

**ORDINANCE NO. 107**

**AN ORDINANCE OF THE CITY OF BEE CAVE, TEXAS AMENDING THE ZONING FROM CURRENT ZONING AS TOWN CENTER (TC) TO A PLANNED DEVELOPMENT DISTRICT TOWN CENTER (PDD-TC) FOR THE PROPERTY DESCRIBED AS A 0.999 ACRE TRACT OF LAND OUT OF THE W.P. MOORE SURVEY, ABSTRACT NO. 525, AND THE ORIN WADE SURVEY, ABSTRACT NO. 540, SITUATED ON HIGHWAY 71 WEST OF F.M. HWY. 2244, IN THE CITY OF BEE CAVE, TRAVIS COUNTY, TEXAS, WHICH PROPERTY IS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; APPROVING A CONCEPT PLAN, ATTACHED AS EXHIBIT "B"; PROVIDING SPECIAL PLANNED DEVELOPMENT STANDARDS AND CONDITIONS, ATTACHED AS EXHIBIT "C"; APPROVING ELEVATIONS, ATTACHED AS EXHIBIT "D"; APPROVING A LANDSCAPE PLAN, ATTACHED AS EXHIBIT "E"; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PROPER NOTICE AND MEETING; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Owner of the land described herein and described in Exhibit "A" attached hereto (the "Property") has filed an application to change the current zoning from Town Center to Planned Development District - Town Center; and

**WHEREAS**, Section 32.03.015 of the City's 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 Planned Development Concept Plan ("Concept Plan") attached hereto as Exhibit "B", 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**, subject to compliance with the applicable subdivision and site plan regulations of the City, which compliance is required prior to development of the Property, the development proposed by the applicant complies with the current City ordinances except as modified by the Planned Development Standards attached hereto as Exhibit "C" ("Planned Development Standards");

**WHEREAS**, the Planning and Zoning Commission of the City of Bee Cave and the City Council of the City of Bee Cave, in compliance with the laws of the State of Texas, with reference to the granting of zoning classifications and changes, 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 of Bee Cave is of the opinion and finds that said zoning change should be granted and that the Zoning Map should be amended as set forth herein; and

**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 Council and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

**SECTION 2.** That the zoning for the herein described Property is hereby amended so as to grant a change of zoning from Town Center to PD - Planned Development District with base zoning of Town Center for the Property described as a 0.999 acre tract of land out of the W.P. Moore Survey, Abstract No. 525 and Orin Wade Survey, Abstract No. 540, situated on Highway 71 West of F.M. Hwy. 2244, in the City of Bee Cave, Travis County, Texas, which Property is described in Exhibit "A" attached hereto and made a part hereof for all purposes. The Property shall be a Planned Development District pursuant to, and subject to compliance with, the terms and conditions of the City Code of Ordinances except as modified by this Ordinance, the Concept Plan attached hereto as Exhibit "B", and the Planned Development Standards attached hereto as Exhibit "C", which exhibits are incorporated herein for all purposes.

**SECTION 3.** That the Concept Plan for this Planned Development District which is attached hereto as Exhibit "B" and made a part hereof for all purposes is hereby approved for said Planned Development District as required by Chapter 32 of the City of Bee Cave Code of Ordinances. 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 is approved for such use and/or development in accordance with the terms and conditions of Chapter 32 of the Code of Ordinances.

**SECTION 4.** That the Elevations (Exhibit "D") and the Landscape Plan (Exhibit "E") which are attached hereto and incorporated herein for all purposes for this Planned Development District are all hereby approved.

