

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 0.20-ACRE TRACT FROM AGRICULTURE/DEVELOPMENT RESERVE (A) DISTRICT TO SINGLE FAMILY MIXED USE (SF-MU) DISTRICT; AN APPROXIMATE 0.05-ACRE TRACT FROM SINGLE FAMILY RESIDENTIAL (SF-R) DISTRICT TO SINGLE FAMILY MIXED USE (SF-MU) DISTRICT; AN APPROXIMATE 5.0-ACRE TRACT, AN APPROXIMATE 0.22-ACRE TRACT, AND AN APPROXIMATE 0.81-ACRE-TRACT FROM AGRICULTURE/DEVELOPMENT RESERVE (A) DISTRICT TO SINGLE FAMILY RESIDENTIAL (SF-R) DISTRICT; ALL OF WHICH ARE WITHIN PORTIONS OF THE JOHN LEISSE SURVEY NO. 18, ABSTRACT NO. 496, AND THE JOSEPH WIEHL SURVEY NO. 8, ABSTRACT NO. 802 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; TO BE KNOWN AS THE CARMEL WEST PHASE 3 SECTION 1 & 2 REZONING (REZ1911-03); 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 approved the Carmel Development Agreement (Agreement) on October 13, 2015 and agreed that the subdivision development west of Wilbarger Creek will be annexed into the City, developed as a residential subdivision, and zoned consistent with the Conceptual Land Use Plan included within the Agreement; and

**WHEREAS**, the Second Amendment to the Carmel Development Agreement approved on February 12, 2019 (RES 1681-19-02-12-0599) identified adjustments to the development including but not limited to the addition of land and minor reconfiguration of Phase 3 of the single family subdivision as reflected in Substitute Exhibit F of the Second Amendment to the Carmel Development Agreement, provided herein as part of **Exhibit A**; and

**WHEREAS**, the City has been requested to change the zoning of an approximate 0.20 acre tract from Agriculture/Development Reserve (A) District to Single Family Mixed Use (SF-MU) District; an approximate 0.05 acre tract from Single Family Residential (SF-R) District to Single Family Mixed Use (SF-MU) District; a 5.0 acre tract, a 0.22 acre tract and a 0.81 acre tract rezoned from Agriculture/Development Reserve (A) District to Single Family Residential (SF-R) District as reflected in **Exhibit**

A attached hereto and fully incorporated herewith for all purposes (Proposed Zoning); and

**WHEREAS**, the Proposed Zoning is generally consistent with the Second Amendment to the Carmel Development Agreement approved on February 12, 2019 (ORD 1681-19-02-12-0599); and

**WHEREAS**, the Planning and Zoning Commission held a public hearing on January 6, 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 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 base zoning district of the property described in **Exhibit A** from Agriculture/Development Reserve (A) District to Single Family Mixed Use (SF-MU) District, from Single Family Residential (SF-R) to Single Family Mixed Use (SF-MU) district, and from Agriculture/Development Reserve (A) District to Single Family Residential (SF-R) District, as provided herein.

The property described herein shall be developed and used in accordance with the regulations established for the Single-Family Mixed Use (SF-MU) District and Single-Family Residential (SF-R) District, as applicable, and 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

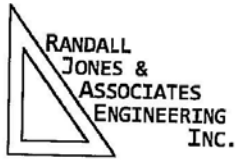
ATTEST:

\_\_\_\_\_  
KAREN THOMPSON, City Secretary

APPROVED AS TO FORM:

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

EXHIBIT "A"



2900 JAZZ STREET, ROUND ROCK, TEXAS 78664

RJAE#2762

November 26, 2019

Development Services  
City of Pflugerville  
201-B East Pecan Street  
PO Box 589  
Pflugerville, TX 78691

RE: Carmel West Zoning- Annexation Tract  
Summary Letter

To Whom It May Concern:

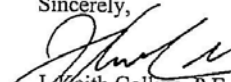
The purpose of this letter is to summarize the zoning request for Carmel West to add the 14.09 annexation tract that was added to this phase of the Carmel development. The original boundary was approximately 443.69 acres of land and was previously approved for zoning as illustrated on the attached exhibit- "Original Zoning". With approval of the Second Amendment to the Carmel Development Agreement dated February 12, 2019, an additional 14.09 acres was annexed into the Development. Per the agreement the developer is required to request zoning approval in conformance with the Substitute Master Land Plan as shown on Exhibit F of the Agreement.

