

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 LIGHT INDUSTRIAL USE IN CORRIDOR URBAN LEVEL 4 (CL4) ON APPROXIMATELY 40.36 ACRES OUT OF THE T.G. STEWART SURVEY NO. 6 AND THE H. BLESSING SURVEY NO. 3, IN TRAVIS COUNTY, TX, GENERALLY LOCATED NEAR THE INTERSECTION OF W. PFLUGERVILLE PARKWAY AND F.M. 685, TO BE KNOWN AS THE DATA CENTER PARK SPECIAL DISTRICT. (SD1210-02), 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, 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 December 3, 2012 and approved the amendment to the Special District with conditions for a light industrial 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 Level 4 base zoning district of the property described as a 40.36 acre tract of land out of the T.G. Stewart Survey No. 6 and the H. Blessing Survey No. 3, in Travis County, TX, generally located near the intersection of W. Pflugerville Parkway and F.M. 685; as shown in Exhibit A.

II.

Conditions Accepted by Applicant

That the property described above may be developed and used in accordance with regulations established by this Special District as depicted in Exhibit B - Conditions, C – Conceptual Site Plan, D – Building Elevations, and E – Screening of Substation 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.

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.

IV..

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 40.36 ACRES OUT OF THE T.G. STEWART SURVEY NO. 6 AND THE H. BLESSING SURVEY NO. 3, IN TRAVIS COUNTY, TX.

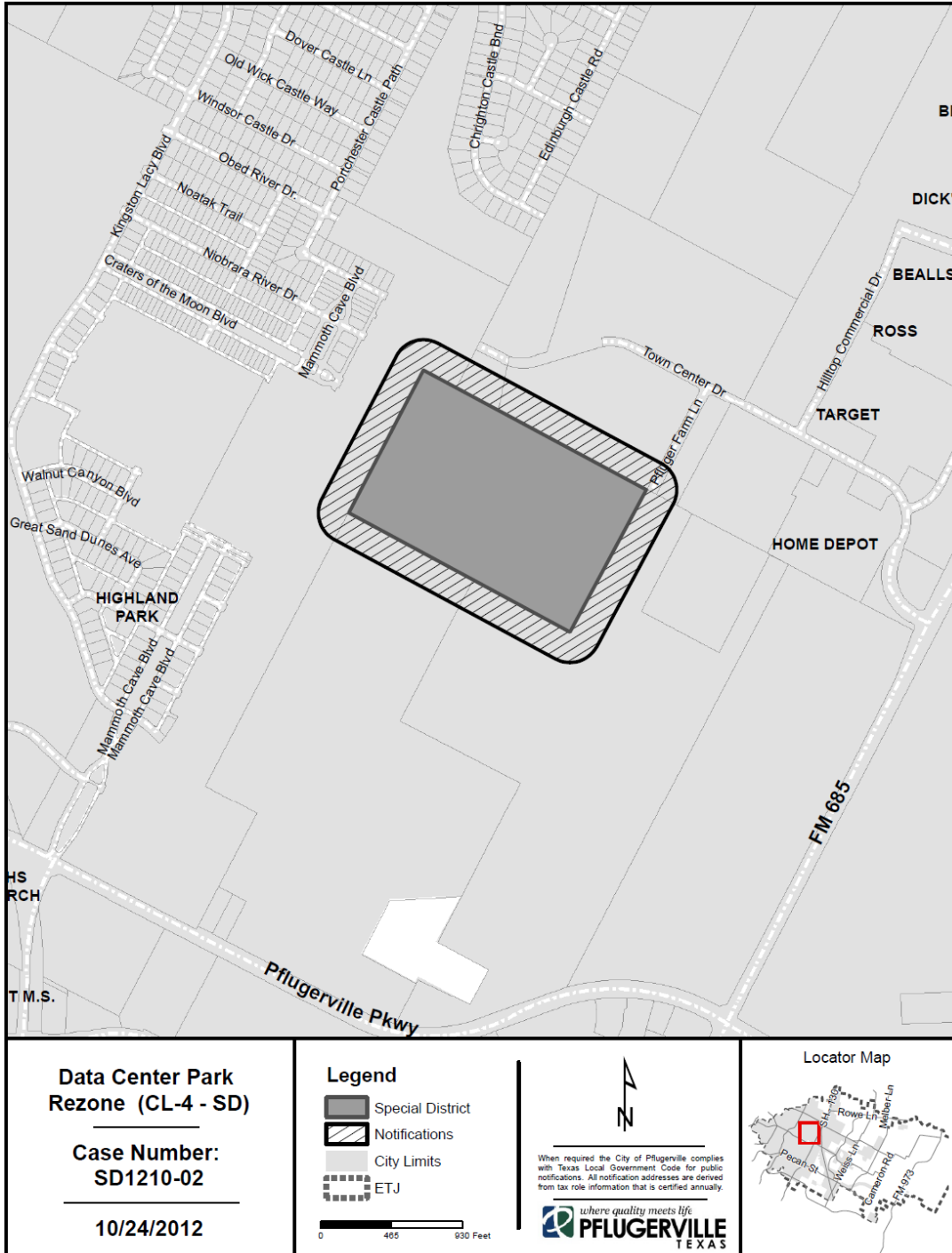


EXHIBIT “B”