**SECTION 5.** That the granting of this Planned Development District is subject to all applicable development regulations contained in the City of Bee Cave Code of Ordinances, except as modified herein including, without limitation Chapter 32 as well as the following special conditions:

A. That the proposed Project shall be constructed in accordance with the Concept Plan, which is attached hereto as Exhibit "B", as same may be amended from time to time as authorized in Chapter 32 of the City of Bee Cave Code of Ordinances, and with a detailed site plan, which must be submitted, reviewed and approved as required by Chapter 32 of the City of Bee Cave Code of Ordinances prior to any development taking place on the Property;

B. That the Planned Development on the Property must comply with: (i) the Development Standards applicable to land located in the TC - Town Center District as set forth in Chapter 32 of the City of Bee Cave Code of Ordinances; except as same are modified by the terms of this Ordinance; (ii) the Concept Plan for this Project as approved by the City Council; and (iii) as otherwise required by this Ordinance.

C. That all of the requirements of the City of Bee Cave Code of Ordinances including, without limitation, Chapter 32 (the Zoning Ordinance), and Chapter 30 (the Subdivision Ordinance), shall apply to this project and the Property, except for those requirements, which are modified for the project by this Ordinance, the Concept Plan, and the Planned Development Standards contained in Exhibit "C" attached hereto.

D. Developer shall seek and obtain approval of a Development Plat prior to commencement of development.

**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.** 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 8.** That this Ordinance shall take effect immediately from and after its passage and publication as required by law.


DULY PASSED by the City Council of the City of Bee Cave, Texas, on the 27<sup>th</sup> day of March 2012.

**APPROVED:**

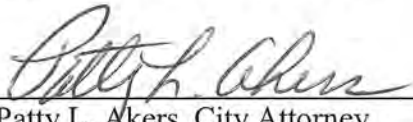
**CITY OF BEE CAVE, TEXAS**

  
Caroline Murphy, Mayor

**ATTEST:**

  
Kaylynn Holloway, City Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Patty L. Akers, City Attorney

- Exhibit "A" – Description of Property
- Exhibit "B" – Concept Plan
- Exhibit "C" – Planned Development Standards
- Exhibit "D" – Elevations
- Exhibit "E" – Landscape Plan

Exhibit "A"

**DESCRIPTION OF THE PROPERTY**

A 0.999 acre tract of land out of the W.P. Moore Survey, Abstract No. 525 and Orin Wade Survey, Abstract No. 540, located in Travis County, Texas and being described in the deed recorded in Volume 4184, Page 2183 of the Deed Records of Travis County, Texas

Exhibit "B"

**CONCEPT PLAN**



## Exhibit "C"

### PLANNED DEVELOPMENT STANDARDS

The following Planned Development Standards shall be applicable within this Planned Development District - Town Center Zoning District. To the extent that any of the following standards conflict with the City of Bee Cave Code of Ordinances, the following shall control. All development activity undertaken on the Property shall comply with the development standards for Town Center Zoning and with all other City zoning and subdivision requirements in effect on October 10, 2011, except as modified by Section 32.03.015 of the City of Bee Cave Code of Ordinances or as modified herein. Capitalized terms contained herein 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, depending upon context.

#### **1. General Project Design Requirements**

The Property is located on Hwy 71 west of F.M. 2244 in the City of Bee Cave. The Project shall consist of, among other things, (i) a building and (5) attached service bays not exceeding 4,800 square feet (the Building); (ii) associated parking and drive aisles; (iii) water quality controls and rainwater harvesting system; (iv) landscaping; and (v) other ancillary improvements as generally depicted on Exhibit "B" attached hereto.

#### **2. Building Floor Area and Architectural Standards**

(a) The City Council has authority to approve a building design which deviates from the City's Exterior Building Design Standards if the City Council determines that an alternate design adequately meets the intent of the City's Exterior Building Design Standards as well as the intent of the Project. Approval of Building Elevations and Facades for buildings that are not approved herein shall be considered for approval at the time the applicable Site Plan is considered for approval.

(b) Any expansion of the Building shall not increase the building foot print to greater than 4800 square feet or the impervious cover to more than what is allowed herein.

