

ORDINANCE NO. 15-236

AN ORDINANCE OF THE CITY OF BEE CAVE, TEXAS (“CITY”) AMENDING THE ZONING OF REAL PROPERTY FOR THE DEVELOPMENT KNOWN AS CANYONSIDE FROM AGRICULTURE (“AG”) AND PLANNED DEVELOPMENT MIXED USE (“PD-MU”) TO PLANNED DEVELOPMENT MIXED USE (“PD-MU”) PURSUANT TO A DEVELOPMENT AGREEMENT DESCRIBED HEREIN BETWEEN THE CITY OF BEE CAVE AND SPILLMAN DEVELOPMENT GROUP, LTD., FOR APPROXIMATELY 19.864 ACRES GENERALLY LOCATED AT THE NORTHWEST CORNER OF VAIL DIVIDE AND HWY 71 IN THE CITY OF BEE CAVE AND WHICH PROPERTY IS DESCRIBED IN EXHIBIT “A” ATTACHED HERETO (THE “PROPERTY”) AS LOTS 272 AND 273, BLOCK C OF THE FALCONHEAD WEST PHASE 1 SECTION 2 AND PHASE 2 SUBDIVISION WHICH FINAL PLAT IS RECORDED UNDER THE DOCUMENT NUMBER 200800106 IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS; APPROVING A CONCEPT PLAN FOR THE PROJECT, ATTACHED HERETO AS EXHIBIT “B” AND CONSISTING OF CONCEPT PLAN, PHASING PLAN, TREE PRESERVATION PLAN, STREETLIGHT EXAMPLE, OPEN AIR LOOKOUT PAVILION, AND FENCING EXAMPLE AND LOCATION (COLLECTIVELY “CONCEPT PLAN”); APPROVING SPECIAL DEVELOPMENT STANDARDS AND CONDITIONS, ATTACHED HERETO AS EXHIBIT “C” (“PLANNED DEVELOPMENT STANDARDS”); APPROVING BUILDING ELEVATIONS, ATTACHED HERETO AS EXHIBIT “D”; PROVIDING FOR A CONSTRUCTION TRAFFIC MANAGEMENT PLAN, ATTACHED HERETO AS EXHIBIT “E”; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR FINDINGS OF FACT, SEVERABILITY, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

WHEREAS, the Planning and Zoning Commission and the City Council of the City, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held two public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and the City Council of the City is of the opinion and finds that said zoning change should be granted and that the Comprehensive Zoning Ordinance and Map should be amended as set forth herein; and

WHEREAS, the Property is a part of the 377.46 acre tract (“Additional Lands”) annexed into and described in the Development Agreement entered into by and between the City of Bee Cave, Texas and Spillman Development Group, Ltd., effective August 22, 2000; and subsequently amended by the First Amendment to the Development Agreement dated May 9, 2003, Second Amendment to the Development Agreement dated January 24, 2007 and Third Amendment to the Development Agreement dated December 17, 2008 (collectively referred to as the “Development Agreement”) and a portion of the Property was previously zoned as Mixed Use in Ordinance No. 06-11-28B. The zoning applicant has requested that the zoning be approved in accordance with the Development Agreement and Ordinance No. 06-11-28 B but with certain modifications as described in Exhibit “C”, attached hereto and incorporated herein

and as depicted in the PD Concept Plan, attached hereto and incorporated herein as Exhibit “B”;
and

WHEREAS, any protest made against the proposed change of Zoning Classification has been duly considered by the City Council; and

WHEREAS, Sec. 32.03.015 of the City Zoning Ordinance provides that the purpose of a Planned Development District is to provide for the development of land as an integral unit for single or mixed use in accordance with a Concept Plan that may include uses, regulations and other requirements that vary from the provisions of other zoning districts, and to encourage flexible and creative planning to ensure the compatibility of land uses, and to allow for the adjustment of changing demands to meet the current needs of the community; and

WHEREAS, the proposed Canyonside development supports many of the objectives of the City’s Comprehensive Plan and the City finds that the Project meets the objectives of the Comprehensive Plan and that the proposed uses are compatible with adjoining land uses;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEE CAVE, TEXAS:

SECTION 1. Findings of Fact. All of the above premises are hereby found to be true and correct legislative and factual findings of the City and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. Amendment. That the City Zoning Ordinance and Map of the City of Bee Cave, Texas, be and the same are hereby, amended so as to grant a change of zoning for Lot 272 Block C of the Falconhead West Phase 1 Section 2 and Phase 2 subdivision from Planned Development Mixed Use (“PD-MU”) District to Planned Development Mixed Use (“PD-MU”) District and a change of zoning for Lot 273, Block C of the Falconhead West Phase 1 Section 2 and Phase 2 subdivision from Agriculture (“AG”) District to Planned Development Mixed Use (“PD-MU”) both Lots being hereinafter described as the Property.

SECTION 3. Development of the Project. The PD District Development Standards shall be as set forth in the Development Agreement, except as specifically modified herein. In the event of any conflicts between the development standards applicable to a mixed use district as described in the City’s Code of Ordinances or in the Development Agreement including height regulations, area regulations, yard size, maximum lot coverage, building size and parking regulations, and the terms of this Ordinance, the terms this Ordinance shall control.

SECTION 4. Concept Plan. That the Concept Plan for this Planned Development District which is attached as Exhibit “B” and consists of the Concept Plan, Phasing Plan, Tree Preservation Plan, Streetlight Example, Open Air Lookout Pavilion, and Fencing Example and Location (collectively “Concept Plan”) are made a part hereof for all purposes and is hereby approved for said Planned Development District as required by Chapter 32, of the Code of Ordinances of the City of Bee Cave, Texas. Any proposed use or development depicted on the Concept Plan shall not be deemed authorized or approved by the City of Bee Cave until a final

site plan (“Site Plan”) is approved for such use and/or development in accordance with the terms and conditions of the Development Agreement; except as modified herein. Amendments to the Concept Plan may occur in accordance with the requirements of Chapter 32, of the Code of Ordinances, or as otherwise provided in Exhibit “C”.

SECTION 5. Uses. The City Council for the City hereby expressly permits and approves the uses as depicted in Exhibit “B” and as listed and described in Exhibit “C”, which is attached hereto and incorporated herein for all purposes. In addition, Contractor’s shall be allowed to have a Temporary On-site Construction Office, but only at the locations depicted on the Concept Plan. Single Family detached residential uses and the proposed neighborhood pool are Permitted Uses of this “PD-MU” District at the locations depicted on the Concept Plan and only so long as such uses are in compliance with the City Code of Ordinances; except as modified by Exhibit “C”. The City Council would not necessarily authorize such change of zoning to allow such uses, authorize a waiver of the City’s requirements or subdivision regulation or authorize any other waivers, absent the development of the Project in strict accordance with the Project depicted in Exhibit “B” and according to the Development Standards described in Exhibit “C”. The authority granted by this Ordinance is therefore specific to this Project as it has been represented in the applicant’s application, as depicted in the Concept Plan and as described in the Development Standards unless this Ordinance is subsequently amended or modified by approval of the City Council or unless such changes or modification are expressly authorized by the City’s Code of Ordinances or Exhibit “C” to this Ordinance. Any other Permitted or Conditional uses allowed in a Mixed Use District other than the uses authorized by this Ordinance must be approved by a future zoning ordinance in accordance with the City’s Code of Ordinances.

