

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 5.05 ACRES OF UNPLATTED LAND, BEING OUT OF THE JACOB CASNER SURVEY, ABSTRACT NO. 2753, IN TRAVIS COUNTY, TEXAS, FROM AGRICULTURE/DEVELOPMENT RESERVE (A) DISTRICT TO SINGLE-FAMILY MIXED-USE (SF-MU) DISTRICT; TO BE KNOWN AS THE 1741 ROWE LOOP REZONING (REZ2101-02); 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 approximately 5.05-acres of land, being out of the Jacob Casner Survey, Abstract No. 2753, in Travis County, Texas, from Agriculture/Development Reserve (A) District to Single-Family Mixed-Use (SF-MU) 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 December 6th, 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 to recommend denial of the Proposed Zoning with a vote of 5-0; 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 Single-Family Mixed-Use (SF-MU) District for approximately 5.05-acres of land. The property described herein may be developed and used in accordance with regulations established for the base zoning district of Single-Family Mixed-Use (SF-MU) 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 _____, 2022.

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"



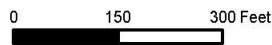
**1741 Rowe Lp
(A to SF-MU)**

**Case Number:
REZ2101-02**

1/25/2021

Legend

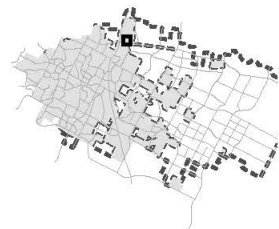
-  Rezoning
-  Notification Area
-  City Limits
-  ETJ



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.



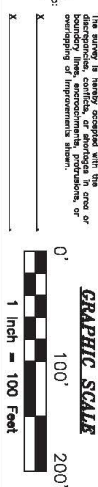
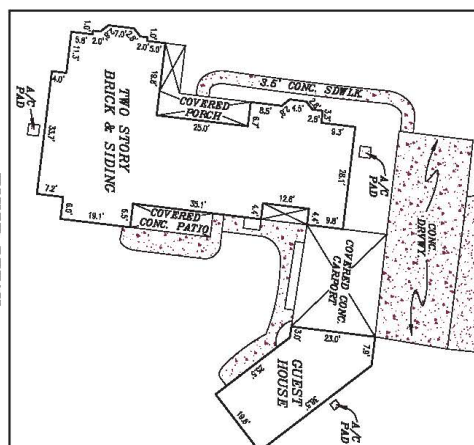
Locator Map



SURVEY



LEGEND
 These standard symbols will be found in the drawings:
 --- BOUNDARY LINE
 - - - - - BUILDING SETBACK LINE
 - - - - - WIRE FENCE
 ○ OVERHEAD ELECTRIC
 ● FOUND IRON ROD
 ⊕ TELEPHONE PEDISTAL
 ⊕ WATER METER
 ⊕ ELECTRIC METER
 ⊕ POWER POLE
 ⊕ SEPTIC TANK
 ⊕ PREPARE TANK
 ⊕ CUY ANCHOR
 □ MAILBOX
 (DEED) RECORDED ON DEED
 (F.M.) FIELD MEASURED



ALL data of this survey, the property is in TBM, designated 1100.50, 2014, is effective date of August 18, 2014. The surveyors can only be determined by a Deed or Court order. A future FEMA map release out-of-date information. The survey is subject to any future FEMA map release out-of-date information.

LAND SURVEYING a Registered Professional Land Surveyor in the State of Texas, is hereby certified to have surveyed this land in accordance with the provisions of the Texas Land Surveying Act, Chapter 81, Subchapter A, of the Texas Government Code, and to have complied with the provisions of the Texas Land Surveying Act, Chapter 81, Subchapter A, of the Texas Government Code.

