

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS; AMENDING ORDINANCE NO. 1015-09-09-08 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY RESCINDING AN EXISTING SPECIFIC USE PERMIT APPROVED THROUGH ORDINANCE NO. 1068-11-02-08 FOR A BODY ART STUDIO ON LOTS 10-12, BLOCK A PFLUGERVILLE SUBDIVISION, LOCALLY ADDRESSED AS 101 E. PECAN ST, AS RELATED TO A CONDITION OF APPROVAL FOR THE FREEDOM MACHINE TATTOO SPECIFIC USE PERMIT APPLICATION FOR 117 E. MAIN ST (SUP1210-01), AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, under the authority of Texas Local Government Code Chapter 211, the City of Pflugerville adopts regulations and establishes zoning to control the use of land within the corporate limits of the City; and

WHEREAS, Subchapter 5 of Chapter 157 Unified Development Code allows a Body Art Studio to be considered in the Central Business District Overlay through a Specific Use Permit; and

WHEREAS, an application was made for a Specific Use Permit in accordance with Subchapter 3 Procedures of Chapter 157 Unified Development Code; and

WHEREAS, the Planning and Zoning Commission held a public hearing on December 3, 2012 and recommended approval to the City Council for a Specific Use Permit for a Body Art Studio at 117 E. Main St. with condition that the existing Specific Use Permit established through Ordinance No. 1068-11-02-08 and reflected in Exhibit "A" be rescinded; and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; and

WHEREAS, the City Council finds that the zoning amendment 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 the street; 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 7) facilitate the adequate provision of transportation, water, sewer, schools, parks and other public requirements.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:

Section 1: That the Official Zoning Map of the City of Pflugerville, Texas adopted in Ordinance No. 1015-09-09-08 as amended, shall remove the Specific Use Permit for a Body Art Studio as approved in Ordinance No. 1068-11-02-08 on the property depicted in Exhibit "A" as Lots 10-12, Block A of the Pflugerville Subdivision. The property depicted in Exhibit "A" shall maintain the base General Business 1 (GB1) zoning district and the Central Business District (CBD) overlay zoning district.

Section 2. That this ordinance will become effective March 1, 2013.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

CITY OF PFLUGERVILLE, TEXAS

by: \_\_\_\_\_  
JEFF COLEMAN, Mayor

ATTEST:

\_\_\_\_\_  
KAREN THOMPSON, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
GEORGE E. HYDE, City Attorney  
DENTON, NAVARRO, ROCHA & BERNAL, P.C.

# EXHIBIT "A"

## LOTS 10-12, BLOCK A OF THE PFLUGERVILLE SUBDIVISION, TRAVIS COUNTY, TEXAS

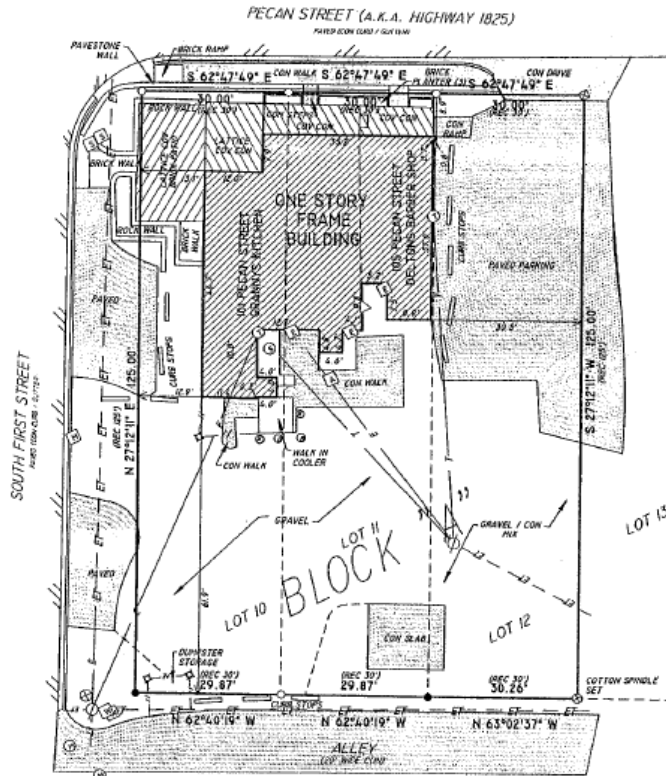
PLAT SHOWING THE LOCATION OF IMPROVEMENTS ON LOTS 10, 11 & 12, BLOCK "A", CITY OF PFLUGERVILLE PER THE MAP OR PLAT THEREOF AS RECORDED IN VOLUME 2, PAGE 156, PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS.

