

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 REZONING APPROXIMATELY AN 8.62 ACRE PORTION OF A 52.32 ACRE TRACT OF LAND OUT OF THE J.C. CUNNINGHAM SURVEY, ABSTRACT NO. 163 IN TRAVIS COUNTY, TEXAS, FROM AGRICULTURE/CONSERVATION (A) TO GENERAL BUSINESS 1 (GB1) DISTRICT; TO BE KNOWN AS THE BALLANTYNE RETAIL REZONING (REZ1606-02); 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 requested to change the zoning of approximately an 8.62 acre portion of a 52.32 acre tract of land out of the J.C. Cunningham Survey, Abstract No. 163 in Travis County, Texas from Agriculture/Conservation (A) to General Business 1 (GB1) District as reflected in **Exhibit A** attached hereto and fully incorporated herewith for all purposes (Proposed Zoning); and

WHEREAS, the Planning and Zoning Commission held a public hearing on August 1, 2016 and voted for its approval of the Proposed Zoning 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.

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 base zoning district of the property described in **Exhibit A**, from Agriculture/Conservation (A) 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.

SECTION 4. This ordinance shall be cumulative of all other ordinances of the City, and this Ordinance 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.

SECTION 5. 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. 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 _____ 2016.

CITY OF PFLUGERVILLE,
TEXAS

By: _____
JEFF COLEMAN, Mayor

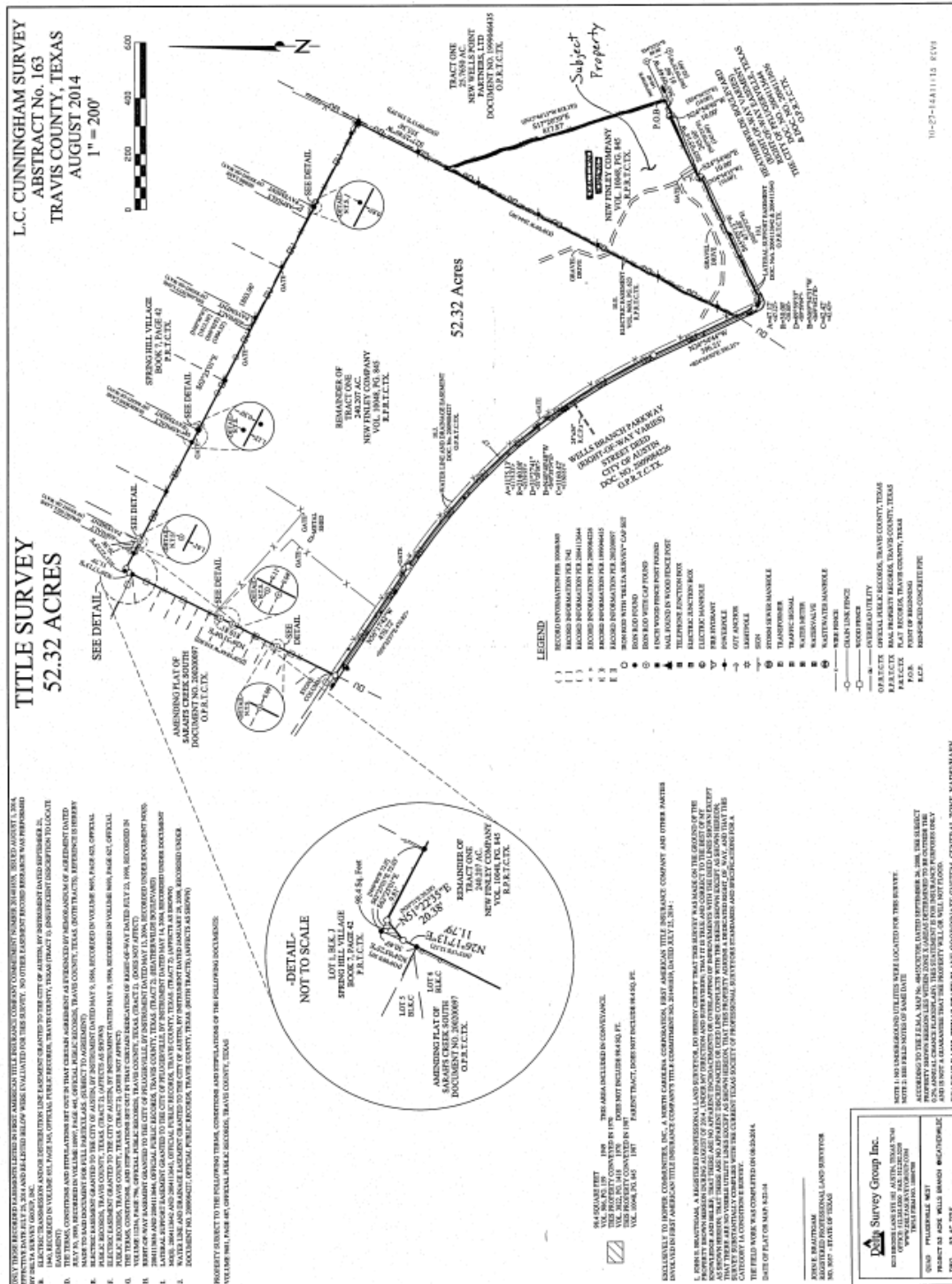
ATTEST:

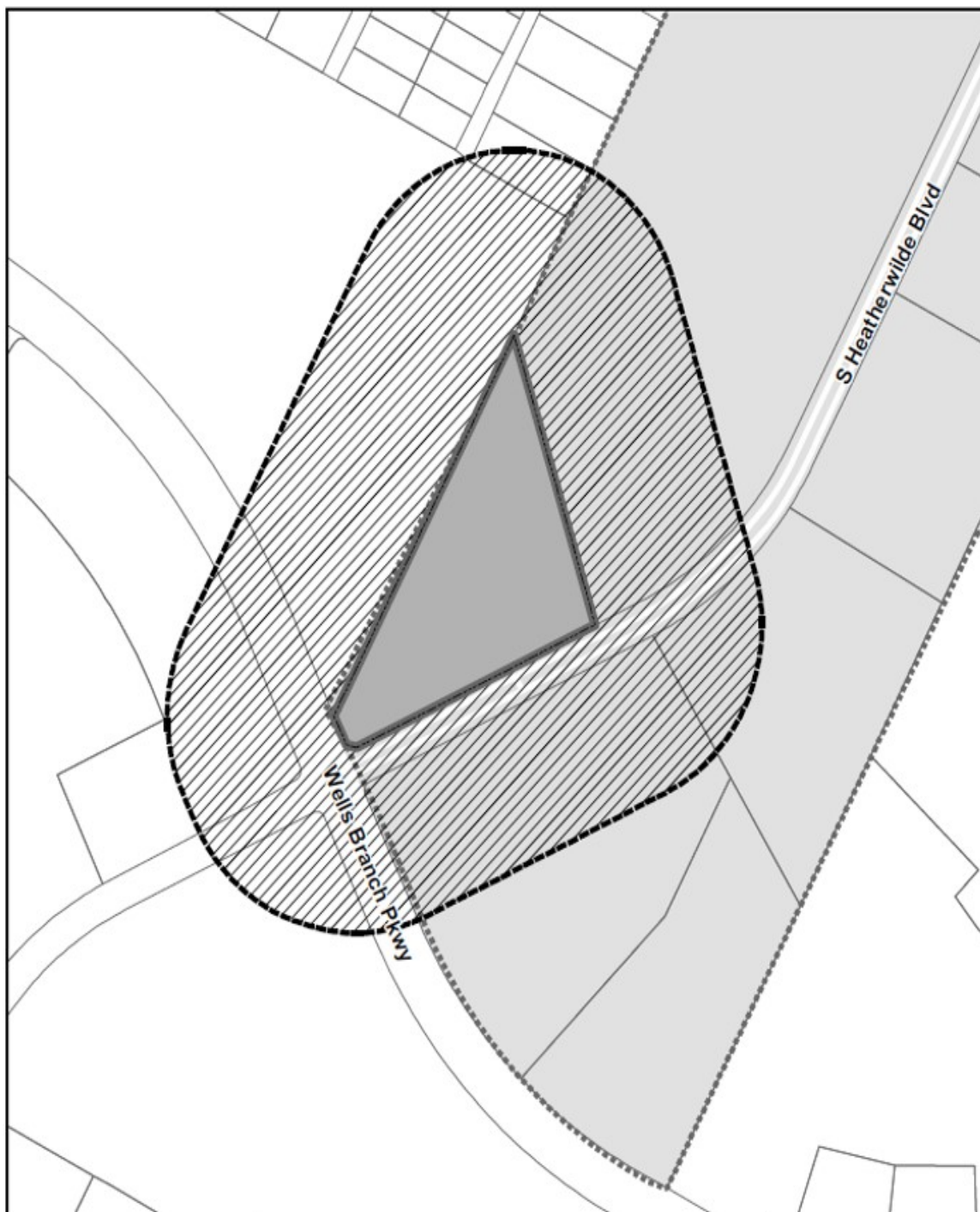
KAREN THOMPSON, City Secretary

APPROVED AS TO FORM:

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

LEGAL DESCRIPTION: An 8.62 acre portion of a 52.32 acre tract of land out of the J.C. Cunningham Survey, Abstract No. 163 in Travis County, Texas.









Ballantyne Retail Rezone (A to GB-1)

**Case Number:
REZ1606-02**

06/27/2016

Legend

-  Subject Property
-  Notification Area
-  ETJ
-  City Limits

0 250 500 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.



Locator Map

