

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 APPROVING A SPECIFIC USE PERMIT FOR COMMERCIAL RECREATION AND ENTERTAINMENT, OUTDOOR ON AN APPROXIMATELY 19.81 ACRES TRACT OF LAND ZONED PUBLIC FACILITIES AND OPEN SPACES (PF) DISTRICT FOR A PROPERTY SITUATED IN THE EDWARD FLINT SURVEY NO. 11, ABSTRACT NO. 277, TRAVIS COUNTY, TEXAS, GERNALLY LOCATED SOUTH OF KELLY LANE, EAST OF FALCON POINTE BLVD., AND EAST OF HIDDEN LAKE DRIVE, TO BE KNOWN AS CAMP DOUBLECREEK SPECIFIC USE PERMIT (2022-2-SUP); 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, a petition for a Specific Use Permit has been made by the property owner in conformance with the procedures of the City of Pflugerville’s Code of Ordinances, Chapter 157, Unified Development Code for property depicted and described in **Exhibit A**, which is attached hereto and incorporated herein for all purposes (the “Proposed Zoning”); and

WHEREAS, the Planning and Zoning Commission held a public hearing on April 4, 2022, determined that the petition and associated application for the Specific Use Permit met the requirements of Chapter 157 of the City’s Unified Development Code, Subchapter 3.8 (Specific Use Permits) and Subchapter 4 (Zoning Districts and Use Regulations), and recommended approval with a 6-0 vote for a Specific Use Permit for the use Commercial Recreation and Entertainment, Outdoor for a children’s day camp; 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 the street; 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 apply the Specific Use Permit for Commercial Recreation and Entertainment, Outdoor within the Public Facilities and Open Spaces (PF) district of the property, which is described as an approximate 19.81 acres generally located south of Kelly Lane, east of Falcon Pointe Blvd., east of Hidden Lake Drive known as Camp Doublecreek, located within the City of Pflugerville, Travis County, Texas as shown in **Exhibit A**.

SECTION 4. Conditions Accepted by Applicant: The property described herein may be developed and used in accordance with conditions established by this Specific Use Permit, as provided in **Exhibit C** "Conditions" and all other applicable ordinances of the City of Pflugerville, Texas, which are incorporated herein; and the applicant, owner and grantee's have accepted the terms thereof, all of which are required by Chapter 157, Subchapter 3 of the Unified Development Code.

SECTION 5. 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 6. Non-Severability Clause. If any provision of the Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will be void and the property will revert back to the zoning in place before this ordinance's effective date.

SECTION 7. Effective Date. This Ordinance will take effect upon its adoption by the City Council and publication of the caption hereof 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:

CHARLIE ZECH, City Attorney
Denton Navarro Rocha Bernal & Zech, P.C.

EXHIBIT "A"

Whitehead
9.99 Acre Tract
05/29/2021

Travis County, Texas
Page 1 of 1
FN21033

METES AND BOUNDS DESCRIPTION 'EXHIBIT A'

9.99 ACRES OF LAND, MORE OR LESS, OUT OF THE EDWARD FLINT SURVEY NO. 11, ABSTRACT NO. 277, SITUATED IN TRAVIS COUNTY, TEXAS, BEING THE SAME TRACT DESCRIBED IN THE DEED TO WENDEE WHITEHEAD AND ANNE MATRONE, RECORDED IN DOCUMENT NO. 1999099272 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 9.99 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, AT A 1/2 INCH IRON ROD FOUND IN THE SOUTH LINE AS OCCUPIED OF KELLY LANE (NO RECORD INFO FOUND) FOR THE NORTHEAST CORNER OF THE TRACT DESCRIBED IN THE DEED TO ARDALIA E. MARTIN, RECORDED IN DOCUMENT NO. 2005056379 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND NORTHWEST CORNER HEREOF, FROM WHICH A 1/2 INCH IRON PIPE FOUND FOR THE NORTHWEST CORNER OF SAID MARTIN TRACT BEARS, N 62°59'17" W, 286.36 FEET;

THENCE, S 63°07'17" E, WITH THE SOUTH LINE OF SAID KELLY LANE, A DISTANCE OF 286.06 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF THE TRACT DESCRIBED IN THE DEED TO WAYNE R. MOORE AND NOREEN A. MOORE, RECORDED IN DOCUMENT NO. 2018166522 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND NORTHEAST CORNER HEREOF;

THENCE, S 26°59'03" W, WITH THE COMMON LINE OF SAID MOORE TRACT AND SAID WHITEHEAD TRACT, A DISTANCE OF 1530.17 FEET TO A 1/2 INCH PIPE FOUND IN THE NORTH LINE OF THE VILLAGES OF HIDDEN LAKE, PHASE 2A, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN DOCUMENT NO. 200400108 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, FOR THE SOUTHEAST CORNER HEREOF;

