

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING ORDINANCE NO. 1563-22-10-11 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY CHANGING THE ZONING DESIGNATION OF AN APPROXIMATE 3.248 ACRES, OF UNPLATTED LAND SITUATED IN THE JOHN DAVIS SURVEY NO. 13, ABSTRACT NO. 231, CITY OF PFLUGERVILLE, IN TRAVIS COUNTY, TEXAS, FROM AGRICULTURE/DEVELOPMENT RESERVE (A) TO URBAN CENTER (LEVEL 5: CL5); TO BE KNOWN AS THE EAST PFLUGERVILLE PARKWAY COMMERCIAL REZONING (2022-5-REZ); 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 an approximate 3.248 acres situated in the John Davis Survey No. 13, Abstract No. 231, City of Pflugerville, Travis County, Texas, from Agriculture/Development Reserve (A) to Urban Center (Level 5: CL5); and

WHEREAS, the Planning and Zoning Commission held a public hearing on February 6, 2023, 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. 1563-22-10-11, as amended, to change the zoning district of the property described in **Exhibit A** from Agriculture/Development Reserve (A) Urban Center (Level 5: CL5) for an approximate 3.248 acres situated in the John Davis Survey No. 13, Abstract No. 231, City of Pflugerville, Travis County, Texas. The property described herein may be developed and used in accordance with regulations established for the base zoning district of Urban Center (Level 5: CL5), 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 _____, 2023.

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"



3100 Alvin Devane Blvd, Suite 150
Austin, Texas 78741
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www.quiddity.com

**CITY OF PFLUGERVILLE
TRAVIS COUNTY, TEXAS
ANNEXATION PARCEL
3.248 ACRES
METES AND BOUNDS DESCRIPTION**

The herein description for 3.248 acres with accompanying sketch is based on record information of various tract of land located in the Sefrim Eiselin Survey No. 1, Abstract No. 265 and the John Davis Survey No. 13, Abstract No. 231 in Travis County, Texas and being all or parts of the following tracts:

- | | | |
|-----------------------------|--------------|------------------------|
| (1) Timmerman & Hagan, Ltd. | 535 acres | Volume 8394, Page 544 |
| (2) Timmerman & Hagan, Ltd. | 300.03 Acres | Document No.2004025616 |

COMMENCING: at a 1/2-inch iron rod with TxDOT Aluminum Cap on the Eastern line of State Highway 130 on the approximate survey line for the said Sefrim Eiselin Survey and the said John Davis Survey, a southwestern corner of the remainder of the said 535 acres, the northwestern corner of the remainder of the said 300.03 acres, a corner and Point of Beginning of Annexing Ordinance No. 786-05-05-10 – Parcel A-2 - 138.7 Acres as described in Document No. 2005094826, a corner of Annexing Ordinance No. 768-04-12-28 – 881.1 Acres as described in Document No. 2005001913, from which a 1/2-inch iron rod with TxDOT Aluminum Cap found for a corner of said State Highway 130 bears with a curve to the left having a Delta angle of 00°40'51", a Radius of 11109.16 feet, an Arc length of 132.03 feet with the Chord of the curve South 08°25'35" East a distance of 132.03 feet;

THENCE: South 61°22'03" East a distance of 753.93 feet across Annexing Ordinance No. 786-05-05-10, Parcel A-2, the southern line of the remainder of the said 535-acre tract, the northern line of the remainder of the said 300.03-acre tract, to calculated point on an eastern line of the said Annexing Ordinance No. 786-05-05-10, Parcel A-2, for the POINT OF BEGINNING of this herein described tract;

THENCE: North 08°43'55" West a distance of 260.81 feet across the remainder of the said 535-acre tract, along an eastern line of Annexing Ordinance No. 786-05-05-10, Parcel A-2 to a calculated point for a corner of Annexing Ordinance No. 786-05-05-10, for a corner of this herein described tract;

THENCE: North 27°23'26" East a distance of 335.01 feet continuing across the remainder of the said 535-acre tract, along an eastern line of Annexing Ordinance No. 786-05-05-10, Parcel A-2 to a calculated point for a corner of said Annexing Ordinance No. 786-05-05-10, for the northwestern corner of this herein described tract;

