

**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 PROPOSED OFFICE/WAREHOUSE AND INDUSTRIAL USES (LIGHT) USES ON AN APPROXIMATE 43.22-ACRES TRACT OF LAND OUT OF THE WILLIAM CALDWELL SURVEY, ABSTRACT NO. 162, ZONED URBAN CORRIDOR LEVEL 4 (CL4) DISTRICT, LOCATED GENERALLY SOUTH OF THE 130 COMMERCE CENTER, WEST OF SH 130, AND NORTH OF CAMERON ROAD, TO BE KNOWN AS THE SCANNELL SPECIFIC USE PERMIT (SUP2023-00055); 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 February 5, 2024, and 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, with a 6-0 vote, of the Specific Use Permit for an Office/Warehouse and Industrial Uses (Light) uses on the subject site with conditions as provided in **Exhibit C**; and

**WHEREAS**, the City has complied with all conditions precedent necessary to take this action, and 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 Specific Use Permit 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 appropriate based on the following criteria: 1) the use is harmonious and compatible with the surrounding existing uses or proposed uses; 2) the activities are normally associated with the requested use; 3) the nature of the use is reasonable; and 4) any adverse impacts on the surrounding area have been mitigated by inclusion of specific provisions related to paving of streets, alleys and sidewalks, means of ingress and egress to public streets, drainage, off-street parking, protective screening and open space, area or security lighting, heights of structures and compatibility of buildings.

**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 apply the Specific Use Permit to the Urban Corridor Level 4 (CL4) district of the property, which is described as an approximate 43.22-acres tract of land out of the William Caldwell Survey, Abstract No. 162, located generally south of SH 130 Commerce Park, West of SH 130 and North of Cameron Rd, located within Pflugerville, Travis County, Texas, as shown in **Exhibit A**.

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

**SECTION 5.** 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 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 \_\_\_\_\_, 2024.

CITY OF PFLUGERVILLE, TEXAS

by:

\_\_\_\_\_  
VICTOR GONZALES, Mayor

ATTEST:

\_\_\_\_\_  
TRISTA EVANS, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
CHARLIE ZECH, City Attorney  
Denton Navarro Rodriguez Bernal Santee & Zech, P.C.

# EXHIBIT "A"

**LEGAL DESCRIPTION OF LAND:**  
**43.22 ACRES**

**BEING** A 43.22 ACRES TRACT OF LAND SITUATED IN THE WILLIAM CLADWELL SURVEY, ABSTRACT 162, TRAVIS COUNTY, TEXAS; AND BEING ALL OF A CALLED 43.230 ACRES TRACT OF LAND DESCRIBED TO PLACEMKR 15218 CAMERON, LLC., AS SHOWN ON INSTRUMENT RECORDED IN DOCUMENT NO. 2023074301 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A 1/2" IRON ROD WITH ALUMINUM CAP STAMPED "TEXAS DEPT OF TRAN" FOUND IN THE WESTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 130, A VARIABLE WIDTH RIGHT-OF-WAY, ACCORDING TO CSJ NO. 0440-05-007 & 0440-06-008, FOR THE SOUTH CORNER OF A CALLED 17.693 ACRES TRACT OF LAND DESCRIBED TO THE STATE OF TEXAS, AS SHOWN ON INSTRUMENT RECORDED IN DOCUMENT NO. 2004188029 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

**THENCE**, WITH SAID WESTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 130, SAME BEING THE EAST BOUNDARY LINE OF SAID 43.230 ACRES TRACT, THE FOLLOWING TWO (2) COURSES AND DISTANCES:

1. SOUTH 13°55'38" EAST, A DISTANCE OF 890.00 FEET TO A 1/2" IRON ROD WITH ALUMINUM CAP STAMPED "TEXAS DEPT OF TRAN" FOUND;
2. SOUTH 00°25'04" WEST, A DISTANCE OF 246.66 FEET TO A 1/2" IRON ROD FOUND, FOR THE NORTHEAST CORNER OF A CALLED 87.520 ACRES TRACT DESCRIBED TO EAST GROUP PROPERTIES, L.P., AS SHOWN ON INSTRUMENT RECORDED IN DOCUMENT NO. 2022172398 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAME BEING THE SOUTHEAST CORNER OF SAID 43.230 ACRES TRACT;