#### **3. Impervious Cover and Non-Point Source Pollution Control Standards for Water Quality Controls**

(a) Impervious cover for the project described herein shall not exceed 45%. This 45% impervious cover limitation includes an impervious cover credit increase of 5% based on the rainwater harvesting system to be constructed pursuant to Section 20.04.043(c)(3)(A)(i) of the Code of Ordinances. Such rainwater harvesting system shall be considered for approval in conjunction with site plan approval.

(b) A rainwater harvesting system shall be incorporated into the Building, together with a rainwater harvesting tank as depicted on the Concept Plan.

#### **4. Permitted Uses in the District**

(a) All uses listed as permitted uses within the Town Center Zoning District are authorized uses and the following additional uses are hereby permitted:

Quick Lube/Oil Change/Inspection;

Minor Auto Repair described as follows: Repair or replacement of parts, tires, tubes and batteries; diagnostic services; minor maintenance services such as grease, oil, spark plug and filter changing; tune-ups; emergency road service; replacement of starters, alternators, hoses and brake parts; automobile washing and polishing; performing state inspections and making minor repairs necessary to pass said inspection; normal servicing of air-conditioning systems; and other similar minor services for motor vehicles except heavy load vehicles, but not including any operation considered as "Automobile Repair, Major" (as defined in Section 32.05.014 of the City of Bee Cave Code of Ordinances), with the condition that the gross income derived from this use may not exceed twenty percent (20%);

Contractor's Temporary On-Site Construction Office (only during Construction);

(b) No Conditional Uses are authorized herein.

#### **5. Landscaping**

(a) Landscaping shall be required in accordance with Exhibit "E" (the Landscape Plan) which is attached hereto and incorporated herein.

(b) The landscape requirements set forth in Section 32.05.002(f)(2) of the City Code of Ordinances shall be reduced to provide a minimum of six (6) trees per 100 lineal feet within the twenty-five foot buffer zone along Hwy 71. Such landscaping shall be used to screen the parking lot from view along Hwy 71.

#### **6. Special conditions that vary from City Code Requirements**

(a) In order to reduce the overall footprint of the project, the number of stacking spaces for the lube center shall be reduced from 3 per service bay [as required by Section 32.05.001(c)(11)(G)] to 1 per service bay.

(b) The requirement for a Traffic Impact Analysis is waived for the project, pursuant to Section 32.03.015(e)(1) of the Code.

(c) The project will contain 30% glass or less of the total exterior building envelope.

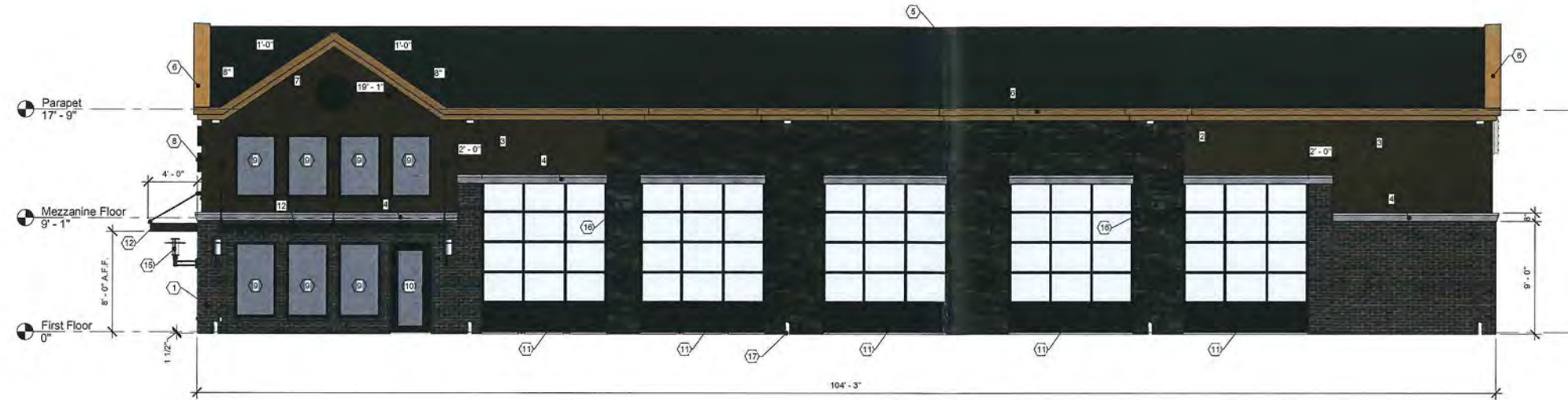
(d) The project Building shall not be required to comply with the standards set forth in Section 32.05.005(c) that are specifically related to building articulation.