CONDITIONS:

- 1) Land use limited to a data center or any other land use permitted by right in the base zoning district.
- 2) The service yards containing mechanical equipment are wholly shielded from view with the use of masonry walls measured at finished grade.
- 3) Site Plan generally in conformance with Exhibit C.
- 4) Architectural design generally in conformance with the proposed building elevations identified in Exhibit D.
- 5) Combination of evergreen trees to be planted as the required bufferyard trees.
- 6) Screening of the electric substation generally consistent with Exhibit E.
- 7) Testing of generators may only occur Monday – Friday between 8 a.m. and 5 p.m.
- 8) Provide a minimum of 15% accent materials on the primary facades (facing the internal boulevard driveway/street) other than tilt wall.

EXHIBIT "C"

CONCEPTUAL SITE PLAN:

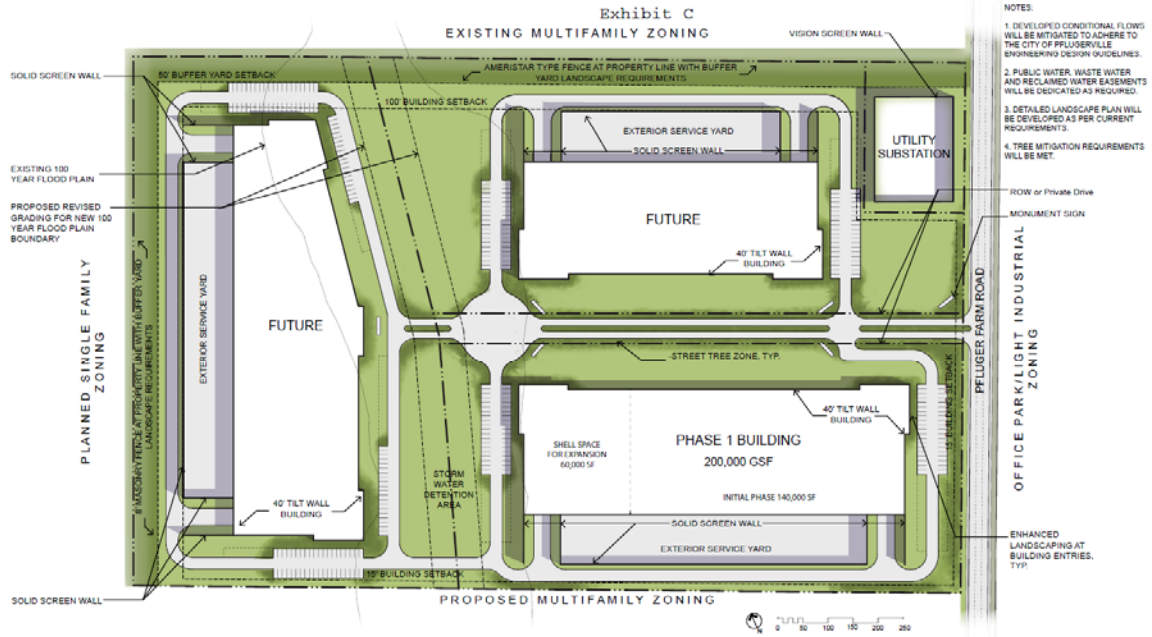


EXHIBIT "D"

BUILDING ELEVATIONS:

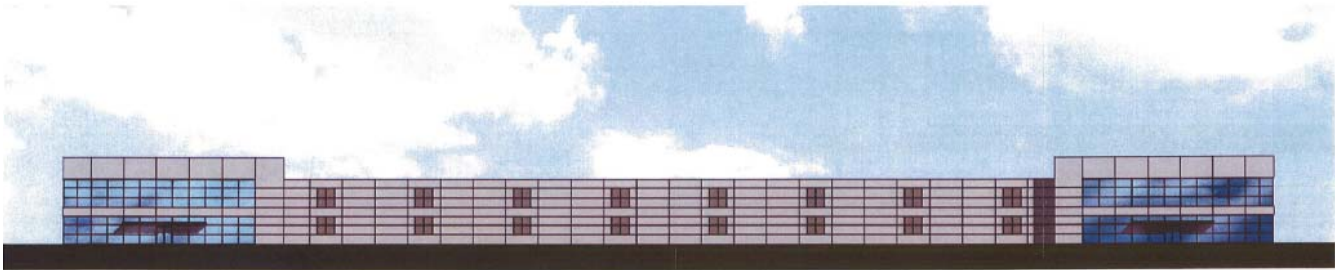


EXHIBIT "E"

SCREENING OF SUBSTATION:



