

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 TRAVIS CENTRAL APPRAISAL DISTRICT PARCEL ID 281471, AN UNPLATTED TRACT BISECTED BY W. PFLUGERVILLE PKWY, FROM AGRICULTURE/DEVELOPMENT RESERVE (A) TO SINGLE FAMILY MIXED USE (SF-MU) DISTRICT FOR APPROXIMATELY 28.316 ACRES ALONG THE NORTH SIDE OF W. PFLUGERVILLE PKWY (TRACT 1), AND FROM AGRICULTURE/DEVELOPMENT RESERVE (A) TO MULTI-FAMILY 20 (MF-20) DISTRICT FOR APPROXIMATELY 21.455 ACRES ALONG THE SOUTH SIDE OF W. PFLUGERVILLE PKWY (TRACT 2); TO BE KNOWN AS THE CIELO REZONING (REZ1811-01); 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 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 28.316 acres of Travis Central Appraisal District Parcel Id 281471 (Tract 1 provided herein) from Agriculture/Development Reserve (A) to Single Family Mixed Use (SF-MU) District, and also to amend the zoning of approximately 21.455 acres of Travis Central Appraisal District Parcel Id 281471 (Tract 2 provided herein) from Agriculture/Development Reserve (A) to Multi-Family 20 (MF-20) District, both tracts being 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 4, 2019, 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 6-0; 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) to Single Family Mixed Use (SF-MU) District (Tract 1), and Multi-Family 20 (MF-20) District (Tract 2) as provided herein. The property described herein may be developed and used in accordance with regulations established for the Single Family Mixed Use (SF-MU) District (Tract 1), and Multi-Family 20 (MF-20) District (Tract 2), 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 \_\_\_\_\_, 2019.

CITY OF PFLUGERVILLE,  
TEXAS

by:

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VICTOR GONZALES, Mayor

ATTEST:

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KAREN THOMPSON, City Secretary

APPROVED AS TO FORM:

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

## EXHIBIT "A"

49.771 ACRES  
SOCRATES DARLING SURVEY NUMBER 102, ABSTRACT NUMBER 232  
TRAVIS COUNTY, TEXAS  
BOUNDARY

### FIELD NOTES

BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE SOCRATES DARLING SURVEY NUMBER 102, ABSTRACT NUMBER 232, SITUATED IN TRAVIS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS BEING ALL OF THE REMAINDER OF A CALLED 68.794 ACRE TRACT OF LAND AND ALL OF A CALLED 21.456 ACRE TRACT OF LAND, BOTH CONVEYED TO MICHAEL W. AYER IN VOLUME 11868, PAGE 121 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS (R.P.R.T.C.TX.), SAID 49.771 ACRE TRACT OF LAND AND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

### TRACT 1

**BEGINNING**, at a capped ½" iron rod found, stamped "HALFF", being the westernmost corner of said Remainder of 68.794 acre tract, being also a southern corner of a called 16.00 acre tract of land conveyed to David Wilson Leppin, in Volume 7489, Page 534 of the Deed Records of Travis County, Texas (D.R.T.C.TX.), and being also a point on a northern right-of-way line of West Pflugerville Parkway (120' R.O.W.), for the westernmost corner and the **POINT OF BEGINNING** of the herein described tract,

**THENCE**, with the common boundary line of said Remainder of 68.794 acre tract, said 16.00 acre tract, and a called 21.571 acre tract of land conveyed to Keith D. Lair and Lee Ann Bruneli in Document Number 2010099769 (O.P.R.T.C.TX.), (and Keith D. Lair transferred interest to KDL Meadow Crest Lp., in Document Number 2010099770, O.P.R.T.C.TX.), the following three (3) courses and distances, numbered 1 through 3,

1. N27°47'32"E, a distance of 359.74 feet to a calculated point, from which a ½" iron found bears S17°07'42"E, a distance of 1.51 feet,
2. N27°04'28"E, a distance of 241.10 feet to a ½" iron rod found, and
3. N27°16'18"E, a distance of 552.40 feet to a ½" iron rod found, being the northernmost corner of said Remainder of 68.794 acre tract, being also a point on an eastern boundary line of said 21.571 acre tract, and being also the westernmost corner of Remington Heights, Phase 2, Section A, a subdivision recorded in Cabinet P, Slide 258 of the Plat Records of Williamson County, Texas (P.R.W.C.TX.), for the northernmost corner of the herein described tract,