## **7. Other Requirements**

- (a) In the event that any item shown on the Concept Plan is contrary to the provisions of these Development Standards, the provisions of these Development Standards shall apply. In the event that an item shown on the Concept Plan is not covered by the Development Standards, such item or development must be in compliance with the City's Code of Ordinances or the approved Site Plan.
- (b) Signage that may be depicted on the Concept Plan or on the Elevations is not approved by these Development Standards and must be approved and in compliance with the City's sign ordinance, Section 28.01.001 of the City Code.
- (c) Human advertising and human displayed advertising shall not be permitted in any manner on the Project.

Exhibit "D"

**ELEVATIONS**



1 Front (West) Elevation  
3/16" = 1'-0"



2 Rear (East) Elevation  
3/16" = 1'-0"

TAG	REFERENCE NOTES DESCRIPTION
1	KING SIZE BRICK TO MATCH BEE CAVE CITY HALL BUILDING
2	STONE TO MATCH BEE CAVE CITY HALL BUILDING
3	STUCCO TO MATCH BEE CAVE CITY HALL BUILDING
4	TRANSITION - CAST STONE WEDGE 10 PROFILE - STONE LEGENDS OR APPROVED EQUAL
5	METAL ROOF - 18" LOK SEAM WITH STRIATIONS - MBCI - CHARCOAL GRAY
6	E.I.F.S. - SANDLEWOOD BEIGE (COLOR TO BE APPROVED BY OWNER)
7	E.I.F.S. STAR MEDALLION - 36" DIAMETER - SPECTRUM BROWN (COLOR TO BE APPROVED BY OWNER)
8	BUILDING SIGNAGE - METAL CHANNEL LETTERS - INTERNALLY LIT (BACKLIT) - NON TRANSPARENT FACES
9	ALUMINUM STORE FRONT - BRONZE FINISH WITH TINTED GLASS
10	ALUMINUM DOOR - BRONZE FINISH WITH TINTED GLASS
11	ALUMINUM OVERHEAD DOOR - BRONZE FINISH WITH CLEAR GLASS
12	METAL AWNING PAINTED TO MATCH ROOF
13	METAL DOOR PAINTED TO MATCH EXTERIOR
14	LOUVERS PAINTED TO MATCH EXTERIOR
15	ACCENT LIGHTING - STYLE TO SPECIFIED BY OWNER
16	150 WATT WALL PACK
17	INTERIOR DOWNSPOT TIED UNDERGROUND TO RAINWATER HARVESTING SYSTEM
18	EXHAUST FAN PAINTED TO MATCH EXTERIOR

**Kwik Industries, Inc.**  
FROM DESIGN AND CONSTRUCTION  
THROUGH SERVICE AND SUPPLIES  
4725 NALL ROAD • DALLAS, TX 75244  
(972) 458-0761 • (800) 442-5388 • FAX (972) 458-0948

