



## **AGENDA**

### **Regular Meeting**

### **Planning and Zoning Commission**

**Tuesday, September 20, 2022**

**6:00 PM, City Hall**

**4000 Galleria Parkway**

**Bee Cave, Texas 78738-3104**

*A quorum of the Bee Cave City Council may be present.*

THE CITY OF BEE CAVE COUNCIL MEETINGS ARE AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT KAYLYNN HOLLOWAY AT (512) 767-6641 AT LEAST 48 HOURS IN ADVANCE OF THE MEETING. THANK YOU.

1. Call meeting to order
2. Roll Call
3. Pledge of Allegiance
4. Consider approval of minutes of the regular meeting conducted on August 16, 2022.
5. Public Hearing, discussion and possible action on Ordinance No. 490 to rezone a one-acre tract located at 14211 W State Highway 71 from Residential Estate (R-1) to Neighborhood Mixed Use (MU-N)
6. Discuss 5-year update of the Our Bee Cave 2037 Comprehensive Plan and review Bee Cave Demographics and Development 2016-2022.
7. Discuss and consider action on identifying a process for developing bylaws for the Planning & Zoning Commission
8. Discuss and consider action on agenda planning for upcoming Planning & Zoning Commission meetings.
9. Adjournment

**The Commission may go into closed session at any time when permitted by Chapters 418 or 551, Texas Government Code, or Section 321.3022 of the Texas Tax Code. Before going into closed session a**

**quorum of the Commission must be present, the meeting must be convened as an open meeting pursuant to proper notice, and the presiding officer must announce that a closed session will be held and must identify the sections of Chapter 551 or 418, Texas Government Code, or Section 321.3022 of the Texas Tax Code authorizing the closed session.**

I certify that the above notice of meeting was posted at Bee Cave City Hall, 4000 Galleria Parkway, Bee Cave, Texas, on the 16th day of September 2022 at 5:00 PM.

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Reggie Brooks

Deputy City Secretary



***Planning and Zoning Commission Meeting***  
***9/20/2022***  
***Agenda Item Transmittal***

**Agenda Item:** 3.

**Agenda Title:** Consider approval of minutes of the regular meeting conducted on August 16, 2022.

**Commission Action:** Approve or Deny

**Department:** Planning and Dev. - PZ Agenda

**Staff Contact:** Reggie Brooks

**1. INTRODUCTION/PURPOSE**

**2. DESCRIPTION/JUSTIFICATION**

**a) Background**

**b) Issues and Analysis**

**3. FINANCIAL/BUDGET**

Amount Requested	Fund/Account No.
Cert. Obligation	GO Funds
Other source	Grant title
Addtl tracking info	

**4. TIMELINE CONSIDERATIONS**

**5. RECOMMENDATION**

**ATTACHMENTS:**

Description	Type
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MINUTES OF THE REGULAR MEETING OF THE  
PLANNING AND ZONING COMMISSION  
CITY OF BEE CAVE  
4000 Galleria Parkway  
Bee Cave, Texas 78738  
August 16, 2022

STATE OF TEXAS       §

COUNTY OF TRAVIS    §

**Present:**

Kit Crumbley, Chair  
Lori Wakefield, Commissioner  
Jerry Dike, Commissioner  
Kirk Wright, Commissioner  
Rick Scadden, Commissioner

**Absent:**

Steven Schmidt, Vice Chair  
Joe Inge, Commissioner

**City Staff:**

Megan Will, Director of Planning and Development  
Kevin Sawtelle, City Engineer  
Logan Maurer, Staff Engineer  
Amanda Padilla, Senior Planner  
Sean Lapano, City Planner

**Call to Order and Announce a Quorum is Present**

With a quorum present, the regular meeting of the Bee Cave Planning and Zoning Commission was called to order by Chair Crumbley, in the Council Chambers at 6:00 p.m. on Tuesday, August 16, 2022.

**Consider approval of minutes of the regular meeting conducted on July 19, 2022**

**MOTION:** A motion was made by Commissioner Dike, seconded by Commissioner Wakefield to recommend approval on the minutes of the regular meeting conducted on July 19, 2022.

The vote was taken on the motion with the following result:

Voting Aye:	Chair Crumbley, Commissioners Wakefield, Dike, Wright
Voting Nay:	None
Abstained:	Commissioner Scadden
Absent:	Vice Chair Schmidt, Commissioner Inge

The motion carried.