**THENCE**, DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 130 AND SAID EAST BOUNDARY LINE OF SAID 43.230 ACRES TRACT, WITH THE NORTH BOUNDARY LINE OF SAID 87.520 ACRES TRACT, SAME BEING THE SOUTH BOUNDARY LINE OF SAID 43.230 ACRES TRACT, NORTH 62°27'14" WEST, A DISTANCE OF 2,431.13 FEET TO A CALCULATED POINT, IN THE EAST BOUNDARY LINE OF A CALLED 339.82 ACRES TRACT OF LAND DESCRIBED TO TRAVIS COUNTY, TEXAS, AS SHOWN ON INSTRUMENT RECORDED IN VOLUME 13131, PAGE 3751 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; FOR THE NORTHWEST CORNER OF SAID 87.520 ACRES TRACT, SAME BEING THE SOUTHWEST CORNER OF SAID 43.230 ACRES TRACT; AND FROM WHICH A 1/2" IRON ROD BEARS NORTH 27°40'15" EAST, A DISTANCE OF 2.06';


**THENCE**, WITH SAID EAST BOUNDARY LINE OF THE 339.82 ACRES TRACT, SAME BEING THE WEST BOUNDARY LINE OF SAID 43.230 ACRES TRACT, NORTH 27°40'15" EAST, A DISTANCE OF 900.89 FEET TO A 1/2" IRON ROD FOUND, FOR THE SOUTHWEST CORNER OF SAID 17.693 ACRES TRACT, SAME BEING THE NORTHWEST CORNER OF SAID 43.230 ACRES TRACT;

**THENCE**, DEPARTING SAID EAST BOUNDARY LINE OF THE 339.82 ACRES TRACT, WITH THE SOUTH BOUNDARY LINE OF SAID 17.693 ACRES TRACT AND THE NORTH BOUNDARY LINE OF SAID 43.230 ACRES TRACT, SOUTH 61°58'21" EAST, A DISTANCE OF 1,727.33 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 43.22 ACRES OF LAND, MORE OR LESS, IN TRAVIS COUNTY, TEXAS. THIS DOCUMENT WAS PREPARED IN THE OFFICE OF KIMLEY-HORN INC. IN AUSTIN, TEXAS.

**SURVEYOR'S NOTES:**

BASIS OF BEARINGS IS THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE (4203). ALL COORDINATES AND DISTANCES SHOWN HEREON ARE SURFACE VALUES. THE SURFACE ADJUSTMENT FACTOR IS 1.00010. THE UNIT OF LINEAR MEASUREMENT IS U.S. SURVEY FEET.

THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS MANUAL OF PRACTICE REQUIREMENTS FOR A CATEGORY 1B, CONDITION 3, STANDARD LAND SURVEY.

