

ORDINANCE NO. 00-01-11

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF A PARTICULAR PARCEL OR AREA OF LAND IN THE VILLAGE OF BEE CAVE, TEXAS, AND AUTHORIZING THE VILLAGE ADMINISTRATOR TO NOTE THE CHANGE ON THE OFFICIAL ZONING MAP OF THE VILLAGE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Owner of that certain 16.80-acre tract of land in the John Hobson Survey No. 527, located at the West side of RR 620 South and the North side of Highway 71 West, more particularly described in Exhibit "A" attached hereto has requested a zoning change from Development Reserve District to Community Commercial District; and

WHEREAS, the notice as required by the Village'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 Village Council as required by law; and

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

WHEREAS, the Planning and Zoning Commission recommended against such zoning change, but the Board of Aldermen is of the opinion that such a request should be granted subject to certain conditions;

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

Article 1. The Zoning Classification of the land described in Exhibit "A" attached hereto is hereby changed from Development Reserve District to Community Commercial District, subject to the following conditions:

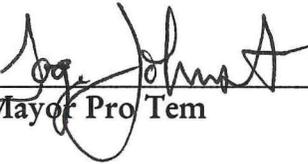
1. The development shall be the subject of the terms of the January 6, 2000 memorandum from Robert B. Baldwin to James Fisher, Administrator in re The Estates Center; and
2. The change is subject to written agreement between the Village and the Owner on the terms of a PUD Ordinance addressing the issues identified in the foregoing memorandum and such other issues as may be appropriate; and
3. If there is no written agreement as required by the foregoing paragraph 2, on or before March 12, 2000, the Zoning Classification of the land defined in Exhibit "A" attached hereto shall revert to Development Reserve District.

Article 2. The Village Administrator is hereby authorized to and shall promptly note the zoning change on the official Zoning Map of the Village of Bee Cave, Texas.

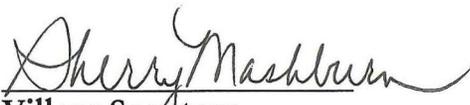
Article 3. That if any word, phrase, clause, sentence, section or subsection of this Ordinance is declared to be invalid, such invalidity shall not affect the remaining portions of this Ordinance which shall remain in full force and effect, and, to that end, the provisions of this Ordinance are declared to be severable.

Article 4. This Ordinance shall be come effective on the 11<sup>th</sup> day of January, 2000.

PASSED AND APPROVED this 11<sup>th</sup> day of January, 2000.

  
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Mayor Pro Tem

ATTEST:

  
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Village Secretary

**DESCRIPTION**

**OF A 16.80 ACRE TRACT OR PARCEL OF LAND OUT OF AND PART OF THE JOHN HOBSON SURVEY NO. 527, ABSTRACT NO. 387, SITUATED IN TRAVIS COUNTY, TEXAS, AND BEING THE REMAINING AREA OF LOT 1, BLOCK "A", THE ESTATES CENTER, A SUBDIVISION OF RECORD IN VOLUME 85, PAGES 186A-186B OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; THE SAID LOT 1 HAVING BEEN CONVEYED TO JED INTERESTS, INC., BY DEED OF RECORD IN VOLUME 11863, PAGE 1547 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; THE SAID 16.80 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a 1/2 inch iron rod found in the westerly right-of-way line of F. M. 620, a dedicated public roadway (right-of-way varies), for the most easterly, southeast corner of the said remainder of the said Lot 1, Block "A", and the tract described herein; same also being the northeast corner of the remainder of that tract conveyed to Bee Cave Baptist Church by deed of record in Volume 414, Page 443 of the said Real Property Records, and the southwest corner of that 0.157 acre tract conveyed to the State of Texas for right-of-way purposes by deed of record in Volume 10419, Page 162 of the said Real Property Records;

**THENCE**, leaving the west line of the said F.M. 620, along the common line between the said Lot 1, Block "A", The Estates Center, and the said Bee Cave Baptist Church tract, the following five (5) courses and distances:

- 1) S83°04'08"W, a distance of 220.80 feet to a 1/2 inch iron rod found for an angle point;
- 2) N80°49'00"W, a distance of 189.81 feet to a cotton spindle found for an interior ell corner of the tract described herein, same being the northwest corner of the said Church tract;
- 3) S09°25'24"W, a distance of 113.86 feet to a nail found near a fence post for an interior ell corner of the tract described herein, same being the most westerly, southwest corner of the said Church tract;
- 4) S80°46'44"E, a distance of 93.12 feet to a one inch iron pipe found for an exterior ell corner of the tract described herein; and,
- 5) S18°05'48"W, a distance of 202.86 feet to a 3/8 inch iron pipe found in the northerly right-of-way line of State Highway No. 71, a dedicated public roadway (150' ROW), for the most southerly, southeast corner of the tract described herein, same being the southwest corner of the said Bee Cave Baptist Church tract;

**THENCE**, S84°39'31"W, along the south line of the said Lot 1, same being the north line of the said State Highway No. 71, a distance of 473.35 feet to a 3/8 inch iron pipe found for the southwest corner of the tract described herein, same being the southeast corner of Lot A, Burton Homestead, a subdivision of record in Volume 77, Page 225 of the said Plat Records;

**THENCE**, leaving the said State Highway No. 71, going along the common line between the said Lot 1, Block "A", The Estates Center, and the said Lot A, Burton Homestead, the following eight (8) courses and distances:

- 1) N02°01'04"W, a distance of 193.80 feet to a nail found in a 21 inch cedar tree in a fence line for an angle point hereof;
- 2) N08°00'06"W, a distance of 352.19 feet to a nail found in a fence post for an angle point hereof;
- 3) N19°03'14"E, a distance of 34.23 feet to a nail found in a 16 inch cedar tree in a fence line for an angle point hereof;
- 4) N16°33'24"E, a distance of 49.90 feet to a nail found in an 11 inch cedar tree in a fence line for an angle point hereof;
- 5) N15°51'01"E, a distance of 72.45 feet to a nail found in a 9 inch cedar tree in a fence line for an angle point hereof;
- 6) N17°46'16"E, a distance of 99.47 feet to a nail found in a 13 inch cedar tree in a fence line for an angle point hereof;
- 7) N04°17'18"E, a distance of 41.37 feet to a nail found in a 11 inch cedar tree in a fence line for an angle point hereof; and,

