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 APPROVING A SPECIFIC USE PERMIT FOR A PROPOSED MULTI-FAMILY LAND USE ON A 17.43 ACRE TRACT OF LAND CURRENTLY ZONED CORRIDOR URBAN LEVEL 4 DISTRICT (CL4) SITUATED IN THE THOMAS G. STUART SURVEY, SECTION NO. 6, ABSTRACT 689, LOCATED IN PFLUGERVILLE, TRAVIS COUNTY, TEXAS, TO BE KNOWN AS THE STONE HILL LUXURY APARTMENTS SPECIFIC USE PERMIT (SUP1706-01); PROVIDING A CUMULATIVE AND REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; 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, a petition for a Specific Use Permit has been made by the property owner in conformance with the procedures of the City of Pflugerville's Code of Ordinances, Chapter 157, Unified Development Code for property depicted and described in **Exhibit A**, which is attached hereto and incorporated herein for all purposes (the "Proposed Zoning"); and;

WHEREAS, the Planning and Zoning Commission held a public hearing on September 18, 2017, determined that the petition and associated application for the Specific Use Permit met the requirements of Chapter 157, Subchapter 3 (Specific Use Permits) and Subchapter 4 (Zoning Districts and Use Regulations), and recommended approval of the Proposed Zoning under a Specific Use Permit with conditions for a Multi-Family use on the subject site.

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 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 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, is amended to apply the Specific Use Permit to the Corridor Urban Level 4 (CL4) base zoning district of the property, which is described as a 17.43-acre tract of land situated in the Thomas G. Stuart Survey, Section No. 6, Abstract 689 in Pflugerville, Travis County, Texas as shown in **Exhibit A**.

SECTION 4. Conditions Accepted by Applicant: The property described herein may be developed and used in accordance with regulations established by this Specific Use Permit, as provided in **Exhibit B** "Conditions" and **Exhibit C** "General Site Layout" and all other applicable ordinances of the City of Pflugerville, Texas, which are incorporated herein; and the applicant, owner and grantee's have accepted the terms thereof, all of which are required by Chapter 157, Subchapter 3 of the Unified Development Code.

SECTION 5. <u>Cumulative and Repealer Clause</u>. 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 6. 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 7. Effective Date. This Ordinance will take effect upon its adoption by the City Council and publication of the caption hereof in accordance with Section 3.15(d) of the City Charter.

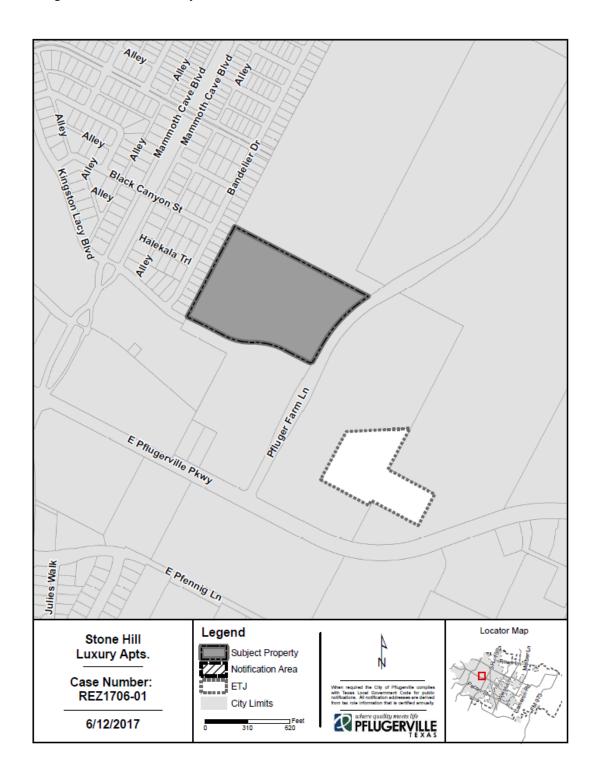
PASSED AND APPROVED this	day of	, 2017.
	CITY OF PFLU	GERVILLE, TEXAS
	by:	
	VICTOR GONZ	ZALES, Mayor

ATTEST:
KAREN THOMPSON, City Secretary
APPROVED AS TO FORM:
CHARLIE ZECH, City Attorney
Denton Navarro Rocha Bernal & Zech, P.C.