SECTION 6. Architectural Elevations. That the Architectural Elevations for the residential portion of this Planned Development District which are attached hereto as Exhibit “D” and consists of examples of the architectural standards to be utilized within the residential portion of the Project are made a part hereof for all purposes and is hereby approved for said Planned Development District as required by Chapter 32, of the Code of Ordinances of the City of Bee Cave, Texas. Architectural Elevations associated with the private pool facility shall be considered for approval at Site Plan and shall comply with the City’s current Code of Ordinances.

SECTION 7. Construction Management Traffic Plan. That the Construction Management Traffic Plan for this Planned Development District which is attached hereto as Exhibit “E” and is described in Exhibit “C” for the Project is made a part hereof for all purposes and is hereby approved for said Planned Development District as required by Chapter 32, of the Code of Ordinances of the City of Bee Cave, Texas.

SECTION 8. Severability. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjusted or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of Chapter 32, Zoning, of the City of Bee Cave Code of Ordinances and Map as a whole.

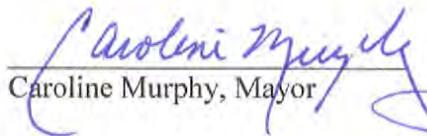
SECTION 9. Repealer. All ordinances or parts of ordinances in force regarding the zoning of this Property when the provisions of this Ordinance become effective are hereby repealed.

SECTION 10. Effective Date. That this Ordinance shall take effect immediately from and after its passage.

SECTION 11. Notice and Meeting Clause. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED by the City Council of the City of Bee Cave, Texas, on the 24th day of February, 2015.

CITY OF BEE CAVE, TEXAS

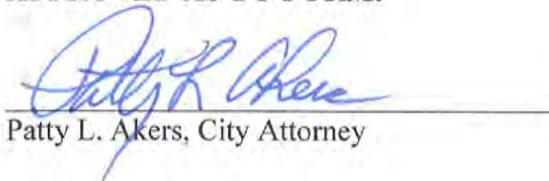

Caroline Murphy, Mayor

ATTEST:


City Secretary

[SEAL]

APPROVED AS TO FORM:


Patty L. Akers, City Attorney

Ordinance 15-236

Canyonside Exhibit Table of Contents

EXHIBIT "A" — PROPERTY DESCRIPTION OF PROPERTY SUBJECT TO ORDINANCE 15-236

EXHIBIT "B" — CONCEPT PLAN

1. CONCEPT PLAN (4 PAGES)
2. PHASING PLAN
3. TREE PRESERVATION PLAN
4. STREETLIGHT EXAMPLE
5. OPEN AIR PAVILLION
6. FENCING ALONG PRIMITIVE PARK BOUNDARY

EXHIBIT "C" — PLANNED DEVELOPMENT STANDARDS

EXHIBIT "D" — BUILDING ELEVATIONS

EXHIBIT "E" — CONSTRUCTION TRAFFIC MANAGEMENT PLAN

EXHIBIT A

LOTS 272 AND 273, BLOCK C OF THE FALCONHEAD WEST PHASE 1 SECTION 2 AND PHASE 2 SUBDIVISION WHICH FINAL PLAT IS RECORDED UNDER THE DOCUMENT NUMBER 200800106 IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS

EXHIBIT B

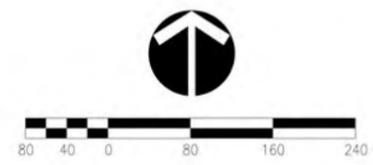
Ordinance 15-236: Canyonside PDD Amendment
Approved 24 February 2015



