

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 5.964 ACRE TRACT OF LAND OUT OF THE JOHN VAN WINKLE SURVEY NO. 14, LOCATED GENERALLY SOUTHEAST OF THE BLACK LOCUST DR. AND GRAND AVE. PKWY INTERSECTION FROM AGRICULTURE/CONSERVATION (A) TO MULTI-FAMILY 10 (MF-10) DISTRICT; TO BE KNOWN AS THE WINDERMERE PARK GARDEN VILLAS SECTION TWO REZONING (REZ1701-01); 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, 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 requested to change the zoning of approximately 5.964 acres, located in the John Van Winkle Survey No. 14, from Agriculture/Conservation (A) to Multi-Family 10 (MF-10) District (Proposed Zoning) affecting the property reflected in Exhibit A (Property), which is attached hereto and incorporated herewith for all purposes; and

WHEREAS, the Planning and Zoning Commission held a public hearing on April 3, 2017 and voted in approval of the Proposed Zoning with a vote of 4-2; 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 base zoning district of the Property from Agriculture/Conservation (A) to Multi-Family 10 (MF-10) District, providing that the Property may be developed and used in accordance with regulations established for the Multi-Family 10 (MF-10) District, as applicable, and other applicable ordinances of the City.

SECTION 4. This ordinance shall be cumulative of all other ordinances of the City, and this Ordinance 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.

SECTION 5. 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. 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 _____, 2017.

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, PC

EXHIBIT "A"

