

ORDINANCE NO. 244

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION FROM AGRICULTURE ("AG") TO MIXED USE ("MU") OF AN APPROXIMATE 9.18 ACRES, DESCRIBED AS LOTS 156 – 168; BLOCK C, AND LOTS 240 – 262; BLOCK C OF THE FALCONHEAD WEST PHASE 1, SECTION 2 AND PHASE 2 FINAL PLAT (DOC # 200800106) OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS, IN THE CITY OF BEE CAVE, TEXAS; MAKING PROVISION FOR COMPLIANCE WITH THE CITY'S ZONING ORDINANCES AND AUTHORIZING THE CITY MANAGER TO ESTABLISH THE ZONING ON THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, property annexed into the City is automatically zoned "Agriculture" until a specific zoning request is made; and

WHEREAS, the Property is a part of the Falconhead West Subdivision which subdivision was zoned Planned Development District with a base zoning of Mixed Use ("PDD-MU") in Ordinance No. 06-11-28-B and in accordance with a Development Agreement entered into by and between the Village of Bee Cave, Texas (now the City of Bee Cave) and Spillman Development Group, Ltd., effective August 22, 2000 and as same was amended from time to time (collectively referred to as the "Development Agreement"); and

WHEREAS, the Property herein described was also included and was made a part of the Development Agreement and is subject to development requirements contained in the Development Agreement; and

WHEREAS, the Property was intended to be developed and has been developed in the same manner as the rest of the Falconhead West Subdivision in accordance with the Development Agreement even though the Property was not annexed by the City at the same time as the rest of the Falconhead West Subdivision; and

WHEREAS, the notice as required by the City's Zoning Ordinance has been published in the official newspaper and given to adjacent property owners; and

WHEREAS, public hearings have been held by both the Planning and Zoning Commission and the City Council as required by law; and

WHEREAS, there has not been any protest made against the proposed change of Zoning Classification;

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

Section 1. Zoning Classification. The Property is hereby declared to be zoned Planned Development Mixed Use District (the "PDD-MU").

Section 2. Uses and Development Standards. The Property described herein shall be developed in accordance with the requirements and the standards applicable to property included in the Falconhead West Subdivision and zoned in Ordinance No. 06-11-28-B as if the Property had been originally included within Ordinance No. 06-11-28-B.

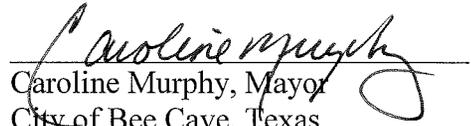
Section 3. This zoning is subject to the terms of the Development Agreement, including without limitation, those provisions which state that the Property will be governed by those ordinances, rules and regulation of the Village which were in effect on August 22, 2000, unless otherwise specifically provided in the Development Agreement.

Section 4. The City Manager is hereby authorized and directed to note the zoning change on the official Zoning Map of the City of Bee Cave, Texas.

Section 5. Severability. 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 in 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 the Zoning Ordinance or Map as a whole.

Section 6. That this Ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED this 14th day of April, 2015.

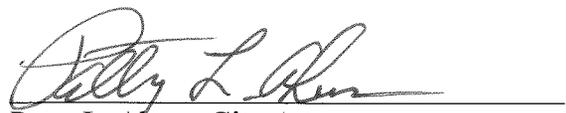

Caroline Murphy, Mayor
City of Bee Cave, Texas

ATTEST:


Kaylynn Holloway, City Secretary
City of Bee Cave, Texas

(SEAL)

APPROVED AS TO FORM:


Patty L. Akers, City Attorney
City of Bee Cave, Texas



Falconhead West Residential Lots Rezoning

Agriculture to Planned Development Mixed Use

- ◆ Subject Properties
- ◆ Bee Cave Corporate Limits
- ◆ Bee Cave ETJ