The majority of the 14.09-acre tract will remain zoned as Agricultural(A). Due to the re-configuring of the single-family lots when this 14.09-acre tract was added, there are a few additional zoning adjustments that needed to be made within the Carmel West Phase 3 boundary. Generally, these changes are shown on the attached overall exhibit, and specifically described by metes and bounds. The tracts and zoning changes are:

1. A 0.20-acre parcel that will change from A to SF-MU.
2. A 0.05-acre parcel that will change from SF-R to SF-MU
3. A 5.00-acre parcel that will change from A to SF-R
4. A 0.22-acre parcel that will change from A to SF-R
5. A 0.81-acre parcel that will change from A to SF-R

If you have any questions or need any additional information in support of this request, please contact me at (512) 334-0015 or by email at [keithc@rj-eng.com](mailto:keithc@rj-eng.com).

Sincerely,

  
J. Keith Collins, P.E.  
Sr. Project Manager





0.20 Acre Parcel

THAT PART OF THE JOSEPH WIEHL SURVEY NO. 8, ABSTRACT NO. 802 AND THE JOHN LEISSE SURVEY NO. 18, ABSTRACT NO. 496 IN TRAVIS COUNTY, TEXAS, BEING A PART OF THAT 62.00 ACRE TRACT OF LAND CONVEYED TO CE DEVELOPMENT, INC. BY DEED RECORDED IN DOCUMENT NO. 2015146187 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (OPRTC); MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Begin at a 1/2" iron rod found on the curving east line at an exterior corner of Lot 13, Block Y, Carmel West Phase 2 Section 4 according to the plat thereof recorded in Document No. 201900140, OPRTC;

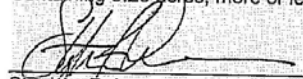
THENCE across said 62.00 acre tract, the following two courses:

1. Southwesterly, along said curve to the right an arc length of 64.62 feet, said curve having a radius of 685.00 feet, a central angle of 05°24'19", and a chord bearing S03°13'13"W, 64.60 feet;
2. N84°04'37"W a distance of 155.00 feet to said west line of Lot 13;

THENCE along said west line, the following three courses:

1. N05°22'59"E a distance of 9.99 feet;
2. N09°46'02"E a distance of 40.50 feet;
3. S89°28'56"E a distance of 150.00 feet to the said Point of Beginning.

Containing 0.20 acres, more or less, as shown on the sketch attached.

  
11/25/2019  
Stephen R. Lawrence  
Registered Professional Land Surveyor No. 6352  
State of Texas



RJ Surveying & Associates, Inc.  
2900 Jazz Street, Round Rock, Texas 78664  
F-10015400

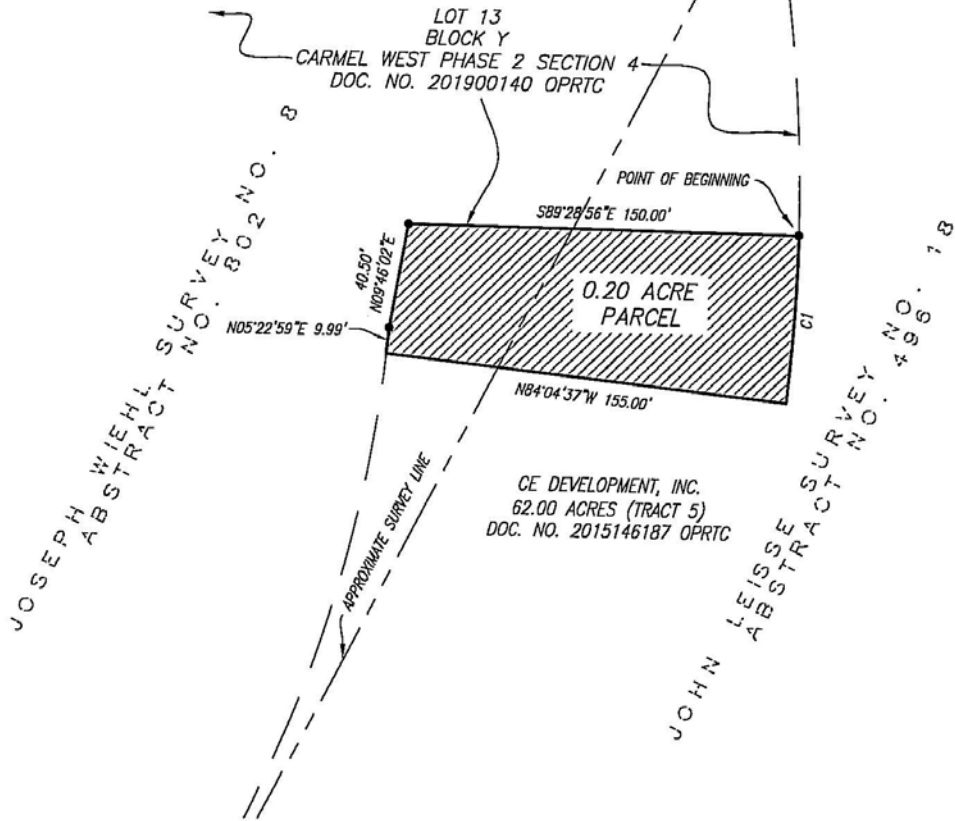
Bearings are based on the Texas Coordinate System of 1983, Central Zone (4203)

