

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 5.011 ACRES OF UNPLATTED LAND, BEING OUT OF THE JACOB CASNER SURVEY, ABSTRACT NO. 2753, IN TRAVIS COUNTY, TEXAS, FROM AGRICULTURE/DEVELOPMENT RESERVE (A) DISTRICT TO SINGLE-FAMILY MIXED-USE (SF-MU) DISTRICT; TO BE KNOWN AS THE 2118 ROWE LOOP REZONING (REZ2107-01); 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 5.011-acres of land, being out of the Jacob Casner Survey, Abstract No. 2753, in Travis County, Texas, from Agriculture/Development Reserve (A) District to Single-Family Mixed-Use (SF-MU) District as 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 December 6th, 2021; and conducted a vote, 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 to recommend denial of the Proposed Zoning with a vote of 5-0; 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 zoning district of the property described in **Exhibit A**, from Agriculture/Development Reserve (A) District to Single-Family Mixed-Use (SF-MU) District for approximately 5.011-acres of land. The property described herein may be developed and used in accordance with regulations established for the base zoning district of Single-Family Mixed-Use (SF-MU) District, 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 _____, 2022.

CITY OF PFLUGERVILLE,
TEXAS

by:

VICTOR GONZALES, Mayor

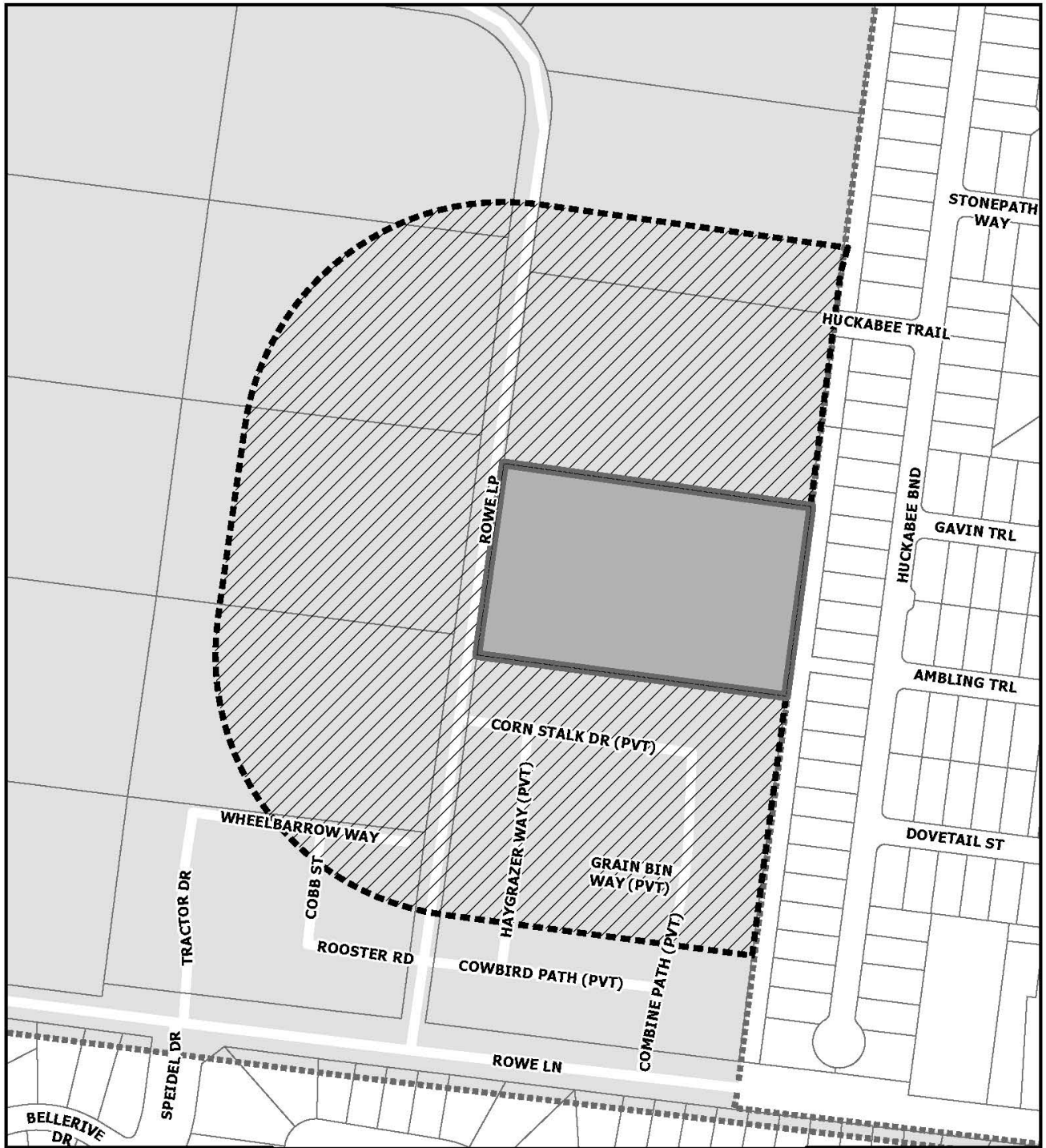
ATTEST:

TRISTA EVANS, City Secretary

APPROVED AS TO FORM:

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

EXHIBIT "A"



**2118 Rowe Loop
(A to SF-MU)**

**Case Number:
REZ2107-01**

7/6/2021

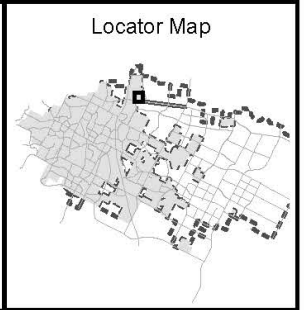
Legend

- Rezoning
- Notification Area
- City Limits
- ETJ

0 100 200 Feet

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



SURVEY

5.011 Acre Parcel

THAT PART OF THE JACOB CASNER SURVEY, ABSTRACT NO. 2753, IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CALLED 5.01 ACRE TRACT CONVEYED TO JOSEPH E. HYLAND AND ELIZABETH A. HYLAND BY DEED RECORDED IN VOLUME 11660, PAGE 2325 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS (RPRTC); MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at a 1/2" iron rod with "HOLT" cap found on the east line of Rowe Loop (50' wide per Volume 5827, Page 1975, RPRTC) for the southwest corner of said 5.01 Acre Tract, same being the northwest corner of Lot 1, Block A of THE ROWE EAST according to the plat thereof recorded in Document No. 201900225 of the Official Public Records of Travis County, Texas (OPRTC);

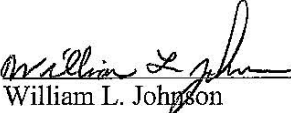
THENCE N07°53'44"E with the east line of said Rowe Loop, same being the west line of said 5.01 Acre Tract, a distance of 369.63 feet to a 1/2" iron rod with "RJ SURVEYING" cap set at the northwest corner of said 5.01 Acre Tract, same being the southwest corner of that 5.043 Acre Tract conveyed to R.L. Montgomery by deed recorded in Volume 12253, Page 336, RPRTC;

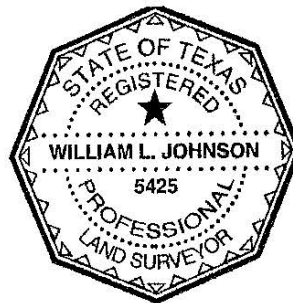
THENCE S82°05'37"E with the north line of said 5.01 Acre tract, same the being south line of said 5.043 Acre tract, a distance of 592.82 feet to a 1/2" iron rod found on the west line of Lot 70, Block A of THE COMMONS AT ROWE LANE PHASE 1 according to the plat thereof recorded in Document No. 200600295, OPRTC, same being the northeast corner of said 5.01 Acre Tract, same being the southeast corner of said 5.043 Acre Tract;

THENCE S07°31'26"W with the east line of said 5.01 Acre Tract, same being the west line of said Lot 70, Block A, a distance of 365.32 feet to a 1/2" iron rod with "RJ SURVEYING" cap found for the southeast corner of said 5.01 Acre Tract, same being the northeast corner of said Lot 1, Block A;

THENCE N82°30'35"W with the south line of said 5.01 Acre Tract, same being the north line of said Lot 1, Block A, a distance of 595.21 feet to the said POINT OF BEGINNING.

Containing 5.011 Acres, more or less, as shown on the Land Title Survey attached.


7-JUNE 2021
Date
William L. Johnson
Registered Professional Land Surveyor No. 5425
State of Texas



RJ Surveying & Associates, Inc.
2900 Jazz Street, Round Rock, Texas 78664
F-10015400

Bearings are based on the Texas Coordinate System of 1983, Central Zone (4203) NA2011 Epoch 2010.00. All distances shown hereon are grid distances.

