

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 19.95 ACRES OF LAND LOCATED GENERALLY NORTHWEST OF THE CELE RD AND MELBER LN INTERSECTION, FROM AGRICULTURE/CONSERVATION (A) TO SINGLE FAMILY MIXED USE (SF-MU); TO BE KNOWN AS THE 19.95 ACRES NW CORNER OF MELBER AND CELE REZONING (REZ1509-01); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, under the authority of Texas Local Government Code Chapter 211, the City of Pflugerville adopts regulations and establishes zoning to control the use of land within the corporate limits of the City; and

WHEREAS, the Planning and Zoning Commission held a public hearing on October 5, 2015 and voted for its approval with a vote of 5-0;

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;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:

The City Council finds:

THAT, the zoning amendment 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 1: That the Official Zoning Map of the City of Pflugerville, Texas adopted in Ordinance No. 1203-15-02-24, as amended, is amended to change the base zoning district of the property described in Exhibit A, from Agriculture/Conservation (A) to Single Family Mixed Use (SF-MU) District.

The property described above may be developed and used in accordance with regulations established for the Single Family Mixed Use (SF-MU) District, as applicable, and other applicable ordinances of the City of Pflugerville, Texas.

Section 2. This ordinance shall be cumulative of all other ordinances of the City of Pflugerville, and this ordinance shall not operate to repeal or affect any other ordinances of the City of Pflugerville 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.

Section 3. 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 4. That this Ordinance will become effective on its adoption and passage by the City Council.

PASSED AND APPROVED this _____ day of _____, 2015.

CITY OF PFLUGERVILLE, TEXAS

by: _____
JEFF COLEMAN, Mayor

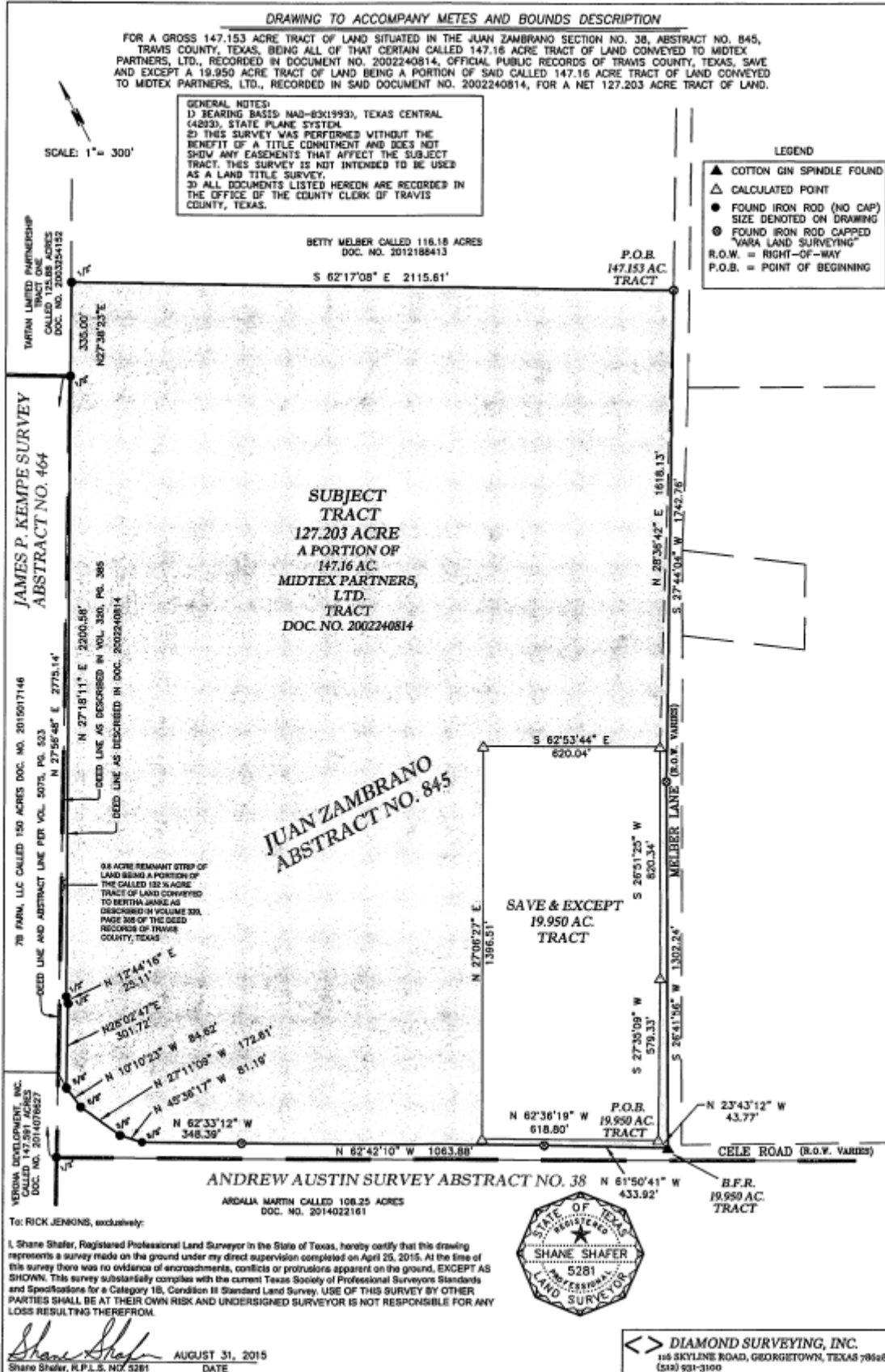
ATTEST:

KAREN THOMPSON, City Secretary

APPROVED AS TO FORM:

GEORGE E. HYDE, City Attorney
DENTON, NAVARRO, ROCHA, BERNAL, HYDE & ZECH P.C.

EXHIBIT "A"



METES AND BOUNDS DESCRIPTION

FOR A 19.950 ACRE TRACT OF LAND SITUATED IN THE JUAN ZAMBRANO SECTION NO. 38, ABSTRACT NO. 845, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN CALLED 147.16 ACRE TRACT OF LAND CONVEYED TO MIDTEX PARTNERS, LTD., RECORDED IN DOCUMENT NO. 202240814, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 19.950 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN FOR REFERENCE at a cotton gin spindle found in asphalt monumenting the southeast corner of said 147.16 acre Midtex Partners tract, same being the intersection of the westerly right-of-way line and the northerly right-of-way line of Melber Lane and Cele Road;

THENCE through the interior of said 147.16 acre Midtex Partners tract, N23°43'12"W for a distance of 43.77 feet to a calculated point for the southeast corner and **POINT OF BEGINNING** hereof;

THENCE continuing through the interior of said 147.16 acre Midtex Partners tract the following five (5) courses and distances:

1. **N62°36'19"W**, for a distance of **618.80 feet** to a calculated point for the southwest corner hereof;
2. **N27°06'27"E**, for a distance of **1396.51 feet** to a calculated point for the northwest corner hereof;
3. **S62°53'44"E**, for a distance of **620.04 feet** to a calculated point for the northeast corner hereof, and from which an iron rod found with cap marked "Vara Land Surveying" on the northeast corner of said 147.16 acre Midtex Partners tract bears N28°36'2"E, for a distance of 1618.13 feet;
4. **S26°51'25"W**, for a distance of **820.34 feet** to a calculated point hereof;
5. **S27°35'09"W**, for a distance of **579.33 feet** to the POINT OF BEGINNING hereof and containing 19.950 acres of land more or less.

BEARING BASIS: NAD-83 (1993), TEXAS CENTRAL (4203), STATE PLANE SYSTEM.