**Consider approval of minutes of the special meeting conducted on July 25, 2022**

**MOTION:** A motion was made by Commissioner Wright, seconded by Commissioner Dike to recommend approval on the minutes of the special meeting conducted on July 25, 2022.

The vote was taken on the motion with the following result:

Voting Aye:	Chair Crumbley, Commissioners Wakefield, Dike, Wright
Voting Nay:	None
Abstained:	Commissioner Scadden
Absent:	Vice Chair Schmidt, Commissioner Inge

The motion carried.

**Discuss and consider action on the Final Plat of the Backyard Subdivision, a Replat of the Planet Earth Music Subdivision as recorded in Document No. 201000097 of the Official Public Records of Travis County, Texas.**

**MOTION:** A motion was made by Commissioner Wright, seconded by Commissioner Wakefield to recommend approval on the Final Plat of the Backyard Subdivision, a Replat of the Planet Earth Music Subdivision as recorded in Document No. 201000097 of the Official Public Records of Travis County, Texas.

The vote was taken on the motion with the following result:

Voting Aye:	Chair Crumbley, Commissioners Wakefield, Dike, Wright, Scadden
Voting Nay:	None
Abstained:	None
Absent:	Vice Chair Schmidt, Commissioner Inge

The motion carried.

**Discuss and consider action on Site Plans for parking garages P1 and P2 of the Backyard project located at 13801 Bee Cave Parkway, Bee Cave, TX 78738.**

**MOTION:** A motion was made by Commissioner Dike, seconded by Commissioner Scadden to recommend approval on parking garage P1 of the Backyard project located at 13801 Bee Cave Parkway, Bee Cave, TX 78738.

The vote was taken on the motion with the following result:

Voting Aye:	Chair Crumbley, Commissioners Wakefield, Dike, Wright, Scadden
Voting Nay:	None
Abstained:	None
Absent:	Vice Chair Schmidt, Commissioner Inge

The motion carried.

**MOTION:** A motion was made by Commissioner Dike, seconded by Commissioner Wright to recommend approval on parking garage P2 of the Backyard project located at 13801 Bee Cave Parkway, Bee Cave, TX 78738.

The vote was taken on the motion with the following result:

Voting Aye:	Chair Crumbley, Commissioners Wakefield, Dike, Wright, Scadden
Voting Nay:	None
Abstained:	None
Absent:	Vice Chair Schmidt, Commissioner Inge

The motion carried.

**Discussion of Planning & Zoning Commission policies and procedures.**

**MOTION:** None

**The Planning and Zoning Commission adjourned the meeting at 6:55 p.m.**

PASSED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

ATTEST

\_\_\_\_\_  
Reggie Brooks

\_\_\_\_\_  
Kit Crumbley, Chair







## ***Planning and Zoning Commission Meeting***

***9/20/2022***

### ***Agenda Item Transmittal***

**Agenda Item:** 4.

**Agenda Title:** Public Hearing, discussion and possible action on Ordinance No. 490 to rezone a one-acre tract located at 14211 W State Highway 71 from Residential Estate (R-1) to Neighborhood Mixed Use (MU-N)

**Commission Action:** Discussion and possible action

**Department:** Planning and Development

**Staff Contact:** Amanda Padilla, Senior Planner

#### **1. INTRODUCTION/PURPOSE**

See transmittal letter.

#### **2. DESCRIPTION/JUSTIFICATION**

##### **a) Background**

See transmittal letter.

##### **b) Issues and Analysis**

See transmittal letter.

#### **3. FINANCIAL/BUDGET**

Amount Requested

Cert. Obligation

Other source

Addtl tracking info

Fund/Account No.

GO Funds

Grant title




#### **4. TIMELINE CONSIDERATIONS**

None

#### **5. RECOMMENDATION**

Staff recommends approval of the rezoning from Residential Estate (R-1) to Neighborhood Mixed-Use (MU-N) zoning district.

**ATTACHMENTS:**

Description		Type
	14211 W SH 71 Transmittal Letter	Cover Memo
	Draft Ordinance No 490	Ordinance
	14211 W SH 71 Survey	Exhibit

***Planning & Zoning Commission Meeting  
September 20, 2022  
Agenda Item Transmittal***

**Agenda Item #:** #3

**Agenda Title:** Public hearing, discussion, and possible action on Ordinance No. 490 to rezone the existing zoning from Residential Estate (R-1) to Neighborhood Mixed-Use (MU-N) for the property located at 14211 W State Hwy 71.

