

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 TWO TRACTS CONSISTING OF APPROXIMATELY 17.593-ACRES OF LAND OUT OF THE GEORGE M. MARTIN SURVEY NO. 9, ABSTRACT NO. 529, LOCATED GENERALLY NORTHWEST OF SILENT HARBOR LOOP ON BECKER FARM ROAD AND BEING NORTH OF E. PFLUGERVILLE PARKWAY FROM AGRICULTURE/CONSERVATION (A) TO SINGLE FAMILY MIXED USE (SF-MU), COLLECTIVELY TO BE KNOWN AS THE BECKER FARM SUBDIVISION AT BECKER FARM RD. REZONING (REZ1710-01); 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 17.593 acres, located in the George M. Martin Survey NO. 9, Abstract NO. 529, from Agriculture/Conservation (A) 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 (the "Proposed Zoning"); and

WHEREAS, the Planning and Zoning Commission held a public hearing on November 6, 2017, 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 of 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 described in **Exhibit A**, from Agriculture/Conservation (A) to Single Family Mixed Use (SF-MU) District. The property described herein may be developed and used in accordance with regulations established for the 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 12th day of December, 2017.

CITY OF PFLUGERVILLE, TEXAS

by: _____
VICTOR GONZALES, Mayor

ATTEST:

KAREN THOMPSON, City Secretary

APPROVED AS TO FORM:

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

EXHIBIT "A"

SKETCH TO ACCOMPANY METES AND BOUNDS DESCRIPTION OF 17.543 ACRES (APPROX. 766,336 SQUARE FEET) OF LAND IN THE GEORGE M. MARTIN SURVEY NO. 9, ABSTRACT NO. 529, IN TRAVIS COUNTY, TEXAS, BEING ALL OF THE FOLLOWING TRACTS OF LAND:

8.491 ACRES (APPROX. 369,848 SQUARE FEET) BEING ALL OF THE 8.50 ACRE TRACT CONVEYED TO WMV BECKER FARM ROAD, LLC IN A SPECIAL WARRANTY DEED DATED MAY 5, 2017 AND RECORDED IN DOCUMENT NO. 2017078679 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

0.828 ACRE (APPROX. 36,064 SQ. FT.), PORTION OF A 3.542 ACRE TRACT OF LAND CALLED TRACT 4, AND CONVEYED TO THE CITY OF PFLUGERVILLE, TEXAS IN A SPECIAL WARRANTY DEED DATED OCTOBER 28, 2003, AND RECORDED IN DOCUMENT NO. 2003254738 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

8.274 ACRES (APPROX. 360,424 SQUARE FEET), BEING ALL OF THE 8.28 ACRE TRACT CONVEYED TO WMV BECKER FARM ROAD, LLC IN A GENERAL WARRANTY DEED DATED SEPTEMBER 27, 2017 AND RECORDED IN DOCUMENT NO. 2017156609 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

LINE	BEARING	DISTANCE
L1	S63°02'38"E	60.16'
	(S63°01'26"E)	(59.90')
L2	S63°13'51"W	25.84'
L3	S38°38'13"E	206.35'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	149.66'	235.47'	36°24'56"	S45°55'38"W	147.16'

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS OBSERVATIONS, PROCESSED THROUGH THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS) FOR TRAV#1, HAVING GRID COORDINATE VALUES OF N=10137283.76 AND E=3166090.66 AND TRAV#5, HAVING GRID COORDINATE VALUES OF N=10138249.01 AND E=3165405.44, COMBINED SCALE FACTOR = 0.99990133 (SURFACE TO GRID), THETA ANGLE: 01°25'17.11"

SHEET 1 OF 3

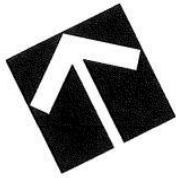
This sketch represents a survey made on the ground. During the performance of this survey, persons working under my supervision observed conditions within and along the boundaries and to the best of my knowledge they are as shown. The location of visual structural improvements with respect to the boundary lines are as shown. This document is not valid for any purpose unless signed and sealed by a Registered Professional Land Surveyor.

ACS
ALL COUNTY SURVEYING, INC. 09/29/17
1102 South Austin Ave., Suite 100
Georgetown, Texas 78626
512-688-5485
Tx. Firm Lic. No. 10194304



Survey completed: 05/10/2017
Scale: 1" = 100'
Job No.: 170373
Dwg No.: 170373.1 ZONING
Drawn by: CWN
Surveyor: CWN #6614
Copyright 2017 All County Surveying, Inc.

Plot Date: 09-29-2017



SCALE: 1" = 200'
GRAPHIC SCALE

200 100 0 200

SEE SHEET 1 FOR LINE/CURVE TABLES, SHEET 3 FOR LEGEND

1/2" IRF AT NW
CORNER OF
(50.008 ACRES)

HIDDEN LAKE DRIVE

VILLAGES OF HIDDEN LAKE PHASE 6B-2
BLOCK W
(201400072)

MATCH SHEET 2 OF 3
MATCH SHEET 3 OF 3

N63°2'38"W 901.19'
(N60°21'00"W) (902.18')
(N60°21'W) (902.22')

THE PFLUGERVILLE
LOOP, LTD.
(50.008 ACRES)
(2013189144)

N27°54'22"E 915.08'
(N30°36'E)

(S30°35'W) (2530.61')
(N30°41'35"E) (248.91')
(N30°40'12"E) (157.38')

SEE DETAIL
SHEET 3

LOT 17, BLOCK W
VILLAGES OF
HIDDEN LAKE PHASE 6B-2
(201400072)

WMV BECKER FARM ROAD, LLC
8.491 ACRES
(2017078679)

TOTAL AREA:
17.593 ACRES
(APPROX. 766,336 SQ. FT.)

WMV BECKER FARM ROAD, LLC
8.274 ACRES
(2017156609)

N63°14'46"W 800.36'
(N60°30'31"W) (800.86')

JOSE VILLAREAL AND JULISSA VILLARREAL
8.299 ACRES
(2014022564)

(S30°29'41"W)
S27°43'04"W
210.31'

S27°52'04"W 541.92'
(N27°52'24"E 694.64')

SILENT HARBOR
LOOP

N27°52'04"E 391.73'

VILLAGE

SHEET 2 OF 3

This sketch represents a survey made on the ground. During the performance of this survey, persons working under my supervision observed conditions within and along the boundaries and to the best of my knowledge they are as shown. The location of visual structural improvements with respect to the boundary lines are as shown. This document is not valid for any purpose unless signed and sealed by a Registered Professional Land Surveyor.



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Georgetown, Texas 78626
512-688-5485
Tx. Firm Lic. No. 10194304

09/29/17



Curtis W. Watts

Survey
completed: 05/10/2017
Scale: 1" = 100'
Job No.: 170373
Dwg No.: 170373.7 ZONING
Drawn by: CHW
Surveyor: CHW #6614
Copyright 2017 All County Surveying, Inc.

Plot Date: 09-29-2017