This document was prepared under 22TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



LEGEND  
 ● = 1/2" IRON ROD FOUND (AS NOTED)  
 OPRTC = OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CH. BRNG.	CH. DIST.
C1	64.62'	685.00'	005°24'19"	S03°13'13"W	64.60'



S:\LAND\1551-1600\1575-SF\dwg\1575-Zoning\Work 11-22-19.dwg

AG to SF-MU

DATE: NOV. 25, 2019 SCALE: 1" = 50'

SKETCH TO ACCOMPANY DESCRIPTION  
 (SEE DESCRIPTION ON A SEPARATE ATTACHMENT)

**RJ SURVEYING & ASSOCIATES, INC.**  
 2900 JAZZ STREET, ROUND ROCK, TEXAS, 78664  
 F-10015400 (512) 836-4793 FAX: (512) 836-4817

0.05 Acre Parcel

THAT PART OF THE JOSEPH WIEHL SURVEY NO. 8, ABSTRACT NO. 802 AND THE JOHN LEISSE SURVEY NO. 18, ABSTRACT NO. 496 IN TRAVIS COUNTY, TEXAS, BEING A PART OF THAT 62.00 ACRE TRACT OF LAND CONVEYED TO CE DEVELOPMENT, INC. BY DEED RECORDED IN DOCUMENT NO. 2015146187 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (OPRTC); MORE PARTICULARLY DESCRIBED AS FOLLOWS:

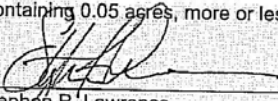
Begin at a 1/2" iron rod found on the curving east line at an exterior corner of Lot 13, Block Y, Carmel West Phase 2 Section 4 according to the plat thereof recorded in Document No. 201900140, OPRTC;

THENCE along said west line and the arc of a curve to the left an arc length of 11.70 feet, said curve having a radius of 745.00 feet, a central angle of 00°53'59", and a chord bearing N20°27'21"W, 11.70 feet;

THENCE across said 62.00 acre tract, the following three courses:

1. N69°05'32"E a distance of 155.00 feet;
2. S20°27'22"E a distance of 14.14 feet;
3. S69°59'38"W a distance of 155.00 feet to the said Point of Beginning.

Containing 0.05 acres, more or less, as shown on the sketch attached.

  
11/25/2019  
Stephen R. Lawrence  
Registered Professional Land Surveyor No. 6352  
State of Texas



RJ Surveying & Associates, Inc.  
2900 Jazz Street, Round Rock, Texas 78664  
F-10015400

Bearings are based on the Texas Coordinate System of 1983, Central Zone (4203)