CANYONSIDE - 66 UNITS
 BEE CAVE, TEXAS
 CONCEPT PLAN



www.leeandassociates.net



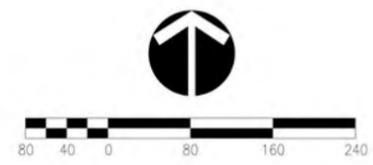


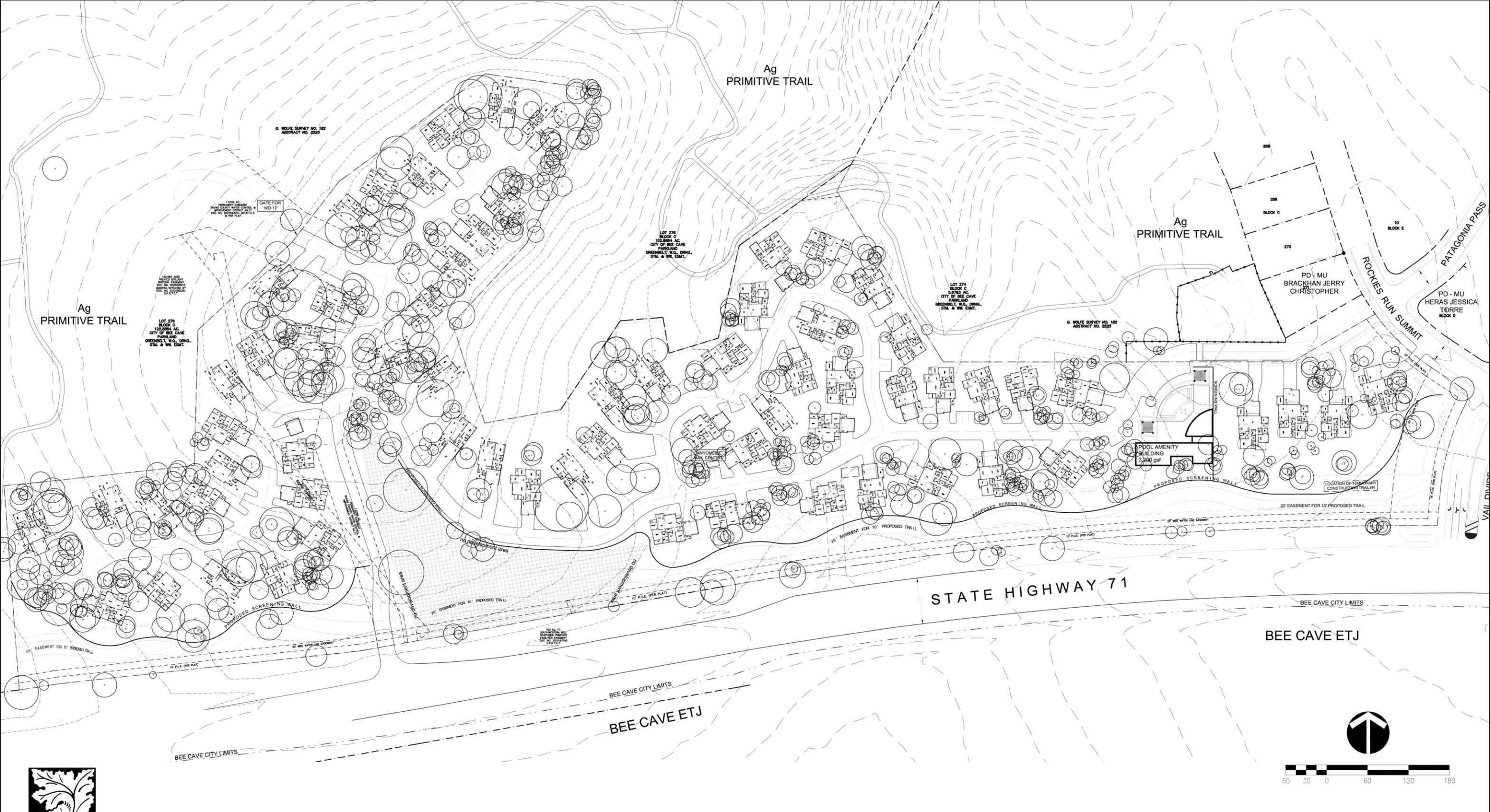
■ SINGLE STORY HOUSES ALONG PRIMITIVE TRAIL

CANYONSIDE - 66 UNITS
 BEE CAVE, TEXAS
 SINGLE STORY HOMES EXHIBIT



www.leeandassociates.net





CANYONSIDE

BEE CAVE, TEXAS

CONCEPT PLAN

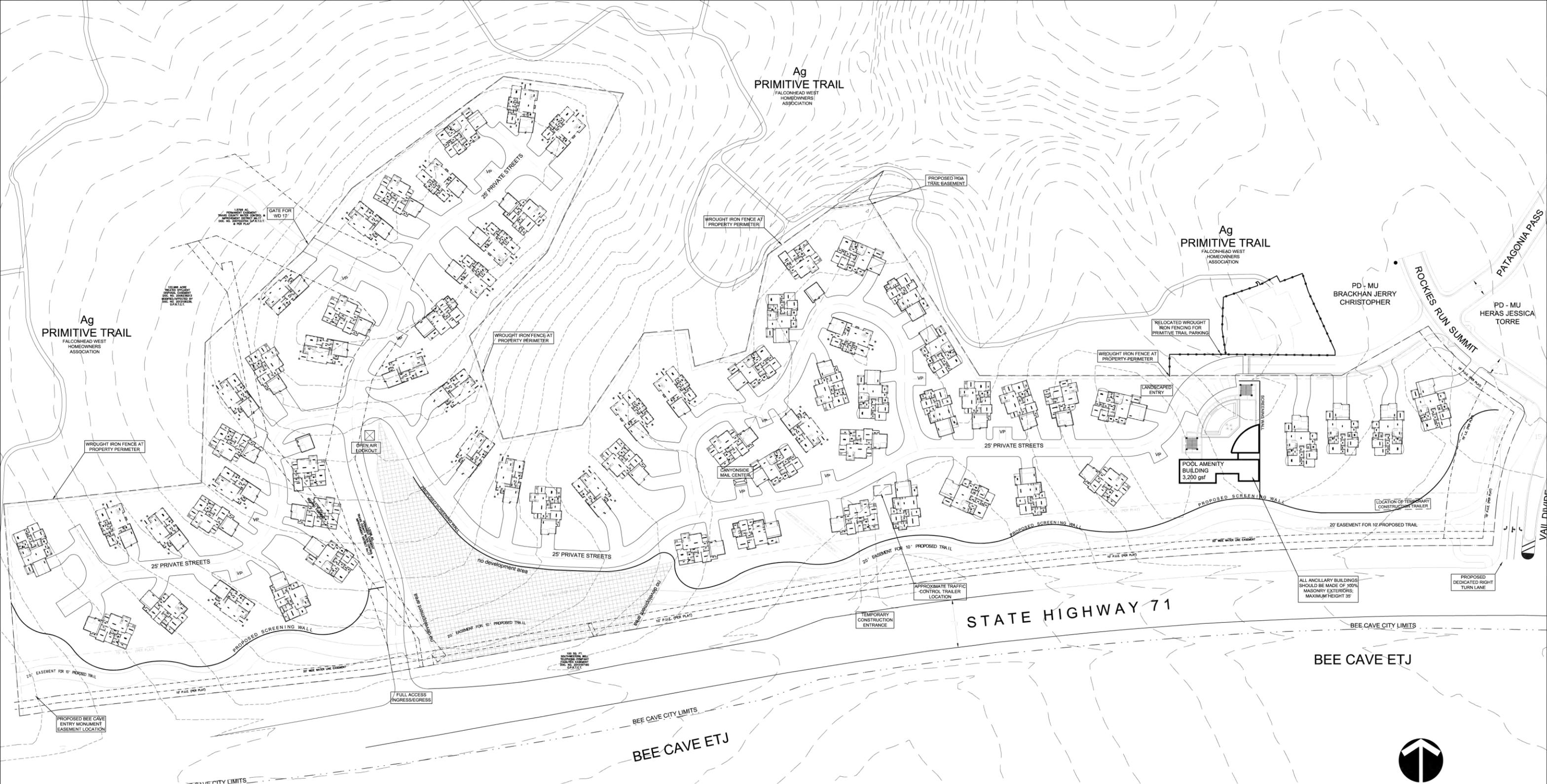


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AND ASSOCIATES

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AUSTIN, TEXAS 78730

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CALCULATIONS	
RESIDENTIAL YIELD	66 UNITS
GROSS ACREAGE	±19.9 ACRES
GROSS DENSITY	3.3 DU/AC
NET ACREAGE EXCLUDES COMMERCIAL TRACT	±17.0 ACRES
RESIDENTIAL UNIT SIZE 1,500 SF MIN 3,500 SF MAX	3.9 DU/AC
ZONING: PDA/MU MAXIMUM BUILDING HEIGHT: 35' FALCONHEAD WEST DENSITY 1.2 DU/AC	



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BEE CAVE, TEXAS

CONCEPT PLAN

VP VISITOR PARKING

CALCULATIONS

RESIDENTIAL YIELD	66 UNITS
GROSS ACREAGE	±19.9 ACRES
GROSS DENSITY	3.3 DU/AC
NET ACREAGE	±17.0 ACRES
NET DENSITY	3.9 DU/AC
RESIDENTIAL UNIT SIZE	1,500 SF MIN. 3,500 SF MAX.
ZONING: PDA/MU	
MAXIMUM BUILDING HEIGHT: 35'	
FALCONHEAD WEST DENSITY 1.2 DU/AC	



PHASING PLAN PER ORDINANCE 94-04-11 SECTION 9.211(A)

- PHASE 1 APPROXIMATE DURATION 5 MONTHS FROM DATE OF SITE PLAN APPROVAL
- PHASE 2 APPROXIMATE DURATION 30 MONTHS FROM DATE OF SITE PLAN APPROVAL
- PHASE 3 APPROXIMATE DURATION 36 MONTHS FROM DATE OF SITE PLAN APPROVAL

CANYONSIDE - 66 UNITS
BEE CAVE, TEXAS

PHASE PLAN



EXAMPLE TREE
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CANYONSIDE

BEE CAVE, TEXAS

TREE PRESERVATION PLAN

LEGEND

- PROPERTY BOUNDARY
- PROP. WATER LINE
- PROP. WASTEWATER LINE
- PROP. STORM SEWER LINE
- PROP. FORCEMAIN LINE
- PROP. FIRE HYDRANT
- EXIST. WATER LINE
- EXIST. WASTEWATER LINE
- EXIST. STORM SEWER LINE
- TRES TO BE REMOVED
- TRES TO REMAIN