FINAL AS-BUILT SURVEY
 JOB NO.: 2012074119 (NO. REVISION) DATE: 12/18/20
 DRAWN BY: AMR/AT
 APPROVED BY: AMR

AMERIS SURVEYORS, LLC
 1100 N. WYOMING
 PHOENIX, AZ 85003
 PHONE: (602) 972-1981
 FAX: (602) 972-1981

STATE OF TEXAS
 AARON MICHAEL REYNOLDS
 6644
 Registered Professional Land Surveyor
 Registration No. 6644

PROPERTY PHOTOGRAPH

Copyright © Amersurveyors LLC. This reproduction number 10144040. Measurements shown on this survey are for general information purposes only and may not satisfy exact steps and are survey is based on a true north-south meridian. The survey is based on a true north-south meridian.

**EXHIBIT A
METES & BOUNDS DESCRIPTION**

OF A 5.05 (CALLED 5.04) ACRE TRACT LYING AND BEING SITUATED IN THE JACOB CASNER SURVEY, ABSTRACT NO. 2753, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 165.46 ACRE TRACT DESCRIBED IN VOLUME 5528, PAGE 562, DEED RECORDS OF TRAVIS COUNTY, TEXAS, BEING THE SAME TRACT OF LAND AS DESCRIBED IN AN SPECIAL WARRANTY DEED TO SAM G. WARREN AND BRENDA K. WARREN RECORDED IN VOLUME 11347, PAGE 1725, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a ½” iron rod with “RJ” cap found in the easterly R.O.W. line of Rowe Loop (a 50’ R.O.W.) for the southwest corner of the herein described tract, the northwest corner of a called 5.068 acre tract as described in a deed to Lakeside Water Control and Improvement District No. 1 in Doc. No. 2017061060, Official Public Records of Travis County, Texas, from which a ½” iron rod found, bears, S 07°51’59” W, 385.59 feet; for witness;

THENCE along said R.O.W. line, same being the west line of the herein described tract, N 07°51’59” E, 383.88 feet (called N 09°56’47” E, 383.43 feet, per deed) to a ½” iron rod with “PRECISION” cap found for the northwest corner of the herein described tract, the southwest corner of a called 5.0444 acre tract as described in a deed to Grandy Land, LLC recorded in Doc. No. 2019184805, Official Public Records of Travis County, Texas;

THENCE along the south line of said 5.0444 Acre Tract, same being the north line of the herein described tract, S 82°33’47” E, 572.83 feet (S 80°30’00” E, 573.01 feet) to a 5/8” iron rod found for the northeast corner of the herein described tract, the southeast corner of said 5.0444 Acre Tract, the southwest corner of a called 5.04 acre tract as described in a deed to Mildred Jane Ramm in Vol. 10827, Pg. 848, Real Property Records of Travis County, Texas, the northwest corner of a called 5.04 acre tract as described in a deed to Elizabeth Charline White in Vol. 11117, Pg. 207, Deed Records of Travis County, Texas;

THENCE along and with the west line of said White Tract, same being the east line of the herein described tract, S 07°51’29” W, 383.39 feet (S 09°57’48” W, 383.41 feet) to a ½” iron rod found for the southeast corner of the herein described tract, the northeast corner of said Lakeside Water Control Tract;

THENCE along and with the north line of said Lakeside Water Control Tract, same being the south line of the herein described tract, N 82°36’42” W, 572.89 feet (N 80°30’09” W, 572.90 feet) to the **POINT OF BEGINNING** and containing 5.05 acres, more or less.

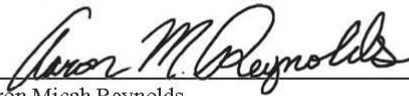
Basis of Bearing: Texas Central Zone, NAD 83
All set ½” iron rods capped with “Amerisurveyors” cap.

STATE OF TEXAS §

December 23, 2020

COUNTY OF HAYS §

It is hereby certified that the above description was prepared from an actual survey on the ground of the described tract made under my supervision.



Aaron Micah Reynolds
Registered Professional Land Surveyor
Registration No. 6644