  
 MICHAEL A. MONTGOMERY II, R.P.L.S.  
 REGISTERED PROFESSIONAL  
 LAND SURVEYOR NO. 6890



**STANDARD LAND SURVEY**

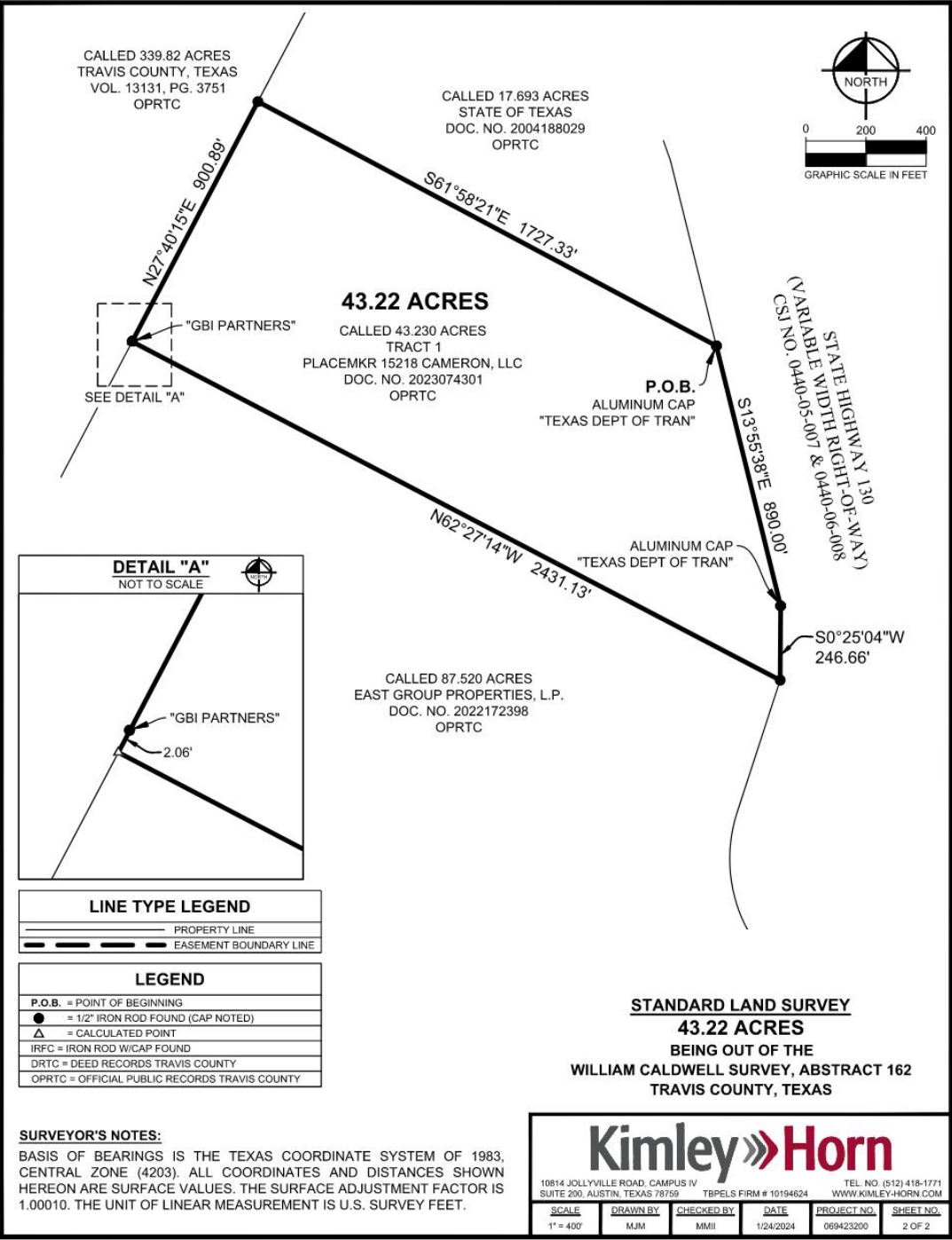
**43.22 ACRES**

**BEING OUT OF THE  
 WILLIAM CALDWELL SURVEY, ABSTRACT 162  
 TRAVIS COUNTY, TEXAS**

**Kimley»Horn**

10814 JOLLYVILLE ROAD, CAMPUS IV SUITE 200, AUSTIN, TEXAS 78759 TEL. NO. (512) 418-1771  
 TBPELS FIRM # 10194624 WWW.KIMLEY-HORN.COM

SCALE	DRAWN BY	CHECKED BY	DATE	PROJECT NO.	SHEET NO.
N/A	MJM	MMII	1/24/2024	069423200	1 OF 2



CALLED 339.82 ACRES  
TRAVIS COUNTY, TEXAS  
VOL. 13131, PG. 3751  
OPRTC

CALLED 17.693 ACRES  
STATE OF TEXAS  
DOC. NO. 2004188029  
OPRTC

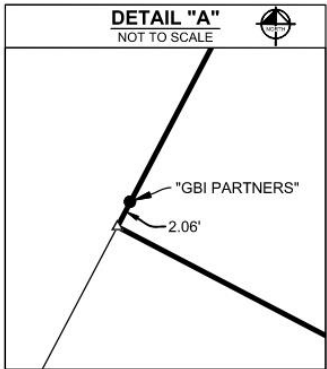
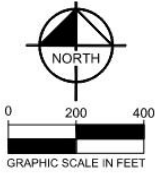
**43.22 ACRES**  
CALLED 43.230 ACRES  
TRACT 1  
PLACEMKR 15218 CAMERON, LLC  
DOC. NO. 2023074301  
OPRTC

**P.O.B.**  
ALUMINUM CAP  
"TEXAS DEPT OF TRAN"

STATE HIGHWAY 130  
(VARIABLE WIDTH RIGHT-OF-WAY)  
CSJ NO. 0440-05-007 & 0440-06-008

CALLED 87.520 ACRES  
EAST GROUP PROPERTIES, L.P.  
DOC. NO. 2022172398  
OPRTC

"GBI PARTNERS"  
SEE DETAIL "A"



**LINE TYPE LEGEND**

	PROPERTY LINE
	EASEMENT BOUNDARY LINE

**LEGEND**

	P.O.B. = POINT OF BEGINNING
	= 1/2" IRON ROD FOUND (CAP NOTED)
	= CALCULATED POINT
	IRFC = IRON ROD W/CAP FOUND
	DRTC = DEED RECORDS TRAVIS COUNTY
	OPRTC = OFFICIAL PUBLIC RECORDS TRAVIS COUNTY