WATSON SURVEYING
 9501 CAP OF TEX HWY, #303
 AUSTIN, TEXAS 78759
 PHONE (512) 346-8566

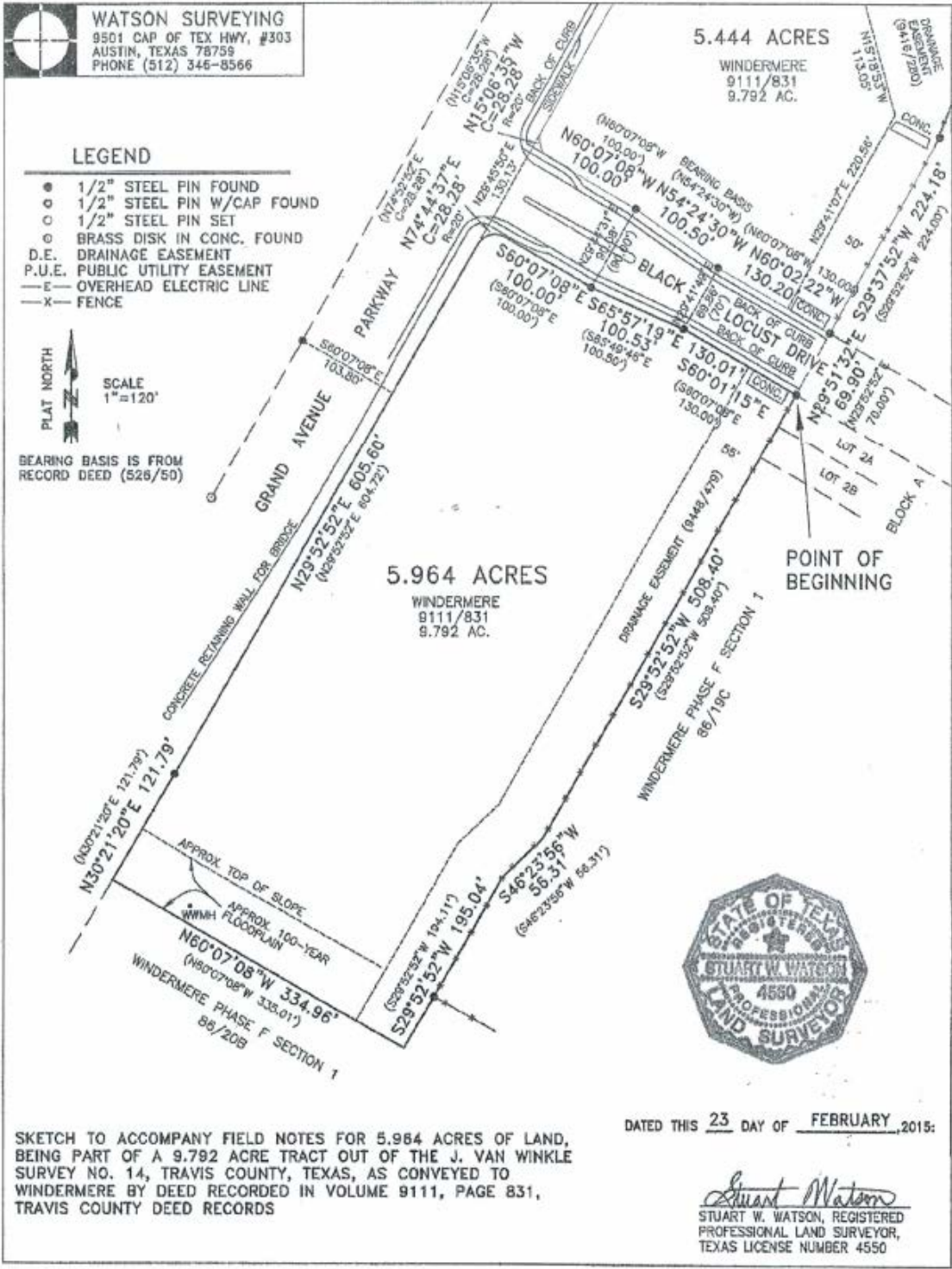
LEGEND

- 1/2" STEEL PIN FOUND
- 1/2" STEEL PIN W/CAP FOUND
- 1/2" STEEL PIN SET
- BRASS DISK IN CONC. FOUND
- D.E. DRAINAGE EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- E- OVERHEAD ELECTRIC LINE
- X- FENCE



SCALE
 1"=120'

BEARING BASIS IS FROM
 RECORD DEED (526/50)



DATED THIS 23 DAY OF FEBRUARY, 2015:

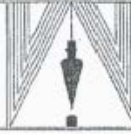
SKETCH TO ACCOMPANY FIELD NOTES FOR 5.964 ACRES OF LAND,
 BEING PART OF A 9.792 ACRE TRACT OUT OF THE J. VAN WINKLE
 SURVEY NO. 14, TRAVIS COUNTY, TEXAS, AS CONVEYED TO
 WINDERMERE BY DEED RECORDED IN VOLUME 9111, PAGE 831,
 TRAVIS COUNTY DEED RECORDS

Stuart Watson
 STUART W. WATSON, REGISTERED
 PROFESSIONAL LAND SURVEYOR,
 TEXAS LICENSE NUMBER 4550



WATSON SURVEYING

9501 CAPITAL OF TEXAS HWY.
SUITE 303 AUSTIN, TX 78759
346-8566 FAX 346-8568



FIELD NOTES FOR 5.964 ACRES OF LAND, BEING PART OF A 9.792 ACRE TRACT OUT OF THE J. VAN WINKLE SURVEY NO. 14, TRAVIS COUNTY, TEXAS, AS CONVEYED TO WINDERMERE BY DEED RECORDED IN VOLUME 9111, PAGE 831, TRAVIS COUNTY DEED RECORDS, SAID 5.964 ACRES BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a $\frac{1}{2}$ " inch steel pin found at the northwest corner of Lot 2A, Block A, Windermere Phase F, Section 1, as recorded in Volume 86, Page 19C, Travis County Plat Records, for the northeast corner hereof;

THENCE with the mutual line of said 9.792 acres and Windermere Phase F, Section 1, the following 4 courses:

- 1) S29°52'52"W 508.40 feet to a computed point for angle,
- 2) S46°23'56"W 56.31 feet to a computed point for angle,
- 3) S29°52'52"W 195.04 feet to a computed point for southeast corner hereof,
- 4) N60°07'08"W 334.96 feet to a computed point in the west ROW line of Grand Avenue Parkway, for southwest corner hereof;

THENCE with mutual line of said ROW and 9.792 acres the following 2 courses:

- 1) N30°21'20"E 121.79 feet to a $\frac{1}{2}$ " steel pin found for angle,
- 2) N29°52'52"E 605.60 feet to a computed point at the start of a curve to the right;

THENCE around said curve to the right with chord of N74°44'37"E 28.28 feet and radius of 20 feet, to a computed point at end of curve;

THENCE with the south ROW line of Black Locust Drive the following 3 courses:

- 1) S60°07'08"E 100.00 feet to a $\frac{1}{2}$ " steel pin found for angle,
- 2) S65°57'19"E 100.53 feet to a $\frac{1}{2}$ " steel pin found for angle,
- 3) S60°01'15"E 130.01 feet to the POINT OF BEGINNING, containing 5.964 acres of land, more or less.

Bearing basis is on north ROW line of Black Locust Drive

See survey map for more information

Surveyed 23 February 2015 by:


Stuart Watson, RPLS 4550

