

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 APPROVING A SPECIAL DISTRICT FOR A RESEARCH AND DEVELOPMENT CENTER ON A 21.83 ACRE PORTION OF LOT 3 OF THE RENEWABLE ENERGY PARK, TO BE FURTHER SUBDIVIDED AS LOT 3D, GENERALLY LOCATED IN PFLUGERVILLE, TX, TO BE KNOWN AS THE PROJECT ORION SPECIAL DISTRICT (SD1304-01), PROVIDING FOR SITE LAYOUT AND CONDITIONS; PROVIDING FOR A CUMULATIVE CLAUSE; PROVIDING FOR A NON-SEVERABILITY CLAUSE: AND PROVIDING FOR 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, a petition for a Special District has been made by the property owner in conformance with Specific Use Permit procedures according to the Unified Development Code; and

WHEREAS, the Planning and Zoning Commission held a public hearing on May 6, 2013 and approved the amendment to the Special District with conditions for a Research and Development Center land use on the subject site; 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.

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

I.

Zoning Map Amended.

THAT, the Official Zoning Map of the City of Pflugerville, Texas adopted in Ordinance No. 1015-09-09-08, as amended, to apply the Special District to the Corridor Urban Center Level 5 base zoning district of the property described as a 21.83 acre portion

of Lot 3 of the Renewable Energy Park, to be further subdivided as Lot 3D, in Travis County, TX; as shown in Exhibit A.

II.

Conditions Accepted by Applicant

That the property described above may be developed and used in provided that such development and use is in accordance with regulations established by following: the provisions of Chapter 157, subchapter 3. D. of the Unified Development Code; this Special District as depicted in the Site Plan set out in Exhibit B and entitled “Tracking Point Proposed Ballistic Testing Laboratory”; and Exhibit C - Conditions as applicable, and all other applicable ordinances of the City of Pflugerville, Texas; and the applicant, owner and grantee’s have accepted of the terms thereof, all of which are required by Chapter 157, subchapter 3. D.2.b., of the Unified Development Code.

III.

Cumulative Clause.

This ordinance shall be cumulative of all provisions of the City of Pflugerville, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

IV.

Severability.

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. .

V.

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 _____, 2013.

CITY OF PFLUGERVILLE,
TEXAS

By:

JEFF COLEMAN, Mayor

ATTEST:

KAREN THOMPSON, City Secretary

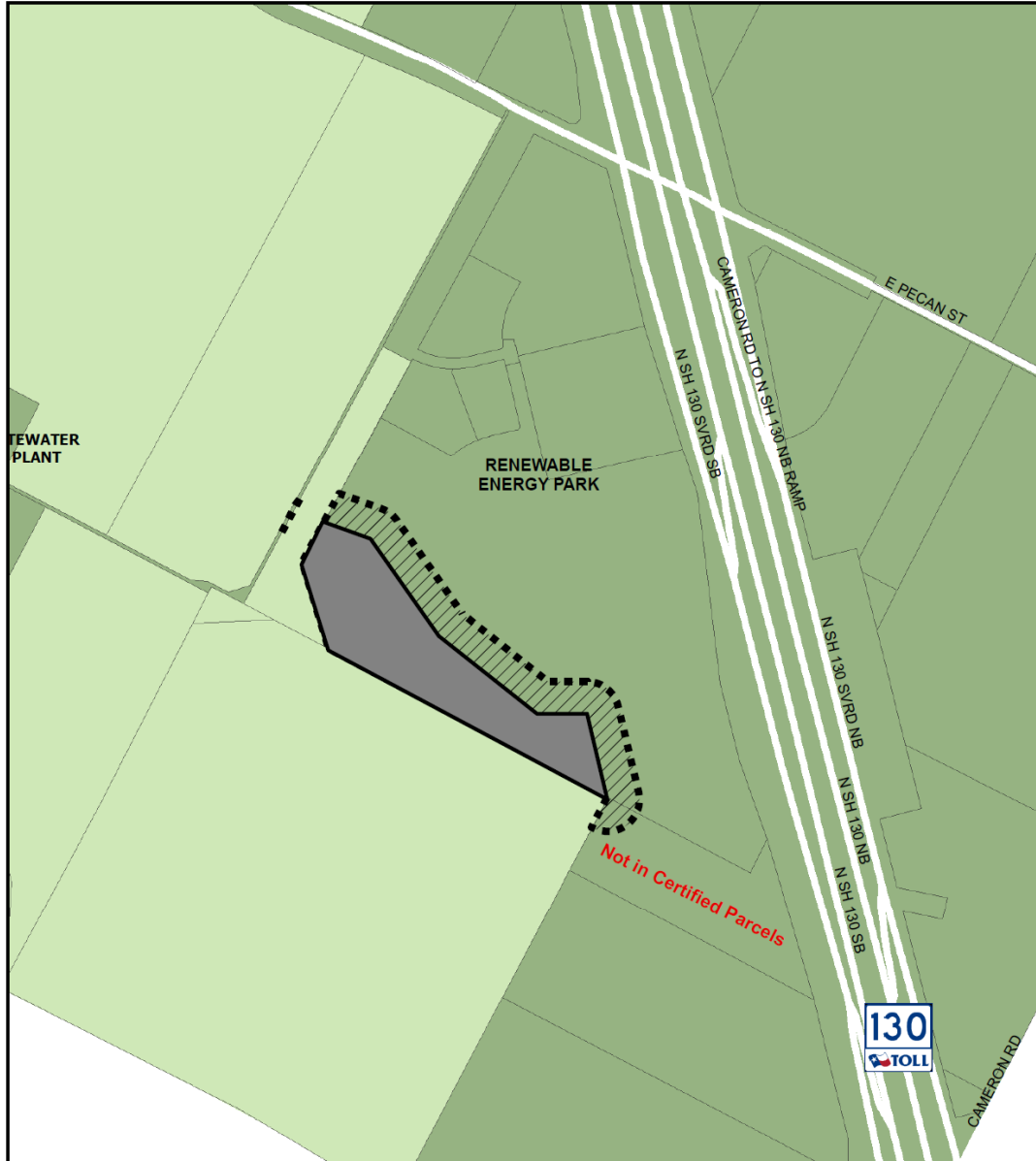
APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION:

APPROXIMATELY 21.83 ACRES OF LOT 3 OF THE RENEWABLE ENERGY PARK SUBDIVISION, TO BE FURTHER SUBDIVIDED AS LOT 3D, IN TRAVIS COUNTY, TX.



Project Orion
Zoning CL-5 to SD

Case Number:
SD1304-01

04/02/2013

Legend

- Specific Use Permit
- Notification Area
- City Limits
- ETJ

0 490 980 Feet

When required the City of Pflugerville complies with Texas Local Government Code for public notifications. All notification addresses are derived from tax role information that is certified annually.

PFLUGERVILLE
 TEXAS

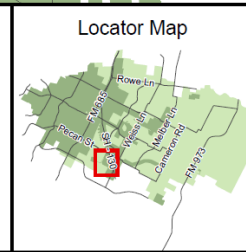


EXHIBIT "B"

**{SITE LAYOUT} TRACKING POINT PROPOSED BALLISTIC TESTING
LABORATORY:**

EXHIBIT “C”

CONDITIONS:

- 1) Land use limited to a research and development center to include ballistics testing laboratory;
- 2) Ballistics testing laboratory (or sport shooting range as defined by State law) is restricted to use in conjunction with the research and development center and shall not be open to or serve the general public.
- 3) Architectural design generally in conformance with the proposed site layout identified in Exhibit B. The architectural elements above ground shall meet the minimum building material requirements where practicable.
- 4) Landscaping will be provided in accordance with the industrial standards for Special Districts and will be based on limits of construction versus lot size.
- 5) The site shall be designed and constructed to prevent lead contamination in accordance with all federal, state, and local regulations.
- 6) Hours of operation limited to Monday through Friday.