**STANDARD LAND SURVEY**  
**43.22 ACRES**  
BEING OUT OF THE  
WILLIAM CALDWELL SURVEY, ABSTRACT 162  
TRAVIS COUNTY, TEXAS

**SURVEYOR'S NOTES:**  
BASIS OF BEARINGS IS THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE (4203). ALL COORDINATES AND DISTANCES SHOWN HEREON ARE SURFACE VALUES. THE SURFACE ADJUSTMENT FACTOR IS 1.00010. THE UNIT OF LINEAR MEASUREMENT IS U.S. SURVEY FEET.

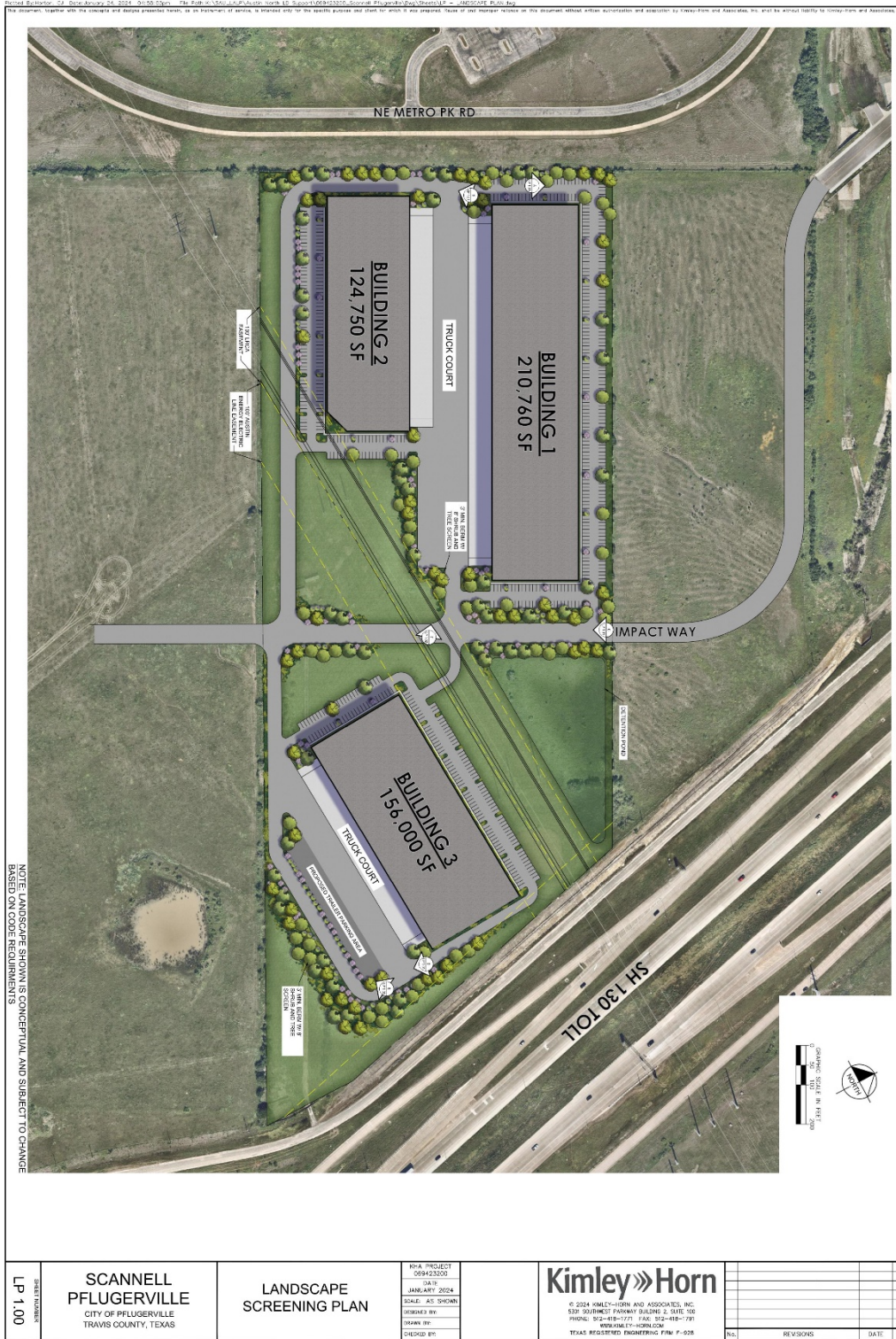
**Kimley»Horn**

10814 JOLLYVILLE ROAD, CAMPUS IV SUITE 200, AUSTIN, TEXAS 78750 | TBPELS FIRM # 10194624 | TEL. NO. (512) 418-1771 | WWW.KIMLEY-HORN.COM