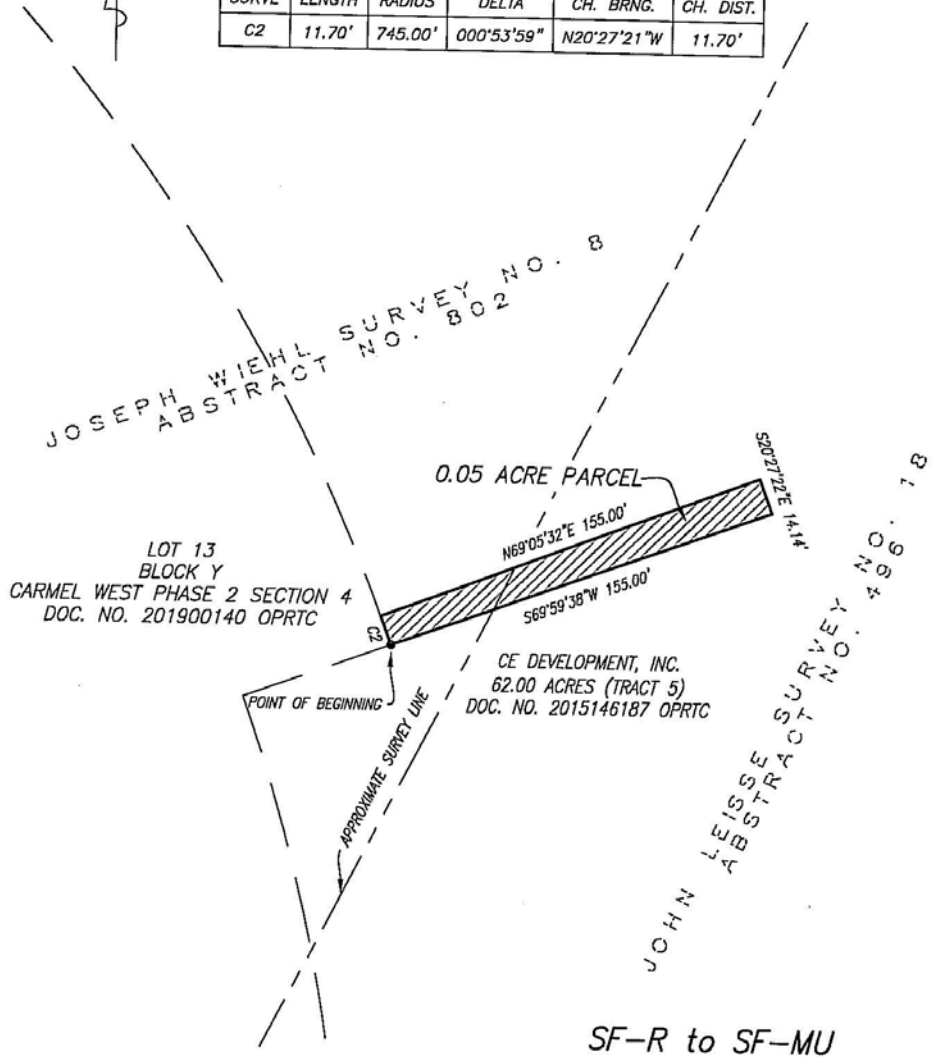
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 OPRTC = OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CH. BRNG.	CH. DIST.
C2	11.70'	745.00'	000°53'59"	N20°27'21"W	11.70'



S:\LAND\1551-1600\1575-SF\dwg\1575-Zoning\Work 11-22-19.dwg

SF-R to SF-MU

DATE: NOV. 25, 2019 SCALE: 1" = 50'

SKETCH TO ACCOMPANY DESCRIPTION  
 (SEE DESCRIPTION ON A SEPARATE ATTACHMENT)

**RJ SURVEYING & ASSOCIATES, INC.**  
 2900 JAZZ STREET, ROUND ROCK, TEXAS, 78664  
 F-10015400 (512) 836-4793 FAX: (512) 836-4817

5.00 Acre Parcel

THAT PART OF THE JOHN LEISSE SURVEY NO. 18, ABSTRACT NO. 496 IN TRAVIS COUNTY, TEXAS, BEING A PART OF THAT 62.00 ACRE TRACT OF LAND CONVEYED TO CE DEVELOPMENT, INC. BY DEED RECORDED IN DOCUMENT NO. 2015146187 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (OPRTC), PART OF THAT 16.747 ACRE TRACT OF LAND CONVEYED TO CE DEVELOPMENT, INC. BY DEED RECORDED IN DOCUMENT NO. 2015162822, OPRTC AND PART OF THAT 14.09 ACRE TRACT OF LAND CONVEYED TO CE DEVELOPMENT, INC. BY DEED RECORDED IN DOCUMENT NO. 2018041596, OPRTC; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at a 1/2" iron rod with "PAPE" cap found monumenting the southwest corner of the above referenced 14.09 acre tract, same being an inside corner of said 62.00 acre tract;

THENCE along the west line of said 14.09 acre tract, N27°14'07"E a distance of 117.34 feet to a point on a non-tangent curve to the left;

