

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 5.03-ACRE TRACT OF LAND OUT OF THE JACOB CASNER SURVEY, ABSTRACT NO. 2753, IN PFLUGERVILLE, TX FROM AGRICULTURE/DEVELOPMENT RESERVE (A) DISTRICT TO GENERAL BUSINESS 2 (GB2) DISTRICT; TO BE KNOWN AS THE 20502 FM 685 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 5.03-acre tract of land out of the Jacob Casner Survey, Abstract No. 2753, in Pflugerville, TX from Agriculture/Development Reserve (A) District to General Business 2 (GB2) 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 Agriculture/Development Reserve (A) District to General Business 2 (GB2) District for a 5.03-acre tract of land. The property described herein may be developed and used in accordance with regulations established for the zoning district of General Business 2 (GB2) 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:

\_\_\_\_\_

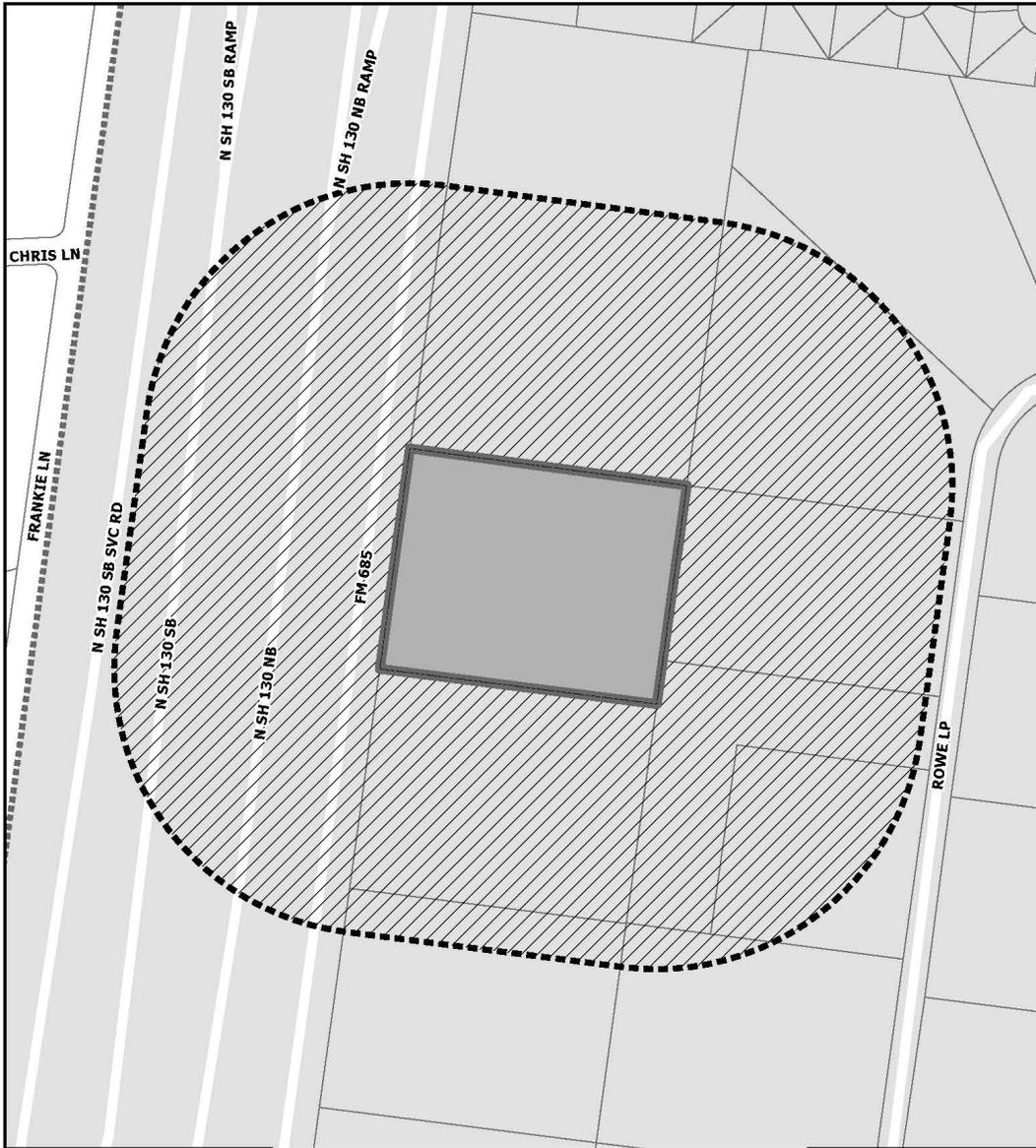
TRISTA EVANS, City Secretary

APPROVED AS TO FORM:

