

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 0.0826-ACRES, BEING A PORTION OF LOT 4, BLOCK 10, TOWN OF PFLUGERVILLE SUBDIVISION, IN TRAVIS COUNTY, TEXAS, FROM SINGLE FAMILY SUBURBAN (SF-S) TO NEIGHBORHOOD SERVICES (NS); TO BE KNOWN AS THE 308 N 1ST STREET REZONING (REZ2024-00404); 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 0.0826-acre, being a portion of Lot 4, Block 10, Town of Pflugerville Subdivision, in Travis County, Texas, from Single Family Suburban (SF-S) to Neighborhood Services (NS), 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 February 3, 2025, 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 Single Family Suburban (SF-S) to Neighborhood Services (NS) for an approximate 0.0826-acre, being a portion of Lot 4, Block 10, Town of Pflugerville Subdivision, in Travis County, Texas. The property described herein may be developed and used in accordance with regulations established for the base zoning district of Neighborhood Services (NS), 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 _____, 2025.

CITY OF PFLUGERVILLE,
TEXAS

by:

VICTOR GONZALES, Mayor

ATTEST:

TRISTA EVANS, City Secretary

APPROVED AS TO FORM:

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

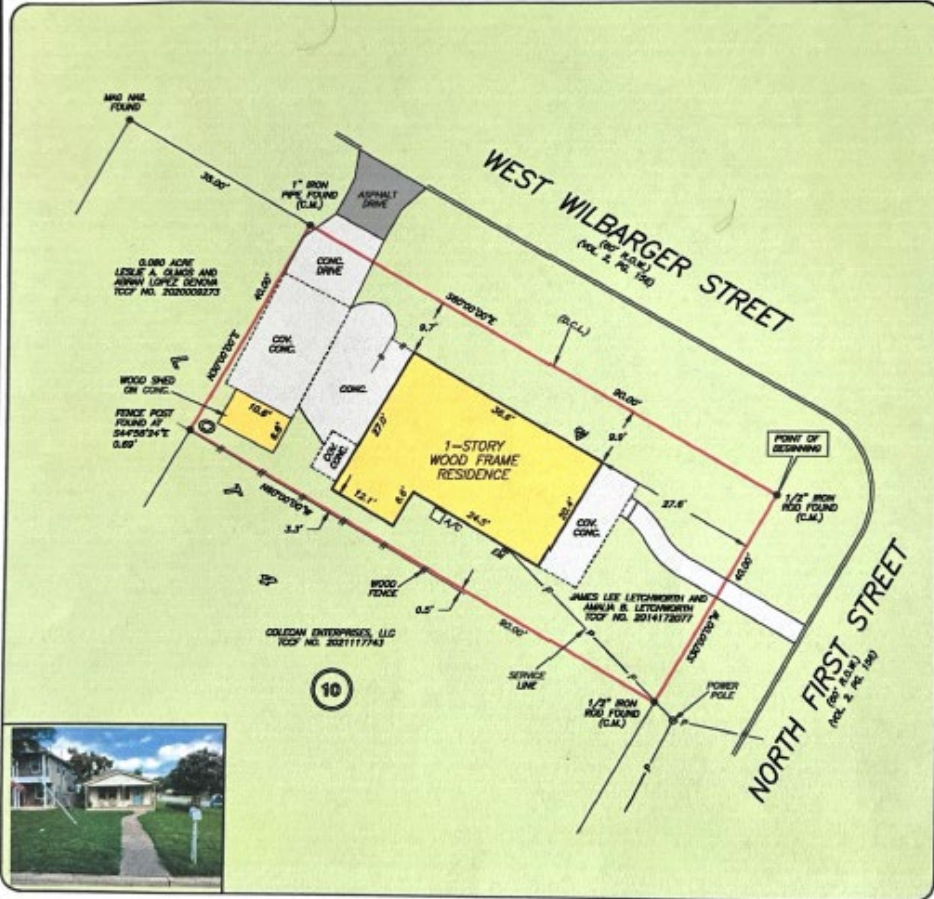
EXHIBIT "A"

OF NO. ATA-41-1706412401021C AUSTIN TITLE
 ADDRESS: 308 NORTH 1ST STREET
 PFLUGERVILLE, TEXAS 79660
 BORROWER: CARL E. KEARNEY AND
 APRIL Y. KEARNEY



0.0826 ACRE
 A PORTION OF LOT 4, BLOCK 10
 TOWN OF PFLUGERVILLE

A SUBDIVISION IN TRAVIS COUNTY, TEXAS
 ACCORDING TO PLAT THEREOF RECORDED
 IN VOLUME 2, PAGE 156 OF THE MAP RECORDS
 OF TRAVIS COUNTY, TEXAS
 (SEE ATTACHED METES AND BOUNDS DESCRIPTION)



THIS PROPERTY DOES NOT LIE WITHIN THE
 100 YEAR FLOOD PLAIN AS PER FIRM
 PANEL NO. 48465C ZONE J
 MAP REVISION: 06/18/2014
 ZONE J
 BASED ONLY ON VISUAL COMPARISON OF MAPS.
 INACCURACIES OF FEMA MAPS PREVENT EXACT
 DETERMINATION WITHOUT DETAILED FIELD STUDY

A SUBSURFACE INVESTIGATION
 WAS BEYOND THE SCOPE OF THIS SURVEY

D.C.L. = DIRECTIONAL CONTROL LINE
 RECORDED BEARING VOL. 2, PG. 156, PRECUT

DRAWN BY: JH

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE
 ON THE SPRAWLS THAT THIS PLAT CORRECTLY
 REPRESENTS THE FACTS FOUND AT THE
 TIME OF SURVEY AND THAT THERE ARE NO
 ENCUMBRANCES APPARENT ON THE SPRAWLS
 EXCEPT AS SHOWN HEREON. THIS SURVEY IS
 CERTIFIED FOR THIS TRANSACTION ONLY AND
 ABSTRACTING INCURRED BY THE ABOVE
 REFERENCED TITLE COMMITMENT WAS RELIED
 UPON IN PREPARATION OF THIS SURVEY.

JAMES E. MOSELEY
 PROFESSIONAL LAND SURVEYOR
 NO. 5912
 JOB NO. SA3024-01721
 JUNE 26, 2024



PRECISION
 surveyors

1-800-LANDSURVEY
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 300 THUNDERBOLT STREET SUITE 100 HOUSTON, TEXAS 77059 1772 MC LOOP 410 BLAKE WOOD SAN ANTONIO, TEXAS 78217
 FIRM NO. 10063700