ISSUED BY	REVISION SCHEDULE	DESCRIPTION	DATE



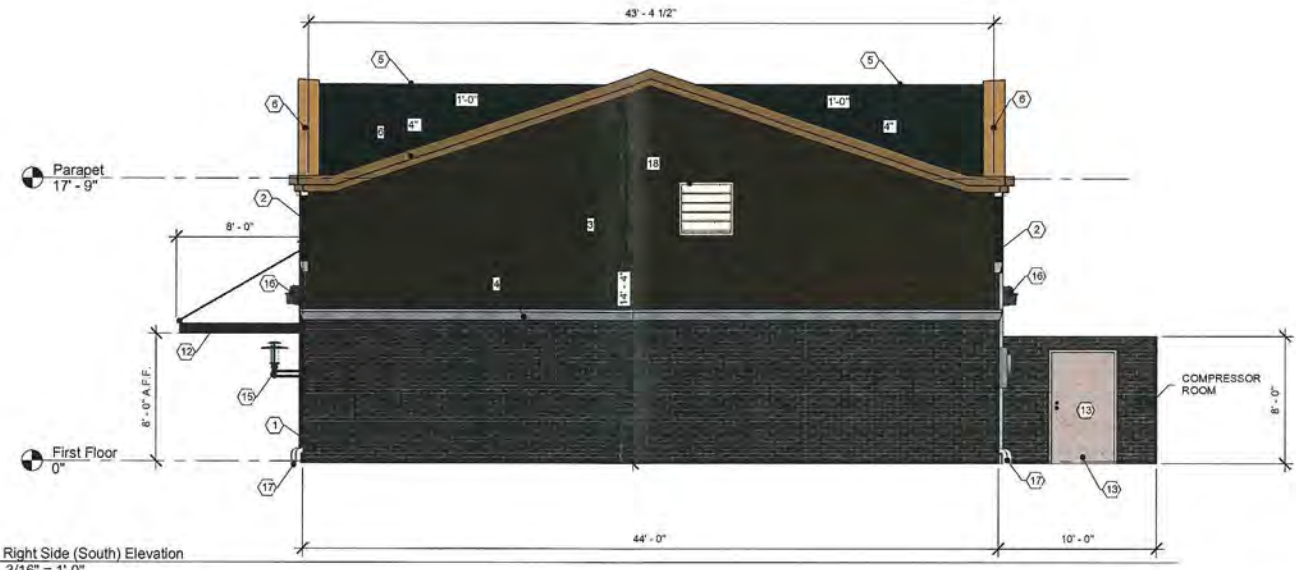
**KWIK KAR LUBE & AUTO REPAIR**  
HWY. 71 @ BEE CAVE ROAD  
BEE CAVE, TEXAS  
CONTACT: DAN ZATTO