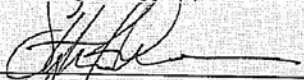
THENCE across said 62.00 acre tract and said 16.747 acre tract and said 14.09 acre tract, the following sixteen courses:

1. Northerly, along the arc of said curve a length of 192.01 feet, having a radius of 631.23 feet, a central angle of 17°25'43", and a chord bearing N05°44'45"W, 191.27 feet;
2. S43°12'35"E a distance of 35.20 feet;
3. S71°23'34"E a distance of 139.90 feet;
4. S60°56'07"E a distance of 69.55 feet;
5. S50°28'41"E a distance of 213.38 feet;
6. S52°47'31"E a distance of 20.02 feet;
7. S57°11'47"E a distance of 50.25 feet;
8. S62°54'25"E a distance of 250.00 feet;
9. S42°00'51"E a distance of 58.98 feet;
10. S27°05'35"W a distance of 103.97 feet;
11. S62°54'25"E a distance of 147.33 feet to a point of curvature of a curve to the left;
12. Easterly, along the arc of said curve a length of 21.03 feet, having a radius of 25.00 feet, a central angle of 48°11'23", and a chord bearing S87°00'06"E, 20.41 feet to a point of reverse curvature of a curve to the right;
13. Southerly, along the arc of said curve a length of 162.65 feet, having a radius of 50.00 feet, a central angle of 186°22'46", and a chord bearing S17°54'25"E, 99.85 feet;
14. S51°52'47"E a distance of 86.73 feet;
15. S22°42'41"E a distance of 29.17 feet;
16. S12°03'38"W a distance of 10.31 feet to a point on the south line of said 14.09 acre tract, same being a north line of said 62.00 acre tract;

5.00 Acre Parcel

THENCE along said north line, N62°45'53"W a distance of 1067.41 feet to the said Point of Beginning.

Containing 5.00 acres, more or less, as shown on the sketch attached.

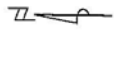
  
11/25/2019  
Stephen R. Lawrence  
Registered Professional Land Surveyor No. 6352  
State of Texas



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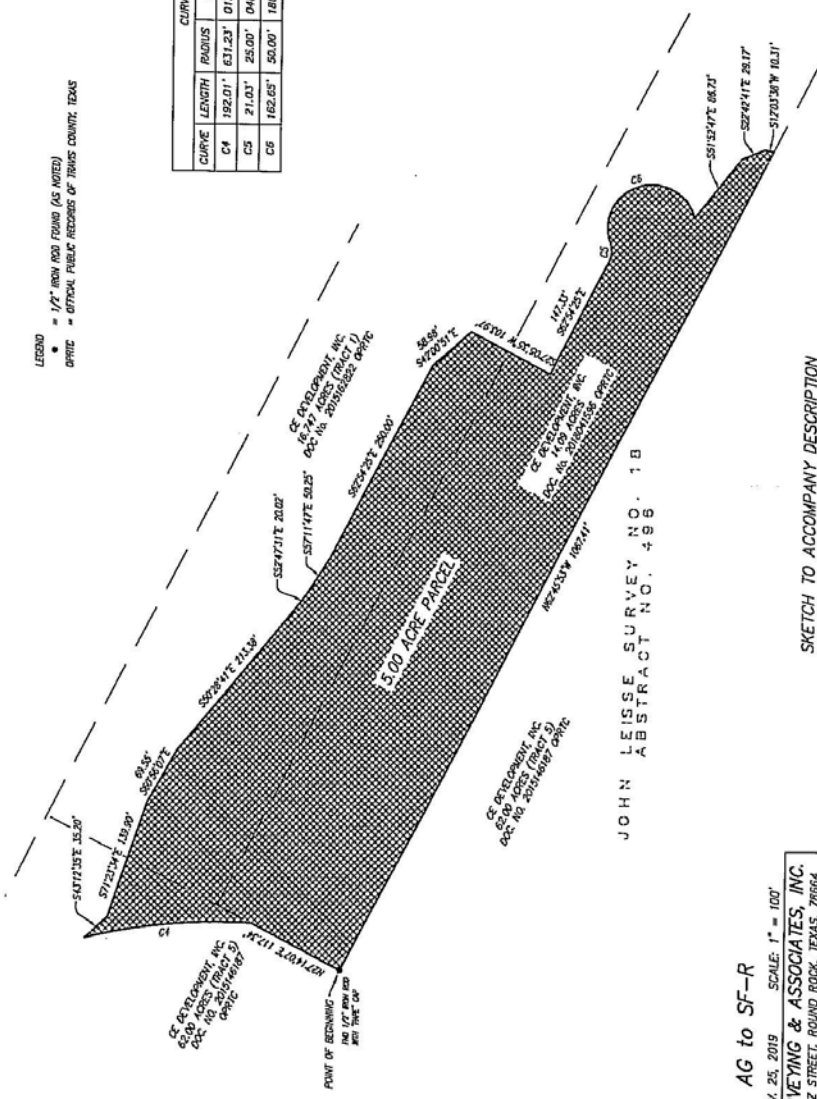
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LEGEND  
 \* = 1/2" IRON ROD FOUND (AS NOTED)  
 ----- = OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY, TEXAS