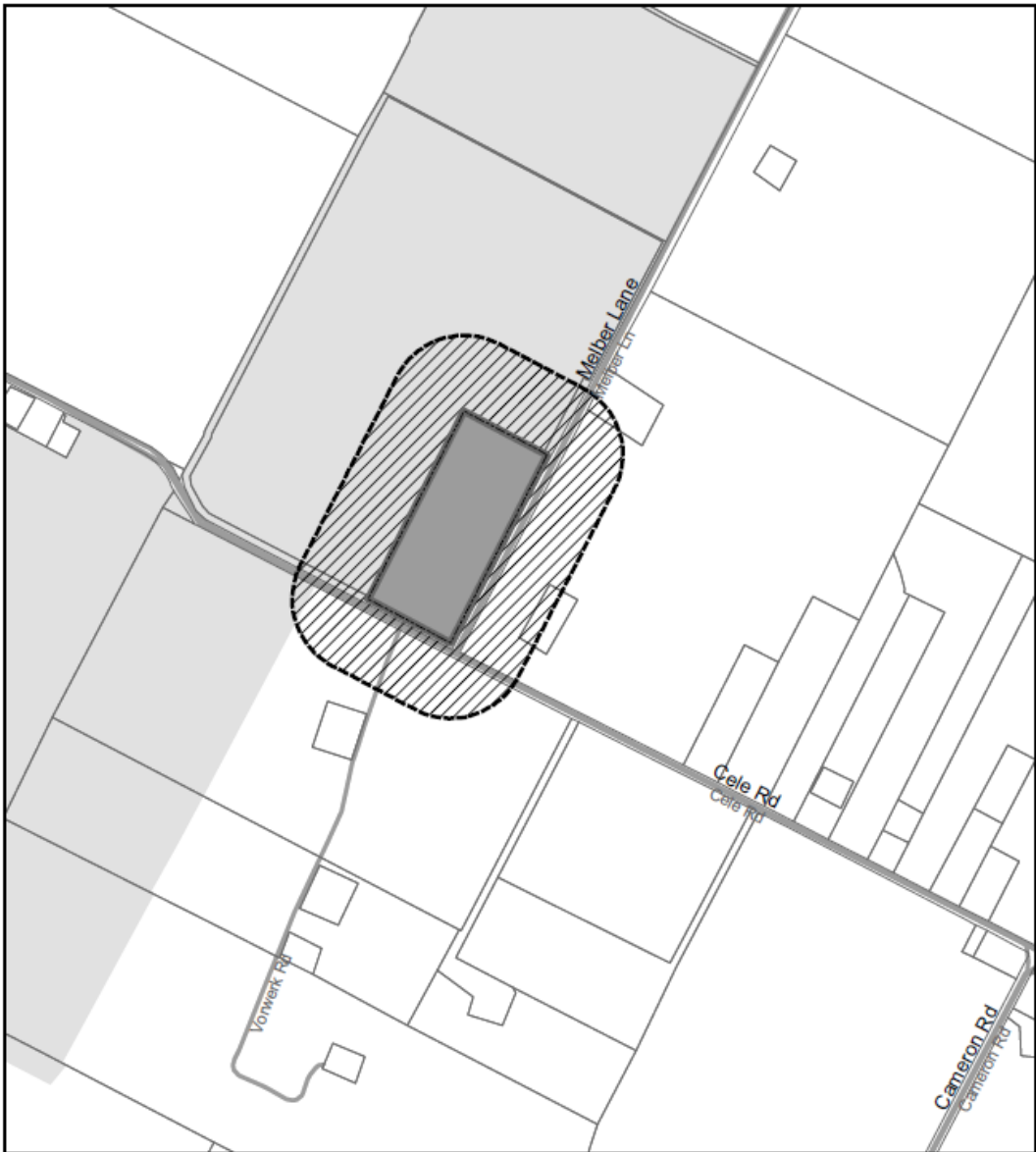
A survey drawing has been prepared to accompany this metes and bounds description.

 **DIAMOND SURVEYING, INC.**
116 SKYLINE ROAD, GEORGETOWN, TX 79628
(512) 931-3100


SHANE SHAFER, R.P.L.S. NO. 5281 August 31, 2015
DATE



RECEIVED SEP 02 2015






**19.95 Acres @ Melber & Cele
(A to SF-MU)**

**Case Number:
REZ1509-01**

9/2/2015

Legend

-  Subject Property
-  Notification Area
-  City Limits

0 500 1,000 Feet

N

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.

PFLUGERVILLE TEXAS
where quality means life