THENCE, N 61°52'05" W, WITH THE COMMON LINE OF SAID THE VILLAGES OF HIDDEN LAKE, PHASE 2A, SUBDIVISION, AND SAID WHITEHEAD TRACT, A DISTANCE OF 283.79 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID MARTIN TRACT, AND SOUTHWEST CORNER HEREOF;

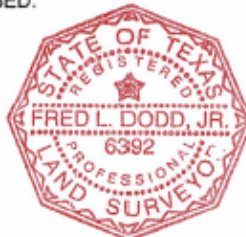
THENCE, N 26°53'48" E, WITH THE COMMON LINE OF SAID MARTIN TRACT AND SAID WHITEHEAD TRACT, A DISTANCE OF 1523.98 FEET TO THE POINT OF BEGINNING, AND CONTAINING 9.99 ACRES OF LAND, MORE OR LESS.

BEARING BASIS OF THE SURVEY DESCRIBED HEREIN IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, TEXAS CENTRAL ZONE, WITH A COMBINED SCALE FACTOR OF 0.99989535 AND CONVERGENCE ANGLE 01°25'21".

SEE PLAT OF EVEN DATE

I, FRED L. DODD JR., A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED FROM A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT ALL CORNERS ARE MARKED AS DESCRIBED.

DATE: 05-29-2012
DODD SURVEYING & MAPPING CO., INC.
PROFESSIONAL LAND SURVEYORS
P. O. BOX 1695
LIBERTY HILL, TX 78642



Fred L. Dodd Jr.
FRED L. DODD JR.
R.P.L.S. NO. 6392
STATE OF TEXAS
FIRM NO. 10194646

EXHIBIT "A"

FIELD NOTES

JOB NO. 211643

DATE: OCTOBER 22, 2021

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Field notes to accompany exhibit.

1.50 ACRES – TRACT 1

Being 1.50 acres of land, more or less, out of the Edward Flint Survey, Abstract No. 277, Travis County, Texas, being a portion of that tract conveyed to Jane Lester Neal, by deed recorded in Document No. 2021241508, Official Public Records, Travis County, Texas, as surveyed on the ground by Texas Land Surveying, Inc. on October 21st, 2021, and further described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with aluminum cap stamped "ROW 4933" found in the south line of Kelly Lane and the west line of a tract conveyed to Carter Lester, by deed recorded in Document No. 2021126622, of said Official Public Records, marking the southeast corner of a tract conveyed to the City of Pflugerville, by deed recorded in Document No. 2021073520, of said Official Public Records, for the northeast corner of this tract, from which a 1/2 inch iron rod found, marking the northeast corner of said Pflugerville (#2021073520) tract, also marking the northwest corner of said Lester tract, bears N 27°38'41" E, 24.66 feet;

THENCE: S 26°52'58" W, 228.65 feet with the west line of said Lester tract and the east line of said Neal tract to a 1/2 inch iron rod with pink cap stamped "TLS" set, for the southeast corner of this tract, from which a 1/2 inch iron rod found, marking the southeast corner of said Lester tract, also marking an angle point of the Villages of Hidden Lake, Phase 2A, said plat recorded in Document No. 200400108, of said Official Public Records, also marking the southeast corner of said Neal tract, bears S 26°52'58" W, 1270.60 feet;

THENCE: N 63°01'34" W, 286.25 feet into and across said Neal tract to a 1/2 inch iron rod with pink cap stamped "TLS" set in the west line of said Neal tract, for the southwest corner of this tract, from which a 1/2 inch iron rod found, marking the northwest corner of said Villages of Hidden Lake, Phase 2A, also marking an angle point of Falcon Pointe Section 12, said plat recorded in Document No. 201100163, of said Official Public Records, also marking the southwest corner of said Neal tract, bears S 26°53'56" W, 1264.12 feet;

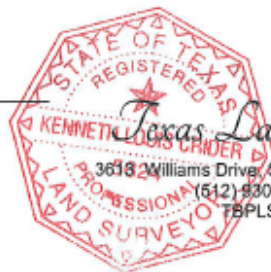
THENCE: N 26°53'56" E, with the west line of said Neal tract at 223.60 feet passing a 5/8 inch iron rod with aluminum cap stamped "ROW 4933" found, marking the northeast corner of a tract conveyed to the City of Pflugerville, by deed recorded in Document No. 2000167100, of said Official Public Records, also marking the southeast corner of Lot 1, Block R, out of Falcon Pointe Section 8-A, said plat recorded in Document No. 200500062, of said Official Public Records, continuing with the east line of said Lot 1 and the west line of said Neal tract in all **228.65 feet** to a 5/8 inch iron rod with aluminum cap stamped "ROW 4933" found in the south line of said Kelly Lane, marking the southwest corner of said Pflugerville (#2021073520) tract, for the northwest corner of this tract;

THENCE: S 63°01'34" E, 286.19 feet with the north line of said Martin tract with the south line of said Kelly Lane and said Pflugerville (#2021073520) tract to the Point of Beginning.