DESIGNED:  
DZ  
CHECKED:  
DZ  
APPROVED:  
DZ  
DATE:  
16FEB12

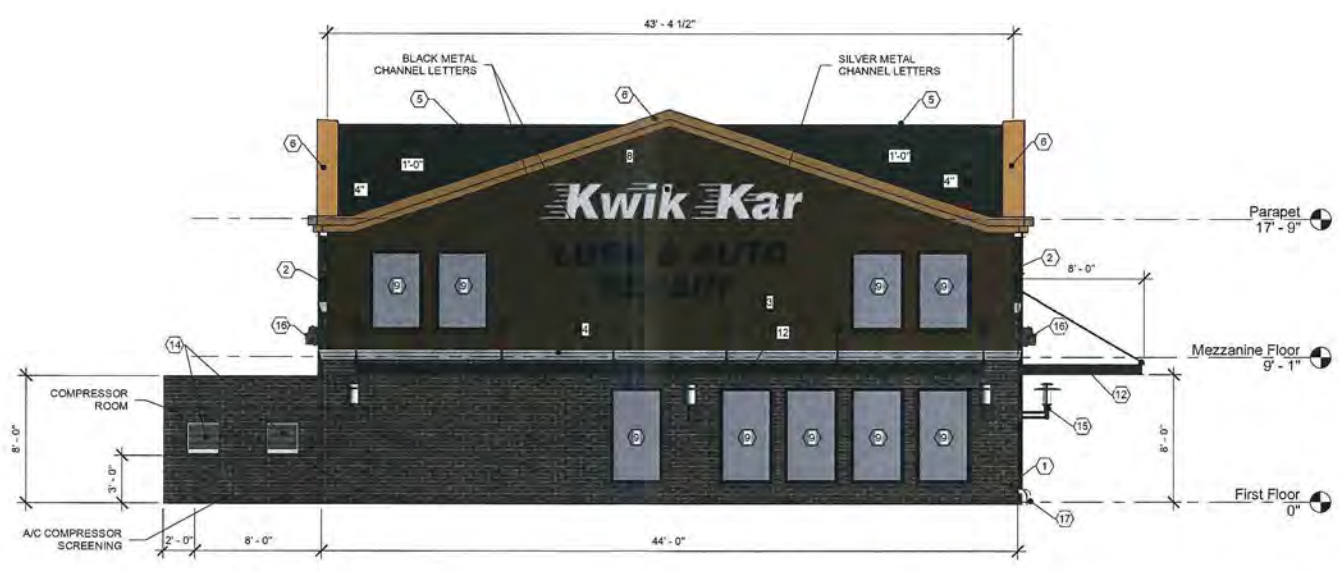
TITLE  
Front and  
Rear  
Elevations

SHEET  
A-201

PROJECT  
NUMBER  
01-11016



① Right Side (South) Elevation  
3/16" = 1'-0"



② Left Side (North) Elevation  
3/16" = 1'-0"

REFERENCE NOTES	
TAG	DESCRIPTION
1	KING SIZE BRICK TO MATCH BEE CAVE CITY HALL BUILDING
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3	STUCCO TO MATCH BEE CAVE CITY HALL BUILDING
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**Kwik INDUSTRIES, INC.**  
FROM DESIGN AND CONSTRUCTION  
THROUGH SERVICE AND SUPPLIES  
4725 NALL ROAD • DALLAS, TX 75244  
(972) 458-9761 • (800) 442-5388 • FAX (972) 458-0948