EXHIBIT "A"

SUBJECT PROPERTY:

17.43-acre tract of land situated in the Thomas G. Stuart Survey, Section No. 6, Abstract 689 in Pflugerville, Travis County, TX





Eagle Eye Construction Layout 3000 Joe DiMaggio Blvd. Suite 84 Round Rock, Texas 78665 (512) 464-4468 TBPLS FIRM # 10194139

EXHIBIT "A"

6.727 ACRES, (293,021 Sq. Ft.) CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS

A DESCRIPTION OF TWO (2) SEPARATE TRACT(s) OF LAND, TOTALING 6.727 ACRES (APPROX. 293,021 Sq. Ft.) OF LAND, SITUATED IN THE TOMAS G. STEWART SURVEY No. 6, ABSTRACT No. 689, TRAVIS COUNTY, TEXAS AND BEING OUT OF THAT CERTAIN 129.137 ACRE TRACT OF LAND, BEING DESCRIBED AS TRACT II IN A GENERAL WARRANTY DEED, CONVEYED TO TERRELL TIMMERMANN, DATED SEPTEMBER 7, 1999 AND APPEARING OF RECORD UNDER DOCUMENT No. 1999104399 AND CORRECTED UNDER DOCUMENT No. 2005047221 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 6.727 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY THE METES AND BOUNDS AS FOLLOWS:

TRACT 1 0.331 ACRES, (14,400 Sq. Ft.)

BEGINNING at a found 1/2-inch iron pipe, for the ell-corner of the aforementioned 129.137 acre tract of land, same being an interior ell-corner of a called 9.67 acre tract of land, being described in that certain General Warranty Deed, conveyed to the City of Pflugerville, dated December 23, 2009 and appearing of record under Document No. 201006423 of the Official Public Records of Travis County, Texas, and from which a previously set 1/2-inch iron rod with plastic cap, stamped "4863", bears North 27° 34' 33" East, a distance of 101.10 feet, for the northeasterly right-of-way corner of the terminus of Kingston Lacy Boulevard, having a called 60 foot right-of-way width per that certain map or plat, being described as Highland Park Phase D, Section 4 and appearing of record under, Document No. 201400213 of the Official Public Records of Travis County, Texas, same being the southeasterly lot corer of Lot 23, Block HH of the said Highland Park, Phase D, Section 4, same being a point along the westerly property line of the aforesaid 129.137 acre tract of land:

THENCE North 27° 34′ 33" East, along the westerly property line of the aforementioned 129.137 acre tract of land, same being the easterly property line of the aforesaid 9.67 acre tract of land, a distance of 41.10 feet, to a previously set 1/2-inch iron rod with plastic cap, stamped "4863", for the northwesterly corner of the hereon, described Tract 1, same being the southeasterly right-of-way corner of the said terminus of Kingston Lacy Boulevard and the southwesterly right-of-way corner of the proposed Kingston Lacy Boulevard extension, having a variable right-of-way width;

THENCE over and across the aforementioned 129.137 acre tract of land, same being the southerly right-of-way line of the proposed Kingston Lacy Boulevard extension the following Three (3) courses and distances:

- South 60° 30' 50" East, a distance of 150.07 feet to a previously set 1/2inch iron rod with plastic cap, stamped "4863";
- South 62° 25' 23" East, a distance of 154.43 feet to a previously set 1/2inch iron rod with plastic cap, stamped "4863";
- 3) With a curve to the left, having an Arc Length of 74.27 feet, a Radius of 500.00 feet, a Delta Angle of 08° 30' 38" and a Chord which bears South 66° 40' 42" East, a Distance of 74.20 feet, to a set 1/2-inch iron rod with plastic cap, stamped "4863" for the northeasterly corner of the hereon, described Tract 1;

THENCE South 19° 03' 45" West, leaving the southerly right-of-way line of the proposed Kingston Lacy Boulevard extension, same being over and across the aforesaid 129.137 acres a distance of **42.60 feet** to a found 1/2-inch iron pipe, for the southeasterly corner of the hereon, described Tract 1, same being the easterly most ell-corner of the said 9.67 acre tract of land and an interior ell-corner of the said 129.137:

THENCE North 62° 20' 41" West, along the common dividing property line of the aforementioned 129.137 acre tract and the aforesaid 9.67 acre tract of land, a distance of **384.72 feet** to the POINT OF BEGINNING, containing the hereon, described Tract 1, being of 0.331 acres (Approx. 14,400 Sq. Ft.) of land, more or less.

TRACT 2 6.396 Acres, (278,621 Sq. Ft.)

