

**ORDINANCE NO. 118**

**AN ORDINANCE AMENDING HILL COUNTRY GALLERIA ZONING ORDINANCE NO. 05-03-08-A (ADOPTED ON MARCH 8, 2005), AS SUBSEQUENTLY AMENDED BY ZONING ORDINANCE NO. 06-08-22-A (ADOPTED ON AUGUST 22, 2006), AS SUBSEQUENTLY AMENDED BY ZONING ORDINANCE NO. 07-09-11 (ADOPTED ON AUGUST 11, 2007), AS SUBSEQUENTLY AMENDED BY ZONING ORDINANCE NO. 56 (ADOPTED ON SEPTEMBER 14, 2010); AS SUBSEQUENTLY AMENDED BY ZONING ORDINANCE NO. 72 (ADOPTED ON FEBRUARY 22, 2011), AMENDING THE DEVELOPMENT STANDARDS CONTAINED IN EACH OF THE HEREIN REFERENCED ORDINANCES ONLY AS TO THE PROPERTY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND ONLY INSOFAR AS THE AMENDED DEVELOPMENT STANDARDS DESCRIBED IN EXHIBIT "B", ATTACHED HERETO, ARE INCONSISTENT WITH SUCH DEVELOPMENT STANDARDS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**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 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 this zoning change should be granted and that Ordinance No. 05-03-08-A as subsequently amended by Ordinance No. 06-08-22-A, Ordinance No. 07-09-11, Ordinance No. 56, and Ordinance No. 72 should be amended as set forth herein; and

**WHEREAS**, the Galleria is large multi use development located in Town Center zoning wherein density of development is offset with requirements that would not otherwise be applicable to commercial development located in other parts of the City;

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


SECTION 1. That Ordinance No. 05-03-08-A, as subsequently amended by Ordinance No. 06-08-22-A, Ordinance No. 07-09-11, Ordinance No. 56, and Ordinance No. 72 be and the same are hereby amended only as to the Property described herein as Exhibit A, which is attached hereto and incorporated herein, so as to incorporate the Amended Development Standards attached hereto as Exhibit B to the prior Development Standards referenced in each of the previous amended ordinances.

SECTION 2. That all remaining terms, provisions and requirements of each of the herein described ordinances remain in full force and effect as to the Property described in Exhibit A except as same may be amended by this Ordinance.

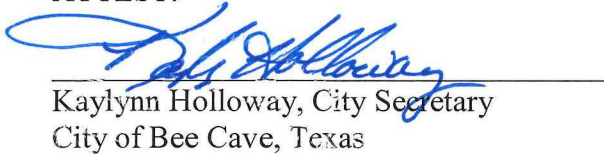
SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjusted or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any party or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of Chapter 14, Zoning, of the City of Bee Cave Code of Ordinances and Map as a whole.

SECTION 4. That this ordinance shall take effect immediately from and after its passage and the publication as required by law.

**DULY PASSED** by the City Council of the City of Bee Cave, Texas, on the 14<sup>th</sup> day of August, 2012.

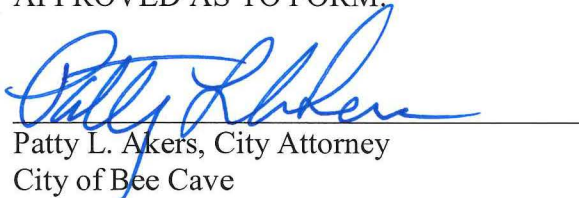
  
Caroline Murphy, Mayor  
City of Bee Cave, Texas

ATTEST:

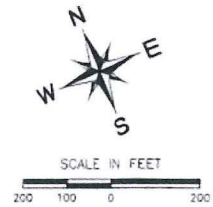
  
Kaylynn Holloway, City Secretary  
City of Bee Cave, Texas

(SEAL)

APPROVED AS TO FORM:

  
Patty L. Akers, City Attorney  
City of Bee Cave

# Exhibit A



--- Hill Country Galleria Development (HCG)

□ Unshaded properties within HCG boundary are subject to this amendment.

■ Shaded blue properties within HCG boundary are not subject to this amendment.

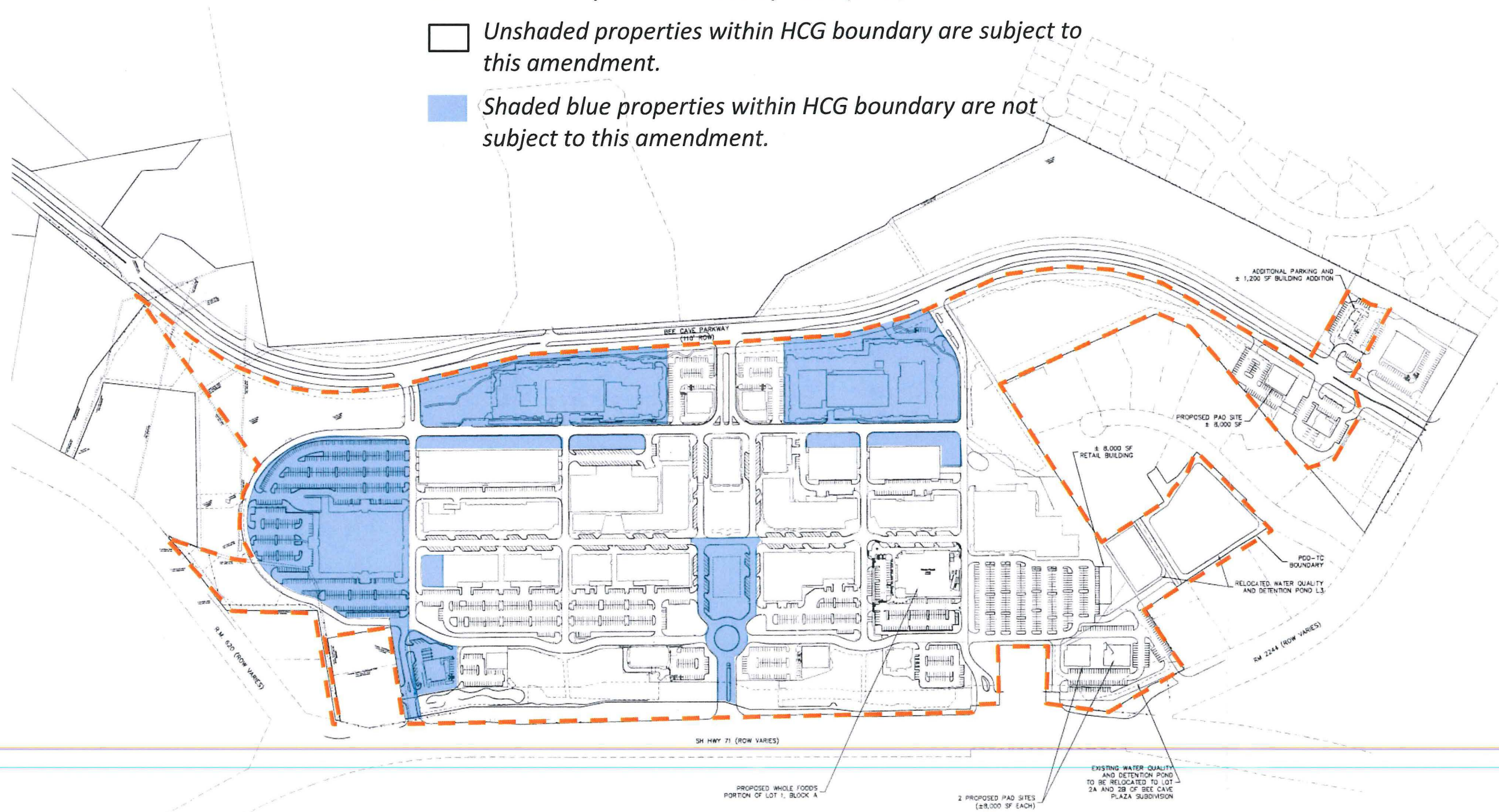


Exhibit B  
**HILL COUNTRY GALLERIA**  
**PLANNED DEVELOPMENT STANDARDS AS AMENDED**

The following amended development standards shall only be applicable to the Property described in Exhibit A. To the extent that any of the following standards conflict with other City Ordinances, the following shall control. All development activity undertaken on the Property, shall comply with the development standards for TC – Town Center Base Zoning District in effect on January 26, 2005 (“The Applicable Town Center Development Standards”), except as modified by previous amendments to the development standards 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. Location of Water Quality and Detention Ponds

(a) Project water quality and detention ponds may be located as depicted on the amended Concept Plan or as depicted in a subsequently approved site plan. One or more water quality or detention ponds may be relocated onto Lot 2A and/or Lot2B, Block A, Bee Cave Plaza Sec 5, re-subdivision of lot 2 Bee Cave Plaza.

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

(a) Ponds which are lined with an impermeable liner shall not be counted for purposes of determining the amount of acreage in the Project and will not be considered as impervious cover. Any reduction in previously calculated impervious cover as result of the operation of this section on existing ponds will be assigned to the legal lot on which the existing ponds are located.

3. Miscellaneous

(a) The Project trail system may be extended to the intersection of Bee Cave Parkway and Highway 620 as depicted in the amended Concept Plan if the City and/or Developer chooses to construct the trail.

(b) An application containing impervious cover additions and modifications for flat work such as curbs, sidewalks, streets, decks, and parking lots which do not increase the impervious cover for the overall project and which are less than 1,000 square feet (cumulative) may be administratively approved. The City Administrator may prescribe an abbreviated application for such submissions. Any such impervious cover modifications shall be included in an updated impervious cover table in conjunction with the site plan amendment application.

~~(c) Minor changes to building facades, including modifications to material, colors or other physical aspects, may be administratively approved, so long as such changes meet or exceed compliance with City architectural Code requirements.~~

(d) New construction of a hotel, any three-story office building or other new building construction may have a maximum height of 60 feet.