CURVE	LENGTH	RADIUS	DELTA	CH. BRNG.	CH. DIST.
C4	192.01'	631.23'	017°25'43"	N05°44'45"W	191.27'
C5	21.03'	26.00'	040°11'23"	S07°00'08"E	20.41'
C6	162.65'	50.00'	186°22'46"	S17°54'25"E	89.85'



SKETCH TO ACCOMPANY DESCRIPTION  
 (SEE DESCRIPTION ON A SEPARATE ATTACHMENT)

AG to SF-R  
 DATE: NOV. 25, 2019 SCALE: 1" = 100'  
 R.J. SURVEYING & ASSOCIATES, INC.  
 2800 JAZZ STREET, ROUND ROCK, TEXAS, 78664  
 F-00015000 (512) 836-4793 FAX: (512) 836-4817

1:22-18-DWG

0.22 Acre Parcel

THAT PART OF THE JOHN LEISSE SURVEY NO. 18, ABSTRACT NO. 496 IN TRAVIS COUNTY, TEXAS, BEING A PART OF THAT 15.623 ACRE TRACT OF LAND CONVEYED TO TEXAS GULF BANK BY DEED RECORDED IN DOCUMENT NO. 2015193607 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (OPRTC); MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE at a 1/2" iron rod found monumenting the southwest corner of the above referenced 15.623 acre tract and the southeast corner of a 7.94 acre tract conveyed to CE Development, Inc. by deed recorded in Document No. 2015162829, OPRTC;

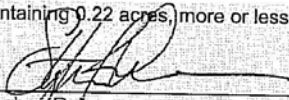
THENCE along the common line of said 15.623 acre tract and said 7.94 acre tract, N27°31'45"E a distance of 16.20 feet to the Point of Beginning;

THENCE continuing along said common line, N27°31'45"E a distance of 138.71 feet to a point on a non-tangent curve to the left;

THENCE across said 15.623 acre tract, the following three courses:

1. Northeasterly, along the arc of said curve a length of 51.31 feet, having a radius of 60.00 feet, a central angle of 48°59'54", and a chord bearing N62°01'08"E, 49.76 feet;
2. S00°40'57"W a distance of 150.12 feet;
3. N87°58'28"W a distance of 106.33 feet to the said Point of Beginning.

Containing 0.22 acres, more or less, as shown on the sketch attached.

