

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 WAREHOUSE/DISTRIBUTION USE IN CORRIDOR URBAN CENTER 5 (CL5) FOR APPROXIMATELY 32.77 ACRES OUT OF LOT 3C OF THE RENEWABLE ENERGY PARK SUBDIVISION, PFLUGERVILLE, TX, TO BE KNOWN AS PROJECT PANDORA SPECIAL DISTRICT. (SD1302-01); PROVIDING FOR SITE LAYOUT AND CONDITIONS; PROVIDING FOR A CUMULATIVE CLAUSE; PROVIDING FOR A 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 March 4, 2013 and approved the Special District for a Warehouse/Distribution use on the subject tract; 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 purposes as follows:

- 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..

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

I.

Official 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 approximately 32.77 acres out of Lot 3C of the Renewable Energy Park Subdivision, Pflugerville, TX as shown in **Exhibit “A”**, which is incorporated herein by reference for all purposes.

## II.

### Site Layout and Conditions.

The property described above may only be developed and used in accordance with regulations established by this Special District, as set out in **Exhibit “B”**, “Site Layout”, and **Exhibit “C”**, “Conditions”, which are incorporated herein by reference for all purposes; 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 the Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

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

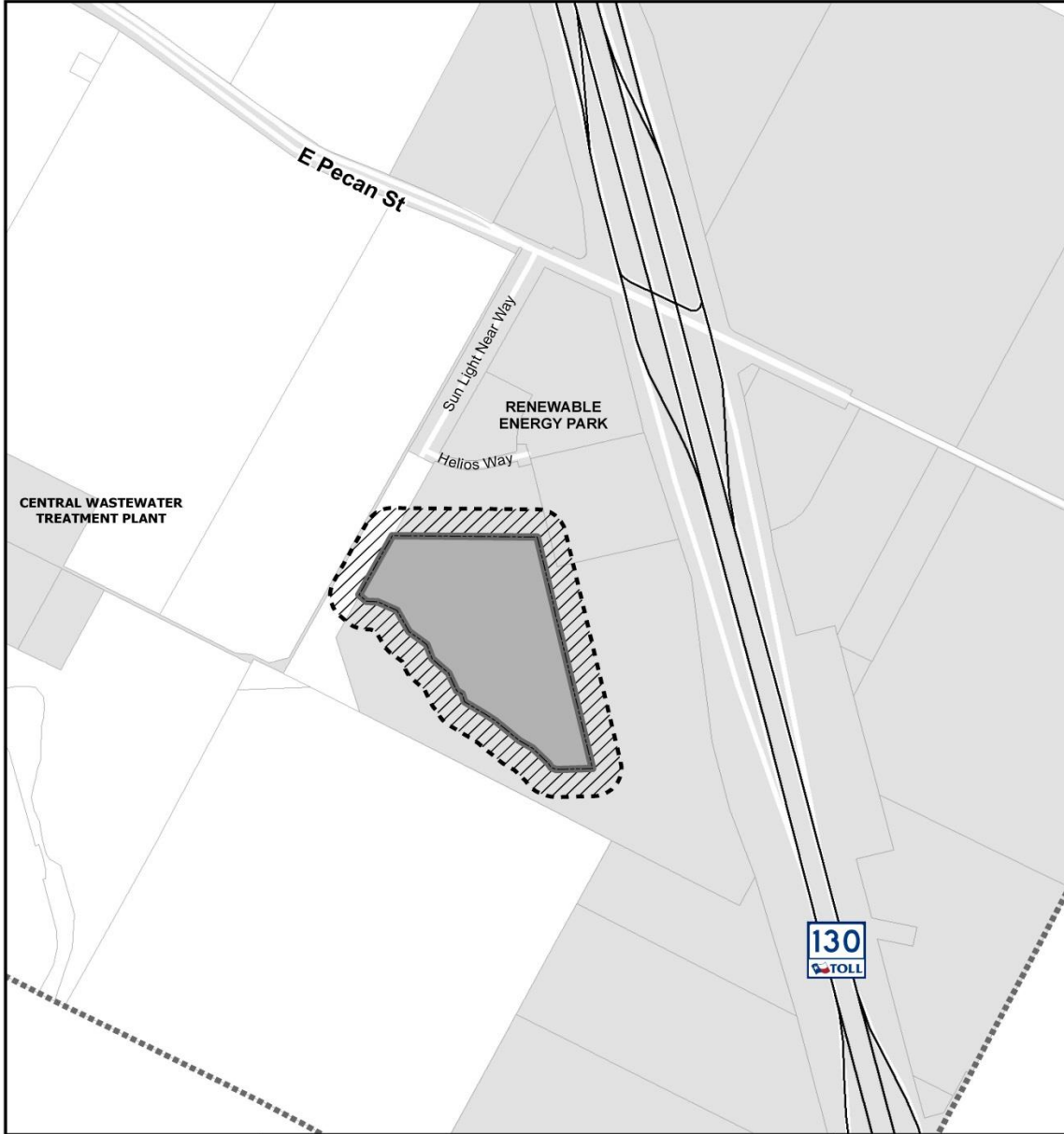
APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