REVISION	SCHEDULE	ISSUED BY	DESCRIPTION

TEXAS PROFESSIONAL ENGINEERING INSPECTIONS



REGISTERED PROFESSIONAL ENGINEER  
BARRY JORDAN  
49557  
F-3878

**KWIK KAR LUBE & AUTO REPAIR**  
HWY. 71 @ BEE CAVE ROAD  
BEE CAVE, TEXAS

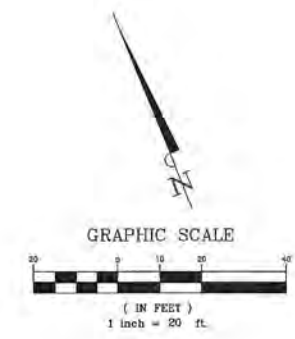
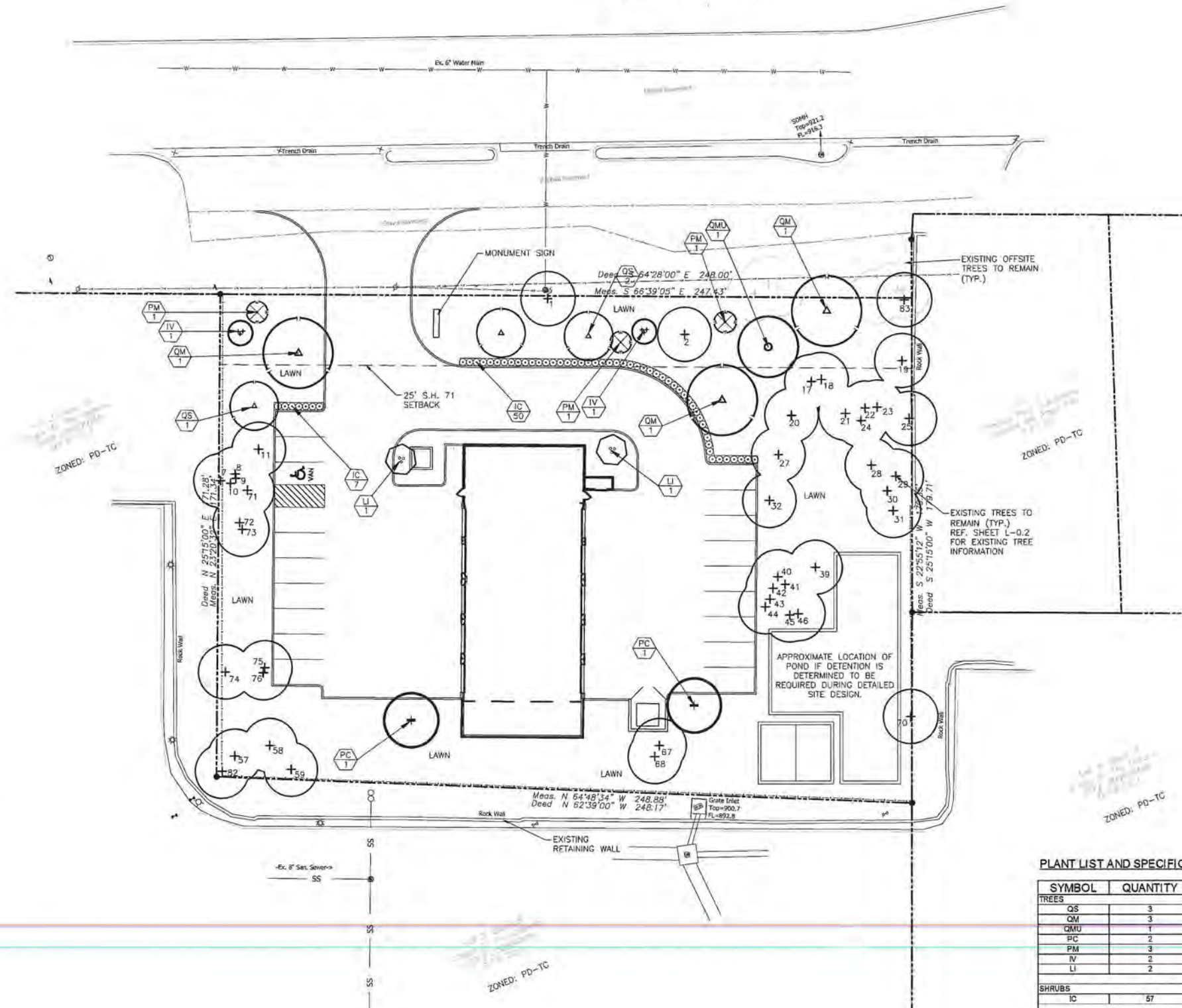
**CONTACT: DAN ZATTO**

DESIGNED: DZ
CHECKED: DZ
APPROVED: DZ
DATE: 16FEB12
<b>TITLE</b> Left and Right Elevations
<b>SHEET</b> A-202
<b>PROJECT NUMBER</b> 01-11016

Exhibit "E"

**LANDSCAPE PLAN**

State Highway 71  
Variable Width Right-of-Way



LANDSCAPE TABULATIONS:

LOT AREA:	0.999 ac (43,516 sf)
LANDSCAPE BUFFER (HIGHWAY 71):	
REQUIRED:	25'
PROVIDED:	25'
LANDSCAPE BUFFER PLANTINGS:	UNPAVED BUFFER = 216 lf
REQUIRED:	13 TREES
	(8 TREES / 100 LF)
PROVIDED:	13 TREES (4 EXISTING)
STREET YARD LANDSCAPING:	STREET YARD AREA = 13,005sf
AREA REQUIRED:	2,801sf
AREA PROVIDED:	6,667sf (51%)
STREET YARD PLANTINGS:	
REQUIRED:	7
	(1 TREE / 1,000sf OF STREET YARD AREA)
PROVIDED:	8 EXISTING TREES
SCREENING OF PAVED AREAS:	PAVED AREA FRONTAGE = 125lf
REQUIRED:	4 TREES AND 42 SHRUBS
	(1 TREE AND 10 SHRUBS / 30lf OF FRONTAGE)
PROVIDED:	6 TREES (1 EXISTING) AND 57 SHRUBS
PARKING LOT SHADING:	PARKING LOT / VEHICULAR PAVING AREA = 14,819sf
REQUIRED:	3,705sf
	(25% SHADING OF CALCULATED AREA)
PROVIDED:	4,396sf (#1)