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

# EXHIBIT "A"



20502 FM 685  
 (A to GB-2)  
 Case Number:  
 REZ2106-04  
 6/28/2021

**Legend**

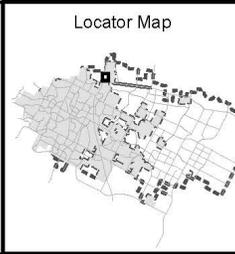
- Rezoning
- Notification Area
- City Limits
- ETJ

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.

**PFLUGERVILLE**  
TEXAS



## SURVEY

### PROPERTY DESCRIPTION:

BEING 5.03 ACRES OF LAND OUT OF AND A PART OF THE JACOB CASNER SURVEY, ABSTRACT NO. 2753, IN TRAVIS COUNTY, TEXAS, BEING TRACT 3 OF AN UNRECORDED SUBDIVISION KNOWN AS PFLUGERVILLE ACRES, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD FOUND AT THE COMMON WEST CORNER OF SAID TRACT 3 AND THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO REAGAN L. DUNKLIN ET UX LOUISE H. DUNKLIN, AS RECORDED IN VOLUME 21443, PAGE 1022, DEED RECORDS, TRAVIS COUNTY, TEXAS, SAID IRON ROD BEING ON THE EAST LINE OF F.M. 685;

THENCE NORTH 10° 00' 00" EAST ALONG SAID EAST LINE, A DISTANCE OF 417.00 FEET TO A 1/2-INCH IRON ROD FOUND AT THE COMMON EAST CORNER OF SAID TRACT 3 AND PFLUGERVILLE U-HAUL ADDITION, AN ADDITION TO TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NUMBER 201600079, PLAT RECORDS, TRAVIS COUNTY, TEXAS;

THENCE SOUTH 80° 27' 00" EAST ALONG THE COMMON LINE OF SAID TRACT 3 AND SAID PFLUGERVILLE U-HAUL ADDITION, A DISTANCE OF 525.55 FEET TO A 1/2-INCH IRON ROD FOUND AT THE COMMON WEST CORNER OF SAID TRACT 3 AND SAID PFLUGERVILLE U-HAUL ADDITION, SAID ROD ALSO BEING AT THE SOUTHWEST CORNER OF A CERTAIN TRACT OF LAND DESCRIBED IN DEED TO VANCE LEE GUSTAFSON AND WIFE, SANDRA K. GUSTAFSON, AS RECORDED IN VOLUME 8497, PAGE 419, DEED RECORDS, TRAVIS COUNTY, TEXAS, SAID ROD ALSO BEING THE AT THE NORTHWEST CORNER OF A CERTAIN TRACT OF LAND DESCRIBED IN DEED TO MANUEL S. REYNA AND JANET S. REYNA, AS RECORDED IN DOCUMENT NUMBER 2007169537, DEED RECORDS, TRAVIS COUNTY, TEXAS;

THENCE SOUTH 10° 00' 00" WEST ALONG THE COMMON LINE OF SAID TRACT 3 AND SAID REYNA TRACT, PASSING THE NORTHWEST CORNER OF A CERTAIN TRACT OF LAND DESCRIBED IN DEED TO WALT SCHROEDER AND JENNIFER SCHROEDER, AS RECORDED IN DOCUMENT NUMBER 2019042801, DEED RECORDS, TRAVIS COUNTY, TEXAS AT 333.75 FEET, PASSING A 1/2-INCH IRON ROD FOUND AT 334.19 FEET, CONTINUING A TOTAL DISTANCE OF 417.00 FEET TO A 1/2-INCH IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID DUNKLIN TRACT;

THENCE NORTH 80° 27' 00" WEST ALONG THE COMMON LINE OF SAID TRACT 3 AND SAID DUNKLIN TRACT, A DISTANCE OF 525.55 FEET TO THE POINT OF BEGINNING, AND CONTAINING 219,148 SQUARE FEET OR 5.03 ACRES OF LAND.