BEGINNING at a found 1/2-inch iron rod, for the southwesterly corner of the hereon. described Tract 2, same being an ell-corner of the aforementioned 129.137 acre tract of land, same being the northwesterly corner of Lot 1, Block A of the North Pflugerville Estates Subdivision, Section 2, according to the map or plat thereof, recorded under Document No. 200500294 of the Plat Records of Travis County, Texas and being more particularly described in that certain Correction Deed, conveyed to Julia N. Parker, dated March 21, 2017 and appearing of record under Document No. 2017045295 of the Official Public Records of Travis County, Texas and a point along the remaining portion of the certain 150.65 acre tract of land being described in a General Warranty Deed, conveyed to WDP, Ltd., dated June 20, 2002 and appearing of record under Document No. 2002120520 of the Official Public Records of Travis County, Texas and from which a calculated point bears South 27° 33' 25" West, a distance of 289.84 feet, for the southwesterly corner of the said Lot 1, Block A, North Pflugerville Estates, same being the southeasterly corner of the that remaining portion of the said 150.67 acre tract of land and a point along the northerly right-ofway line of East Pflugerville Loop (Also known as East Pflugerville Parkway), having a called 100 foot right-of-way width per that certain Right-Of-Way, Possession and Construction Easement for the East Pflugerville Loop Project, being recorded under Document No. 2005027461 of the Official Public Records of Travis County, Texas:

THENCE North 27° 38' 02" East, along the westerly property line of the aforementioned 129.137 acre tract of land, same being the easterly property line of the remaining portion of the aforesaid 150.67 acre tract of land, a distance of 67.29 feet to a calculated point for the northeasterly corner of the said remaining portion of the 150.67 acre tract of land, same being the southeasterly corner of a called 9.67 acre tract of land, being described in that certain General Warranty Deed, conveyed to the City of Pflugerville, dated December 23, 2009 and appearing of record under Document No. 201006423 of the Official Public Records of Travis County, Texas, thence continuing an additional 473.31 feet for a total distance of 540.60 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863", for the northwesterly corner of the hereon, described Tract 2 and from which a found 1/2-inch iron rod pipe bears North 27° 38' 02" East, a distance of 6.91 feet, for the easterly most ell-corner of the said 9.67 acre tract of land and an interior ell-corner of the said 129.137;

THENCE over and across the aforementioned 129.137 acre tract of land the following Nineteen (19) courses and distances:

- South 63° 40' 42" East, a distance of 4.02 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- South 60° 08' 55" East, a distance of 49.92 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- South 60° 08' 52" East, a distance of 53.32 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- South 62° 44' 20" East, a distance of 61.76 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- South 43° 55' 04" East, a distance of 63.07 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- South 53° 16' 42" East, a distance of 65.74 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- South 53° 16' 32" East, a distance of 10.24 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- 8). South 39° 57' 23" East, a distance of 36.66 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- South 51° 01' 54" East, a distance of 37.30 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- 10). South 69° 27' 26" East, a distance of 29.31 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- 11). North 70° 49' 59" East, a distance of 20.89 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- 12). North 34° 05' 44" East, a distance of 35.19 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- 13). North 70° 52' 43" East, a distance of 44.49 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- 14). North 48° 15' 31" East, a distance of 21.08 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- 15). North 48° 15' 39" East, a distance of 11.11 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- 16). North 61° 38' 50" East, a distance of 48.74 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";

17). North 82° 49' 40" East, a distance of 77.02 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";

18). South 79° 42' 36" East, a distance of 18.80 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863" for a point of curvature at the northeasterly corner of the hereon, described Tract 2, same being a point along the curving southerly right-of-way line of the aforementioned proposed Kingstone Lacy Boulevard extension;

19). With a curve to the right, having an Arc Length of 21.28 feet, a Radius of 25 feet, a Delta Angle of 48° 46' 33" and a Chord which bears South 05° 50' 41" West, a Distance of 20.65 feet to a previously set 1/2-inch iron rod with plastic cap, stamped "4863" for a point along the westerly right-of-way line of Pfluger Farm Lane, having a variable right-of-way width per the certain Special Warranty Deed, conveyed to the City of Pflugerville, Texas, dated April 4th, 2013 and appearing of record under Document No. 2013068431 of the Official Public Records of Travis County, Texas, same being the terminus southeasterly corner of the said proposed Kingston Lacy Boulevard;

THENCE traversing along the westerly right-of-way line of the aforementioned Pfluger Farm Lane, same being the easterly property line of the aforesaid 129.137 acre tract of land the following Three (3) courses and distances:

1). South 30° 14' 03" West, a distance of 157.47 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";

 South 26° 27' 05" West, a distance of 299.22 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";

3). South 20° 34' 10" West, a distance of 29.32 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863" for the southeasterly corner of the hereon, described Tract 2;

THENCE departing the westerly right-of-way line of the aforementioned Pfluger Farm Lane, over and across the aforesaid 129.137 acre tract of land the following Twenty (20) courses and distances:

1). North 59° 38' 43" West, a distance of 26.22 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";

 North 82° 36' 57" West, a distance of 75.70 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";

 North 82° 36' 54" West, a distance of 24.67 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";

4). South 81° 19' 38" West, a distance of 55.31 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";

5). North 56° 14' 13" West, a distance of 102.89 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";

6). South 07° 51' 23" West, a distance of 15.28 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";

7). South 17° 32' 13" West, a distance of 10.40 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";

8). South 45° 48' 09" West, a distance of 26.95 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";

- 9). South 16° 23' 58" West, a distance of 18.50 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863"; 10). South 32° 40' 34" West, a distance of 24.18 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- 11). South 02° 36' 04" East, a distance of 11.49 feet to a set 1/2- inch iron rod with plastic cap, stamped "4863";
- 12). South 17° 45' 19" West, a distance of 13.70 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- 13). South 84° 17' 28 West, a distance of 16.32 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- 14). South 82° 39' 07" West, a distance of 10.50 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- 15). South 61° 47' 53" West, a distance of 24.30 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- 16). North 76° 36' 54" West, a distance of 11.27 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- 17). North 39° 29' 25" West, a distance of 11.50 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- 18). North 04° 30' 59" East, a distance of 19.89 feet to a set 1/2-inch iron rod with plastic cap, stamped "4863";
- 19) North 45° 45' 42" East, a distance of 2.50 feet to a set 1/2-inch iron rod with a plastic cap, stamped "4863";
- 20). North 62° 40' 35" West, a distance of 52.05 feet to a found 1/2-inch iron rod, for the northeasterly ell-corner of the Lot 1, Block A of the aforementioned North Pflugerville Estates, Section 2, same being an ell-corer of the aforesaid 129.137 acre tract of land, thence continuing an additional 206.77 feet, for a total distance of 258.82 feet to the POINT OF BEGINNING, containing the hereon, described Tract 2, being of 6.396 acres (Approx. 278,621 Sq. Ft.) of land, more or less.

Survey on the ground May 18th and 19th, 2017

Attachment: A separate land title survey accompanies this metes and bounds description

CHARLES M. BENSON

ESSIO

Bearing are based on the Texas Coordinate System, Central Zone (FIPS 4203)

Charles M. Benson

Registered Professional Land Surveyor

State of Texas No. 4863

September 25, 2017

LOCATION REFERENCES: TCAD ID #825068, AUSTIN GRID Q-38, Q39

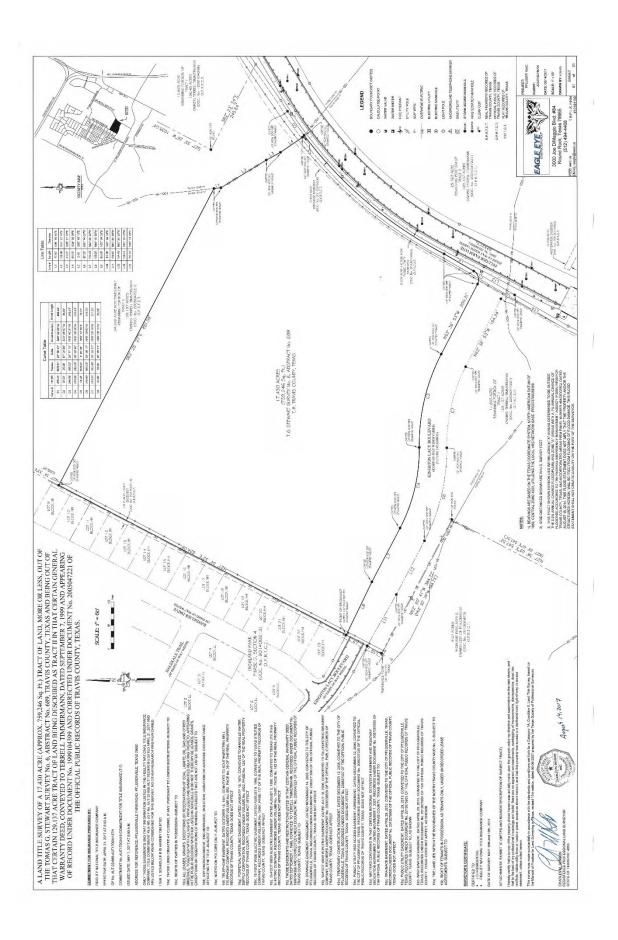


EXHIBIT "B"