- NOTES:
- 2 PROPOSED CHINESE PISTACHE AND TWO EXISTING LIVE OAKS (TREE NUMBERS 40 AND 42)
  - ALL LANDSCAPED AREAS MUST BE IRRIGATED BY AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM EQUIPPED WITH OPERATING RAIN AND FREEZE SENSORS.
  - ALL BEDS MUST BE SEPARATED FROM TURF AREAS BY STEEL EDGING.

PLANT LIST AND SPECIFICATIONS:

SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SPECIFICATION
<b>TREES</b>				
QS	3	<i>Quercus shumardii</i>	Red Oak	4" min. cal., 8-10' height, Full, Matching
QM	3	<i>Quercus macrocarpa</i>	Burn Oak	3" min. cal., 8-10' height, Full, Matching
QMU	1	<i>Quercus muhlenbergii</i>	Chinquapin Oak	4" min. cal., 8-10' height, Full, Matching
PC	2	<i>Pistachia chinensis</i>	Chinese Pistache	3" min. cal., 8-10' height, Full, Matching
PM	3	<i>Prunus mexicana</i>	Mexican Plum	2" min. cal., 8' ht., 3 canes min., Full
IV	2	<i>Ilex vomitoria</i>	Yaupon	2" min. cal., 6' ht., 5 canes min., Full
LI	2	<i>Lagerstroemia indica</i>	Crape Myrtle	2" min. cal., 8' ht., 3 canes min., Full
<b>SHRUBS</b>				
IC	57	<i>Ilex cornuta 'burfordii'</i>	Burford Holly	5 gal., 24" ht., 30" O.C., triangular spacing
<b>GROUND COVER / MISCELLANEOUS</b>				
LAWN	Per Plan	<i>Cynodon dactylon</i>	Common Bermuda	sod or seed at a rate of 2 pounds per 1,000sf
	Per Plan		Steel Edge	4" steel edge to be buried 3" deep. Contractor to install steel stakes at end of each section of edging.

ENGINEER:  
BANNISTER ENGINEERING, LLC  
714 HUNTERS ROW CT.  
STE. 104  
MANSFIELD, TX 76063  
(817) 842-2094  
CONTACT: JASON BANNISTER

DEVELOPER/OWNER:  
KWIK INDUSTRIES  
4725 NALL RD.  
DALLAS, TX 75244  
(972) 458-9761  
CONTACT: SCOTT PENDLEY



KWIK KAR LUBE  
W.P. MOORE SURVEY & ORIN WADE SURVEY  
ABSTRACT NO. 525 & NO. 540  
BEE CAVE, TEXAS

LANDSCAPE PLAN

Exhibit E

No.	Date	Revision Description



SHEET NO.  
**L-0.1**

PROJECT NO.: 095-11-03





MBCI Lok Seam Roof Deck  
- 18" Width with Striations -  
Charcoal Gray

E.I.F.S. To Match  
Bee Cave City  
Hall Building

Stone To Match  
Bee Cave City  
Hall Building

Brick To Match  
Bee Cave City  
Hall Building



MBCI Lok Seam Roof Deck -  
18" Width with Striations -  
Charcoal Gray

E.I.F.S. To Match  
Bee Cave City  
Hall Building

Brick To Match  
Bee Cave City  
Hall Building