

TOWN OF FLOWER MOUND, TEXAS

ORDINANCE NO. 24-15

AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING SECTION 1.0, LAND USE PLAN, AND SECTION 2.0, AREA PLANS, OF THE MASTER PLAN BY AMENDING ORDINANCE NO. 24-01, IN PART, WHICH ADOPTED THE MASTER PLAN, SPECIFICALLY TO CHANGE THE CURRENT LAND USE REFLECTED ON THE LAKESIDE BUSINESS DISTRICT AREA PLAN MAP FROM CAMPUS INDUSTRIAL USES TO CAMPUS COMMERCIAL USES ON APPROXIMATELY 28.69 ACRES OF LAND SITUATED IN THE J. TURNER SURVEY, ABSTRACT NUMBER 1251; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and,

WHEREAS, the Land Use Plan Map contained in the Land Use Plan of the Town Master Plan depicts, by distinct colors, the various land uses in the Town; and,

WHEREAS, in accordance with Chapter 78 of the Land Development Regulations, the owner of the property described as 28.69 acres of land in the J. Turner Survey, Abstract Number 1251, has filed an application for a Master Plan Amendment to change the current land use reflected on the Lakeside Business District Area Plan Map from Campus Industrial uses to Campus Commercial uses; and,

WHEREAS, the Planning and Zoning Commission of the Town of Flower Mound, Texas, held a public hearing on November 10, 2014, and the Town Council of the Town of Flower Mound, Texas, held a public hearing on April 20, 2015, with respect to the Master Plan Amendment described herein; and,

WHEREAS, the Town has complied with all requirements of Chapter 213 of the Local Government Code, Chapter 78, of the Land Development Regulations, and all other laws dealing with notice, publication and procedural requirements for the approval of a Master Plan Amendment;

WHEREAS, the Town Council finds that amendment of the Master Plan as outlined herein is in the best interest of the Town of Flower Mound and will promote the health, safety and general welfare of the citizens of the Town of Flower Mound and the general public;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:

SECTION 1

The Master Plan of the Town of Flower Mound, Texas, as amended, is hereby amended to change the land use designation on the hereinafter described property and area as shown below:

28.69 acres of land in the J. Turner Survey, Abstract Number 1251, Tarrant County and Denton County, Texas, and more fully described in Exhibit "A" hereto.

Section 1.0, Land Use Plan, and Section 2.0, Area Plans, of the Master Plan are hereby amended to change the current land use reflected on the Lakeside Business District Area Plan Map from Campus Industrial uses to Campus Commercial uses on approximately 28.69 acres of land as depicted on Exhibit "B," attached hereto and incorporated for all purposes.

SECTION 2

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the Town of Flower Mound, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 3

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 4

The Town Secretary of the Town of Flower Mound is hereby directed to publish the caption in the official newspaper of the Town of Flower Mound as required by Section 3.07 of the Charter of the Town of Flower Mound.

SECTION 5

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF 5 TO 0, ON THIS THE 20TH DAY OF APRIL, 2015.

APPROVED:


Thomas E. Hayden, MAYOR *pro TEM*
JOHN LOVENICK

ATTEST:


Theresa Scott, TOWN SECRETARY

APPROVED AS TO FORM AND LEGALITY:


Bryn Meredith, TOWN ATTORNEY

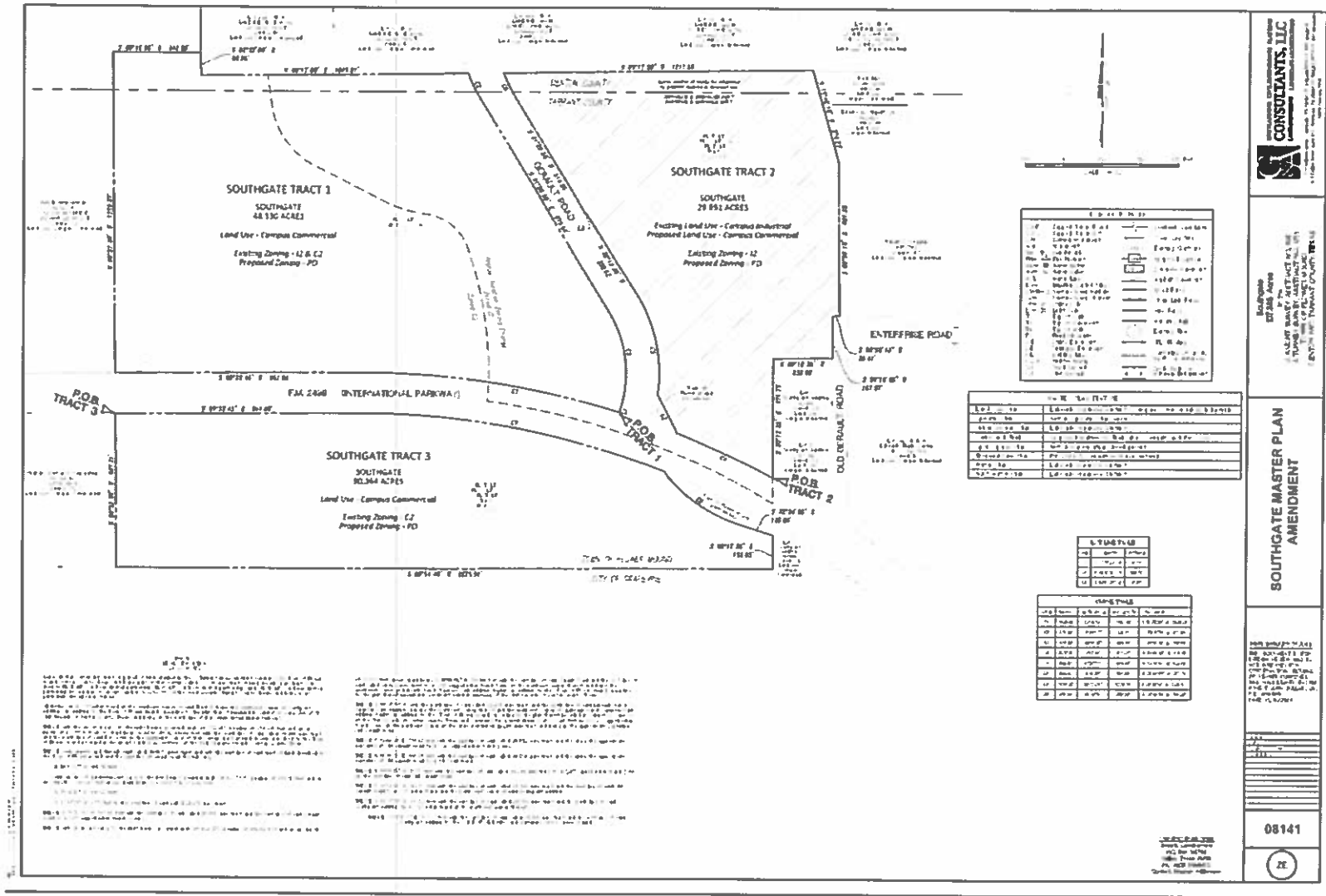
Exhibit "A"
Description of Property

28.691 ACRES

Being all that certain lot, tract or parcel of land situated in the J. Turner Survey, Abstract Number 1251, Town of Flower Mound, Tarrant County, Texas, and being part of that certain called 29.009 acre tract of land described as Tract B in deed to FLCT, LTD, et al, recorded in Instrument Number 2007-102876 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING on the north line of F. M. 2499 (called 160 foot right-of-way) as evidenced by that certain called 9.753 acre tract of land described in deed to State of Texas, recorded in Volume 2284, Page 663 of the Real Property Records of Denton County, Texas, and being on the south line of said Tract B at the intersection of the east line of Gerault Road as evidenced by that certain called 0.317 acre tract of land described in Release of Lis Pendens in favor of the Town of Flower Mound, recorded in Document Number 2010-66592 of the Real Property Records of Denton County, Texas, from which the southwest corner of said Tract B bears N 69°24'09" W, 120.00 feet; THENCE N 26°45'05" W, 169.42 feet with the east line of said Gerault Road; THENCE continuing with the east line of Gerault Road with the arc of a curve to the left having a central angle of 42°21'34", a radius of 600.00 feet and an arc length of 443.59 feet, whose chord bears N 13°20'00" W, 433.55 feet; THENCE N 32°12'30" W, 338.96 feet continuing with the east line of said Gerault Road to the northeast corner of said 0.317 acre tract; THENCE S 57°47'30" W, 3.99 feet continuing with the east line of said Gerault Road to the northwest corner of said 0.317 acre tract, being on the east line of said Gerault Road as evidenced by that certain called 2.119 acre tract of land described in deed to The Town of Flower Mound, Texas, recorded in Volume 4656, Page 1 of the Real Property Records of Denton County, Texas, and being on the west line of said Tract B; THENCE N 31°20'50" W, 514.88 feet continuing with the east line of Gerault Road and the west line of said Tract B; THENCE continuing with the east line of Gerault Road and the west line of said Tract B with the arc of a curve to the right having a central angle of 09°09'32", a radius of 800.00 feet and an arc length of 127.88, whose chord bears N 26°46'04" W, 127.74 feet to the northwest corner of said Tract B; THENCE N 89°17'10" E, 1211.68 feet in old Gerault Road with the north line of said Tract B to the northeast corner thereof; THENCE S 15°48'10" E, 374.23 feet in old Gerault Road with the east line of said Tract B to an angle point therein; THENCE S 00°39'10" E, 601.28 feet in old Gerault Road with the east line of said Tract B; THENCE S 88°59'10" W, 26.41 feet in old Gerault Road with the east line of said Tract B; THENCE S 00°18'35" W, 167.97 feet in old Gerault Road with the east line of said Tract B to the northeast corner of Lot 1 of Southpoint Addition, an addition to the Town of Flower Mound, according to the plat thereof recorded in Volume M, Page 346 of the Plat Records of Denton County, Texas; THENCE S 89°18'35" W, 232.03 continuing with the east line of said Tract B and the north line of said Lot 1 to the northwest corner thereof; THENCE S 00°12'35" E, 471.73 continuing with the east line of said Tract B and the west line of Lot 1, passing the southwest corner thereof and the northwest corner of Lot 2 of said Southpoint Addition, continuing with the west line thereof to the north line of the aforementioned F. M. 2499, being the southeast corner of said Tract B; THENCE with the north line of said F. M. 2499 and the south line of said Tract B with the arc of a curve to the left having a central angle of 07°10'34", a radius of 3330.00 feet and an arc length of 417.07 feet whose chord bears N 64°46'58" W, 416.80 feet to the POINT OF BEGINNING and containing approximately 28.691 acres.

Exhibit 'B'
Master Plan Exhibit



Southgate
87248 Acres
SOUTHGATE TRACT #1
SOUTHGATE TRACT #2
SOUTHGATE TRACT #3

SOUTHGATE MASTER PLAN
AMENDMENT

808141

08141

22

SOUTHGATE MASTER PLAN AMENDMENT