THENCE: South 60°35'29" East a distance of 136.89 feet continuing across the remainder of the said 535-acre tract, along a southern line of Annexing Ordinance No. 786-05-05-10 to a calculated point for the northeastern corner of this herein described tract;



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THENCE: Departing from the Annexing Ordinance No. 786-05-05-10 – Parcel A-2 and across the remainder of the said 535-acre tract and the remainder of the said 300.03-acre tract as follows:

A curve to the left having a Delta angle of 06°56'37", a Radius of 760.00 feet, an Arc length of 92.10 feet and a Chord bearing of South 07°27'11" East a distance of 92.05 feet;
South 10°55'30" East a distance of 413.40 feet;
South 79°04'30" West a distance of 80.00 feet;
A curve to the left having a Delta angle of 90°00'00", a Radius of 50.00 feet, an Arc length of 78.54 feet and a Chord bearing of North 55°55'30" West – 70.71 feet;

THENCE: South 79°04'30" West a distance of 187.24 feet continuing across the said 535-acre tract and the remainder of the said 300.03-acre tract to a calculated point on an eastern line of Annexing Ordinance No. 786-05-05-10 - Parcel A-2, for the southwestern corner of this herein described tract;

THENCE: North 08°43'55" West a distance of 20.42 feet along an eastern line of Annexing Ordinance No. 786-05-05-10 - Parcel A-2 to the **POINT OF BEGINNING** and containing 3.248 acres of land.

BASIS OF BEARINGS:

Bearings shown hereon are referenced to Texas State Plane Coordinate System, Central Zone, NAD 83.

This Document was prepared under 22 TAC §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.

Rex L. Hackett
Registered Professional Land Surveyor No. 5573
rhackett@jonescarter.com

3.3.2022

Date



CITY OF PFLUGERVILLE, TEXAS ANNEXATION
 SCALE 1" = 200'
 DATE: 03-03-2022

CITY OF PFLUGERVILLE
 ANNEXATION
 ORDINANCE 730-03-12-16
 DOC. NO. 2003297148
 O.P.R.T.C.T.

CITY OF PFLUGERVILLE
 ANNEXATION PARCEL A-2
 ORDINANCE 786-05-05-10
 138.7 ACRES
 DOC. NO. 2005094826
 O.P.R.T.C.T.

TIMMERMAN & HAGN, LTD.
 REMAINDER OF 535 ACRES
 WARRANTY DEED
 VOLUME 8394, PAGE 544
 CORRECTION DEED
 VOLUME 8517, PAGE 875
 (VOLUME 365, PAGE 165, D.R.T.C.T.)

COMMENCING
 FOUND
 1/2" IRON ROD
 W/TXDOT ALUM CAP

FOUND
 1/2" IRON ROD
 W/TXDOT ALUM CAP

TIMMERMAN & HAGN, LTD.
 REMAINDER OF 300.03 ACRES
 SPECIAL WARRANTY DEED
 DOC. NO. 2004025616
 O.P.R.T.C.T.

STATE HIGHWAY 130
 (PUBLIC R.O.W. VARIES)



LINE	BEARING	DISTANCE
L1	N 08°43'55" W	260.81'
L2	N 27°23'26" E	335.01'
L3	S 60°35'29" E	136.89'
L4	S 10°55'30" E	413.40'
L5	S 79°04'30" W	80.00'
L6	S 79°04'30" W	187.24'
L7	N 08°43'55" W	20.42'

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	760.00'	006°56'37"	92.10'	S 07°27'11" E	92.05'
C2	50.00'	090°00'00"	78.54'	N 55°55'30" W	70.71'
C3	11109.16'	000°40'51"	132.03'	S 08°25'35" E	132.03'

RLH
 3-3-2022



- LEGEND**
- IRON ROD FOUND
 - △ CALCULATED POINT
 - D.R.T.C.T. DEED RECORDS OF TRAVIS COUNTY, TEXAS
 - O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

J. DAVIS SUR., A-231
 S. EISELIN SUR., A-265

QUIDDITY
 Texas Board of Professional Engineers
 and Land Surveyors Reg. No. 10046100
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