**Commission Action:** Discuss and Consider Action

**Initiating Department:** Planning & Development

**Staff Contact:** Amanda Padilla, Senior City Planner

<b>1. INTRODUCTION/PURPOSE</b>
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The purpose of this agenda item is to request rezoning for the property known as the “Yellow Store” from R-1, Residential Estate, to MU-N, Neighborhood Mixed-use, for a 0.995-acre tract of land located at 14211 W State Highway 71.

<b>2. DESCRIPTION/ JUSTIFICATION</b>
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**A. Background.**

Prior to the city’s incorporation in 1987, the property was an existing business known as Major Brand Gas (“The Yellow Store”) which use was classified as a convenience store with gas sales. When the city incorporated and established zoning districts the property was zoned Single Family – Rural Residential (SF-RR) and the use of convenience store with gas sales was designated as legal nonconforming due to the use not being permitted within the SF-RR district.

At the end of June, the city adopted the Unified Development Code establishing the Neighborhood Mixed-Use district, based on the previous Neighborhood Services (NS) district. The MU-N district allows for the same permitted uses as the former NS district and provides an allowance for some additional uses with a Specific Use Permit (SUP). With the recent UDC adoption, the city believes that it is an appropriate time to review the zoning on the property since the Residential Estate (R-1) zoning is inconsistent with the zoning of the surrounding properties, incompatible with the surrounding uses, and inappropriate for the major regional arterial highway context. The current zoning for

Residential Estate is intended to be located at the urban fringe of the City, promote a rural character, and contain lots that are one (1) acre or greater. ,This property is less than an acre.

Staff recommends rezoning the property to Neighborhood Mixed-Use which is a compatible zoning district for the area and allows for uses that are appropriate (see below chart for allowable uses and surrounding lots).

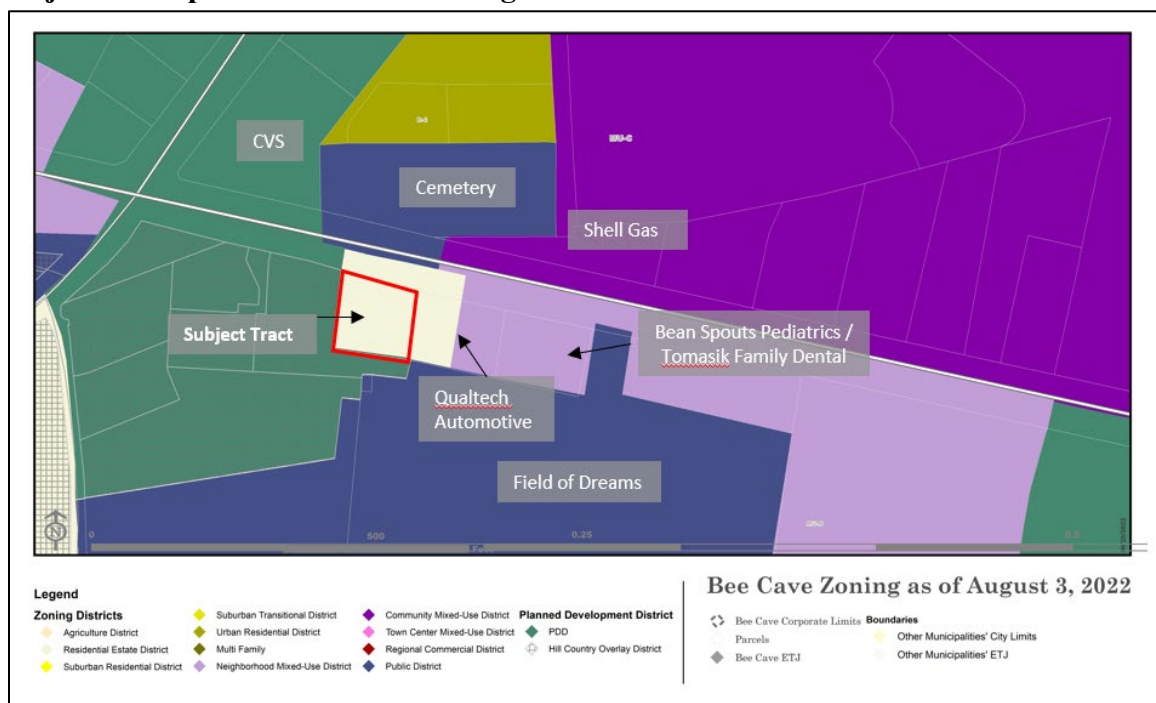
The intent of the Neighborhood Mixed-Use (MU-N) District is the following:

3.2.10.A. Intent.