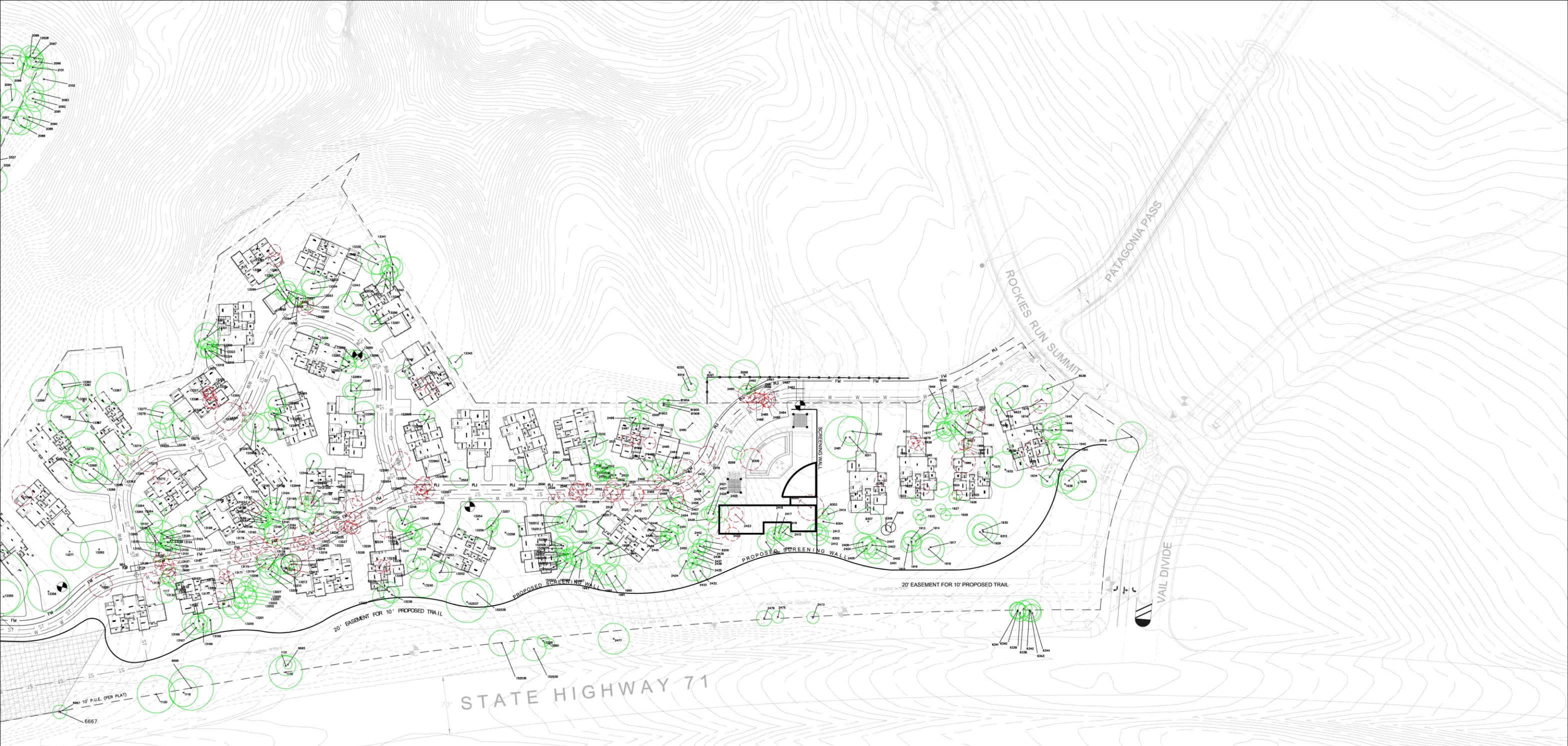


NOTE:
 CONTRACTOR TO FIELD VERIFY LOCATIONS OF ALL EXISTING UTILITIES VERTICALLY AND HORIZONTALLY PRIOR TO CONSTRUCTION



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CANYONSIDE

BEE CAVE, TEXAS

TREE PRESERVATION PLAN

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- EXIST. STORM SEWER LINE
- TREES TO BE REMOVED
- TREES TO REMAIN



NOTE:
CONTRACTOR TO FIELD VERIFY LOCATIONS OF
ALL EXISTING UTILITIES VERTICALLY AND
HORIZONTALLY PRIOR TO CONSTRUCTION

Light Fixtures

- Replica fixtures as used in Wildwood, The Grove, and Spillman Ridge.
- Purchased through Austin Energy
- Dark Sky Compliant with the City of Austin
- Specifications:
 - Sunset Valley lamps
 - Flat glass
 - Full cut-off at 80-90 degrees
 - 15' in total height including base



D142 SERIES LUMINAIRE

U.7.15.14

Description

The contemporary styled D142 Series combines a cast aluminum housing, a spun aluminum shade and prismatic conical acrylic lens to create an efficient luminaire with symmetrical light distribution.

HID Electrical

- High power factor ballast (HPF), core and coil type, pre-wired and tested
- Easy ballast pod access
- 4KV porcelain socket
- Suitable for wet location

Light Distribution

- Symetric prismatic conical acrylic (**PA**)
- Specify Type III (**HR3**) or Type V (**HR5**) light distribution (**HR-GL** only)

Optical Systems

PA (Standard for **FS22** and **RFS22** only) -A prismatic conical acrylic lens is combined with a highly reflective white powder coat finish on the underside of the spun shade for symmetrical distribution.

HR3-GL -Type III segmented reflector with a clear glass lens.

HR5-GL -Type V segmented reflector with a clear glass lens.

HR3-GL-SAG -Type III segmented reflector with a clear sag glass lens.

HR5-GL-SAG -Type V segmented reflector with a clear sag glass lens.

Installation

The luminaire and crook will mount to a 4" OD post or tenon with 5/16" black oxide coated stainless steel set screws to ensure a solid connection.

Finish

Premium quality thermoset polyester powdercoat for a durable finish available in the following:

Standard:

BLK - Satin Black

CLB - Classic Bronze

GRN - Green

TBK - Textured Black

Premium:

ATC - Antique Copper

GTG - Granite Green

WHT - White



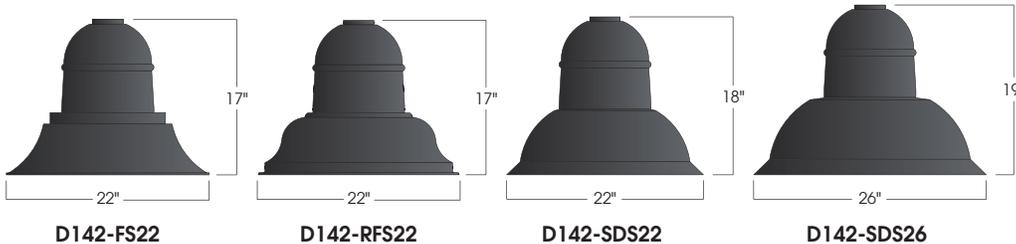
D142 SERIES



Shown with
D142-RFS22/PA

PROJECT:

TYPE:



Ordering Information

Model	Shade Style	Optical System and Lens	Light Source	Voltage	Finish	Accessory
D142	FS22 RFS22	HR3-GL HR5-GL HR3-GL-SAG HR5-GL-SAG PA (std)	100MH 150MH 175MH-PS 250MH-PS	120v 208v 240v 277v	ATC BLK CLB GRN GTG TBK WHT	HSS PCL
	SDS22	HR3-GL HR5-GL HR3-GL-SAG HR5-GL-SAG	100HPS 150HPS 250HPS			
	SDS26	HR3-GL HR5-GL				

Additional light sources, voltages, and custom colors are available. Contact factory for details.

