

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING ORDINANCE NO. 1015-09-09-08 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY CHANGING THE ZONING DESIGNATION OF A 1.399-ACRE TRACT OF LAND OUT OF THE SEFRIN EISELIN SURVEY NO. 1, GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF E. PECAN STREET AND OLD AUSTIN-HUTTO ROAD, FROM AGRICULTURE / CONSERVATION (A) TO GENERAL BUSINESS-1 (GB1) ZONING DISTRICT; TO BE KNOWN AS THE REMAINDER OF H.E.B. TRACT/PECAN STREET REZONING (REZ1412-01) 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 February 2, 2015 and voted for its approval with a vote of 7-0; 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.

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. 1015-09-09-08, as amended, is amended to change the base zoning district of the property described in Exhibit A, from Agriculture/Conservation (A) District to General Business-1 (GB1) District.

The property described above may be developed and used in accordance with regulations established for the General Business-1 (GB1) District, as applicable, and other applicable ordinances of the City of Pflugerville, Texas.

Section 2. 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"

1.399 ACRES
O'REILLY AUTO PARTS
PFLUGERVILLE, TEXAS

FN. NO. 14-468(MJJ)
DECEMBER 16, 2014
BURY NO. R010268110002

DESCRIPTION

OF 1.399 ACRES OF LAND OUT OF THE SEFRIN EISELIN SURVEY NO. 1, SITUATED IN THE CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS, BEING THE REMAINING PORTIONS OF THAT CERTAIN 1.281 ACRE AND 0.726 ACRE TRACTS OF LAND CONVEYED TO H E BUTT GROCERY COMPANY BY DEEDS OF RECORD IN DOCUMENT NOS. 2000020562 AND 2000108755 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1.399 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at an iron pipe found for an angle point in the irregular southerly line of Lot 1, Block "A" H.E.B. Pflugerville No. 2, a subdivision of record in Document No. 199900332 of said Official Public Records, being the northwesterly corner of the remaining portion of said 1.281 acre tract, for the northwesterly corner hereof;

THENCE, S63°05'36"E, along a portion of the irregular southerly line of said Lot 1, being the northerly lines of the remaining portions of said 1.281 acre tract and said 0.726 acre tract, a distance of 373.08 feet to a 1/2 inch iron rod found in the apparent westerly right-of-way line of Old Austin-Hutto Road (85' R.O.W.), being the easternmost southeasterly corner of said Lot 1 and the northeasterly corner of the remaining portion of said 0.726 acre tract, for the northeasterly corner hereof, from which a 1/2 inch iron rod found at the common westerly corner of Lots 13 and 14, Block "A" Bohls Place Section 1, a subdivision of record in Book 92, Page 279 of the Plat Records of Travis County, Texas, being the easterly right-of-way line of Old Austin-Hutto Road bears, S63°26'08"E, a distance of 85.76 feet;

THENCE, S17°38'13"W, along the apparent westerly right-of-way line of Old Austin-Hutto Road, being the easterly line of the remaining portion of said 0.726 acre tract, for the easterly line hereof, a distance of 160.60 feet to a calculated point at the intersection of the northerly right-of-way line of Pflugerville Road East (R.O.W. varies) and the apparent westerly right-of-way line of Old Austin-Hutto Road, being the southeasterly corner of the remaining portion of said 0.726 acre tract, for the southeasterly corner hereof;

THENCE, N62°46'54"W, along the northerly right-of-way line of Pflugerville Road East as conveyed to the City of Pflugerville, Texas by instrument of record in Document No. 2006212604 of said Official Public Records, being the southerly lines of the remaining portions of said 0.726 acre tract and said 1.281 acre tract, for the southerly line hereof, a distance of 401.35 feet to a cut "X" found at the southwesterly corner of the remaining portion of said 1.281 acre tract, for the southwesterly corner hereof;

FN NO. 14-468(MJJ)
DECEMBER 16, 2014
PAGE 2 OF 2

THENCE, N27°47'00"E, along the irregular southerly line of said Lot 1, being the westerly line of the remaining portion of said 1.281 acre tract, for the westerly line hereof, a distance of 156.33 feet to the **POINT OF BEGINNING** containing an area of 1.399 acres (60,937 sq. ft.) of land, more or less, within these metes and bounds.

BEARING BASIS: IS REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(96), UTILIZING WESTERN DATA SYSTEMS CONTINUALLY OPERATING REFERENCE STATION (CORS) NETWORK.

BURY-AUS, INC.
221 WEST SIXTH STREET
SUITE 600
AUSTIN, TEXAS 78701

Mark J. Jezisek 12/16/14
MARK J. JEZISEK
R.P.L.S. NO. 5267
STATE OF TEXAS
TBPLS # F-10107500



