

**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 PROPOSED OFFICE/WAREHOUSE ON LOTS 2E AND 2G OF THE RENEWABLE ENERGY PARK REPLAT OF LOT 2E, CONSISTING OF APPROXIMATELY 4.4-ACRES ZONED URBAN CENTER CORRIDOR LEVEL 5 (CL5) DISTRICT LOCATED GENERALLY NORTHEAST OF THE HELIOS WAY AND IMPACT WAY INTERSECTION, TO BE KNOWN AS THE EXACO WAREHOUSE SPECIFIC USE PERMIT (SUP2008-01); 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 October 5, 2020, 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 an Office/Warehouse 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 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 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; 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 apply the Specific Use Permit to the Urban Center Corridor Level 5 (CL5) district of the property, which is described as Lots 2E and 2G of the Renewable Energy Park Replat of Lot 2E an approximate 4.4-acres of land located generally northeast of Helios Way and Impact Way. Intersection, located within Pflugerville, Travis County, Texas as shown in **Exhibit A**.

**SECTION 4.** The property described herein may be developed and used in accordance with development regulations established within the Unified Development Code for an Office/Warehouse land use and the Urban Center Corridor Level 5 (CL5) zoning district.

**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 \_\_\_\_\_, 2020.

CITY OF PFLUGERVILLE, TEXAS

by:

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

ATTEST:

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

APPROVED AS TO FORM:

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



**LOTS 2E AND 2G, REPLAT OF LOT 2E RENEWABLE ENERGY PARK,  
ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN DOCUMENT NO. 201600253,  
OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.**

**LEGEND**

X FOUND IN CONCRETE  
CM IRON ROD FOUND (UNLESS NOTED)  
CONTROL MONUMENT  
RECORD INFORMATION  
BUILDING LINE  
PUBLIC UTILITY EASEMENT  
WOOD PRIVACY FENCE  
DRAINAGE EASEMENT  
WASTE WATER EASEMENT  
IRRIGATION CONTROL VALVE  
ELECTRIC TRANSDUCER PAD  
TELECOMMUNICATION JUNCTION BOX  
CLEAN OUT  
ELECTRIC JUNCTION BOX  
FIRE HYDRANT  
LIGHT POLE  
PVC PULL TUBE  
SANITARY SEWER MANHOLE  
STORM SEWER MANHOLE  
SIGN  
SILT FENCING  
TELEPHONE JUNCTION BOX  
WATER VALVE

**SCHEDULE B NOTES:**  
THIS LOT IS SUBJECT TO DOC NOS. 201100199, 201130086, 201300275, 201400128, AND 201600253, P.R.T.C. DOC NOS. 200809659, 20140655108, 201144802, 201412144, 2015078850, Q.P.R.T.C. THIS LOT IS NOT SUBJECT TO DOC NOS. 2015032462 AND 2015078850, Q.P.R.T.C.

**SURVYOR'S CERTIFICATION:**  
I, FRED L. DODD JR., A PROFESSIONAL SURVEYOR THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT IT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY. THERE WERE NO ENCROACHMENTS APPARENT ON THE GROUND EXCEPT AS SHOWN HEREON.

**Fred L. Dodd Jr.**  
F.L.D.  
DATE: 05/23/2017  
PLS NO. 6392  
JOB NO. TC16005-1

**DODD**  
SURVEYING & MAPPING CO.  
PROFESSIONAL LAND SURVEYORS  
TEXAS PRM LICENSE NO. 10195745

**LINE TABLE**

LINE	BEARING	DISTANCE
1-1	N 1° 3' 18" W	70.07'
(1)	(N 1° 3' 18" W)	(69.90')
1-2	S 76° 07' 19" W	70.01'
(2)	(S 76° 07' 19" W)	(69.97')
2-3	S 76° 20' 42" W	(133.15')
(3)	(S 76° 20' 42" W)	(133.15')

**LOT 2C**  
REPLAT OF LOT 2C OF  
THE REPLAT OF LOT 2C  
RENEWABLE ENERGY PARK  
DOC NO. 21400128 O.P.R.T.C.

**LOT 2E**  
(2.383 ACRES)

**LOT 2G**  
(1.540 ACRES)

**LOT 2H**  
(1.330 ACRES)

**LOT 4**  
REPLAT OF LOT 4 OF  
THE REPLAT OF LOT 4  
RENEWABLE ENERGY PARK, C.  
DOC NO. 201100199  
O.P.R.T.C.

**IMPACT WAY (RIGHT-OF-WAY VARIES)**

**HELIOS WAY (70' ROW)**

**SCALE: 1 inch = 80 Feet**

**PLAN NORTH**

**ADDRESS: IMPACT WAY/HELIOS WAY, PLUGGERVILLE, TEXAS**  
**TITLE CO.: INSURANCE TITLE COMPANY**  
**GF NO.: 1537964FO**  
**UNDERWRITER: CHICAGO TITLE INSURANCE COMPANY**  
**LENDER: FIRST TEXAS BANK**  
**JOB NO.: TC16005-1**  
**ISSUE DATE: 06/01/2017**  
**EFFECTIVE DATE: 05/23/2017**

**WWW.DODDSURVEYING.COM**

**QUESTIONS, COMMENTS OR TO ORDER A SURVEY EMAIL US AT: INFO@DODDSURVEYING.COM**

WWW.DODDSURVEYING.COM

203 W. MAIN STREET, STE. D  
PFLUGERVILLE, TX 78660  
(512) 953-5705

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