Part String

Example: **D142-FS22/PA/100MH/208v/BLK**

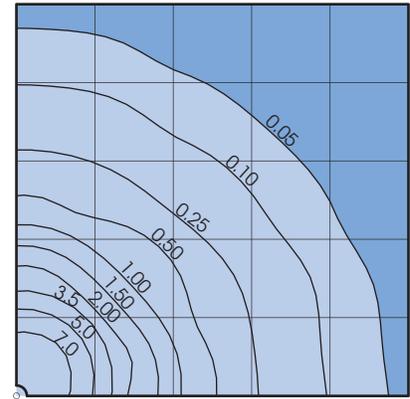
Assembly Details
(Example: PT40/D142-RFS22/HR5-GL)



Standard Photometry

D142-RFS22/HR5

Typical HID light source
14,000 Lumen
12' Mounting Height
Grid Spacing is 12'



Socket Types

Wattage	Socket Size
50MH, 70MH, 100MH, 150MH	Medium
175MH-PS, 250MH-PS	Mogul
50HPS, 70HPS, 100HPS	Medium
150HPS, 250HPS	Mogul
CFL 26, 32, or 42	4-pin

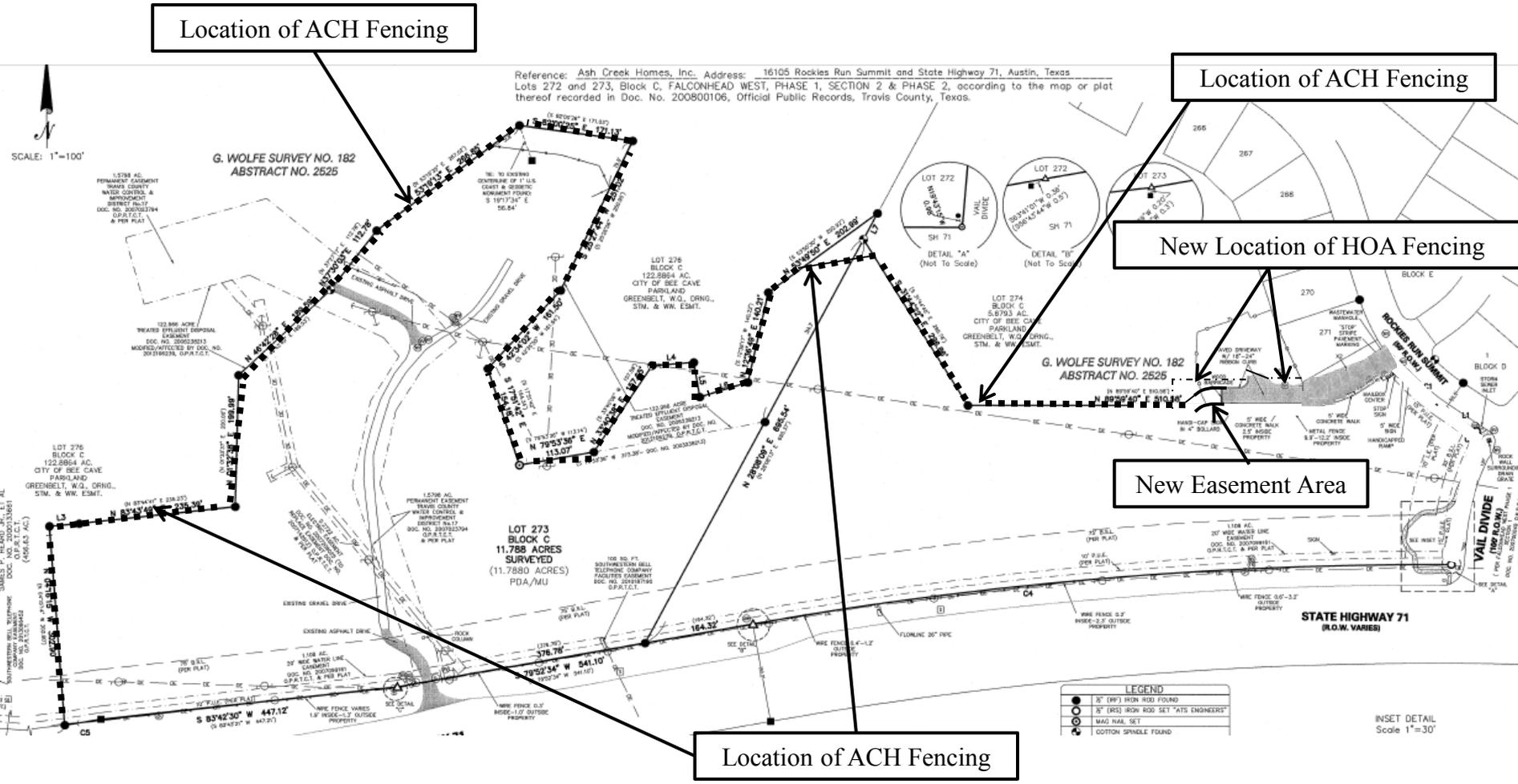
Mounting Options (Slip fits 4"OD tenon)



