



# City of Pflugerville

## Legislation Text

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**File #:** ORD-0705, **Version:** 3

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Approving an ordinance on second reading with the caption reading: 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.

The Specific Use Permit (SUP) request is to allow a Body Art Studio for an approximately 1,320 square-foot (0.03 acres) unit within the office complex known as the Pecan Creative Flex Condominiums. Pecan Creative Flex is an approximately 30,000 square-foot office complex approved in 2020 under site plan case number SP2003-05. The property is currently developed, and the unit is already built and eligible for certificates of occupation for permitted uses.

The applicant, Vice and Virtue Tattoo, is requesting the SUP to allow the use of Body Art Studio within the General Business 1 (GB1) zoning district. In the GB1 zoning district, Body Art Studios require a Specific Use Permit (SUP) per the City of Pflugerville's Unified Development Code.

The Aspire Pflugerville 2040 Comprehensive Plan identifies the future land use of the subject property as Mixed Use Commercial. The Mixed-Use Commercial future land use is intended for areas anticipated to see significant development ... of high intensity mixed-use activity centers attracting large corporations, specialty shopping, dining, entertainment, and high-density residential development.

### Strategic Plan:

Staff finds the proposed rezoning application meets the Economic goal of the City's 2021-2025 Strategic Plan.

### Staff Recommendation

Taking into consideration the compatibility with surrounding uses, adequate parking capacity, and the limited business hours, staff recommends approval with the conditions below:

1. The Body Art Studio Use shall be limited to Unit 110, of 2512 W Pecan St
2. No tinting of windows, doors, or similar modifications to the suite to differentiate the suite from other suites in the multi-tenant facility shall be permitted, including but not limited to different paint color, murals, posters, banners, or similar.

City Attorney has approved the ordinance as to form.

### Planning and Zoning Commission Action

On April 3, 2023, the Planning and Zoning Commission conducted a public hearing and recommended approval of the proposed ordinance with a vote of 7-0. They chose to remove a

previous condition regarding limiting the hours of operation of the Body Art Studio.

**Deadline for City Council Action**

Conduct a public hearing on April 25, 2023, as advertised with action required within 60 days.

**Prior City Council Action**

The City Council held a public hearing and approved the ordinance on first reading at the April 25, 2023 meeting.

**Funding Expected:** Revenue  Expenditure  N/A

**Budgeted Item:** Yes  No  N/A

**Amount:** \_\_\_\_\_

**1295 Form Required?** Yes  No

**Legal Review Required:** Required  Date Completed: March 29, 2023

**Supporting documents attached:**

1. General Location Map
2. Staff Report
3. Letter of Intent- Vice and Virtue Tattoo
4. GB-1 Development Regulations Chart
5. Mixed Use Commercial
6. Western Gilleland District
7. Ordinance

**Recommended Actions**

1. Motion to approve the ordinance on second reading granting a Specific Use Permit for Body Art Studio use in the General Business 1 (GB1) district at the existing 2512 W Pecan St, Unit 110 with the following conditions: The Body Art Studio Use shall be limited to Unit 110, of 2512 W Pecan St; No tinting of windows, doors, or similar modifications to the suite to differentiate the suite from other suites in the multi-tenant facility shall be permitted, including but not limited to different paint color, murals, posters, banners, or similar.