*The Neighborhood Mixed-Use District (MU-N) is intended to provide a transition between single-use residential districts and the City's major thoroughfares. The MU-N district accommodates neighborhood-scale commercial uses and complementary residential uses such as stacked units above retail or commercial space on the ground floor. The district is designed to serve residents within a 5-minute drive or 10-minute walk. Lots are to be served by Public Facilities such as public streets with curb and gutter and with water and wastewater infrastructure. Buildings should be designed with a high level of sensitivity to the character of the surrounding neighborhood. This district is intended to contribute to community character by providing convenient pedestrian access to commercial services and the critical mass of population needed to support those services.*

## B. Issues and Analysis.

### Adjacent Properties Uses and Zoning:





Adjacent Properties	Uses	Zoning
<b>North</b> (across SH-71)	White Rock Cemetery, Shell Gas Station, CVS Pharmacy	Public (P), Planned Development District (PDD), Community Mixed-Use (MU-C)
<b>South</b>	Field of Dreams (Sports Park)	Public (P), Planned Development District (PDD) Hill Country Overlay
<b>East</b>	Qualtech Automotive, Beansprout Pediatrics, Tomasik Family Dental	Neighborhood Mixed-Use (MU-N), Residential Estate (R-1)
<b>West</b>	Vacant (Undeveloped)	Planned Development District (PDD) Hill Country Overlay

The land surrounding the subject tract contains retail and commercial uses.

Note: The property to the east (Qualtech Automotive) has split zoning of R-1 and MU-N, staff has determined that this split designation is a scrivener's error dating from 2013-2014. Staff has contacted the property owner about correcting this error to designate the entire property as MU-N.

**Neighborhood Mixed-Use (MU-N) Development Standards:**

	<b>Residential Estate (R-1)</b>	<b>Neighborhood Mixed-Use (MU-N)</b>
Minimum Front Setback / Maximum Front Setback (ft)	50 <sup>3</sup>	10 <sup>1,3</sup> /NA
Side Yard (interior setback; corner setback) / Maximum Side Setback (ft)	10% lot width max 25;25	10;10/NA
Rear Yard Setback (ft)	25	10
Minimum Lot Area (sqft) or Maximum Dwelling Units Per Acre (Density), Net	43,560 / 1 DUA	10,000/13 DUA
Minimum Lot Frontage	75	35 <sup>5</sup>
Minimum Lot Width (Interior/Corner) (ft)	100/105	35/40
Minimum Lot Depth (ft)	200	45
Maximum Height (ft) (Primary/accessory)	35/25	35
Maximum Building Footprint (per building)	NA	25,000

1. Buildings adjacent to R1-R4 districts with units fronting on the same street shall match the minimum front setback of the adjacent district.
3. **Except as may be subject to the 75' landscape buffer setback required along all major roadways (SH-71, RR 620, Bee Cave Rd, Bee Cave Pkwy, Hamilton Pool Road).**
5. 150 feet is required on State controlled highway. May be reduced to 75 feet with cross access easement to adjacent properties.

**MU-N Design Standards:**

Rezoning the subject tract to MU-N would require different design standards due to the nature of the district and the high visibility and accessibility to the public. Non-Residential and Mixed-Use development must provide the minimum required number of features from subsections [3.4.5F \(Architectural Elements\)](#), [3.5.4G \(Site Design Elements\)](#), and [3.4.5H \(Sustainability Elements\)](#):

- (i) A building that is 25,000 square feet or less must provide at least four (4) features in both subsections 3.4.5F and 3.4.5G and two (2) features from subsection 3.4.5H.
- (ii) A building that is between 25,000 and 50,000 square feet or less must provide at least six (6) features in both subsections 3.4.5F and 3.4.5G and two (2) features from subsection 3.4.5H.

(iii) A building that is 50,000 square feet or more must provide at least eight (8) features in both subsections 3.4.5F and 3.4.5G and three (3) features from subsection 3.4.5H.

