

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 AN APPROXIMATE 11.84-ACRE TRACT OF LAND, OUT OF THE JACOB CASNER SURVEY NO. 9, ABSTRACT NO. 2753, IN PFLUGERVILLE, TX FROM AGRICULTURE/DEVELOPMENT RESERVE (A) DISTRICT, TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT WITH A BASE ZONING DISTRICT OF URBAN CORRIDOR: LEVEL 4 (CL4); TO BE KNOWN AS THE FAIRFIELD PUD REZONING (2022-2-PUD); 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 11.84-acre tract of land, out of the Jacob Casner Survey No. 9, Abstract No. 2753, in Pflugerville, TX from Agriculture/Development Reserve (A) District, to Planned Unit Development (PUD) 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 July 18, 2022 and voted affirmatively against the Proposed Zoning with a vote of 5-2; 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 Planned Unit Development (PUD) for a 11.84-acre tract of land. The property described herein may be developed and used in accordance with regulations established for the zoning district of Planned Unit Development (PUD) 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

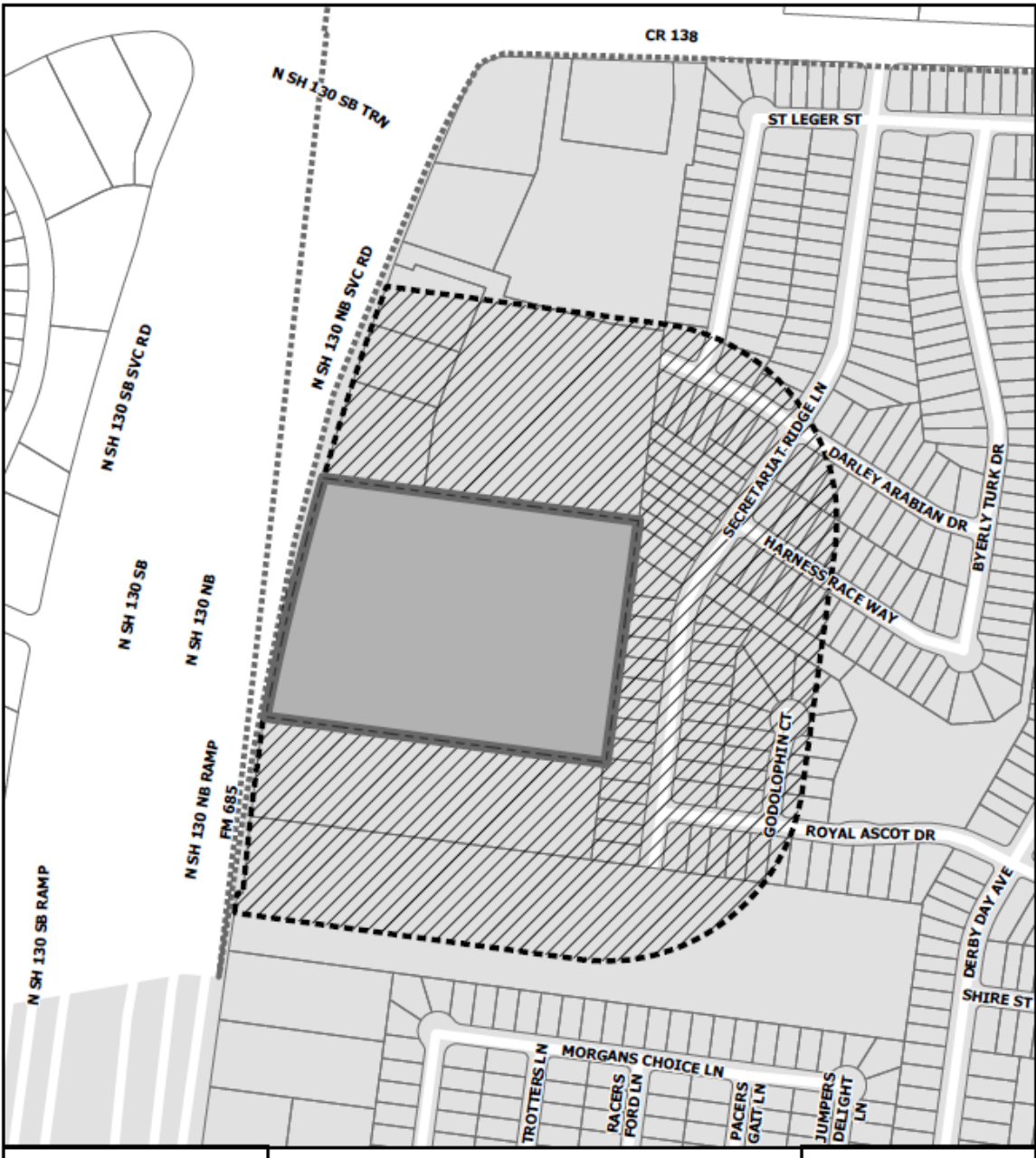
ATTEST:

