

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 25.764 ACRES, BEING TWO TRACTS OF LAND SITUATED IN THE PETER CONRAD SURVEY NO. 71, ABSTRACT NO. 200, AND IN THE WILLIAM BARKER SURVEY NO. 74, ABSTRACT NO. 107 IN PFLUGERVILLE, TRAVIS AND WILLIAMSON COUNTIES, TEXAS, GENERALLY LOCATED ALONG MEISTER LANE, NORTH OF NEW MEISTER LANE, AND SOUTH OF LOUIS HENNA BOULEVARD, FROM AGRICULTURE/CONSERVATION (A) AND CORRIDOR URBAN (CL4) TO CAMPUS INDUSTRIAL (CI) ZONING DISTRICT; TO BE KNOWN AS THE CAPITAL COMMERCIAL LOUIS HENNA REZONING (REZ1608-02); 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, 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 25.764 acres, being two tracts of land situated in the Peter Conrad Survey No. 71, Abstract No. 200, and in the William Barker Survey No. 74, Abstract No. 107 in Pflugerville, Travis and Williamson Counties, Texas, generally located along Meister Lane, north of New Meister Lane and south of Louis Henna Boulevard, from Agriculture/Conservation (A) and Corridor Urban (CL4) to Campus Industrial (CI) District as depicted and described 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 October 3, 2016 and voted for 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. 1203-15-02-24, as amended, to change the base zoning district of the property depicted and described in **Exhibit A**, from Agriculture/Conservation (A) and Corridor Urban (CL4) to Campus Industrial (CI) District.

The property described above may be developed and used in accordance with regulations established for the Campus Industrial (CI) 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:

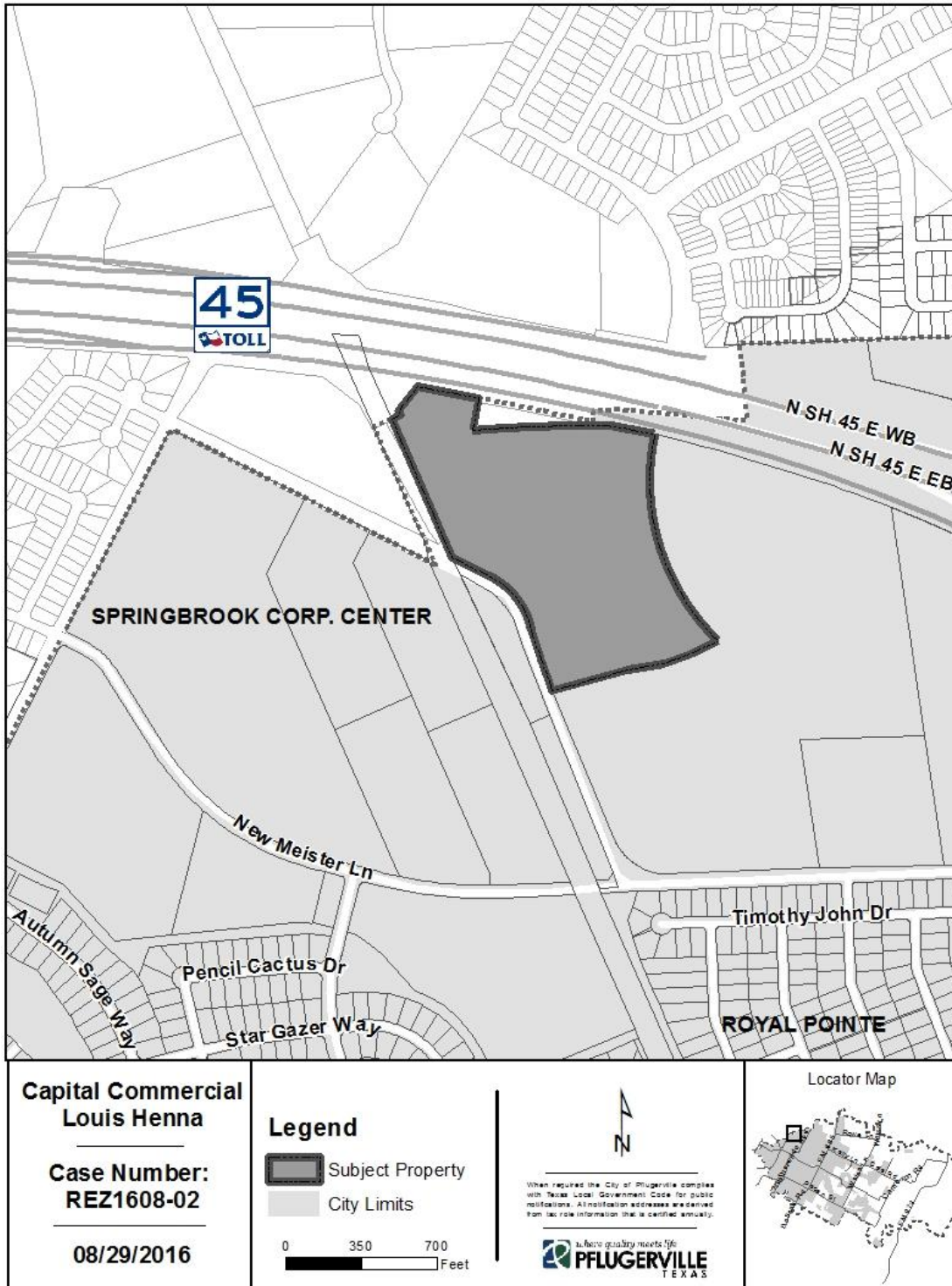
KAREN THOMPSON, City Secretary

APPROVED AS TO FORM:

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

EXHIBIT "A"

LEGAL DESCRIPTION: 25.764 ACRES, BEING TWO TRACTS OF LAND SITUATED IN THE PETER CONRAD SURVEY NO. 71, ABSTRACT NO. 200, AND IN THE WILLIAM BARKER SURVEY NO. 74, ABSTRACT NO. 107 IN PFLUGERVILLE, TRAVIS AND WILLIAMSON COUNTIES, TX.
TCAD ID(S): 281529 and 820818



TRACT ONE

LEGAL DESCRIPTION

BEING a 4.819 acre tract of land out of the William Barker Survey No. 74, Abstract No. 107, Williamson County and Travis County, Texas and being a portion of the 5.93 acre tract of land described in the Substitute Trustee's Deed to Independent Bank recorded in Document No. 2008011213 of the Official Public Records of Williamson County, Texas, save and except that 1.11 acre tract described in the Warranty Deed to Jim Boles recorded in Document No. 2012046041 of the Official Public Records of Williamson County, Texas, said 4.819 acre tract being more particularly described as follows with bearings referenced to the Texas Coordinate System of 1983, Central Zone:

BEGINNING at a ½" iron rod found in the northeasterly right-of-way line of Meister Lane (a variable width right-of-way) and in the easterly line of an abandoned portion of the M.K. & T. Railroad right-of-way described in Volume 11339, Page 2005 of the Real Property Records of Travis County, Texas, also being the southwest corner of the said 5.93 acre tract and the POINT OF BEGINNING of the herein described tract;

THENCE with the easterly line of said M.K. & T. Railroad tract and the westerly line of said 5.93 acre tract, N23°48'05"W a distance of 703.51 feet to a TxDOT concrete monument found in the southerly right-of-way line of State Highway No. 45 for the northwest corner of this tract;

THENCE with the southerly right-of-way line of said State Highway No. 45 and the northerly line of said 5.93 acre tract, the following:

N66°11'06"E a distance of 44.09 feet to a TxDOT concrete monument found for corner;

N22°52'29"W a distance of 19.91 feet to a TxDOT concrete monument found for corner;

N38°49'53"E a distance of 144.81 feet to a TxDOT concrete monument found for the beginning of a non-tangent curve to the right;

Southeasterly with said curve to the right having a radius of 16987.23 feet, an arc distance of 288.31 feet and a chord bearing S79°45'49"E a distance of 288.31 feet to a ½" iron rod with cap stamped TERRA FIRMA set at the northwest corner of said 1.11 acre tract for the northeast corner of the herein described tract;

THENCE with the westerly line of said 1.11 acre tract, S10°43'47"W a distance of 152.47 feet to a ½" iron rod with cap stamped TERRA FIRMA set at the southwest corner of said 1.11 acre tract and being in the north line of the 21.5410 acre tract of land described in the Substitute Trustee's Deed recorded in Volume 11060, Page 1786 of the Real Property Records of Travis County, Texas;

THENCE with the common line of the said 5.93 acre tract and the 21.5410 acre tract, S87°49'47"W a distance of 111.90 feet to 1" square iron rod found for the northwest corner of said 21.5410 acre tract;

THENCE continuing with said common line, S21°01'46"E a distance of 796.70 feet to a 3/8" iron rod found in the easterly right-of-way line of said Meister Lane for the southeast corner of said 5.93 acre tract and the herein described tract;

THENCE departing said common line with the easterly right-of-way line of said Meister Lane and the southerly line of said remainder tract, the following:

N47°47'05"W a distance of 51.72 feet to a ½" iron rod stamped "Coalter" found at an angle point;

N58°49'10"W a distance of 72.68 feet to a ½" iron rod stamped "CS LTD" found at an angle point;

N63°31'09"W a distance of 188.15 feet to the POINT OF BEGINNING and containing 4.819 acres of land.

I HEREBY CERTIFY that these notes were prepared by Jones|Carter (Terra Firma Land Surveying) from a survey made on the ground on December 12, 2014 and field verified on September 12, 2016.