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**THENCE**, with the common boundry line of said Remainder of 68.794 acre tract, said Remington Heights, Phase 2, Section A, and Remington Heights, Phase 2, Section B, a subdivision recorded in Cabinet O, Slide 392 (P.R.W.C.TX.), S58°36'18"E, a distance of 1,109.40 feet to a ½" iron rod found in concrete, being the easternmost corner of said Remainder of 68.794 acre tract, being also the southernmost corner of said Remington Heights, Phase 2, Section B, and being also a point on a western boundary line of Meadows at Cambridge Heights, Phase 1, a subdivision recorded in Document Number 2002000630 of the Plat Records of Travis County, Texas (P.R.T.C.TX.), for the easternmost corner of the herein described tract,

**THENCE**, with the common boundary line of said Remainder of 68.794 acre tract, said Meadows at Cambridge Heights, Phase 1, and a called 19.111 acre tract of land conveyed to KB Home Lone Star, Inc., in Document Number 2016063754 (O.P.R.T.C.TX.), S27°46'48"W, a distance of 1,085.21 feet to a capped ½" iron rod found stamped "Pape Dawson", being the southernmost corner of said Remainder of 68.794 acre tract, being also the westernmost corner of said 19.111 acre tract, and being also a point on a northern right-of-way line of said West Pflugerville Parkway, for the southernmost corner of the herein described tract,

**THENCE**, with the common boundary line of said Remainder of 68.794 acre tract and said West Pflugerville Parkway, N62°07'05"W, a distance of 1,099.40 feet to the **POINT OF BEGINNING** and containing 28.316 acres of land.

### TRACT 2

**BEGINNING** at a ½" iron rod found in concrete, being the northernmost corner of said 21.456 acre tract, being also the easternmost corner of a called 3.332 acre tract of land conveyed to Hollybrook Ranch, LLC., in Document Number 2016020845 (O.P.R.T.C.TX.), and being also a point on a southern right-of-way line of said West Pflugerville Parkway, for the northernmost corner and the **POINT OF BEGINNING** of the herein described tract,

**THENCE**, with the common boundary line of said 21.456 acre tract and said West Pflugerville Parkway, S62°07'05"E, a distance of 1,099.11 feet to a ½" iron rod found, being the easternmost corner of said 21.456 acre tract, being also a point on a southern right-of-way line of said West Pflugerville Parkway, and being also the northernmost corner of a called 22.711 acre tract of land conveyed to KB Home Lone Star, Inc., in Document Number 2016063754 (O.P.R.T.C.TX.), for the easternmost corner of the herein described tract,

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**THENCE**, with the common boundary line of said 21.456 acre tract and said 22.711 acre tract, S27°45'35"W, a distance of 1,101.07 feet to a capped ½" iron rod found stamped "Pape Dawson", being the southernmost corner of said 21.456 acre tract, being also the westernmost corner of said 22.711 acre tract, and being also a point on northern boundary line of a called 32.537 acre tract of land conveyed to the City of Austin, in Volume 10570, Page 764 (R.P.R.T.C.TX.), for the southernmost corner of the herein described tract,

**THENCE**, with the common boundary line of said 21.456 acre tract and said 32.537 acre tract, the following three (3) courses and distances, numbered 1 through 3,

1. N62°16'28"W, a distance of 215.16 feet to a ¼" iron rod found,
2. N27°47'55"E, a distance of 320.16 feet to ¼" iron rod found, and
3. N63°11'55"W, a distance of 882.90 feet to a calculated point, being the westernmost corner of said 21.546 acre tract, being also the northernmost corner of said 32.357 acre tract, and being also a point on an eastern boundary line of a called 2.0381 acre tract of land conveyed to Hollybrook Ranch, LLC., in Document Number 2015043271 (O.P.R.T.C.TX.), for the westernmost corner of the herein described tract, from which a ¼" iron rod found bears S52°47'12"E, a distance of 0.63 feet,

**THENCE**, with the common boundary line of said 21.456 acre tract, said 2.0381 acre tract, and said 3.322 acre tract, N27°39'36"E, at a passing distance of 46.48 feet to a ½" iron rod found, and in total distance of 798.16 feet to the **POINT OF BEGINNING** and containing 21.455 acres of land.

TRACT 1 = 28.316 ACRES  
TRACT 2 = 21.455 ACRES  
TOTAL = 49.771 ACRES

Surveyed by:

  
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BEARING BASIS: TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4203)

EXHIBIT "A"



