

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 1.0 ACRE LOT OUT OF THE JOHN VAN WINKLE SURVEY, ABSTRACT NO. 689, TRAVIS COUNTY, TEXAS, FROM AGRICULTURE (A) TO RETAIL (R) AND LOT 43 AN APPROXIMATE 2.3 ACRE LOT & LOT 44 AN APPROXIMATE 4.5 ACRE LOT OUT OF THE SPRINGBROOK ONE SECTION ONE SUBDIVISION FROM SINGLE FAMILY SUBURBAN (SF-S) TO PARKS FACILITIES AND OPEN SPACE (PF); TO BE KNOWN AS THE WILKE RIDGE REZONING (REZ2001-02); 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 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 1-acre tract out of the John Van Winkle Survey, Abstract No. 689, in Travis County, Texas, from Agriculture/Development Reserve (A) to Retail (R) District as depicted and described in **Exhibit A** and to amend the zoning of Lot 43 an approximate 2.3 acre lot and Lot 44 an approximate 4.5 acre lot out of the Springbrook One Section One Subdivision from Single Family Suburban (SF-S) to Parks Facilities and Open Space (PF) and described in **Exhibit B**, 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 February 03, 2020, 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 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 zoning district of the property described in Exhibit A, from Agriculture/Development Reserve (A) District to Retail (R) District for an approximate 1-acre tract of land, and to amend the zoning district of the property described in Exhibit B, of approximately 2.3 acres and 4.5 acres from Single Family Suburban (SF-S) to Parks Facilities and Open Space (PF). The property described herein may be developed and used in accordance with regulations established for the zoning district of Retail (R) District and Parks Facilities and Open Space (PF), 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 \_\_\_\_\_, 2020.

CITY OF PFLUGERVILLE,  
TEXAS

by:

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VICTOR GONZALES, Mayor

ATTEST:

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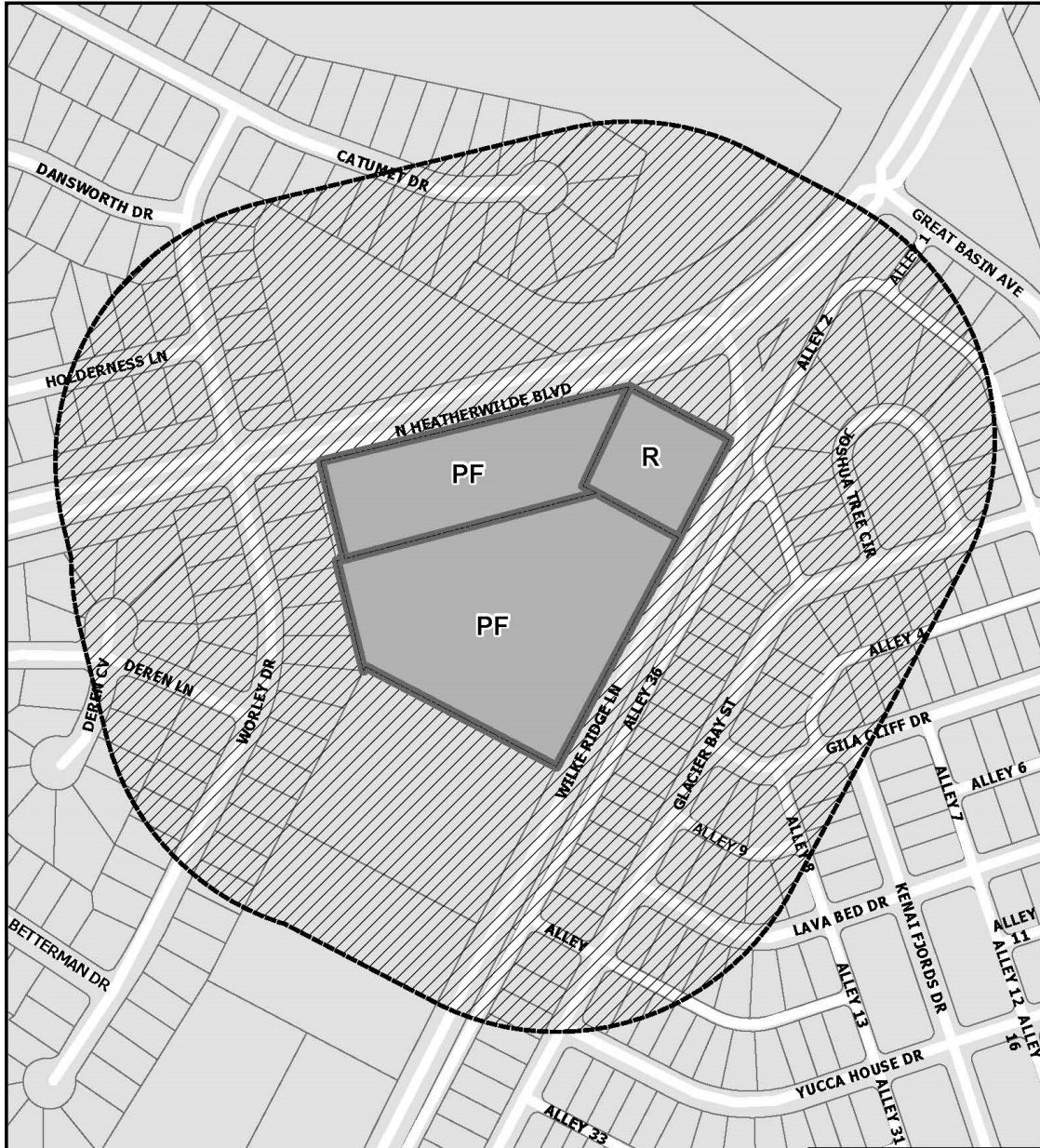
KAREN THOMPSON, City Secretary

