

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 BODY ART STUDIO ON APPROXIMATELY .03-ACRES ZONED GENERAL BUSINESS DISTRICT LOCATED AT THE EXISTING 2512 W PECAN ST, UNIT 110, TO BE KNOWN AS THE VICE AND VIRTUE BODY ART STUDIO, PROVIDING A CUMULATIVE AND REPEALER CLAUSE; PROVIDING FOR A NON-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 April 3rd, 2023, 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 of the Specific Use Permit for a Body Art Studio use on the subject site; 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 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 General Business (GB1) district of the property, which is described as an approximate .03-acre tract of land (1,320 square feet) located at 2512 W Pecan St, Unit 110, located within 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** “Conceptual Site Details” 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. 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. Non-Severability Clause. If any provision of the Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will be void and the property will revert back to the zoning in place before this ordinance’s effective date.

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 _____, 2023.

CITY OF PFLUGERVILLE, TEXAS

by:

VICTOR GONZALES, Mayor

ATTEST:

TRISTA EVANS, City Secretary

APPROVED AS TO FORM:

CHARLES E. ZECH, City Attorney
Denton Navarro Rocha Bernal & Zech, P.C.

EXHIBIT "A"

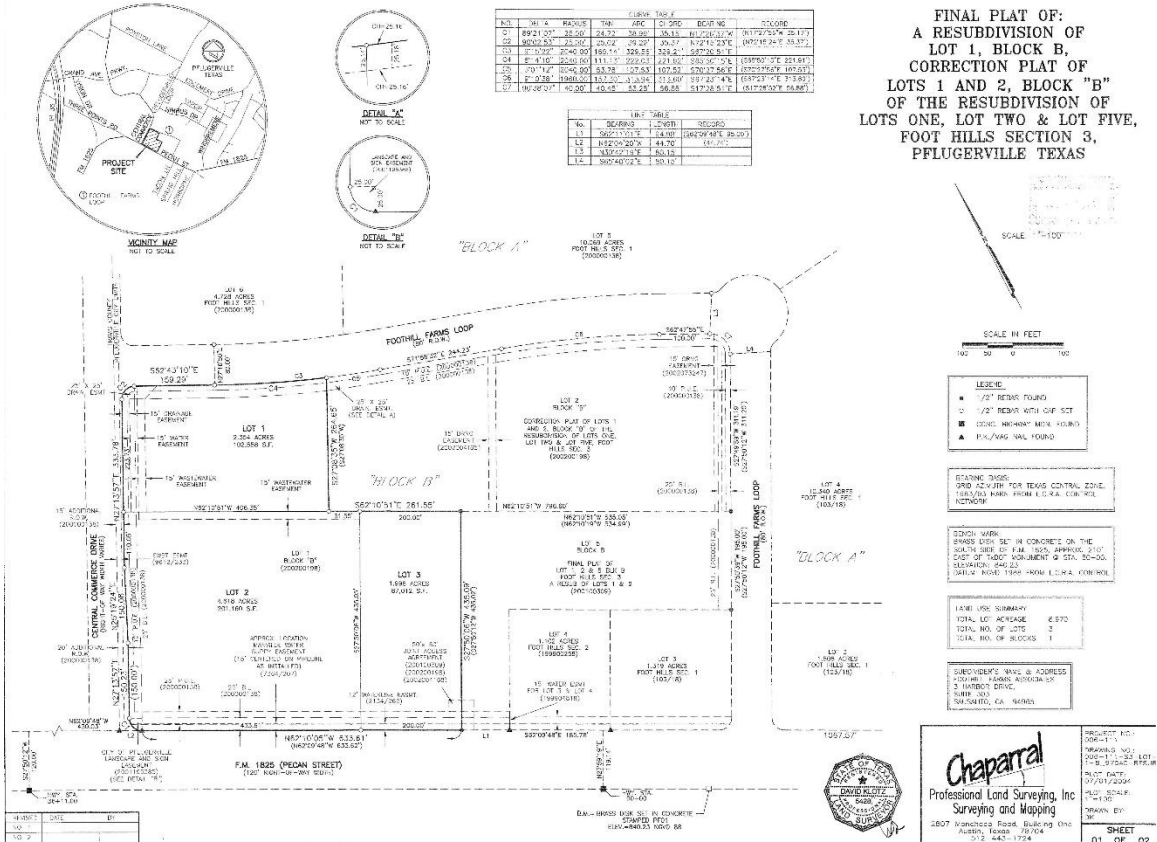
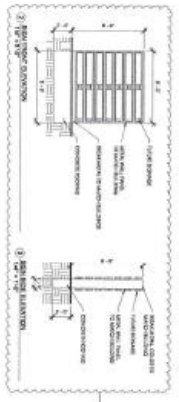
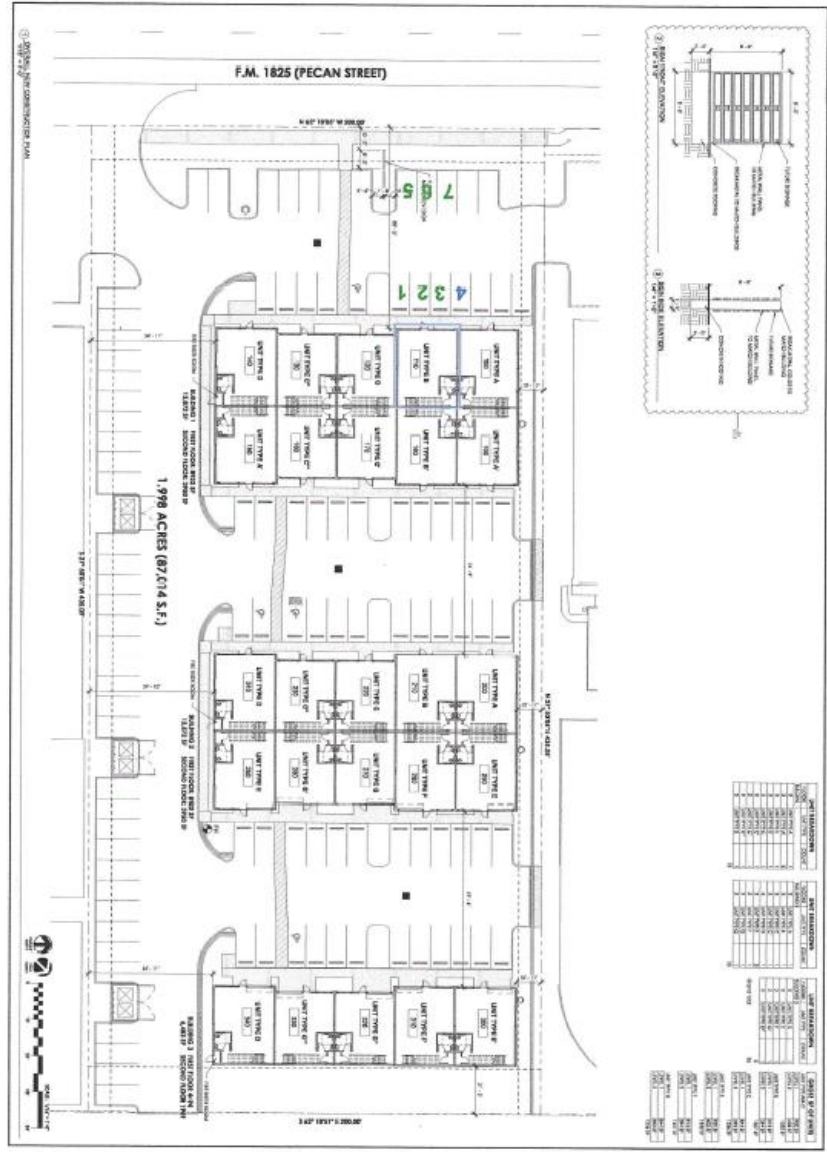


EXHIBIT "B"

CONDITIONS:

Item	Conditions of Approval	Purpose
1	The Body Art Studio Use shall be limited to Unit 110, of 2512 W Pecan St	To ensure compatibility with neighboring uses.
2	The hours of operation are to be no earlier than 12 pm and no later than 9 pm	To ensure compatibility with neighboring uses.
3.	Tinting of windows, doors, or similar modifications to the suite, including but not limited to different paint color, murals, posters, banners, or similar modifications which differentiate the suite from other suites in the multi-tenant facility are prohibited.	To ensure compatibility with neighboring uses.

EXHIBIT "C"



UNIT #	SQ. FT.	TYPE	STATUS
1	1,171	Office	Available
2	800	Office	Available
3	1,171	Office	Available
4	800	Office	Available
5	1,171	Office	Available
6	800	Office	Available
7	1,171	Office	Available

1,998 ACRES (87,514 S.F.)

PECAN CREATIVE FLEX SPACE
 WEST PECAN STREET
 PELLUGERVILLE, TEXAS 78660

1,998 ACRES (87,514 S.F.)