**Neighborhood Mixed-Use (MU-N) Land Uses (Section 3.3.5 UDC) Permitted and that require a SUP:**

	Neighborhood Mixed-Use (MU-N)
Multi-Family Residential (3-5 units per lot)	P
Multi-Family Residential (6+ units per lot)	P
Accessory Dwelling Unit	P
Independent Living Facility	P
Home Occupation	P
Office or Studio, Live-Work	P
<b>Assisted Living Home</b>	<b>S</b>
Community Home or Family Home	P
Bed and Breakfast	P
<b>Farmer's Market</b>	<b>S</b>
Food and Beverage Services	P
<b>Food and Beverage Services (with drive-through)</b>	<b>S</b>
Micro-Brewery or Distillery	P
Retail Sales	P
Artisan Studios	P
Bank or Depository Financial Institution	P
Day Care, Child, Day Care, Adult	P
Personal Services	P
Temporary Buildings	P
Office, General	P
<b>Professional and Business Services (indoor)</b>	<b>S</b>
<b>Research and Development Lab (Life Sciences)</b>	<b>S</b>
Security Quarters	P
<b>Car Wash</b>	<b>S</b>
Electric Vehicle Charging Station or charging station Level 1 and Level 2, Accessory	P
Electric Vehicle Charging Station or charging station Level 3, Accessory	P
<b>Gas Station (with or without Convenience Store)</b>	<b>S</b>
<b>Quick Lube</b>	<b>S</b>
Art Gallery or Museum	P
Cemetery or Mausoleum	P
Community Center	P
Community Center, Residential	P
Dance, Music, or Drama Studio	P
Government Building or Use	P
Healthcare Uses	P
Place of Worship	P



	Neighborhood Mixed-Use (MU-N)
Auto Driving School	P
<b>College or University</b>	<b>S</b>
K-12 School	P
Private Tutoring or Focused Instruction	P
<b>Trade School</b>	<b>S</b>
Fitness Boot Camp	P
Fitness Gym or Health Club	P
Public Park	P
Animal-Related Uses (indoor only)	P
<b>Animal-Related Uses (with outdoor component)</b>	<b>S</b>

### **Consistency with Comprehensive Plan:**

The Comprehensive Plan's Future Land Use Map designation for the property is Urban Corridor. The MU-N zoning district is consistent with this future land use designation. d. The Urban Corridor provides the connections within and through the core of the city and support the highest intensity of uses and activities. The Urban Corridor is appropriate for retail uses, employment, mixed-use, entertainment uses, and government uses..

### **Access/Circulation/Parking:**

The property currently has driveways on SH 71. The applicant would need approval from TXDOT for improvements and changes to driveways and access. These items will be reviewed with the Plat and Site Plan as applicable.

### **Environmental/Stormwater/Drainage:**

The property lies within the Little Barton Watershed and the Edwards Aquifer Contributing Zone. Stormwater and drainage plans will be reviewed with the Plat and Site Plan as applicable.

### **Open Space/Parkland Requirements:**

These items will be reviewed with the Plat and Site Plan as applicable. The property may be allowed up to 60% impervious cover per section 7.3.2C.3(i)(2), which states that redevelopment of sites developed prior to adoption of Ordinance 00-08-29-B: a maximum of 60% impervious cover may be permitted via (a),(b), or a combination of (a) and (b) below:

- (a) The applicant submits a survey no older than one year prior to the date of application delineating existing impervious cover. A percolation test may be required to validate impervious cover greater than 40% existing on site currently:
- or



(b) The city approves a transfer of impervious cover pursuant to Section 7.3.2.C.4. Sites that are eligible under this Subsection 7.3.2.C.3(i)(2) may transfer more than the equivalent of ten (10) percentage points of impervious cover provided that in no case the total impervious cover of the site exceeds sixty percent (60%).

**Landscaping Requirements/Screening Requirements:**

The subject tract is located along State Highway 71 and will be required to maintain a landscaped buffer along the highway. Subsection 3.4.11F.4(i) does allow a reduction in the landscaped buffer and states:

(i) For properties two (2) acres or less that were platted or described by metes and bounds prior to August 29, 2000 adjoining the south side of State Highway 71 between F.M. 620 and Bee Cave Road (F.M. 2244) and that have structures or buildings constructed within 25 feet of the Highway 71 right-of-way, such structures or buildings may be reconstructed, even if the structure or building is not damaged or destroyed, so long as the reconstruction occurs after the property is platted and meets the following conditions:

- (1) The building or structure footprint is not larger than the footprint of the building or structure it is replacing;
- (2) The building or structure is not taller in height than the structure it is replacing or twenty-five (25) feet whichever height is greater; and
- (3) The property then complies with a ten (10) foot setback or buffer requirement.