# EXHIBIT "A"

## LEGAL DESCRIPTION:

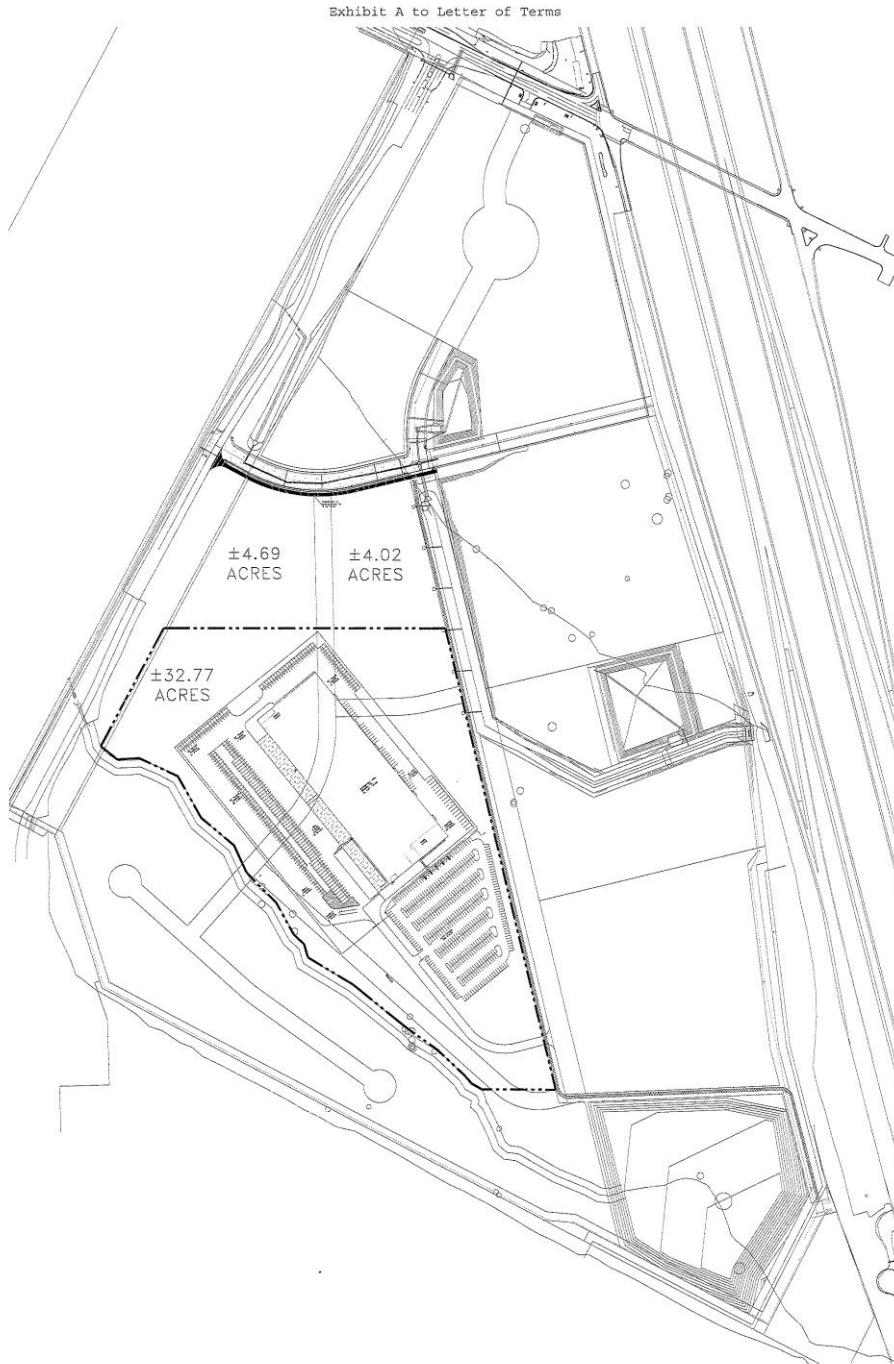
APPROXIMATELY 32.77 ACRES OUT OF LOT 3C OF THE RENEWABLE ENERGY PARK SUBDIVISION, PFLUGERVILLE, TX.



<p><b>Project Pandora Rezone (CL5 - LI)</b></p> <hr/> <p><b>Case Number: SD1302-01</b></p> <hr/> <p><b>02/01/2013</b></p>	<p><b>Legend</b></p> <ul style="list-style-type: none"> <li> Special District</li> <li> Notification Area</li> <li> ETJ</li> <li> City Limits</li> </ul> <p style="text-align: center;">   0      500      1,000 Feet </p> <div style="text-align: center;">   N </div> <p style="font-size: small;"> 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. </p> <p style="text-align: center;"> </p>	<p style="text-align: center;">Locator Map</p>
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# EXHIBIT "B"

## SITE LAYOUT:



## **EXHIBIT “C”**

### **CONDITIONS:**

- 1. The site design shall generally be in conformance with Exhibit B – Site Layout with the truck docks oriented westward.**
- 2. 100% masonry is required as a building façade material consistent with the commercial building material requirements per Subchapter 9. Site Development Standards and Subchapter 5 (B) SH 130 & SH 45 Corridor Districts.**
- 3. Provide a minimum of 15% accent materials on the primary facades other than tilt wall including the use of natural or natural-appearing manufactured stone, brick and other accent materials as permitted by the Planning Director. Any Architectural Waiver may be reviewed and approved by the Planning and Zoning Commission.**
- 4. Outdoor Storage is limited to the storage of tractor trailers in the designated truck court area and shall be shielded from public view with the use of wing walls as practicable or a comparable vegetative screening consistent with the screening standards outlined in Subchapter 11 Landscaping and Screening Standards.**