JOB NO: #042  
 DRAWN: CCC 10/22/08  
 F.C.: KC

REF TO: 10 RESTRICTIVE COVENANTS - 2/95



RECORD DISTANCES BASED ON VOLUME 2, PAGE 156 P.R.W.C.



LEGEND	
●	1/2" IRON PIN FOUND NO CAP (UNLESS OTHERWISE NOTED)
○	1/2" IRON PIN SET YELLOW CAP "CS. LOT"
⊠	"X" SET IN CONCRETE
⊡	AIR CONDITIONER
⊞	CABLE TELEVISION
⊞	ELECTRIC
⊞	GAS
⊞	MAIL BOX
⊞	HAND HOLE
⊞	SEPTIC CLEANOUT
⊞	STREET SIGN
⊞	TELEPHONE
⊞	TRANSFORMER
⊞	WATER METER
⊞	WATER VALVE
⊞	FENCE CORNER
---	WOOD FENCE
-E-	OVERHEAD (ELEC.) TELE. LINE
-T-	OVERHEAD TELE. LINE
-C-	OVERHEAD ELEC. LINE
⊞	BOLLARD

BEARINGS BASED ON GRID NORTH, TEXAS STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE) NAD83/95

CERTIFY: SURVEY PERFORMED WITHOUT A TITLE COMMITMENT. OTHER EASEMENTS AND RESTRICTIONS NOT SHOWN HEREON MAY APPLY

STATE OF TEXAS §  
 COUNTY OF WILLIAMSON §

SHOWN ALL MEN BY THESE PRESENTS:  
 THAT SURVEYOR FOR CASTLEBERRY SURVEYING, LTD. HAVE THIS DATE CAUSED TO BE PERFORMED AN ON-THE-GROUND SURVEY UNDER MY SUPERVISION OF THE FOREGOING PLATTED TRACT OF LAND AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, ENCROACHMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON.

NO PORTION OF THIS AREA IS SHOWN TO BE IN A SPECIAL FLOOD HAZARD AREA PER FEMA'S FLOOD INSURANCE RATE MAP #88530200H, DATED SEPTEMBER 20, 2008 UNLESS BY PRESENT TIME, NO ELEVATIONS, DRAINAGE OR FLOOD STUDIES HAVE BEEN PERFORMED AND THE INFORMATION IS BASED SOLELY UPON SAID MAP. THE SURVEYOR DOES NOT ASSUME RESPONSIBILITY AS TO ANY INFORMATION PROVIDED BY SAID MAP AND DOES NOT REPRESENT THE ACCURACY OR INACCURACY OF SAID MAP. THIS FLOOD STATEMENT DOES NOT IMPLY THAT PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE OF FLOODING OR FLOOD DAMAGE.



WITNESS MY HAND AND SEAL, THIS 17TH DAY OF OCTOBER, 2008, A.D.

**CASTLEBERRY SURVEYING, LTD.**  
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 GEORGETOWN, TEXAS 75826  
 (512) 930-1600 / (512) 930-9389 FAX  
 EMAIL: INFO@CASTLEBERRYSURVEYING.COM

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