Development on the subject tract will be required to comply with Article 5 Landscaping and Screening Standards.

**Parkland Requirements:** If residential uses are included in a mixed-use district parkland dedication at a rate of 1 ½ acres of parkland per one hundred 100 dwelling units or prorated portion thereof is required, see UDC Section 6.3.3 for additional information.

**C. Considerations.**

The Unified Development Code section 3.1.8A.6 states that the Planning and Zoning Commission shall consider the following when considering a rezoning and making a recommendation:

- (1) Whether the zoning change is consistent with the Future Land Use Map and the Comprehensive Plan;
- (2) Whether the proposed change will have a detrimental effect on properties abutting the property proposed for rezoning or upon properties affected by the proposed text amendment; and
- (3) Whether the proposed change will result in detrimental impacts upon existing or planned Public Facilities or the administration of this UDC.

The Commission may include a report of its finding and decision as part of the staff report to City Council.

<b>3. FINANCIAL/BUDGET</b>
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N/A

<b>4. TIMELINE CONSIDERATIONS</b>
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None.

<b>5. RECOMMENDATION</b>
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Staff recommends approval of the rezoning from Residential Estate (R-1) to Neighborhood Mixed-Use (MU-N) zoning district.

<b>6. REFERENCE FILES</b>
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1. Draft Ordinance No. 490
2. Lot Survey

## **ORDINANCE NO. 490**

**AN ORDINANCE OF THE CITY OF BEE CAVE, TEXAS (“CITY”) AMENDING THE ZONING OF REAL PROPERTY, IN CONFORMANCE WITH THE CITY OF BEE CAVE COMPREHENSIVE PLAN, SECTION THREE-ONE, FUTURE LAND USE PLAN, FROM CURRENT ZONING AS RESIDENTIAL ESTATE (R-1) DISTRICT TO NEIGHBORHOOD MIXED-USE (MU-N) DISTRICT FOR A 0.995 ACRE TRACT LOCATED AT 14211 WEST STATE HIGHWAY 71, BEE CAVE, TEXAS; AND WHICH TRACT OF LAND IS DESCRIBED AND DEPICTED IN EXHIBIT “A” ATTACHED HERETO; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR FINDINGS OF FACT, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.**

**WHEREAS**, the City of Bee Cave is lawfully incorporated as a Home-Rule municipality and the City Council is the governing body of the City; and

**WHEREAS**, the City Council seeks to provide for the orderly development of land and use of property within its corporate limits; and

**WHEREAS**, the City is empowered by Section 211.005 (Districts) of the Texas Local Government Code to divide the municipality into districts of a number, shape, and size the City Council considers best for carrying out the zoning purposes under state law; and within each district, the City Council may regulate the erection, construction, reconstruction, alteration, repair, or use of buildings, other structures, or land; and

**WHEREAS**, the zoning regulations must be uniform for each class or kind of building in a district, but the regulations may vary from district to district; and shall be adopted with reasonable consideration, among other things, for the character of each district and its peculiar suitability for particular uses, with a view of conserving the value of buildings and encouraging the most appropriate use of land in the municipality; and

**WHEREAS**, the City recognizes its responsibility and authority to impose ordinances and controls that are necessary for the government of the City, its interest, welfare, and good order of the City; and

**WHEREAS**, pursuant to the City of Bee Cave Unified Development Code, Article 3, “Zoning Regulations” section 3.1.8.A3(iii), staff may, at the direction of the City Manager, initiate amendments to the zoning provisions; and

**WHEREAS**, section 3.2.10 of the Unified Development Code provides that the purpose of a Neighborhood Mixed-Use (MU-N) District is intended to provide a transition between single-use residential districts and the city’s major thoroughfares; and

**WHEREAS**, Neighborhood Mixed-Use (MU-N) is also intended to contribute to community character by providing convenient pedestrian access to commercial services and the critical mass of population needed to support those services; and

**WHEREAS**, the City of Bee Cave Comprehensive Plan (“Comprehensive Plan”), Future Land Use Plan provides that it shall serve as a guide for future land use patterns and that all aspects of the Comprehensive Plan “are implemented primarily through development regulations (zoning and subdivision ordinances)”; this area is designated as Urban Corridor; and

**WHEREAS**, the Comprehensive Plan provides that retail uses, employment, mixed-use, entertainment uses, and government uses are complimentary land uses within the Urban Corridor; and

**WHEREAS**, re-designating the zoning classification of the subject property described herein will protect the integrity and continuity of the Comprehensive Plan and such proposed land uses are consistent with the Comprehensive Plan; and