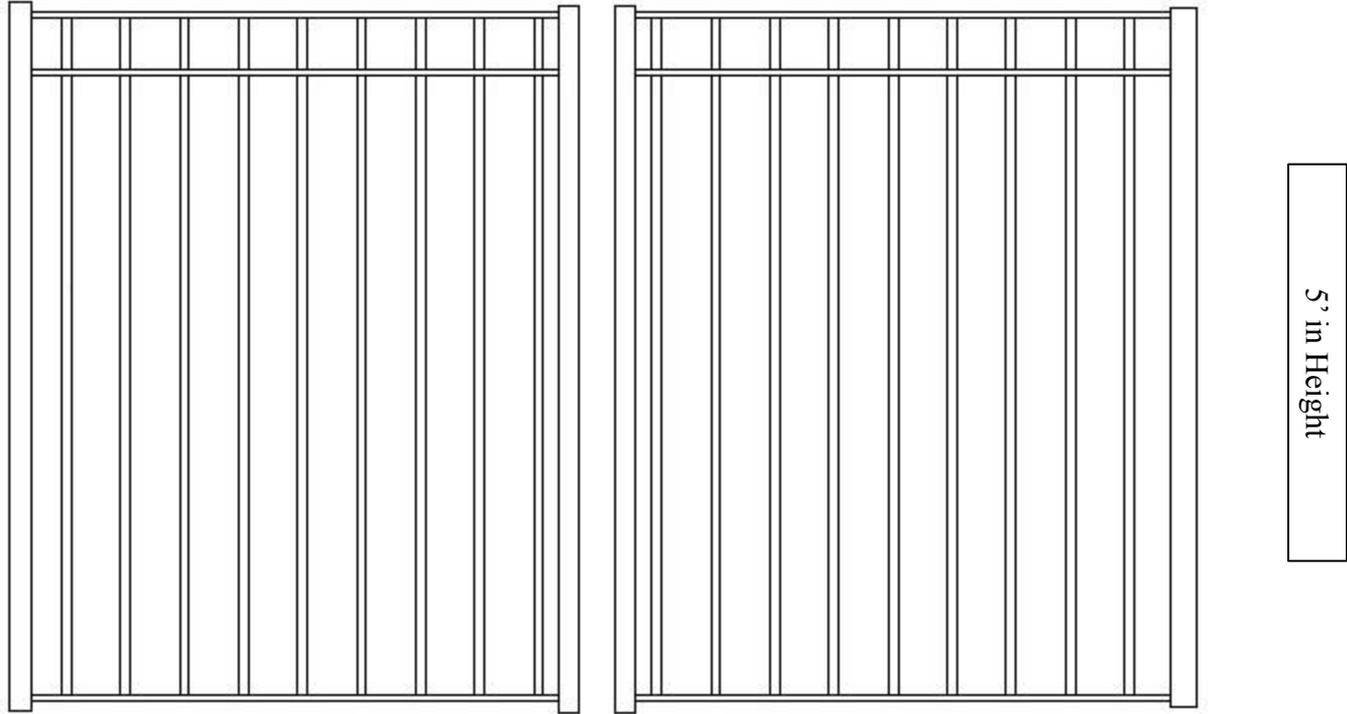


OPEN AIR LOOK OUT PAVILION

Location of Fencing Along Primitive Park Boundary



FENCING ALONG PRIMITIVE PARK BOUNDARY



Metal fence; material and grade consistent with that utilized at Falconhead West residential lots abutting the Bee Cave Primitive Park land

EXHIBIT C

Ordinance 15-236: Canyonside PDD Amendment
Approved 24 February 2015

Exhibit “C”

PLANNED DEVELOPMENT STANDARDS-CANYONSIDE

The following Planned Development Standards (“Development Standards”) shall be applicable within this Planned Development District. To the extent that any of the Development Standards conflict with City Ordinances or the Development Agreement, the Development Standards shall control. All development activity undertaken on the Property, including but not limited to, single family detached residential, neighborhood pool and amenity center, trails and neighborhood services uses (as described below) (the “Project”), shall comply with the land use development standards for Mixed Use for the Property in effect and listed in the Spillman Development Agreement dated August 22, 2000, except as modified by this Ordinance. Capitalized terms shall be defined as indicated in these Planned Development Standards, as reflected on the Concept Plan or as defined in the City of Bee Cave Code of Ordinances (“Code”), depending upon context.

I. General Project Design Requirements

The Property is an approximate 19.864 acre tract generally located north of Highway 71 and west of Vail Divide and Rockies Run Summit. The Project consists of a maximum 66 single family one and two-story detached houses ranging in size from 1500 square feet to 3500. The houses are not located on individual lots, but rather in a condo regime. There is one private neighborhood amenity center and pool limited to use by residents of Canyonside and their guests. There is a scenic overlook structure located at the confluence of the private roadways in the residential portion of the Project. There is a proposed 20 foot easement area to be granted to the City for a future 10 foot public trail which will extend along the boundary of the Project with highway 71.

II. Single Family Residential

(a) The Project is authorized for a maximum of up to 66 one and two story single family detached residential units and proposes a cottage-style single-family detached-style condominium product. Single-family detached dwellings shall be located within the Project as depicted in the Concept Plan, attached hereto as Exhibit “B”, and will not be required to be located on individual lots owned in fee simple. Residential unit square footage shall not exceed 3500 square feet subject to available impervious cover and shall not be less than 1500 square feet. Only single story homes shall be constructed along the property line adjoining the Primitive Park.

(b) Street shall be constructed at twenty five feet (25’) widths. Streets shall be constructed and privately maintained according to current City Code of Ordinances requirements; except for the width of the street. Streets shall not be gated by the Developer. In the future if the Developer or HOA wish to install a gate system at their expense, installation of the gate system can be considered for approval in conjunction with a site plan amendment. Any such gate system shall meet all standards promulgated by the City of Bee Cave and Emergency Services District No. 6 including any requirements related to plan submittals and construction approvals.

(c) Setbacks, side yards, rear yards and front yards shall be as depicted in the PD Concept Plan. Residential yard setbacks shall be a minimum ten foot (10') for front and rear yard setbacks and a minimum of five foot (5') side yard setbacks so that no single family residence is closer than ten feet (10') to an adjoining single family residence.

(d) Access to each dwelling unit shall be allowed from the private common drives through the site. If side entry garage access is provided for a dwelling unit, adequate maneuvering space shall be provided for that unit.

(e) Building Facades for the residential units shall be constructed in accordance with the building elevations depicted in Exhibit "D" attached hereto. Residential buildings shall be all masonry or stucco and shall have a tile or architectural metal roof. Siding, wood or hardy plank shall be permitted only for fascia, soffits, corbels, columns, window headers, and accents. Building Elevations and Facades for dwelling units that differ from the elevations depicted in Exhibit "D" may be considered for approval at the time the applicable Site Plan is considered for approval. Roof pitch may deviate from the required 6:12 ratio and may include roof pitches with a ratio of 4:12, 5:12, or 6:12. Building Facades for the pool and amenity center shall be considered for approval at Site Plan and shall comply with current City Code of Ordinances architectural requirements.

(f) All residential units shall have an enclosed two-car garage. Because the width of the streets does not provide sufficient area for on-street parking, guest parking spaces "bump outs" will be provided at appropriate and convenient intervals along the streets and adjacent to the amenity/pool facilities. Parking requirements and guest parking locations shall be considered for approval at Site Plan and the number of spaces needed shall be at least .5 spaces per residential unit. On street parking shall be prohibited and Developer shall include this prohibition in the deed restrictions applicable to the Property. Sidewalks are not required in the Residential portion of the Project.

(g) Townhouses, multifamily units, or housing above retail establishments shall not be authorized for this Project.

III. Development Standards Applicable to the Project as a Whole

A. Impervious Cover and Non-Point Source Pollution Control Standards for Water Quality Controls

(1) Impervious Cover. The impervious cover authorized for this Project shall not exceed 50% calculated in accordance with the City Non Point Source Pollution Abatement Ordinance No. 90-1. Impervious cover created by construction of the extension of the private roadway located on adjacent property on the northern boundary of the Project and which will be used as the Project's primary entrance shall count as impervious cover of this Project. Developer shall provide to the City as a condition of approval of any building permit for the Project a running total of the amount of impervious cover used by prior site development and vertical construction and the amount of impervious cover remaining and shall presume for purposes of calculating the

amount of impervious cover that the public trail will be constructed as impervious and shall be 10 feet in width.

