WEISS, AS RECORDED IN VOLUME 1306, PAGE 802, REAL PROPERTY RECORDS, TARRANT COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEING AT A 1/2 INCH IRON ROD FOUND AT THE MOST NORTHEASTLY EAST CORNER OF SAID WEISS TRACT AND THE NORTH CORNER OF THAT EAST 1/2 SECTION 28, TARRANT COUNTY, TEXAS, AS RECORDED IN INSTRUMENT NO. 2006154723, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS, SAID IRON ROD BEING ON THE SOUTHWEST LINE OF THESE BOHLS ROAD;

THENCE SOUTH 30° 06' 30" WEST DEED = SOUTH 29° 44' 55" WEST, A DISTANCE OF 15417 FEET ALONG THE COMMON LINE OF SAID WEISS AND STUBBINS TRACTS TO A 1/2 INCH IRON ROD FOUND AT THE WEST CORNER OF SAID STUBBINS TRACT;

THENCE SOUTH 59° 37' 37" EAST DEED = SOUTH 60° 05' 24" EAST, A DISTANCE OF 11929 FEET ALONG SAID COMMON LINE TO A 1/2 INCH IRON ROD FOUND AT THE MOST SOUTHERLY EAST CORNER OF SAID WEISS TRACT OF LAND DESCRIBED IN DEED AS EXHIBIT B TO NORMAN WEISS AND SPOUSE, VIRGINIA WEISS, AS RECORDED IN VOLUME 1272, PAGE 44, AFORESAID REAL PROPERTY RECORDS;

THENCE SOUTH 90° 00' 00" WEST, A DISTANCE OF 34390 FEET ALONG THE COMMON LINE OF SAID WEISS (13105302) AND WEISS (1273240) TRACTS TO A 1/2 INCH IRON ROD FOUND AT THE SOUTH CORNER OF SAID WEISS TRACT IRON ROD BEING ON THE NORTHEAST LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO NORMAN WEISS AND SPOUSE, VIRGINIA WEISS, AS RECORDED IN INSTRUMENT NO. 2001019556, AFORESAID OFFICIAL PUBLIC RECORDS;

THENCE NORTH 60° 00' 00" WEST, A DISTANCE OF 4454 FEET ALONG THE COMMON LINE OF SAID WEISS (13105302) AND WEISS (2001019556) TRACTS TO A 1/2 INCH IRON ROD FOUND ON THE SOUTHWEST LINE OF WEISS LANE;

THENCE NORTH 30° 34' 08" EAST, A DISTANCE OF 424.59 FEET ALONG SAID SOUTHWEST LINE OF WEISS LANE TO A 1/2 INCH IRON ROD FOUND NORTH 30° 34' 08" EAST, A DISTANCE OF 5232 FEET ALONG THE COMMON LINE OF SAID IRON ROD FOUND ON THE ANDERSON SOUTH WEST LINE OF THESE BOHLS ROAD;

THENCE NORTH 75° 44' 32" EAST, A DISTANCE OF 4123 FEET TO A 1/2 INCH IRON ROD FOUND ON THE ANDERSON SOUTH WEST LINE OF THESE BOHLS ROAD;

THENCE SOUTH 60° 14' 04" EAST, A DISTANCE OF 241.60 FEET ALONG SAID SOUTH WEST LINE OF THESE BOHLS ROAD, BEING AN UNRECORDED DISTANCE OF 265.784 FEET ALONG THE COMMON LINE OF SAID BOHLS ROAD AND WEISS LANE;

THENCE SOUTH 60° 14' 04" EAST, A DISTANCE OF 241.60 FEET ALONG SAID SOUTH WEST LINE OF THESE BOHLS ROAD, BEING AN UNRECORDED DISTANCE OF 265.784 FEET ALONG THE COMMON LINE OF SAID BOHLS ROAD AND WEISS LANE;

THENCE SOUTH 60° 14' 04" EAST, A DISTANCE OF 241.60 FEET ALONG SAID SOUTH WEST LINE OF THESE BOHLS ROAD, BEING AN UNRECORDED DISTANCE OF 265.784 FEET ALONG THE COMMON LINE OF SAID BOHLS ROAD AND WEISS LANE;

THENCE SOUTH 60° 14' 04" EAST, A DISTANCE OF 241.60 FEET ALONG SAID SOUTH WEST LINE OF THESE BOHLS ROAD, BEING AN UNRECORDED DISTANCE OF 265.784 FEET ALONG THE COMMON LINE OF SAID BOHLS ROAD AND WEISS LANE;

**17705 WEISS LANE**  
**CITY OF PELLUGERVILLE**  
**TARRANT COUNTY, TEXAS**

OWNER	BOHLS, BOHLS & COMPANY, L.P.
PREPARED BY	PREMIER SURVEYING, L.L.C.
DATE	02/28/20
FIELD DATE	02/28/20



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PREPARED BY	PREMIER SURVEYING, L.L.C.
DATE	02/28/20
FIELD DATE	02/28/20



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