Bearings cited hereon based on Grid North Texas State Plane Coordinate System (Central Zone) NAD83

 11-16-21

Kenneth Louis Crider, R.P.L.S. No. 5624
Texas Land Surveying, Inc.
3613 Williams Drive, Suite 903
Georgetown, Texas 78628



Texas Land Surveying, Inc.

3613 Williams Drive, Suite 903 – Georgetown, Texas 78628
(512) 930-1600 www.texas-ls.com
FBPLS FIRM No. 10056200

EXHIBIT "A"

FIELD NOTES

JOB NO. 211643

DATE: OCTOBER 22, 2021

PAGE 2 OF 3

Field notes to accompany exhibit.

8.33 ACRES – TRACT 2

Being 8.33 acres of land, more or less, out of the Edward Flint Survey, Abstract No. 277, Travis County, Texas, being a portion of that tract conveyed to Jane Lester Neal, by deed recorded in Document No. 2021241508, Official Public Records, Travis County, Texas, as surveyed on the ground by Texas Land Surveying, Inc. on October 21st, 2021, and further described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with pink cap stamped "TLS" set in the west line of a tract conveyed to Carter Lester, by deed recorded in Document No. 2021126622, of said Official Public Records, and the east line of said Neal tract, for the northeast corner of this tract, from which a 5/8 inch iron rod with aluminum cap stamped "ROW 4933" found in the south line of Kelly Lane and the west line of said Lester tract, marking the southeast corner of a tract conveyed to the City of Pflugerville, by deed recorded in Document No. 2021073520, of said Official Public Records, bears N 26°52'58" E, 228.65 feet;

THENCE: **S 26°52'58" W, 1270.60 feet** with the west line of said Lester tract and the east line of said Neal tract to a 1/2 inch iron rod found, marking the southwest corner of said Lester tract, also marking an angle point of the Villages of Hidden Lake, Phase 2A, said plat recorded in Document No. 200400108, of said Official Public Records, for the southeast corner of said Neal tract and this tract, from which a 1/2 inch pipe found, marking the southeast corner of said Lester tract, also marking an angle point of said Villages of Hidden Lake, Phase 2A, bears S 61°52'49" E, 283.62 feet;

THENCE: **N 61°43'52" W, 286.69 feet** with the north line of said Villages of Hidden Lake, Phase 2A and the south line of said Neal tract to a 1/2 inch iron rod found, marking the northwest corner of said Villages of Hidden Lake, Phase 2A, also marking an angle point of Falcon Pointe Section 12, said plat recorded in Document No. 201100163, of said Official Public Records, for the southwest corner of said Neal tract and this tract;

THENCE: **N 26°53'56" E, 1264.12 feet** with the west line of said Neal tract to a 1/2 inch iron rod with pink cap stamped "TLS" set, for the northwest corner of this tract, from which a 5/8 inch iron rod with aluminum cap stamped "ROW 4933" found in the east line of Lot 1, Block R, Falcon Pointe Section 8-A, said plat recorded in Document No. 200500062, of said Official Public Records, marking the southwest corner of said City of Pflugerville (#2021073520) tract, also marking the northwest corner of said Neal tract, bears N 26°53'56" E, 228.65 feet;

THENCE: **S 63°01'34" E, 286.25 feet** into and across said Neal tract to the Point of Beginning.

Bearings cited hereon based on Grid North Texas State Plane Coordinate System (Central Zone) NAD83

 11-16-21

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TBPLS FIRM No. 10056200

“EXHIBIT C”

Item	Conditions of Approval	Purpose
1	A minimum 50’ buffer yard for all outdoor activity from the nearest property line of the southern boundary and the western boundary where abutting existing conforming single family residential use.	To ensure the use is compatible with the adjacent single-family properties.
2	A minimum 6’ fence is required on the southern and western boundary where abutting existing conforming single family residential uses. This fence shall be maintained and remain in good repair once a Certificate of Occupancy has been issued for the use on the site, and shall remain for the duration of the Specific Use Permit.	To ensure the use is compatible with the adjacent single-family properties
3	All requirements of the Unified Development Code are met, even those not depicted in the provided conceptual site plan	To allow for flexibility and ensure compliance with the Unified Development Code in future site plan iterations