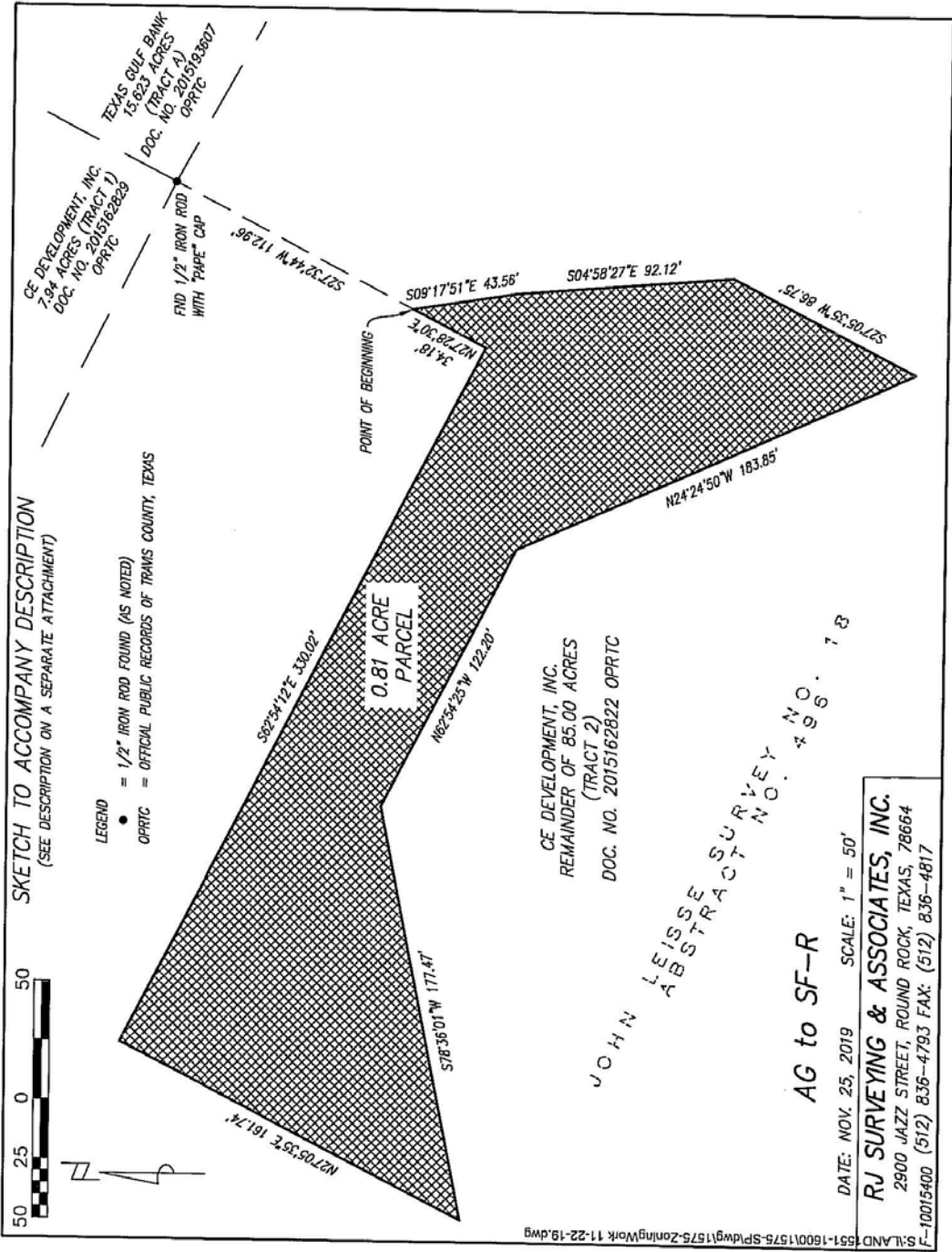
  
11/25/2019  
Stephen R. Lawrence  
Registered Professional Land Surveyor No. 6352  
State of Texas



RJ Surveying & Associates, Inc.  
2900 Jazz Street, Round Rock, Texas 78664  
F-10015400

Bearings are based on the Texas Coordinate System of 1983, Central Zone (4203)

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SKETCH TO ACCOMPANY DESCRIPTION  
 (SEE DESCRIPTION ON A SEPARATE ATTACHMENT)



LEGEND  
 ● = 1/2" IRON ROD FOUND (AS NOTED)  
 ○ = OFFICIAL PUBLIC RECORDS OF TRANS COUNTY, TEXAS

CE DEVELOPMENT, INC.  
 7.94 ACRES (TRACT 1)  
 DOC. NO. 2015162828  
 OPRTC

TEXAS GULF BANK  
 15.623 ACRES  
 (TRACT 1)  
 OPRTC  
 DOC. NO. 2015193807

1/2" IRON ROD  
 WITH "HPE" CAP

0.81 ACRE  
 PARCEL

CE DEVELOPMENT, INC.  
 REMAINDER OF 85.00 ACRES  
 (TRACT 2)  
 DOC. NO. 2015162822 OPRTC

JOHN LEISSE SURVEY NO. 496. 18  
 ABSTRACT NO. 496. 18

AG to SF-R

DATE: NOV. 25, 2019 SCALE: 1" = 50'  
 RJ SURVEYING & ASSOCIATES, INC.  
 2900 JAZZ STREET, ROUND ROCK, TEXAS, 78664  
 F-10015400 (512) 836-4793 FAX: (512) 836-4817

Substitute Exhibit F – Master Land Plan