APPROVED AS TO FORM:

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

# EXHIBIT "A"



**Wilke Ridge  
(A & SF-S to R & PF)**

**Case Number:  
REZ2001-02**

**1/9/2019**

## Legend

-  Rezoning
-  City Limits
-  ETJ

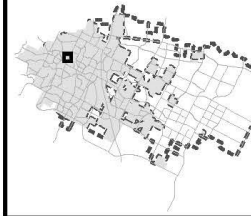
0 150 300 Feet



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



## SURVEY



**PROPERTY DESCRIPTION:**  
BEING A 1.000 ACRE TRACT OF LAND SITUATED IN THE JOHN VAN WINKLE SURVEY, ABSTRACT NO. 787, AND THE THOMAS G. STUART SURVEY, ABSTRACT NO. 689, TRAVIS COUNTY, TEXAS, BEING ALL THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO MASEDONIO G. AGUILAR AND WIFE, GLORIA AGUILAR, AS RECORDED IN VOLUME 8139, PAGE 250, DEED RECORDS, TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5 1/2-INCH IRON PIPE FOUND AT THE EAST CORNER OF SAID  
AGUILAR TRACT, SAID IRON PIPE BEING ON THE NORTHWEST LINE OF WILKE  
RIDGE LANE (VARIABLE WIDTH RIGHT-OF-WAY);  
THENCE SOUTH 29° 11' 00" WEST, A DISTANCE OF 208.72 FEET ALONG SAID  
NORTHWEST LINE TO A POINT FROM WHICH A 1/2-INCH IRON ROD FOUND  
BEARS NORTH 42° 35' EAST - 0.96 OF ONE FOOT, SAID POINT BEING THE  
SOUTH CORNER OF SAID AGUILAR TRACT;

TINIAN NORTH OF 77° 07' WEST ALONG THE SOUTHEAST CORNER OF SAID AQUILAR TRACT, PASSING THE MOST SOUTHERLY EAST CORNER OF SPRINGBROOK ONE, AN ADDITION TO TRANS COUNTY, TEXAS. ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 9 PAGES 68 AND 69 OF THE PUBLIC RECORDS OF TRANS COUNTY, TEXAS, SAID SECTION 36 BEING A PART OF SAID SPRINGBROOK ONE, SAID DISTANCE OF 208.72 FEET TO A POINT ON THE COMMON LINE OF SAID SPRINGBROOK ONE AND SAID SPRINGBROOK ONE A TOTAL DISTANCE OF 208.72 FEET TO A 5/8-INCH IRON PIPE FOUND AT THE WEST CORNER OF SAID AQUILAR TRACT; TINIAN NORTH BY 11° 07' EAST, PASSING A SPUR FROM ROAD FOUND AT A DISTANCE OF 184.35 FEET AND CONTINUING A DISTANCE OF 208.72 FEET ALONG SAID COMMON LINE TO THE COMMON CORNER OF SAID AQUILAR TRACT; SAID SPRINGBROOK ONE, AND THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO THE CITY OF PHILLMUELLER, AS RECORDED IN VOLUME 10 PAGE 10 OF THE PUBLIC RECORDS OF TRANS COUNTY, TEXAS, AND BEING ON THE SOUTHEAST LINE OF HEATHWELDE BOULEVARD (NO FOOT RIGHT-OF-WAY);

THENCE SOUTH 60° 07' 00" EAST ALONG THE COMMON LINE OF SAID AGUILAR AND CITY OF PLEUGERVILLE TRACTS, PASSING THE SOUTH CORNER OF SAID PLEUGERVILLE TRACT AT A DISTANCE OF 201.76 FEET AND CONTINUING ALONG THE NORTHEAST LINE OF SAID AGUILAR TRACT A TOTAL DISTANCE OF 208.72 FEET TO THE POINT OF BEGINNING AND CONTAINING 43,561 SQUARE FEET OR 1.000 ACRE OF LAND.

[illegible][illegible][illegible]

<b>TITLE SURVEY</b>		GFF: 14650-16-01537	
180008 WILKE RIDGE LANE CITY OF PELLIGRISVILLE TRAVIS COUNTY, TEXAS		BORROWER: DAVID A. BOGGS  PREMIER JOB # : 7-21-381 TECH: MSP      DATE: 03/01/17 FIELD: EP      FIELD DATE: 02/29/17	



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President, North American Title Company  
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# EXHIBIT "B"

## FINAL PLAT