TRISTA EVANS, City Secretary

APPROVED AS TO FORM:

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

EXHIBIT "A"



SURVEY

LEGAL DESCRIPTION:

A DESCRIPTION OF 11.84 ACRES OUT OF THE JACOB CASNER SURVEY NO. 9, ABSTRACT NO. 2753 IN TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 11.85 ACRE TRACT CONVEYED TO HW PARTNERS, LLC BY GENERAL WARRANTY DEED DATED AUGUST 31, 2007 AS RECORDED IN DOCUMENT NO. 2007232501 OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF A CALLED 7.47 ACRE TRACT DESCRIBED IN VOLUME 8488, PAGE 209 AND A CALLED 4.992 ACRE TRACT DESCRIBED IN VOLUME 8390, PAGE 433, BOTH OF THE DEED RECORDS, TRAVIS COUNTY, TEXAS; SAID 11.84 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES & BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with "TxDOT" cap found in the southeast right-of-way line of Farm-to-Market 685 (FM 685), also being the northbound frontage road of State Highway 130 (a variable width, public right-of-way), for the northwest corner of said called 11.85 acre tract and hereof, same being the southwest corner of Lot #5, Block "A", Gattis Crossing, a subdivision of record in Document No. 200800079, Official Public Records, Travis County, Texas, from which a 1/2" rebar with "Doucet" cap found in the southeast right-of-way line of FM 685, bears with a curve to the right, having a radius of 7339.44 feet, an arc length of 294.68 feet and a chord, which bears North 17°14'35" East a distance of 294.66 feet;

THENCE South 82°15'42" East with the northeast line of said called 4.992 acre tract and hereof, same being the southwest line of said Lot #5 and the south line Lot #6, Block "A", Amended Plat of Lots 4, 6 and 7, Gattis Crossing, a subdivision of record in Document No. 201500150, Official Public Records, Travis County, Texas, passing at a distance of 598.72 feet a 1/2" rebar found for the northeast corner of the called 4.992 acre tract and the most northerly northwest corner of said called 7.47 acre tract, and continuing a total of 801.33 feet to a 1/2" rebar with "Chaparral" cap found in the northwest line of Lot 16, Block "C", The Ridge at

Steeds Crossing Section Two, Phase B, a subdivision of record in Document No. 199900231, Official Public Records, Travis County, Texas, for the northeast corner of the called 11.85 and 7.47 acre tracts and hereof, same being southeast corner of said Lot #6, from which a 1/2" rebar with "Chaparral" cap found, bears North 07°39'35" East a distance of 483.03 feet;

THENCE South 07°39'53" West with the southeast line of the called 7.47 acre tract and hereof, same being the northwest line of said Block "C", The Ridge at Steeds Crossing Section Two, Phase B, a distance of 615.18 feet to a 1/2" rebar found for the southeast corner of the called 11.85 and 7.47 acre tracts and hereof, same being the northeast corner of a called 4.9033 acre tract of land conveyed to Vertex Acquisition Sub LLC in Document No. 2012154548, Official Public Records, Travis County, Texas;

THENCE North 82°20'01" West with the southwest line of the called 7.47 acre tract and hereof, same being the northeast line of said called 4.9033 acre tract, a distance of 864.83 feet to a 1/2" rebar found in the southeast right-of-way line of FM 685 for the southwest corner of the called 11.85 acre tract and hereof, same being the northwest corner of the called 4.9033 acre tract;

THENCE with the southeast right-of-way line of FM 685, same being northwest line of the 11.85 acre tract and hereof, the following two (2) courses and distances:

1. North 08°37'46" East a distance of 22.41 feet to a 1/2" rebar with "TxDOT" cap found at a point of curvature;
2. With a curve to the right, having a radius of 7339.44 feet, an arc length of 597.29 feet and a chord, which bears North 13°43'59" East a distance of 597.12 feet to the POINT OF BEGINNING, containing 11.84 acres of land, more or less.