**WHEREAS**, the City of Bee Cave Planning and Zoning Commission and the City of Bee Cave City Council (“City Council”), in compliance with the City of Bee Cave Unified Development Code section 3.1.8, Texas Local Government Code section 211.006(a), et seq., and all applicable laws of the State of Texas, 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 is of the opinion and finds that a zoning change as described herein should be granted and that the Comprehensive Zoning Ordinance and Map should be amended as set forth herein; and

**WHEREAS**, any protest made against the proposed change of Zoning Classification has been duly considered by the City Council; and

**WHEREAS**, the City Council finds that re-designating the real property described herein is prudent and, in accordance with Texas Local Government Code section 211.004(a)(3), will promote the health and general welfare of the City of Bee Cave and its citizens;

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

**SECTION 2.** Amendment. That the City Zoning Ordinance and Map of the City of Bee Cave, Texas, be and the same are hereby, amended so as to grant a change of zoning from Residential Estate (R-1) District to Neighborhood Mixed-Use (MU-N) District for the 0.995-acre real property hereinafter described, and depicted in Exhibit “A,” attached hereto.

**SECTION 3.** Severability. 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 Article 3, Zoning Regulations, of the City of Bee Cave Unified Development Code and Map as a whole.

**SECTION 4:** Repealer. All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

**SECTION 5.** Notice and Meeting Clause. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**SECTION 6.** Effective Date. That this Ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED** by the City Council of the City of Bee Cave, Texas, on the \_\_\_\_ day of \_\_\_\_\_, 2022.

**CITY OF BEE CAVE, TEXAS**

\_\_\_\_\_  
Kara King, Mayor

**ATTEST:**

\_\_\_\_\_  
Kaylynn Holloway, City Secretary

**APPROVED AS TO FORM:**

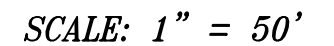
\_\_\_\_\_  
City Attorney  
DENTON NAVARRO ROCHA BERNAL & ZECH, PC

Ord. 490 – 14211 W SH 71 Zoning

Exhibit “A”


**Property Description**

OF  
0.997 ACRES OF LAND OUT OF THE HALL MEDLIN SURVEY NO. 523, ABSTRACT  
0 IN TRAVIS COUNTY, TEXAS, BEING THAT CERTAIN TRACT OF LAND RECORDED  
IN TEXAS CERTIFICATE OF MERGER RECORDED IN DOCUMENT NUMBER  
020015227, O.P.R.T.C.T., ALSO BEING A CALLED 0.995 ACRE TRACT OF LAND  
RECORDED IN VOLUME 12717, PAGE 1875, R.P.R.T.C.T.



LINE	BEARING	DISTANCE
L1	S 73°42'16" E	57.94'
[L1]	[N 73°59' W]	

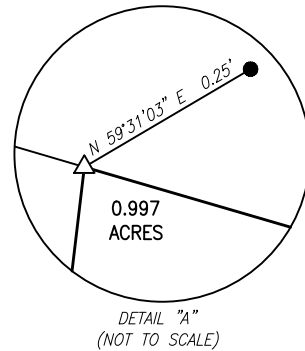
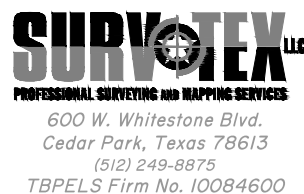


 April 5, 2022

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JOHN W. McCOWN  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5135

- SHEET: 1 OF 1





## ***Planning and Zoning Commission Meeting***

***9/20/2022***

### ***Agenda Item Transmittal***

**Agenda Item:** 5.

**Agenda Title:** Discuss 5-year update of the Our Bee Cave 2037 Comprehensive Plan and review Bee Cave Demographics and Development 2016-2022.

**Commission Action:**

**Department:** Planning and Development

**Staff Contact:** E. Megan Will, Director of Planning & Development

#### **1. INTRODUCTION/PURPOSE**

To begin the process of completing a evaluation and update of the Comprehensive Plan, "Our Bee Cave 2037". Staff will provide an overview of demographic and development changes since the plan's 2016 adoption and present a workplan for completing the 5-year update.