(2) Water Quality and Treatment. The water quality treatment standards set out in Ordinances 90-1, (70% pollutant removal of Total Suspended Solids (TSS), Total Phosphorus (TP), and Oil and Grease) shall apply to the Project. NPS approval and use of specific water quality BMPs shall be considered in conjunction with the first Site Plan application for the Project.

One or more of the following NPS Best Management Practices may be used to meet the water quality standards set out herein in addition to other BMPS that are approved by the applicable Technical Manuals, so long as the BMPs are constructed and can demonstrate that the BMPs will achieve pollutant removal required by Ordinance No. 90-1.

- Extended Detention followed by Vegetated Filter Strip (VFS)
- Bioretention
- VFS (partially on steep slopes)
- Rain Garden

(3) Future sale or subdivision of the Project shall be contingent on an allocation of available impervious cover being apportioned between the various lots so that the Project can be constructed in accordance with the Concept Plan and the impervious cover limits applied to individual lots. Individual lots may exceed the impervious cover limits established in subsection 1 above so long as the Project as a whole does not exceed the impervious cover limits set out in subsection 1.

(4) The Project shall be responsible for the capture and treatment of any pollutants generated from the offsite access easement area adjoining the Project on its northern boundary and used as the Project's primary entrance and the public trail, in accordance with Site Plan approval.

(5) In the event that Vegetative Filter Strips to be located on adjacent property is approved as part of the NPS approval, a maintenance plan shall also be required and considered at the time of Site Plan approval. The maintenance plan shall include a requirement that the Homeowner's Association or other entity be responsible for the maintenance and operation of all NPS BMPS including any offsite BMPs. The exact location of all off-site BMPs shall be identified and established in conjunction with Site Plan approval.

(6) The Parking areas or number of parking spaces depicted on the Concept Plan is for illustrative purposes only and the exact location and number of spaces will be considered for approval at Site Plan. Parking areas shall be screened with landscaping in accordance with the City's current Code of Ordinances.

B. Current Ordinances of the City

Other than the specific Development Standards expressly requiring compliance or non-compliance with the City's current Code of Ordinances, the Project shall comply with the Code of Ordinances of the City in effect as of June 10, 2014 with regard to landscaping, noise, lighting, parking, and architecture. Compliance with the City's sign regulations shall be in accordance with the City's Sign Ordinance as it may be amended from time to time. Provided however, that signage associated with the Construction Traffic Management Plan shall be as approved by the City in conjunction with Site Plan approval. Landscaping, utility plans, lighting, and parking requirements will be considered for approval in conjunction with Site Plan approval.

C. Additional Performance Standards

(1) Trash dumpsters and outdoor storage accessory buildings shall be screened from view in accordance with Section 32.05.002 of the City's Ordinances.

(2) The PDD shall be allowed and is required to have two public access points as depicted in the Concept Plan. The access driveway point to Highway 71 will be constructed in accordance with TxDOT requirements for highways exceeding 55 mph. Any off-site landscaping or other off-site improvements disturbed or damaged by construction of the Project shall be replaced and restored by the Developer to the condition of the off-site improvement prior to construction. The cost of restoring and replacing off-site improvements, including replacement of in-kind landscaping and signage at the entrance to Vail Divide, shall be considered separate costs from Developer's pro rata share of costs related to the traffic improvements discussed in subsection C(9).

(3) Screening walls shall be composed of 100 percent masonry with landscaped berms and additional trees along the length of the property along Highway 71 as generally depicted on the Concept Plan. The exact location and approval of the wall landscaping, location and materials of the wall shall be considered for approval at Site Plan.

(4) Due to terrain the Project may include dry stack retaining walls not to exceed 10 feet in height. The exact location, materials and approval of any such retaining walls shall be considered at Site Plan. If current ordinances of the City require that the retaining wall be structurally engineered, retaining wall plans shall be sealed by an engineer and such plans shall be a condition of Site Plan approval and/or a condition to issuance of a Building Permit as applicable.

(5) A property management company, property owners association, condominium association or similar association or entity created in accordance with the City's current Code of Ordinances and providing the oversight, maintenance and responsibilities set out therein and shall also be created for the purpose of managing the Project on an on-going basis and for being responsible for compliance with the development standards and other requirements associated with this Project. This entity will be the entity responsible for compliance of the Project and with any permits or agreements between the City and the Project. Documents necessary to establish the company or association shall be reviewed and approved by the City in conjunction

with Site Plan approval to ensure that they conform to this Ordinance and other applicable City ordinances. The documents establishing the condominium regime shall include restrictions applicable to the Development Standards set out herein and which standards will be identified in a separate and distinct section from the rest of the document and which will provide that such requirements shall not be amended without the express consent of the City. In particular, deed restrictions shall include prohibitions against on street parking, the use of all-terrain vehicles, off road motorcycles, or golf carts, box carts, go carts, off road motorized vehicles, or similar vehicles within any part of the Project and shall include specific prohibitions regarding the installation of any new entrances or connections to the Primitive Park from the Project, gates, gaps, breaches in the fence, or other changes in the perimeter fencing adjacent to the Primitive Park without approval of the City.

(6) A Traffic Impact Analysis has been completed for the Project. Developer shall construct all traffic, street and other improvements within the Project required by the TIA in conjunction with Site development. Developer shall construct any improvements required by TXDOT which are required to serve the secondary Project entry on Highway 71 in conjunction with Site development. Developer shall post with the City a cash bond equivalent to its pro-rata portion of future offsite improvements to Vail Divide as described in the TIA. The cash bond shall be submitted to the City in conjunction with an Escrow Agreement between the City and the Developer and considered for approval at Site Plan.

(7) Cut and fill shall be minimized throughout the Project. Disturbances of the natural fall of the land shall be minimized. The construction plan shall conform to this site, rather than making the site conform to the plan.

(8) “Minor Modifications” of the Concept Plan and/or Site Plan as defined by the City’s current Code of Ordinances for the Project may be approved administratively by the City Manager provided such modifications would not otherwise result in a violation of the City’s Code of Ordinances, except as modified herein, a violation of specific Development Standards described in this Ordinance, cause an increase in the total amount of impervious cover allowed pursuant to III(A)(1) of these Development Standards or an increase in Annual Pollutant Load, or cause additional encroachments into the setbacks established for the Project.

(9) Construction Traffic Controls shall be implemented in conjunction with construction and development of the site and shall be strictly adhered to. Developer shall employ commercially reasonable efforts to ensure that construction traffic controls are followed by employees, suppliers and subcontractors. Failure of the Developer to comply with the construction traffic controls described herein and as depicted in Exhibit “E”, attached hereto shall be grounds for a “Stop Work” order to be issued for any site development permits and/or building permits issued for this Project, as applicable, until such time as construction traffic controls are properly employed. Any changes in Construction Traffic Control Plans shall be submitted and approved in conjunction with a Site Plan Amendment. In particular the Construction Traffic Management Plan shall provide for a temporary construction entrance off of Highway 71 (in addition to the permanent driveway on Hwy 71) as depicted in Exhibit “E, will provide signage in English and Spanish directing construction trucks to the approved construction traffic circulation path and including the approved ingress and egress to the Project site, providing a notice to all contractors

on the Project informing them of the construction traffic requirements, the circulation plan and advising them of Developer's ability to impose liquidated damages if contractors do not comply with the Construction Traffic Management Plan, locating the construction trailer on the Neighborhood Services pad in a location that does not impede visibility to vehicles traveling on Patagonia/Rockies Run and at the Vail Divide/Hwy 71 intersections, providing sufficient staffing to be on site during working hours to monitor and 'police' construction traffic and prohibiting any and all construction traffic on Vail Divide.