Gary C. Bowes
Registered Professional Land Surveyor No. 4053


Date

Client: Capital Commercial Investments

Date: September 13, 2016

Job No.: 0A799-0001-01

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TRACT TWO

LEGAL DESCRIPTION

BEING a 20.945 acre tract of land out of the Peter Conrad Survey No. 71, Abstract No. 200, Travis County and Williamson County, Texas and being a portion of the 21.5410 acre tract of land described in the Substitute Trustee's Deed recorded in Volume 11060, Page 1786 of the Real Property Records of Travis County, Texas, save and except the 24,748 square foot tract of land described in the Deed to the State of Texas recorded in Document No. 2003117169 of the Official Public Records of Travis County, Texas, said 20.945 acre tract being more particularly described as follows with bearings referenced to the Texas Coordinate System of 1983, Central Zone:

BEGINNING at a 1" square iron rod found at the northwest corner of the above described 21.5410 acre tract, and being an inside corner of the 5.93 acre tract described in the Substitute Trustee's Deed to Independent Bank recorded in Document No. 2008011213 of the Official Public Records of Williamson County, Texas, for the northwest corner and POINT OF BEGINNING of the herein described tract;

THENCE with the north line of said 21.5410 acre tract and the south line of said 5.93 acre tract, and the south line of the 1.11 acre tract described in the Warranty Deed to Jim Boles recorded in Document No. 2012046041 of the Official Public Records of Williamson County, Texas, N87°49'47"E a distance of 744.13 feet to a 1" square iron rod found for the southeast corner of said 1.11 acre tract;

THENCE with the easterly line of said 1.11 acre tract, N18°26'06"W a distance of 0.25 feet to a ½" iron rod found in the southerly right-of-way line of State Highway No. 45 (a variable width right-of-way) for the northeast corner of said 1.11 acre tract and the beginning of a non-tangent curve to the right;

THENCE with the southerly right-of-way line of said State Highway No. 45, southeasterly with said curve to the right having a radius of 16987.23 feet, an arc distance of 235.41 feet and a chord bearing S76°51'26"E a distance of 235.41 feet to a ½" iron rod found at the northwest corner of a 69.086 acre tract as conveyed to Realtron, Inc. by instrument recorded in Document No. 2006202615 of the Official Public Records of Travis County, Texas, and being the northeast corner of the herein described tract;

THENCE with the west and north lines of said Realtron 69.086 acre tract the following:

S12°37'37"W a distance of 18.37 feet to a 1/2" iron rod with cap stamped TERRA FIRMA set at a point of curvature of a curve to the left;

Southeasterly with said curve to the left having a radius of 1000.00 feet, an arc distance of 856.46 feet and a chord which bears S11°58'20"E a distance of 830.53 feet to a 1/2" iron rod with cap stamped TERRA FIRMA set for corner;

S36°24'42"E a distance of 144.66 feet to a 1/2" iron rod with cap stamped TERRA FIRMA set at an inside corner of said Realtron 69.086 acre tract, for the southeast corner of this tract;

S63°49'35"W a distance of 158.31 feet to a 1/2" iron rod with cap stamped TERRA FIRMA set at a point of curvature of a curve to the right;

Southwesterly with said curve to the right having a radius of 365.00 feet, an arc distance of 120.55 feet and a chord which bears S73°17'16"W a distance of 120.00 feet to a 1/2" iron rod with cap stamped TERRA FIRMA set for corner;

S82°44'57"W a distance of 100.00 feet to a 1/2" iron rod with cap stamped TERRA FIRMA set at a point of curvature of a curve to the left;

Southwesterly with said curve to the left having a radius of 365.00 feet, an arc distance of 60.00 feet and a chord which bears S78°02'24"W a distance of 59.93 feet to a 1/2" iron rod with cap stamped TERRA FIRMA set for corner; and

S73°19'50"W a distance of 340.00 feet to a 1/2" iron rod with cap stamped TERRA FIRMA set in the easterly right-of-way line of Meister Lane (a variable width right-of-way) for the most westerly northwest corner of said Realtron 69.086 acre tract, and being the southwest corner of said 21.5410 acre tract and the herein described tract;

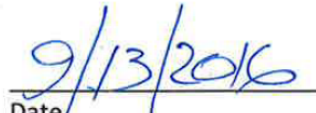
THENCE with the easterly right-of-way line of said Meister Lane and the westerly line of said 21.5410 acre tract, N21°40'10"W a distance of 493.40 feet to a 1/2" iron rod with cap stamped TERRA FIRMA set at an angle point;

THENCE N63°06'40"W a distance of 27.22 feet to a 1/2" iron rod with cap stamped TERRA FIRMA set in the east line of said 5.93 acre tract, from which an iron rod found at the southeast corner of said 5.93 tract bears S21°01'46"E a distance of 16.77 feet;

THENCE with the easterly line of said 5.93 acre tract and the westerly line of said 21.5410 acre tract, N21°01'46"W a distance of 779.93 feet to the POINT OF BEGINNING and containing 20.945 acres of land.

I HEREBY CERTIFY that these notes were prepared by Jones|Carter (Terra Firma Land Surveying) from a survey made on the ground on January 9, 2014 and field verified on September 12, 2016.


Gary C. Bowes
Registered Professional Land Surveyor No. 4053


Date

Client: Capital Commercial Investments
Date: September 13, 2016
Job No.: 0A799-0001-01

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