SCALE	DRAWN BY	CHECKED BY	DATE	PROJECT NO.	SHEET NO.
1" = 400'	MJM	MMII	1/24/2024	069423200	2 OF 2



# Exhibit B



NOTE: LANDSCAPE SCREENING IS CONCEPTUAL AND SUBJECT TO CHANGE BASED ON CODE REQUIREMENTS.

SCANNELL PFLUGERVILLE CITY OF PFLUGERVILLE TRAVIS COUNTY, TEXAS	LANDSCAPE SCREENING PLAN	PROJECT 069423300	<b>Kimley»Horn</b> <small>© 2024 KIMLEY-HORN AND ASSOCIATES, INC.          5300 GULFBRIER PARKWAY, SUITE 100          HOUSTON, TX 77056          PHONE: 281-485-1771 FAX: 281-485-7991          WWW.KIMLEY-HORN.COM</small> TEXAS REGISTERED ENGINEERING FIRM P-628	NO.	REVISIONS	DATE	BY
		DATE LP 1.000		CHECKED BY	NO.	REVISIONS	DATE







**A**  
PERSPECTIVE A  
SCALE: 1/8" = 1'-0"



**B**  
PERSPECTIVE B  
SCALE: 1/8" = 1'-0"



**C**  
PERSPECTIVE C  
SCALE: 1/8" = 1'-0"



**D**  
PERSPECTIVE D  
SCALE: 1/8" = 1'-0"

SHEET NUMBER <b>LP 1.01</b>	SCANNELL PFLUGERVILLE CITY OF PFLUGERVILLE TRAVIS COUNTY, TEXAS	LANDSCAPE SCREENING PLAN	KHA PROJECT 069423200	<b>Kimley»Horn</b> © 2024 KIMLEY-HORN AND ASSOCIATES, INC. 538 SOUTHWEST PARKWAY BUILDING 2, SUITE 100 PLOUVE, TEXAS 75137-1771 FAX 512-418-1791 WWW.KHCA-USA.COM TEXAS REGISTERED ENGINEERING FIRM F-628			
			DATE: JANUARY 2024 SCALE: AS SHOWN DRAWN BY: CHECKED BY:		No.	REVISIONS	DATE



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**E**  
PERSPECTIVE E  
SCENARIOS



**F**  
PERSPECTIVE F  
SCENARIOS



SHEET NUMBER  
**LP 1.02**

**SCANNELL  
PFLUGERVILLE**  
CITY OF PFLUGERVILLE  
TRAVIS COUNTY, TEXAS

**LANDSCAPE  
SCREENING PLAN**

CHA PROJECT	02/02/2008
DATE	
DESIGNED BY:	
DRAWN BY:	
CHECKED BY:	

**Kimley»Horn**  
© 2024 KIMLEY-HORN AND ASSOCIATES, INC.  
5325 SOUTHWEST PARKWAY BUILDING 2, SUITE 100  
PHOENIX, AZ 85044-1771 FAX: 602-418-1791  
WWW.KIMLEY-HORN.COM  
TEXAS REGISTERED ENGINEERING FIRM E-928

No.	REVISIONS	DATE	BY

### Exhibit C

<b>Item</b>	<b>Conditions of Approval</b>	<b>Purpose</b>
<b>1</b>	The service court area for Building 1 and Building 2 shall be oriented inwards between adjacent buildings, and the primary façades shall be oriented outwards towards the public park and/or public street	To help screen the service court and ensure consistency with the previously approved SUPs in the area
<b>2</b>	If the service court for Building 3 orients towards the public right-of-way or can be viewed from the public right-of-way, there shall be a minimum three-foot berm and a vegetative buffer consisting of four (4) evergreen trees and fifteen (15) evergreen shrubs per one-hundred (100) linear feet. Trees shall be planted at a size that provides immediate screening of the truck court at full Certificate of Occupancy	To give the development some flexibility while still maintaining proper screening to ensure consistency with previously approved SUPs
<b>3</b>	No outdoor storage permitted	To ensure consistency across the SH 130 Commerce Park and ensure compatibility with the park to south.