(10) The Project shall be maintained clean from litter. A litter management and control program for the project shall be subject to review and approval by the City Manager.

(11) Utilities located within the boundaries of the Project shall be buried.

(12) In the event that the location of streets, driveways, parking, trails, utilities, or water quality or detention ponds, traffic construction plans, architectural elevations or drainage ways, pool and amenity center or residential footprints are subsequently approved by the City Council in association with Site Plan approval, such changes shall be authorized herein without the need for an amendment to the Concept Plan or these development standards.

(13) Developer shall construct along the joint property line between the Developer's property line and the Primitive Park, as depicted in Exhibit "B", a builder's specification, black metal, powder coated, residential grade fence with a minimum height of five (5) feet that is consistent with the fences constructed on residential lots adjacent to the Primitive Park in the Falconhead West subdivision. Such fencing shall be installed in accordance with this Agreement and as depicted in Exhibit "B" prior to issuance of a certificate of occupancy for any residential or commercial building constructed on the Project. Developer shall not be required to pay fiscal security covering construction of the fence. However, the fence must be completed prior to issuance of a Certificate of Occupancy.

(14) Reciprocal Easements shall be created by separate instrument so that the owners of Lot 272 and Lot 273 shall each have the right and the responsibility to utilize and maintain infrastructure improvements including access, drainage, water quality, parking, trails and open space and utilities utilized by the Project as a whole. The easement locations and instruments shall be considered for approval at the time of Site Plan approval. In addition, Developer shall dedicate by separate instrument such public utility easements necessary to provide utility services to the Project unless such easements have already been dedicated by Plat. Alternatively, Developer may replat the Property into a single lot.

(15) For purposes of this Ordinance, the term "Developer" shall mean Ash Creek Homes, Inc., a Texas corporation or its successors and assigns.

(16) Any air conditioning units or mechanical equipment that serves the amenity shall be screened from view. Screening shall be considered for approval at Site Plan.

(17) The residential mailbox will be located across from the amenity center.

(18) Developer shall provide an easement to the City not exceeding 20' in width to allow for the future construction and operation by the City of a 10' public concrete trail along the front of the Property roughly parallel to Highway 71 and at the general location depicted in the Concept Plan. However, Developer shall cooperate with the City in relocating the portion of the proposed trail easement that is depicted in the Concept Plan in the area of the Property that may be restricted by an Interlocal Agreement (the "Interlocal Agreement") dated February 28, 2007 and amended on October 23, 2012 between the City of Bee Cave and the City of Austin. The final trail alignment and an easement to the City will be considered for final approval at Site Plan.

(19) For purposes of determining compliance with City Ordinances, and except as specifically set out in these Development Standards, the entire Project shall be treated as a single lot.

(20) Setbacks for the Project shall be as depicted in the Concept Plan.

(21) Notwithstanding anything herein to the contrary, Development shall be prohibited within the area of the Project located in the Little Barton Springs watershed as defined in the Interlocal Agreement.

(22) The parking areas or number of parking spaces depicted on the Concept Plan is for illustrative purposes only and the exact location and number of spaces will be considered for approval at Site Plan. The amenity center location shall be finalized in conjunction with Site Plan approval.

EXHIBIT D

Ordinance 15-236: Canyonside PDD Amendment
Approved 24 February 2015









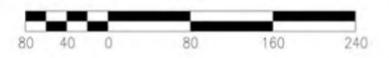
EXHIBIT E

Ordinance 15-236: Canyonside PDD Amendment
Approved 24 February 2015



CANYONSIDE - 66 UNITS
 BEE CAVE, TEXAS
 CONSTRUCTION TRAFFIC

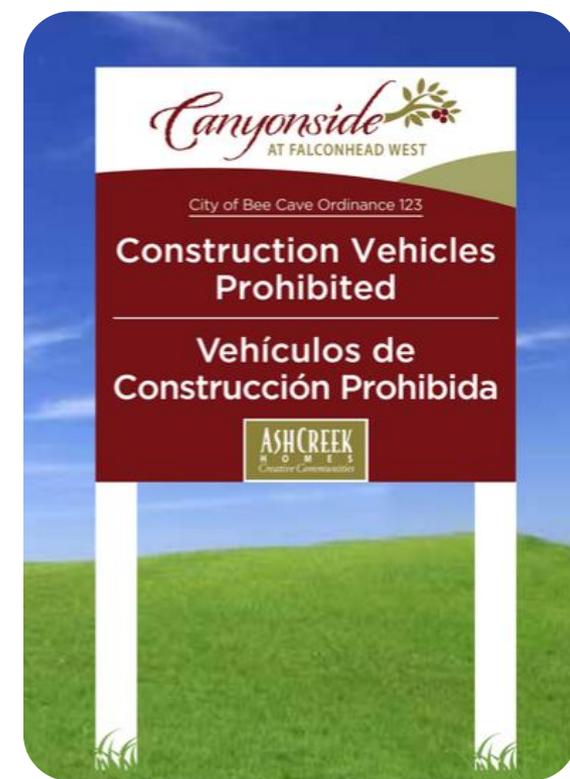
CONSTRUCTION TRAFFIC CONTROL SIGN LOCATIONS



www.leeandassociates.net

Construction Traffic Sign Installation

- English & Spanish
- Referencing Bee Cave governing Ordinance
- Messages Include:
 - Construction Vehicles Prohibited
 - Construction Entrance
 - Construction Exit
 - Small Vehicle Construction Exit Only



Full Construction Ingress/Egress. Becomes right in/right out or left in When construction phase is over.

Construction Traffic Control Sign Locations



Date

Contractor Contact Name

Contractor Company

Contractor Address

Contract, City State Zip

MEMO: CANYONSIDE AT FALCONHEAD WEST CONSTRUCTION TRAFFIC

Attention: Contact Name

We are pleased to work with you again on our newest residential project in Bee Cave named Canyonside at Falconhead West. Per City of Bee Cave Ordinance XXX, **ALL** construction traffic is required to enter and exit the project using the Highway 71 driveway. Construction traffic is PROHIBITED to use the Vail Divide driveway to access the Canyonside project. All vehicles in violation of the Construction Traffic Rules per City of Bee Cave Ordinance XXX, Ash Creek Homes will enforce a \$200 fine per occurrence. Please reference the ordinance included in this communication for detailed information. If you have any further questions, please contact Ash Creek Homes at 512-328-2122 or jedge@ashcreek.biz.

Sincerely,

Jenna Edge
Ash Creek Homes
jedge@ashcreek.biz
512-328-2122 x 103