CONDITIONS:

Item	Conditions of Approval	Purpose
1	The site shall be developed in accordance with the multi-	Consistency with
	family standards established in the Unified Development	current standards.
	Code, Ordinance No. 1203-15-02-24, as amended.	
2	No structures or parking associated with the multi-family	Establishes
	land use, with exception of parkland amenities as approved	expectation for design
	by the Parks Director, shall be located any closer to the west	and orientation of the
	property line than 135 feet as depicted in "Exhibit C"	site
	herein. All site improvements shall be required through the	
	site development process to comply with the Unified	
	Development Code.	
3	A preliminary plan with all associated application materials	Establishes
	shall be required for the parent tract of property consisting	expectation for the
	of the land generally located north of E. Pflugerville Pkwy,	development of the
	east of the Highland Park neighborhood, west of Pfluger	area.
	Farm Ln, and south of the former 40-acre data center tract.	
4	Parkland dedication and development fee for the proposed	Consistency with
	land use shall be provided in accordance with the Unified	current standards.
	Development Code, Ordinance No. 1203-15-02-24, as	
	amended.	

EXHIBIT "C" **GENERAL SITE LAYOUT**

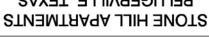
PFLUGERVILLE, TEXAS

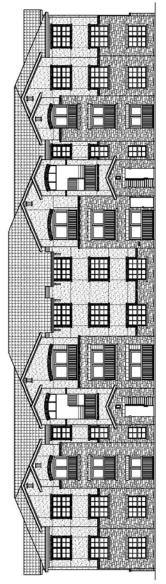
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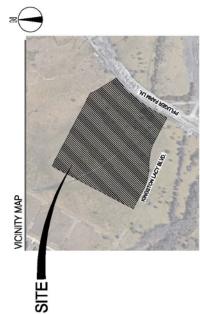


STONE HILL APARTMENTS PFLUGERVILLE, TEXAS

300 UNITS







INDEX	COVER SHEET
SHEET	A0.0

1000	SITE PLAN	BUILDING EL
0.0	A1.0	A2.0

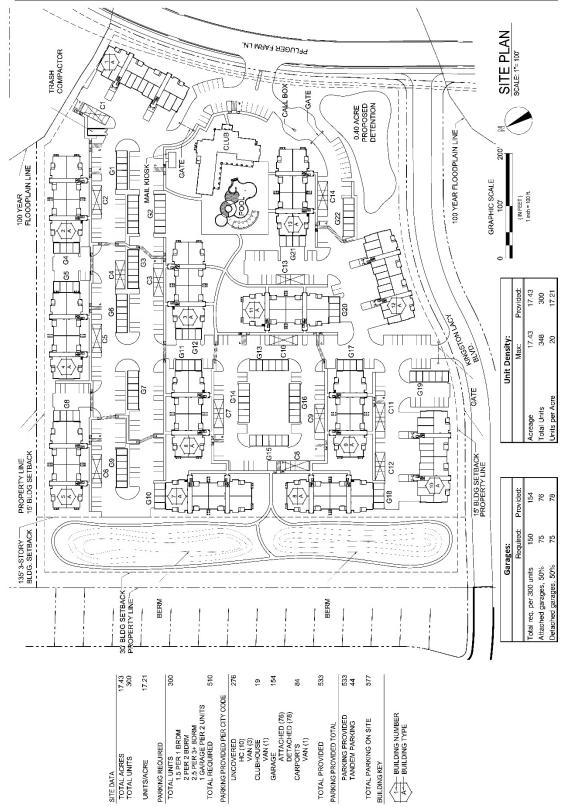
A3.0 A4.0 A5.0 A6.0

BUILDING ELEVATIONS
SITE PLAN SECTION
EXTERIOR MATERIALS
OVERALL LAND PLAN
SITE PLAN COLOR RENDER

A1.0 SITE PLAN Copyright #2017

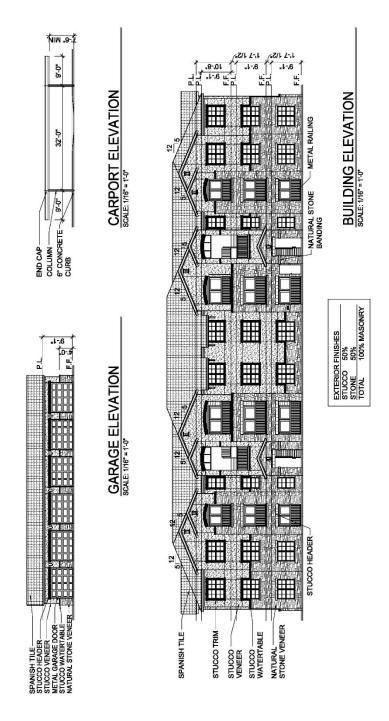
STONE HILL APARTMENTS PFLUGERVILLE, TEXAS





STONE HILL APARTMENTS PFLUGERVILLE, TEXAS

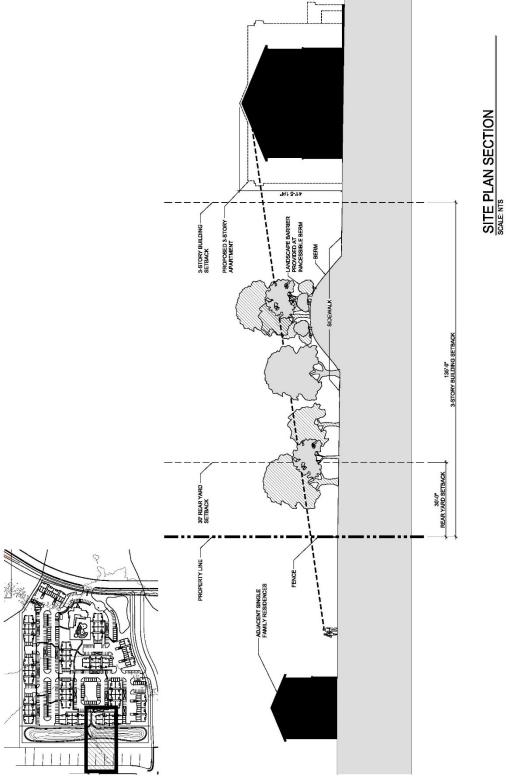






STONE HILL APARTMENTS PFLUGERVILLE, TEXAS





PFLUGERVILLE, TEXAS STONE HILL APARTMENTS





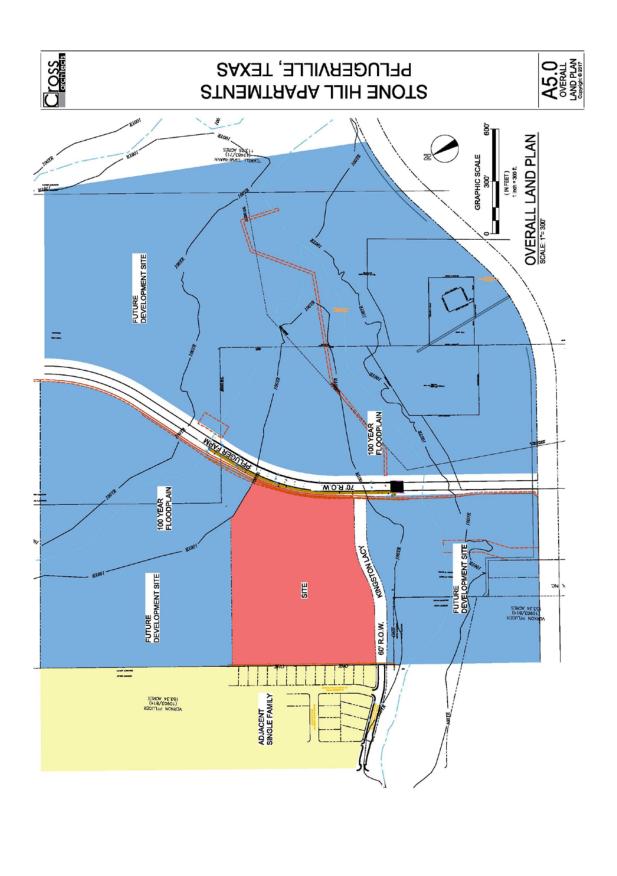








TYPICAL CARPORT 6 car covered carport building galvanized metal with lighting





STONE HILL APARTMENTS PFLUGERVILLE, TEXAS



