

ORDINANCE NO. 07-08-28-A

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION FROM AGRICULTURAL DISTRICT TO RETAIL DISTRICT FOR A TRACT OF LAND BEING APPROXIMATELY 20.322 ACRES IN THE CITY OF BEE CAVE, TEXAS, MAKING PROVISION FOR COMPLIANCE WITH THE CITY'S ZONING ORDINANCE AND AUTHORIZING THE CITY ADMINISTRATOR TO ESTABLISH THE ZONING ON THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Owner of the land described in Exhibit "A" attached hereto (the "Property") has recently been annexed into the city limits of the City of Bee Cave; and

WHEREAS, property that is annexed into the City is automatically zoned for agricultural use until the property can be zoned in accordance with the Comprehensive Plan of the City;

WHEREAS, the Property is a portion of a larger tract of land that is already zoned for retail use;

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 the City Council has considered any comments received by citizens at such public hearings;

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

Section 1. Zoning Classification. The Property, being approximately 20.322 acres, which is more fully described in Exhibit A, attached hereto and incorporated herein, is hereby declared to be zoned as a Retail District.

Section 2. Uses. The permitted uses for Retail District shall be those uses authorized in Section 14.171 as "P". Conditional ("C") uses must be authorized utilizing the procedures found in Section 14.158.

Section 3. Minimum Standards. Standards for Retail District uses shall be those standards stated in Section 14.150.

Section 4. Site Plan. A site plan is required for Retail District uses. Site plan approval as provided in Section 14.126 shall be required.

Section 5. Development Standards. Development standards shall be those standards

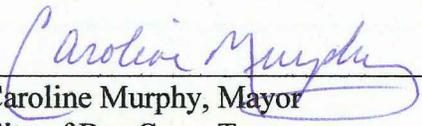
found in Section 14.150.

Section 6. The City Administrator is hereby authorized and directed to note the zoning change on the official Zoning Map of the City of Bee Cave, Texas.

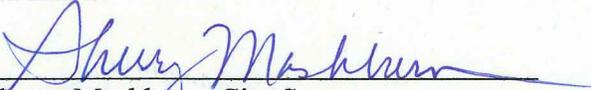
Section 7. Severability. Should any sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjusted or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance in whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of Zoning Ordinance or Map as a whole.

Section 8. That this Ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED this 28th day of August, 2007.


Caroline Murphy, Mayor
City of Bee Cave, Texas

ATTEST:


Sherry Mashburn, City Secretary
City of Bee Cave, Texas

(SEAL)

APPROVED AS TO FORM:


Patty L. Akers, City Attorney
City of Bee Cave

Exhibit "A"

LEGAL DESCRIPTION

BEING 20.322 acres of land located in the I. & G.N. RR CO. SURVEY NO. 56, Abstract No. 2108, Travis County, Texas, and being a portion of the tract of land designated as Tract I (44.611 acres), in the deed to Tim Scaggs and wife, Brenda Scaggs, recorded in Volume 12007, Page 1764 of the Deed Records of Travis County, Texas. Said 20.322 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found at the Northeast corner of said Tract I (44.611 acres Scaggs Tract);

THENCE S 12° 12' 41" E 985.36 feet, along the East boundary line of said Tract I (Scaggs Tract), to a point;

THENCE N 77° 25' 23" W 1779.54 feet, severing said Scaggs Tract, to a point in the West boundary line of said Tract I (Scaggs Tract);

THENCE N 02° 42' 24" W 172.67 feet, along the West boundary line of said Tract I (Scaggs Tract), to a fence post found at the Northwest corner of said Tract I;

THENCE along the North boundary line of said Tract I (Scaggs Tract), as follows:

1. N 77° 46' 00" E 1313.47 feet, to a 1/2" iron pipe found;
2. N 63° 44' 30" E 282.03 feet, to THE POINT OF BEGINNING, containing 20.322 acres of land.

BRITAIN & CRAWFORD

LAND SURVEYING &
TOPOGRAPHIC MAPPING

(817) 926-0211 - METRO (817) 429-5112
 FAX No. (817) 926-9347
 P.O. BOX 11374 * 3908 SOUTH FREEWAY
 FORT WORTH, TEXAS 76110
 EMAIL: admin@brittain-crawford.com

REPLAT OF THE
HOME DEPOT ADDITION
DOC# 200200218
D.R.T.C.T.

POINT OF
BEGINNING

1/2" IRON ROD
FOUND

N 63°44'30"E 282.03'

1/2" IRON PIPE
FOUND

EDWARD A. MORGAN
VOL. 12361, PG.1004
52.75 ACRES
TRACT 1

EDWARD A. MORGAN
(12361/1004)
30.00 ACRES
TRACT 2

ANNEXATION
AREA

20.322 ACRES

RESSE COMMERCIAL PROPERTIES, LTD.
DOC# 2001091446
56.628 ACRES

TIM & BRENDA SKAGGS
VOL. 12007, PG. 1764
44.611 ACRES

1 & G.N.R.R. CO. SURVEY 56
ABSTRACT No. 2108

HELEN HAMPTON
(12899/174)
3.763 ACRES

TIM & BRENDA SKAGGS
VOL. 12007, PG. 1764
44.611 ACRES

COND. REAL ESTATE INVESTORS
"TURKEY LANE" TRACT 1
17.2615 ACRES
CC# 2001132897
D.R.T.C.T.

FENCE POST
FOUND

N 02°42'24"W 172.87'

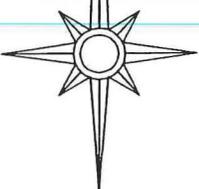
N 77°46'00"E 1313.47'

N 77°25'23"W 1779.54'

S 12°12'41"E 986.36'

NORTH RIGHT-OF-WAY LINE STATE HIGHWAY 71
S.H. 71

NORTH



SCALE 1"=300'