#### **2. DESCRIPTION/JUSTIFICATION**

##### **a) Background**

The Implementation Section (Sec. 4) of the Comprehensive Plan advises that the Planning & Zoning Commission and City Council jointly should review the Comprehensive Plan annually with respect to current conditions and trends (see *Annual Review and Reporting* pg. 106). These annual reviews are meant as a basis for making changes and additions to the Plan to keep it current and applicable in the long-term. Additionally, it is advised the Plan undergo a thorough review and update every five years culminating in a staff-prepared Five-Year Evaluation Report.

##### **b) Issues and Analysis**

To date, annual review and update of the Comprehensive Plan has not been undertaken. Considering the recent adoption of the Unified Development Code (UDC), approval of the city's first Capital Improvements Program (CIP), initiation of the Hamilton Pool Road Alternative Access study and Brown Property Master Plan, and the beginning of construction of two large mixed-use developments (Backyard and Village at Spanish Oaks) evaluation of the Comprehensive Plan and consideration of potential updates is critical to assure the plan's ongoing relevance. Since it's six years post plan adoption, a review and update in the style of a 5-year Evaluation Report is recommended.

#### **3. FINANCIAL/BUDGET**



Amount Requested  
Cert. Obligation  
Other source  
Addtl tracking info

Fund/Account No.  
GO Funds  
Grant title

#### **4. TIMELINE CONSIDERATIONS**

#### **5. RECOMMENDATION**

Staff recommends the following work program for completing a 5-year-style Evaluation Report of the Comprehensive Plan.

9/20/22: Introductory discussion of Plan review and update with an overview of demographic and development trends 2016-2022

10/4/2022: Begin review of plan element Goals & Strategies. Future Land Use & Annexation, Housing & Neighborhoods

10/18/2022: Continue review of plan element Goals & Strategies. Mobility, Public Facilities, Services & Infrastructure

11/1/2022: Continue review of plan element Goals & Strategies. Parks & Recreation and Environment & Resource Protection

11/15/2022: Continue review of plan element Goals & Strategies. Community Character, Economic Development, Culture & Education

12/6/2022: Review/consensus on recommended Plan updates.

January 2023 - Staff provides Evaluation Report to P&Z and Council including recommendations for major updates to Bee Cave 2037 based on the evaluation.

Jan/Feb 2023: Staff available to discuss report/recommendations at P&Z and Council meetings as requested.

March 2023: Joint P&Z & Council session to discuss report findings and consider action on major update recommendations.



## ***Planning and Zoning Commission Meeting***

***9/20/2022***

### ***Agenda Item Transmittal***

**Agenda Item:** 6.

**Agenda Title:** Discuss and consider action on identifying a process for developing bylaws for the Planning & Zoning Commission

**Commission Action:**

**Department:** Planning and Development

**Staff Contact:** E. Megan Will, Director of Planning & Development

#### **1. INTRODUCTION/PURPOSE**

The purpose of this agenda item is for the Commission to determine how they would like to develop by-laws (e.g. drafting by a single author for Commission consideration, establishing a sub-committee to draft together, etc.).

Commissioners are encouraged to identify provisions they would like considered for inclusion in by-laws and bring them to the meeting for discussion.

#### **2. DESCRIPTION/JUSTIFICATION**

##### **a) Background**

##### **b) Issues and Analysis**

#### **3. FINANCIAL/BUDGET**

Amount Requested

Cert. Obligation

Other source

Addtl tracking info

Fund/Account No.

GO Funds

Grant title

#### **4. TIMELINE CONSIDERATIONS**

## **5. RECOMMENDATION**



## ***Planning and Zoning Commission Meeting***

***9/20/2022***

### ***Agenda Item Transmittal***

**Agenda Item:** 7.

**Agenda Title:** Discuss and consider action on agenda planning for upcoming Planning & Zoning Commission meetings.

**Commission Action:**

**Department:** Planning and Development

**Staff Contact:** E. Megan Will, Director of Planning & Development

#### **1. INTRODUCTION/PURPOSE**

The purpose of this agenda item is for staff to alert the Commissioners of items tracking for upcoming meeting agendas.

#### **2. DESCRIPTION/JUSTIFICATION**

##### **a) Background**

##### **b) Issues and Analysis**

#### **3. FINANCIAL/BUDGET**

Amount Requested

Cert. Obligation

Other source

Addtl tracking info

Fund/Account No.

GO Funds

Grant title

#### **4. TIMELINE CONSIDERATIONS**

#### **5. RECOMMENDATION**

Include this item on all future meeting agendas as "Agenda Management".



***Planning and Zoning Commission Meeting***  
***9/20/2022***  
***Agenda Item Transmittal***